PLANNING PROPOSAL

264-268 PENNANT HILLS ROAD CARLINGFORD

D04320395 (RZ/2/2015)

Planning Proposal drafts

Proponent versions:

No.	Author	Version
1.	DFP Planning Consultants	February 2015

Council versions:

No.	Author	Version
1.	Parramatta City Council	Reported to Council Meeting 22 August 2016
2.	Parramatta City Council	Sent to DP&E for Gateway Determination

Contents

INTRODUCTION

This planning proposal explains the intended effect of, and justification for, the proposed amendment to *Parramatta Local Environmental Plan 2011* (PLEP 2011). It has been prepared in accordance with Section 55 of the *Environmental Planning and Assessment Act 1979* and the Department of Planning and Environment guides, 'A Guide to Preparing Local Environment Plans' (April 2013) and 'A Guide to Preparing Planning Proposals' (October 2012).

Background and context

On 13 February 2015, Council received an application from BaptistCare NSW & ACT relating to land at 264-268 Pennant Hills Road, Carlingford. This site comprises three allotments – Lot 1 DP 1033201, Lot 2 DP364225 and Lot 1 DP23212 and has a total area of 28,286m^2. The site is shown in **Figure 1**, below.

Figure 1 – Site at 264-268 Pennant Hills Road, Carlingford subject to the planning proposal

The land is subject to planning controls provided under PLEP 2011. The existing and proposed LEP controls are summarised in Table 1.

Table 1 – Summary of current and proposed controls under Parramatta LEP 2011

Control	Current*	Planning Proposal*
Zoning	Part R2 Low Density Residential Part SP2 Infrastructure (Classified Road)	Part R2 Low Density Residential Part R4 High Density Residential Part SP2 Infrastructure (Classified Road)
Height	9 metres	Part 9m, 11m, 14m, 20m and 29m**
FSR	0.5:1	1.2:1**

Natural Resources Biodiversity	N/A	To map part of site as Natural Resources-Biodiversity to reflect existing Endangered Ecological Community (EEC) on the site.

* See Maps in Section 4 'Mapping'
**Part of site has nil height or FSR that correlates with SP2 zoning.

Note: Further to Council's resolution of 8 August 2016, the proposed height and FSR may be reduced following the preparation of studies required by Council resolution of 14 June 2016. See Council report and resolution of 14 June 2016 at **Appendix 1**.

PART 1 – OBJECTIVES OR INTENDED OUTCOMES

The objective of this planning proposal is to allow for the redevelopment of the site for higher density residential development in a manner that does not result in adverse impacts on the natural and built environment.

In order to achieve this outcome, the provisions of Parramatta LEP 2011 as they currently apply will need to be amended. This planning proposal seeks to amend the land use zoning and building height and floor space controls in order to achieve the intended outcome.

In addition, and as a separate but concurrent process, an amendment to Parramatta DCP 2011 is also proposed. This amendment will provide more detailed development controls for the site.

PART 2 – EXPLANATION OF PROVISIONS

This planning proposal seeks to amend *Parramatta LEP 2011* (*PLEP 2011*) in relation to the zoning, height and floor space ratio controls as detailed below

Table 2 – Summary required amendments to Parramatta LEP 2011

Control	**Current***	**Planning Proposal***	**Required LEP Amendment**
Zoning	Part R2 Low Density Residential Part SP2 Infrastructure (Classified Road)	Part R2 Low Density Residential Part R4 High Density Residential Part SP2 Infrastructure (Classified Road)	Amend Map Sheet LZN_013
Height	9 metres	Part 9m, 11m, 14m, 20m and 29m**	Amend Map Sheet HOB_013
FSR	0.5:1	1.2:1**	Amend Map Sheet FSR_013
Natural Resources Biodiversity	N/A	To map part of site as Natural Resources-Biodiversity to reflect existing Endangered Ecological Community (EEC) on the site.	Natural Resources - Biodiversity Map

* See Maps in Section 4 'Mapping'

Note: Further to Council's resolution of 8 August 2016, the proposed height and FSR may be reduced following the preparation of studies required by Council resolution of 14 June 2016.See Council report and resolution of 14 June 2016 at **Appendix 1**.

2.1 Other relevant matters

2.1.1 Voluntary Planning Agreement

A draft Voluntary Planning Agreement (VPA) offer was made by the proponent in relation to 264-268 Pennant Hills Road, Carlingford including widening of Martins Lane, and potential for an affordable housing unit to be dedicated to Council.

Any future VPA would need to be commensurate with the uplift being sought by the application. Consideration would also need to be given to the traffic upgrade requirements suggested by the RMS. These matters could be considered further following gateway determination. Any future VPA offer will change based on further studies undertaken in accordance with Council resolution of 14 June 2016.

A draft VPA will ideally be exhibited in conjunction with the planning proposal.

2.1.2 Draft DCP

A draft site-specific DCP, which seeks an amendment to the Parramatta DCP 2011, has been prepared by the proponent for 264-268 Pennant Hills Road, Carlingford. The draft site-specific DCP intends to guide any future development on the site as a result of the Planning Proposal. This will be assessed separately and ideally exhibited in conjunction with the planning proposal and draft VPA.

The draft DCP is likely to be amended following the preparations of studies required to be undertaken in line with Council resolution 14 June 2016.

PART 3 – JUSTIFICATION

This part describes the reasons for the proposed outcomes and development standards in the planning proposal.

3.1 Section A - Need for the planning proposal

This section establishes the need for a planning proposal in achieving the key outcome and objectives. The set questions address the strategic origins of the proposal and whether amending the LEP is the best mechanism to achieve the aims on the proposal.

3.1.1 Is the Planning Proposal a result of any study or report?

The planning proposal is not the direct result of a strategic study, but rather the result of an evaluation by BaptistCare of its assets.

In order to inform the most appropriate form and density of development for the site, the applicant prepared a detailed Urban Design Analysis that was undertaken by AJ+C Architects. A copy of the Urban Design Analysis is included at **Appendix 2**.

The Urban Design Analysis considered the site in its immediate and broader context and assessed the development potential of the site having regard to this context and potential impacts on the surrounding environment. As part of the Urban Design Analysis,

a concept scheme was prepared. It is noted that Council has raised Urban Design Concerns as outlined in the Council report of 14 June 2016 (see **Appendix 1**).

Figure 2, on the following page, is a reduced version of the concept plan contained in the Urban Design Report at **Appendix 2**.

Figure 3, on the following page, is a long section through the site (from Pennant Hills Road to the southern boundary) illustrating how future building height and scale changes with the slope of the land.

The building footprints illustrated in **Figures 2** and **3** relate to building envelopes. The building envelopes have been derived for the purposes of informing the maximum building height and FSR controls being sought as part of the Planning Proposal; they are not indicative of a master plan or staged development application.

As noted in Council's report of 14 June 2016, Council officers have raised a number of urban design concerns in relation to the proposal. It is noted that these matters could be further considered via studies required by Council resolution of 14 June 2016. See Council report and resolution of 14 June 2016 at **Appendix 1**.

Figure 2: Extract from Urban Design Analysis

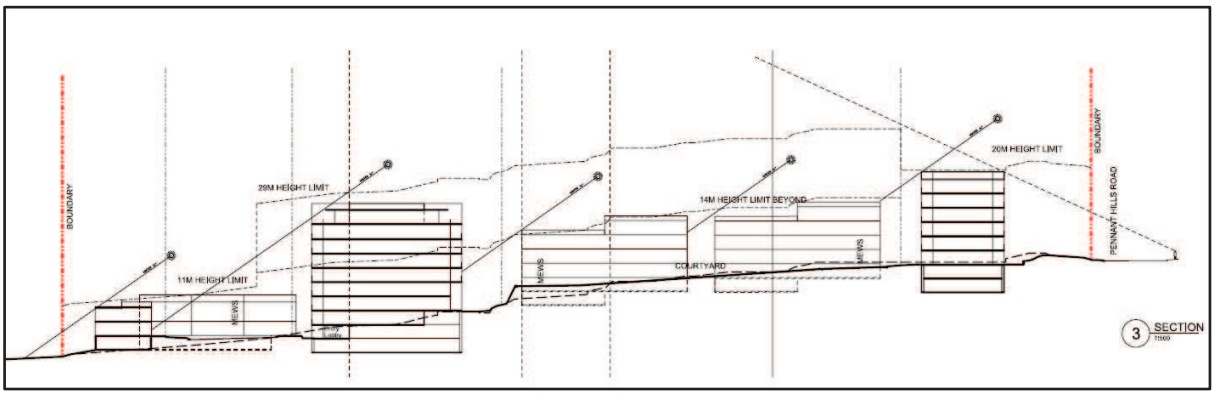


Figure 3 – North-South section illustrating building heights and response to slope

3.1.2 Is the Planning Proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

The planning proposal is the best and most appropriate means of achieving the desired future redevelopment of this land. The land use zoning of the site needs to be changed in order to achieve redevelopment of the land for higher density residential development as this form of development is currently not permissible on the site. A planning proposal is the only means available to achieve a rezoning of the site.

3.2 Section B – Relationship to strategic planning framework

This section assesses the relevance of the Planning Proposal to the directions outlined in key strategic planning policy documents. Questions in this section consider state and local government plans including the NSW Government's Plan for Growing Sydney and subregional strategy, State Environmental Planning Policies, local strategic and community plans and applicable Ministerial Directions.

3.2.1 Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy?

A Plan for Growing Sydney

On 14 December 2014, the NSW Government released '*A Plan for Growing Sydney*' which outlines actions to achieve the Government's vision for Sydney which is a 'strong global city and a great place to live'.

One of the key components of *A Plan for a Growing Sydney* is accelerate the delivery of new housing in Sydney to meet the needs of a bigger population and to satisfy a growing demand for different types of housing. *Over the next 20 years, the population in Sydney will grow much faster than in the last 20 years. Projections indicate that Sydney will need around 664,000 additional homes over the next 20 years. New housing will be needed in greenfield locations and the established urban area. Providing housing in a variety of sizes, types and locations will be essential to meeting Sydney's future housing need. Increasing housing supply will boost economic activity and generate viable infrastructure and business investment opportunities.*

The planning proposal will allow for increased density on a site which is currently underdeveloped based on its assessed development potential. The site has the capacity to be developed to provide approximately 350 residential apartments in a location which is well serviced by public transport. Therefore this planning proposal will assist in meeting the objectives of *A Plan for a Growing Sydney*.

West Central Subregion Draft Subregional Strategy

The Subregional Strategy translates objectives to the local level, and recognises that some issues extend beyond local government boundaries and require a 'subregional' approach. The draft Subregional Strategies act as a broad framework for the long term development of the area, guiding government investment and linking local and state planning issues. It was exhibited in December 2007 through to March 2008.

Parramatta local government area is part of the West Central Subregion.

The Department of Planning & Environment's population, dwelling and household projections estimate that the population of the West Central District is projected to grow by more than 478,600 people over the next 20 years. Both population increase and change in household size will result in demand for an additional 183,750 new homes in the district to 2031.
A Plan for Growing Sydney identifies the following directions, actions and priorities for Parramatta and the West Central Subregion that are relevant to the site and planning proposal:

The Plan identifies that:

> *The West Central subregion will be a significant focus for infrastructure investment and intensive growth over the next 20 years. Greater Parramatta will continue to be Sydney's second CBD and a focus for jobs growth and services delivery in Sydney's west.*

The priorities for the West Central sub region that will be considered and addressed in the planning for this sub region include accelerating housing supply, choice and affordability and building great places to live.

Priorities for the West Central District of relevance to the subject site include:

> *Work with councils to identify suitable locations for new services, homes and jobs close to transport including the North West Rail Link, the Western Line, the Cumberland Line, the Carlingford Line, the Bankstown Line, Sydney Rapid Transit and bus T-Ways.*
>
> *Work with councils to identify opportunities to revitalise suburbs.*

The Planning Proposal seeks to deliver 350 apartments which makes a contribution towards Council's housing targets in a location close to the Carlingford railway line.

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

The following strategic planning documents are relevant to the planning proposal.

Parramatta 2038 Community Strategic Plan

Parramatta 2038 is a long term Community Strategic Plan for the City of Parramatta and it links to the long-term future of Sydney. The plan formalises several big and transformational ideas for the City and the region.

The planning proposal is considered to meet the strategies and key objectives identified in the plan by facilitating the redevelopment of this site for the purposes of higher density residential development.

Residential Development Strategy

In order to inform Parramatta LEP 2011, Council prepared a Residential Development Strategy that identified areas suitable for more intensive development. Those areas are located proximate to centres and public transport services.

The land immediately east of the site is zoned R4 High Density Residential under Parramatta LEP 2011 in recognition of its accessibility to Carlingford railway station.

The site is less than 800m from Carlingford railway station and has direct access to regular bus services which travel along Pennant Hills Road to Parramatta, Pennant Hills and Macquarie Park and therefore is accessible to public transport.

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

The following State Environmental Planning Policies (SEPPs) are of relevance to the site (refer to Table 3 below).

Table 3 – Comparison of planning proposals with relevant SEPPs

State Environmental Planning Policies (SEPPs)	**Consistent: Yes - ✓ No - ✗ or N/A**	**Comment**
SEPP No 1 Development Standards	N/A	SEPP 1 does not apply to Parramatta LEP 2011
SEPP No 55 Remediation of Land	Yes	The site is currently used for residential purposes so the use of the site is fundamentally unchanged. The site is not likely to be contaminated.
SEPP 64 – Advertising and Signage	N/A	Not relevant to proposed amendments.
SEPP No 65 Design Quality of Residential Flat Development	Yes	Detailed compliance with SEPP 65 will be undertaken at DA stage.
SEPP No.70 Affordable Housing (Revised Schemes)	N/A	Not relevant to proposed amendments.
SEPP (Affordable Rental Housing) 2009	N/A	Not relevant to proposed amendments.
SEPP (BASIX) 2004	Yes	Any future development will need to comply with the provisions of the SEPP
SEPP (Exempt and Complying Development Codes) 2008	Yes	Not relevant to proposed amendments.
SEPP (Housing for Seniors or People with a Disability) 2004	Yes	Not relevant to proposed amendments.
SEPP (Infrastructure) 2007	Yes	The provisions of the SEPP will apply to any redevelopment of the site
Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005 (new a Deemed SEPP)	Yes	The Principles contained within the SEPP as relevant to this planning proposal, particularly in relation to stormwater quality, stormwater quantity and ecological matters have been considered in the planning proposal. The provisions of the SEPP will apply to any redevelopment of the site

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

In accordance with Clause 117(2) of the *EP&A Act 1979* the Minister issues directions for the relevant planning authorities to follow when preparing planning proposals for new LEPs. The directions are listed under the following categories:

- Employment and resources
- Environment and heritage
- Housing, infrastructure and urban development
- Hazard and risk
- Regional planning
- Local plan making
- Metropolitan planning

The following directions are considered relevant to the subject Planning Proposal.

Table 4 – Comparison of planning proposals with relevant Section 117 Directions

Section	Comment	Compliance
1. Employment and Resources		
Direction 2.1 – Environmental Protection Zones	The site is not within an environmental protection zone however some existing vegetation on site is part of an endangered ecological community (EEC), namely trees that comprise part of the Sydney Blue Gum High Forest EEC. The concept scheme (**Figure 2**) has been designed to avoid impacts on existing blue gums. The potential impacts of any redevelopment on existing vegetation, including an assessment of whether that vegetation is part of an EEC will be required to be assessed upon receipt of an application for redevelopment. Further discussion regarding EECs is provided in Section 3.3.1 of this report.	Yes
Direction 2.3 - Heritage Conservation	Neither the site nor any buildings or landscape items on the site are items of environmental heritage. The site is not within a heritage conservation zone.	N/A
Direction 3.1 - Residential Zones	This Direction applies as the planning proposal will affect land within an existing residential zone. The objectives of the Direction are: • *to encourage a variety and choice of housing types to provide for existing and future housing needs,* • *to make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services, and* • *to minimise the impact of residential development on the environment and resource lands.* The planning proposal is considered to be consistent with the objectives because: • It will allow for the development of a range of housing types on the site including residential flat buildings, thus providing more housing choice in a location which has good access to public transport • The site is adequately serviced by essential infrastructure.	Yes
Direction 3.4 - Integrating Land Use	The objectives of this Direction are as follows:	Likely

Section	Comment	Compliance
and Transport	• *improving access to housing, jobs and services by walking, cycling and public transport, and* • *increasing the choice of available transport and reducing dependence on cars, and* • *reducing travel demand including the number of trips generated by development and the distances travelled, especially by car, and* • *supporting the efficient and viable operation of public transport services, and* • *providing for the efficient movement of freight.* This site is well located in terms of access to public transport and other services and therefore there will be opportunities for future residents to use alternative forms of transport and reduce dependence on private cars. The transport report at **Appendix 3** discusses the opportunities to utilise alternative forms of transport.	
Direction 4.1 - Acid Sulfate Soils	The objective of this direction is to avoid significant adverse environmental impacts from the use of land that has a probability of containing acid sulfate soils. Council has no Acid Sulfate Soil information relating to the subject site. Nonetheless, clause 6.1 (Acid Sulfate Soil) of Parramatta LEP 2011 will be required to be addressed as part of any future development application for the site, including the potential requirement for the preparation of Acid Sulfate Soils Management Plan where relevant.	Yes
Direction 6.2 – Reserving Land for a Public Purpose	The site is affected by an SP2 zone which provides for road widening along part of the Pennant Hills Road frontage. This planning proposal does not seek to remove or alter the SP2 zone as it affects the site. The concept scheme provides sufficient flexibility to allow for this road widening to be provided in the future, if required.	Yes

3.3 Section C – Environmental, social and economic impact

This section considers the potential environmental, social and economic impacts which may result from the Planning Proposal.

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

An arborist assessment commissioned by BaptistCare as part of it ongoing maintenance program for the existing seniors housing development identified a number of Sydney Blue Gums *(Eucalyptus saligna)* on the site. A copy of the Arborist assessment is provided at **Appendix 4**.

The arborist report states:

> *No heritage listed trees were found on site. There were no individual tree species identified on site that are listed as endangered, critically endangered or vulnerable under the TSC Act and EPBC Act. There is a significant group of E. saligna trees on this site towards the southern boundary which may constitute Blue Gum High Forest. These do not appear on*

> *the local Parramatta LEP 2011 plans as biodiversity. These are protected and would require further application to the department of land and water conservation for approved works in intervention and reduction of risk.*

The concept scheme (**Figure 2**) has had regard to existing trees, including the stand of Blue Gums adjacent to the southern boundary of the site. As far as possible, the concept scheme makes provision for the retention of trees identified in the arborist report as trees to be retained.

BaptistCare has also commissioned an Assessment of Significance of the Blue Gum High Forest (BGHF) critically endangered ecological community (EEC) which was undertaken by Cumberland Ecology, a copy of which is provided at **Appendix 5**.

Cumberland Ecology has confirmed that the site does contain approximately 0.28ha of BGHF. As part of their assessment, Cumberland Ecology developed a map of the areas of highest ecological constraint to future development and, conversely, the areas of least constraint to future development. Constraints identified primarily focused on impacts associated with Threatened Species Conservation Act (TSC Act) listed species and their habitats, communities and populations. A Constraints Map extracted from Cumberland Ecology is provided at **Figure 4**.

Cumberland Ecology assessment has produced areas of high and low constraint. The high constraint aligns with the BGHF shaded green and blue. The remainder of the site is a low constraint being either existing buildings or planted vegetation.

The following is an extract from the Ecological Constraints Assessment prepared by Cumberland Ecology:

> *The Blue Gum High Forest on the subject site exists as 14 scattered canopy trees with a highly modified understorey and has moderate conservation significance. Nonetheless, the community is critically endangered, and is at great risk from development in general. Presently though, the remnant trees within the subject site do not greatly contribute to the long-term survival of the community in the locality. Assuming the Planning Proposal would facilitate the removal of all 14 E. saligna remnant trees (0.28 ha of Blue Gum High Forest), the result would have a significant impact on the community within the subject site, but not in the locality as the community is conserved in nearby parks and reserves. As evidenced in the Master Concept Plan (see Figure 1.3), it is unlikely that a proposed future development would clear all 14 remnant trees within the subject site, reducing the impacts on the community within subject site and the locality.*

Council's Open Space and Natural Area Planner has provided the following comment.

> *"A review of the report confirms the presence of 0.28ha of Blue Gum High Forest (BGHF) in 2 distinct areas comprising:*
>
> - *Area 1 (11 x Eucalyptus saligna) located along the southern edges of the site;*
> - *Area 2 (3 x Eucalyptus saligna) located along the south-eastern edges of the site.*
>
> *A number of these trees feature hollows, which provide important habitat for local native fauna. Whilst a modified understorey exists, these BGHF areas are consistent with the NSW Scientific Committee Determination for Critically Endangered Blue Gum High Forest (Threatened Species Conservation Act 1995). BGHF has been reduced to less than 5% of its original extent, with the remaining patches being fragmented, lacking native understorey and surrounded by urban development.*
>
> *The report therefore regards the BGHF within the site to be of 'moderate conservation significance' and that 'its removal could be considered significant*

given that the community is listed as critically endangered' and 'will contribute to the cumulative loss of what is considered to be an over-cleared vegetation community'.

The report notes that 'the planning proposal has the potential to cause a significant impact on Blue Gum High Forest through facilitation of future urban development of the subject site' and 'has the potential to cause a significant impact on the community within the subject site if avoidance measures aren't taken '.

It recommends that 'any development facilitated by the Planning Proposal avoids the removal of Eucalyptus saligna trees where possible' and 'that characteristic shrub and understorey BGHF plant species may be incorporated into the landscape plan to further increase the ecological functioning of the community within the subject site'.

Recommendations

i. In recognition of the conservation significance of the BGHF within the site,it is recommended that the BGHF Areas 1 & 2 (Figure 3.1) are included within the Natural Resources - Biodiversity Map (as this is consistent with other Critically Endangered Ecological Communities located on non-public land within Parramatta LGA);

ii. Buildings (and other infrastructure) are to be located and designed to ensure the retention and ongoing health of the 14 x Eucalyptus saligna trees in Areas 1 & 2 (Figure 3.1);

ii. Landscaping within the site in proximity to the BGHF Areas 1 and 2 is to incorporate the use of BGHF understorey plant species."

The Planning Proposal includes a draft map showing the area to be included in the Natural Resources Biodiversity Layer. Any associated site specific DCP could also include controls relating to the specific retention of the existing Blue Gum High Forest trees.

In view of this assessment, it is considered that there is no impediment to the Planning Proposal proceeding. It is acknowledged that as part of any future application for the development of the site would need to include an assessment of potential impacts on the EEC and threatened species in accordance with Section 5A of the EP&A Act (the 'Assessment of Significance') and if the Assessment of Significance concluded that the proposed development would have a significant impact on Blue Gum High Forest or threatened species, a Species Impact Statement (SIS) would need to be undertaken.

Figure 3.1. Vegetation Communities and Locations of Habitat Items and Threatened Species

Figure 4 – Vegetation communities (extracted from Cumberland Ecology, Ecological Constraints

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

The main potential environmental impacts to be examined in detail with any future development proposal for the site are:

- Topography
- Stormwater Management
- Urban Design and Built Form
- Traffic and Parking Assessment
- Noise
- Visual Impacts
- Overshadowing and Privacy

Topography

The site slopes steeply from Pennant Hills Road to Homelands Avenue at the south of the site. The slope from north to south is approximately 23m. The topography of the site allows for a variety of building heights and forms to be considered.

The building footprints in the concept scheme (**Figure 2**) have been positioned to minimise re-contouring of the land and to take advantage of the district views. The slope of the land allows for buildings to follow the slope and will ensure that the taller structures do not dominate the skyline.

Stormwater Management

Calibre Consulting, on behalf of BaptistCare, undertook an analysis of current stormwater discharge from the site. A copy of the Calibre Consulting assessment is included at **Appendix 6** to this report.

Calibre Consulting found that:

> *Stormwater drainage and treatment measures for any redevelopment of the site will be required to be designed to incorporate Environmentally Sustainable Design (ESD) and Water Sensitive Urban Design (WSUD) principles in order to reduce peak stormwater discharge and runoff volume, improve stormwater runoff quality and reduce demands on potable water. Measures to achieve these aims could include overland flow paths and in-ground drainage systems, Onsite Stormwater Detention (OSD), rainwater harvesting and re-use, gross pollutant traps and bio-retention systems.*

The Parramatta DCP 2011 requires the implementation of Water Sensitive Urban Design (WSUD) principles as part of any redevelopment of a site. This process will ensure that the quality of stormwater leaving the site is improved and that the quantity of stormwater discharge from the site post development is not greater than existing levels.

The draft amendment to Parramatta DCP 2011, prepared by the applicant, includes an objective for any redevelopment of the site to achieve a net benefit in terms of stormwater discharge quantities and quality. These matters can be considered as part of a future development application.

Traffic and Parking

This matter is yet to be resolved, as outlined in Council's report of 14 June 2016, and would be subject to further traffic and transport analysis and possibly to VPA negotiations. An extract of the Council report as it relates to traffic and transport is provided below:

> The subject planning proposals are located adjacent to Pennant Hills Road, which forms a major arterial road linking Parramatta to Wahroonga. The road is an RMS controlled roadway, and until recently (12 May 2016) formed a boundary divide between Parramatta City Council and The Hills Shire Council (within part of the suburb of Carlingford).
>
> Both of the Planning Proposal allotments that adjoin Pennant Hills Road are subject to road widening reservations, to be acquired by the RMS. Given this affectation, the Baptistcare Planning Proposal was referred to the RMS for comment. The Preliminary Planning Proposal for the adjoining site (258-262 Pennant Hills Road and 17&20 Azile Court) has not been referred to date, as it is likely that the comments made to the Baptistcare site would be relevant to both sites.
>
> In their letter dated 24 March 2015, the RMS raised no objection to the planning amendments sought by the Baptistcare Planning Proposal. However, the RMS requested that demonstration that the following works can be achieved, should the Planning Proposal be endorsed:
> - Signalisation of Pennant Hills Rd/Baker St intersection;
> - Signalised vehicular access/egress to the site at Pennant Hills Rd/Baker St intersection, including:
> - Right turn movements from Pennant Hills Rd into the site are not to be permitted;
> - Diamond right turn phasing – right turn out of the site is restricted;
> - Internal streets designed to avoid vehicle rat-running through the site;
> - Intersection of Pennant Hills Road and Martins Lane is to be widened to allow for left in/left out movements,
> - No right hand turns movements from Martins Lane to Pennant Hills Road or from Pennant Hills Road into Martins Lane will be permitted.
>
> The RMS has requested that these works be fully funded and constructed by developer/proponent, including maintenance of traffic control signals for first 10 years. The RMS has also requested that the developer/proponent be required to submit detailed civil signal design plans to meet RMS requirements, and enter into a Works Authorisation Deed (WAD) with the RMS.
>
> In response to the RMS comments, the proponent, in their response dated 11 September 2015 stated the following:
>
> *Although there are currently three points of vehicular access to the site from Pennant Hills Road, as part of this Planning Proposal those accesses would be removed. We believe that this will be a net positive result. As no direct access from the site to Pennant Hills Road is proposed could you please confirm which access/egress to the site at Pennant Hills Road/Baker Street the RMS are seeking to be signalised.*
>
> *BaptistCare is willing to discuss options regarding treatments to the intersection of Pennant Hills Road and Baker Street should this be deemed as necessary, however any upgrade (if required) should only be triggered when the population increases*

above that already on site and when it can be demonstrated that the development is likely to have an adverse impact on the level of service of that intersection.

The permanent resident population of the site as it currently exists is 240 persons. When this is combined with the estimated daily working population of 100 employees, and visitors to the existing development, it is estimated that the increase in traffic generation as a result of full development in accordance with the indicative concept plan would be in the order of 60 to 90 vehicles per hour two-way during the weekday morning and afternoon peak hours1.
Should it be determined that the development will impact on the operation of the intersection of Pennant Hills Road and Baker Street (taking into account the removal of the three access points to Pennant Hills Road), any contribution towards the signalization of the intersection of Pennant Hills Roads and Baker Street should be pro-rated to take in account the contribution the development of 264-268 Pennant Hills Road Carlingford will make as a proportion of the vehicles using this intersection.

The matter is yet to be further discussed between the proponent and the RMS, and no VPA provisions have yet been agreed. Additional traffic analysis may also be required in relation to the proponent's claims regarding existing traffic generation from the aged care facility. However it is noted that these requirements could form conditions of any Gateway approval.

It is noted that the requirement to signalise the Baker Street/Pennant Hills Road intersection will also be influenced by the Planning Proposal for 241 Pennant Hills Road, and 258-262 Pennant Hills Road & 17&20 Azile Court. As such, any future VPA may need to be undertaken on a pro-rata basis.

Council's Urban Design team identified that Martins Lane should be widened with the road widening to be dedicated to Council as a fully public, unrestricted, minimum 12-metre wide street with:

- Double carriageway for two-way vehicular movement;
- A formed footpath along the western side of the street and verge zone along the eastern side of the street.; and
- On street car parking that would not impinge on pedestrian and verge areas.

In response to the Council comments, the proponent, in their response dated 11 September 2015 stated the following:

The requirement to widen Martens Lane to a minimum 12 metre wide street for its full length however is questioned as this will impact on the existing mature trees located on the eastern boundary of the site. A road reserve of 11.6m as proposed is sufficient to allow for two way traffic movements and accommodate parking bays as well as a wide verge on the western side of the road in order to provide a footpath, retain existing trees and provide deep soil areas for new landscaping.

As previously discussed, the need to provide a 3.3m verge on the eastern side of Martens Lane (as suggested in the amended connections plan attached to Council's letter) is considered unnecessary and would have detrimental impacts on existing trees.

Further analysis regarding widening of Martins Lane may still be required. However, this matter could be resolved post gateway determination.

Council Service Manager Traffic & Transport reviewed both Planning Proposal applications and considered that the density was too great given the distance from existing railway stations and centres (for 258-262 Pennant Hills Road).

Other concerns raised included: difficulty for pedestrians to safely cross Pennant Hills Road to access either buses or Carlingford Station; difficulty for vehicle right turn movements across Pennant Hills Road (out of the site); safety concerns of vehicles turning right from Pennant Hills Road into the site; and impacts on the local road network, including impact on key intersections, as a result of additional vehicle movements. Much of these concerns could be resolved having regard to the requirements of the RMS as detailed above.

Cumulative Traffic Analysis

With respect to a cumulative analysis, and consideration of the two planning proposals together as part of a wider 'Block Analysis', as well as having regard to the additional impact of the proposal at 241 Pennant Hills Road, Carlingford, Council's Service Manager Traffic & Transport advised that the following should be considered:

- Signalisation of Baker Street intersection;
- Possible realignment of Azile Court to align to Baker Street;
- Possible new local road connections linking Martins Lane and Azile Court;
- Widening of Martins Lane;
- Capacity for right turn movements onto and off the sites
- Improved pedestrian safety and pedestrian crossing at Pennant Hills Road;
- Review of local road capacity and widths as a result of increased density
- Further analysis of intersection service and capacity at key intersections (to be nominated) with consideration of the cumulative impact on the increase in development in the broader Carlingford/Telopea area.
- Further analysis to be informed by discussions with RMS and Transport for NSW.

Noise

The main source of external noise that could impact on the amenity of future residents of a higher density development on this site is traffic flow along Pennant Hills Road, which carries in excess of 14,500 vehicles per day.

BaptistCare commissioned an assessment of road traffic noise in order to assess traffic noise levels at the site and to ascertain if any acoustic treatments will be required. A copy of the acoustic report prepared by Acoustic Logic is included at **Appendix 7** to this report.

The report noted that implementation of a 15m landscaped setback to Pennant Hills Road would result in a lower noise level on the northern façade of any buildings fronting that road. In addition, specific treatments to the construction of the building and glazing will need to be implemented to achieve acceptable internal noise levels. These treatments will satisfy the relevant Council, Infrastructure SEPP and Australian Standards.

These matters can be addressed as part of a future Development Application.

Urban Design

This matter is yet to be resolved as outlined in Council's report of 14 June 2016 and would be subject to additional urban design analysis. An extract of the Council report as it relates to urban design is provided below:

> One of the key unresolved issues relating to the Baptistcare site is the built form, particularly proposed height and density on the site in the context of surrounding development. The proposed development sought is consistent with height and densities sought in higher order centres.
>
> The Baptistcare site is zoned R2 Low Density Residential. While the existing aged care development is not reflective of a traditional low density use (i.e. detached dwelling houses), the existing density of the site at approximately 0.42:1, along with the 1 and 2 storey built form within a landscaped setting is consistent with a low density residential environment.
>
> Land immediately east of the site, on the eastern side of Martins Lane, was rezoned under the Parramatta Local Environmental Plan 2011, to enable R4 development up to 4 storeys in height along the Pennant Hills Road frontage (for a depth of 100m), with an R3 Medium density zoning to Homelands Avenue. The R3 medium density zone enables town house development up to 11m in height (2 storeys plus attic).
>
> The reason for rezoning was to enable some increased density in proximity to Carlingford Railway Station. The reason for not extending the higher density zoning to the Baptistcare site or further, reflected the greater separation from public transport. Additional density was allowed for along Adderton Road, which was better serviced by public transport at both Telopea and Carlingford Stations.

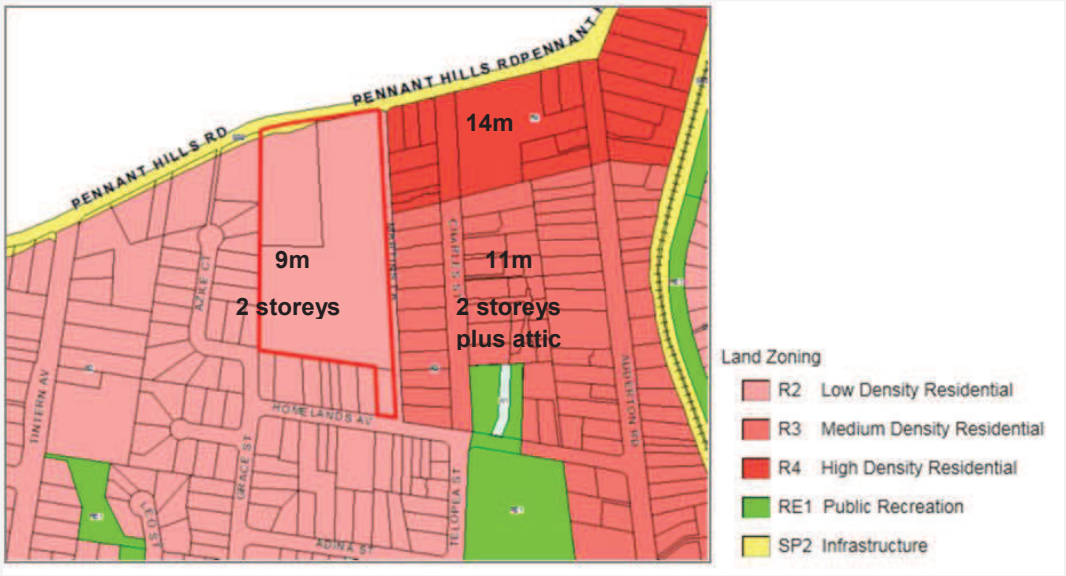


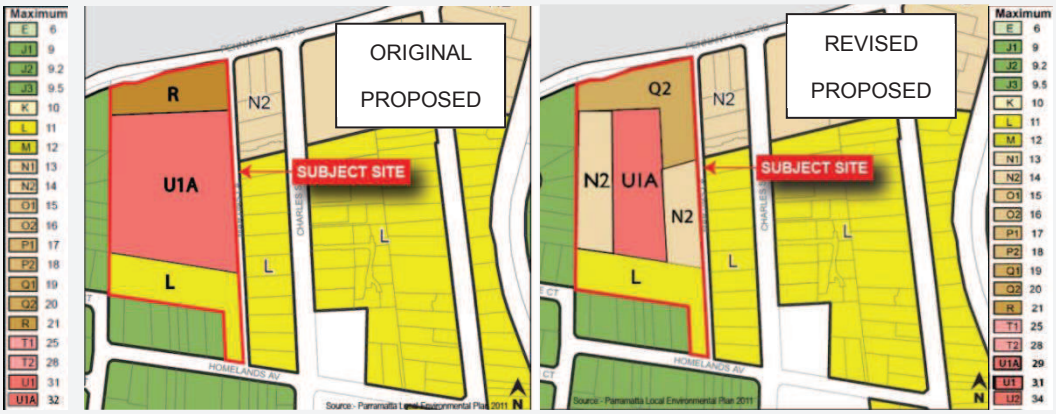
Figure 5: Existing Land Use Zoning Map

> Council's Urban Designers raised a number of concerns relating to the initial Baptistcare application received in February 2015. The concerns included: excessive height and density; inappropriate relationship to the surrounding low density environment; visual impact of proposed tall buildings from both the public domain and the adjoining low density environment; potential overshadowing and overlooking impacts; built form relationship to topography; excessive building lengths;

inappropriate internal street network; lack of potential connections to the adjoining properties to the west; potential impact upon existing vegetation

A detailed letter outlining key issues, including urban design matters, was sent to the applicant on 12 May 2015. As a result, Council officers met with the proponent on 23 June 2015 to discuss these matters, in particular building height and scale.

As a result, the application was amended to reduce the height of buildings across the site as shown in **Figures 6 & 7** below. The key change being reduction in the area which would permit the 32m maximum building height in the central portion of the site (10 storeys) to 29m (9 storeys) and to concentrate higher buildings in the centre of the site by creating lower buffer heights adjacent the eastern and western side boundaries. The proponent also provided photomontage images, detailing how the building bulk may be viewed from a number of locations.



Figures 6 & 7: Original & Revised Height of Building Map submitted by proponent

Figure 8: Indicative bulk & scale montage – viewed from Pennant Hills Road

Figure 9: Indicative bulk & scale montage – viewed from Azile Court

Figure 10: Indicative bulk & scale montage – viewed from Homelands Avenue

A full response Council letter dated 12 May 2015 was provide by the applicant on 11 September 2015.

Council's Urban Design Team reviewed the additional information and response dated 11 September 2015, and provided the following response:

Master Plan

Council's Urban Design Team has consistently recommended a master plan with an indicative subdivision plan referenced in the Development Control Plan (DCP), highlighting open space, streets, right of ways and developable land. An updated illustrative master plan consistent with the changed Height of Building (HOB) is yet to be received. It is strongly recommended that the Urban Design Report is updated and submitted to support with the Planning Proposal (PP) to reflect the changes to height. The structure plan and illustrative concept master plan (in the Urban Design Report) should be included in DCP. As a minimum the concept master plan should identify the open space and street provision (in sqm/ percentage of site area) as well as street sections and building setbacks.

Building footprints should meet Apartment Design Guidelines (ADG) inter building and privacy separations and located a minimum of 3m from the edge of any proposed street/ lane/ thoroughfare easement to minimise overlooking. This should be dimensioned on the master plan.

Martins Lane

A public domain concept plan for the length of the widened Martins Lane should be prepared at PP stage. This is to inform the alignment plans at Development Application (DA) stage. This is important should the proponent choose to develop the site in stages.

Connectivity

The proponent has not adequately addressed the following (other than a rebuttal) considered important from an urban design point of view. The proponent's approach risks this proposal becoming a gated estate with poor connectivity. We strongly recommend the following is incorporated in the proposal:

- *North-south central pedestrian link - A 3m pathway as proposed in the last iteration is not acceptable. This should be widened to a formed street that reads as a public thoroughfare. Any landscape and tree planting should be located outside the easement so that it is not relegated to a garden pathway. Where the terrain does not allow an accessible path this may be designed as a wide flight of stairs with accessible circulation alongside.*

Figure 11: Image demonstrating wide flight of stairs acting as de facto street

- *The three cul de sacs – the proposed cul-de-sacs even if linked by a pedestrian access are not supported. It is recommended a vehicular north-south street similar in nature to the widened Martins Lane links the northern most cul-de-sac with the one midway as a loop road that provides address, low speed vehicular access and improved connectivity.*

- *Connectivity with Azile Court*

- *The proposal lacks adequate pedestrian and cycleway links to Azile Court. It is strongly recommended that a pedestrian/ cycle connection to Azile Court is provided at the south-western corner of the site. The proponent labels this 'unlawful' – from an urban design perspective it is considered a desire line and will help with improved connectivity instead of creating a gated estate.*

- *It is recommended a through site link is future proofed to allow a mid-block link to Azile Court from Martins Lane. The building footprints should be adjusted to facilitate this.*

Terrain/ Access:
Residential uses should limit the ground floor to 500mm above or below existing natural ground level (NGL) unless located above a basement where it should not be more than 1m above NGL.

An accessibility plan is to be provided for the subject site at PP stage. This has to be coordinated at this stage in order to allow a staged implementation of the development.

Height of Buildings:
The height of building (HOB) plan and section is without reference and is inadequate and needs to relate to the illustrative master plan. While a textual description has been provided, the dimensions/ setout of the HOB plan is to be submitted as a drawn to scale graphic.

Floor Space ratio:
It is noted a gross FSR of 1.2:1 is proposed for the site. This translates to a net FSR of 2:1 assuming open space and public domain provision of 40% of the total site area (Net FSR = Gross FSR/ % of developable land). This is significantly higher than any net FSR of major developments in the immediate context.

No update has been provided with respect to the area calculation given that the height has been reduced in certain areas – this is likely to reduce the FSR as well. For the purpose of area calculation, a 75% efficiency should be used calculate GFA, where 75% of the Gross Building Area (GBA) = GFA. GBA includes all building areas inclusive of balconies, external walls and internal voids.

Vegetation

It is yet to be demonstrated by the proponent that 30% deep soil zone can be achieved. Given the size of the site, the building and basement footprints are likely to be significant. While the depth of soil cover above basements determine the types of planting that may occur, reinstating the existing vegetated nature (including Sydney Blue Gum stands) of the surrounding context would ideally happen in deep soil areas and not above basements. Based on the proponents rebuttal, a significant portion of the planting area may be located above basement car parks. It is therefore recommended that a deep soil zone provision (not including buildings, basement carparks, swimming pools, tennis courts, patios and decks, and impervious surfaces such as paved areas, driveways, carparking and roofed areas) of 30% of the site area is specifically included in the site specific DCP.

Building Length:

Given the fine grained nature of the context the maximum length of a residential flat building shall not exceed 45m.

Our experience with residential flat building (RFB) development applications indicate a building footprint over 45m generally results in poor amenity, aesthetics and outcomes. Hence any RFB should not exceed 45m.

Lot 1 DP26212 Homelands Avenue

If an 11m high building is located on the lot it will result in an inappropriate built form outcome that is out of character with the remainder of the dwellings on Homelands Avenue. From an urban design perspective the proposed R4 zoning, 11m HOB and 1.2:1 FSR on this lot is not supported. The lot should either be dedicated as a pocket park or zoned R2 (9m and 0.6:1) if included in the PP, or excluded from the proposal.

Recommendations:

- *Recommended Height of Buildings alone may not ensure that the solar access and visual impact issues are adequately addressed. Building envelopes consistent with the HOB and illustrative master plan should demonstrate that solar access is achieved on adjacent sites.*
- *Dimensions/ setout of the HOB plan is to be submitted as a drawn to scale graphic.*
- *An updated area calculation based on the illustrative concept master plan and HOB should be provided consistent with Item 6 above. It is recommended that the FSR reflect the updated height of building, ensures solar access and minimises visual impact. It is expected this will be lower than the 1.2:1 proposed.*
- *Proposed height and yield should be commensurate to identified public benefit – they include but are not limited to, provision of or contribution to:*
    - *public domain dedication or upgrade/ provision of pedestrian through site links,*
    - *affordable housing provision/ contribution and*
    - *community facilities/ social infrastructure.*
- *The widened and upgraded Martins Lane should be a public street, designed and named as such, with its fully public nature embedded in the VPA and the title arrangements. No provisos in the VPA and relevant easements should be permitted which allow the owner to restrict access to animals, temporarily exclude the public, remove any member of the public, monitor and direct behaviour of the public, engage security personnel to monitor and control the behaviour of the public, prescribe times when the easement may be exercised, or temporarily suspend the use of the space.*

Comment: The issues raised above are yet to be resolved in detail. While some of these issues can be further addressed post gateway determination, the key matter yet to be resolved relates to the maximum building height and density, which would be better informed by the address of urban design concerns raised above.

As previously detailed above, the matter was presented to Councillors at a Workshop in October 2015 in which Councillors raised significant concern with respect to the proposed heights. Council officers subsequently met the proponent on 4 November 2015 in which further options were considered, including preparation of a model (by the proponent) for community consultation and further Councillor Workshop. The model was presented at a Councillor workshop on 21 March 2016. However, a unanimous position was not agreed.

Combined Urban Design Analysis

Given the cumulative effects of the two proposal, Council's Urban Designers were asked to comment on the benefits of a potential block analysis of the area generally bound by Tintern Avenue to the west, Homelands Avenue to the south, Martins Lane to the east, and Pennant Hills Road to the north as shown in the diagram at **Attachment 1**. The urban designers were asked to highlight the matters that would need to be considered in a wider block analysis.

The Urban Designers provided the following recommendation.

Our preference is for a precinct based corridor study to inform any future uplift within the area. This will allow for a strategic approach to this centre in its entirety and avoid the contextual urban design issues spot rezoning tend to create; failing which, a density above 1:1 should not be pursued.

For any block studies undertaken, a master plan should be prepared by a skilled and experienced urban designer addressing the following issues and principles embodied within a revised scheme for any such block incorporating the two relevant sites:

- *Dedicated open space*

- *Street network and connectivity including identification of dedicated street easements and ROWs.*
- *Subdivision patterns addressing implementation and staging.*
- *Block specific DCP controls including, but not limited to:*
- *Envelope dimensions (including max lengths),*
- *Setbacks,*
- *ADG requirements,*
- *Heights relative to context*
- *Transition in height and transition edges*
- *A public domain concept plan*
- *Street sections*
- *A vegetation DCP/ deep soil and landscaping controls*

The extensive urban design comments provided under RZ/2/2015 should be utilised.

Visual Impacts

During preliminary consultations with Council's planning staff, the potential visual impact of taller built structures within the existing environment was raised as a matter to be addressed.

The visual impact of built form with a maximum height of 36m and 32m was tested and assessed against the surrounding landscape.

By way of letter dated 15 September 2015, the maximum building height was further lowered to 29m (9 storeys) in the centre of the site and on the Homelands Avenue property. The buildings heights proposed create a stepped scale which responds to the slope of the land and to the height of adjoining properties. Building height and scale as shown on the concept plans at Figure 2 and 3 is as follows:

- A 29m building height in the centre of the site (representing a 9 storey scale).
- A 20m building height along the Pennant Hills Road frontage which wraps around the eastern edge of the site adjoining the existing 14m height control along Charles Street to provide a transition in scale. The concept plans illustrates a 5-6 storey scale to Pennant Hills Road.
- A 14m building height along the western and eastern edges of the site. The concept plans illustrates a 4-5 storey scale on the eastern side and 3-4 storey scale on the western side of the site with landscape setbacks.
- A 11m building height along the southern edge of the site with the interface with the 9m building height control in Homelands Avenue. The concept plan shows a 2-3 storey height along this edge to manage shadow impact (discussed below).
- A 9m building height on Lot 1 DP 26212 consistent with the remainder of Homelands Avenue.

The tallest buildings are therefore situated at the centre of the site, with lower heights along the perimeter to provide a transition in scale to the adjoining development/height controls.

Note: Further to Council's resolution of 8 August 2016, the proposed height and FSR may be reduced following the preparation of studies required by Council resolution on 14 June 2016. See Council report and resolution of 14 June 2016 at **Appendix 1**.

Overshadowing and Privacy

In order to test how an increase in residential density on the site might affect solar access to adjoining low density residential developments, the applicant tested the concept scheme illustrated in **Figure 2**. The findings of the extent of overshadowing from the concept scheme buildings on adjoining properties on June 21 (winter solstice) are detailed in the Urban Design Analysis at **Appendix 2** to this report.

That assessment found that whilst the rear private open space areas of dwellings to the west of the site would be overshadowed in the morning, by 10am on the day of the winter solstice those properties would no longer be affected.

Shadows from buildings in the concept scheme would begin to impact on properties to the east of Martins Lane at around 2pm on the day of the winter solstice.

In order to minimise overshadowing impacts on residences to the south, development along the southern boundary of the site will be limited to a maximum of 2 storeys and a minimum setback of 6m will be required to be provided.

A minimum setback of between 6m – 9m will be required to the western boundary and within that setback a minimum of 3m will be provided as a deep soil zone. This will allow for landscaping comprising trees similar to those already existing on site to be planted and these trees and any landscaping, together with the setback provisions will ensure the privacy of adjoining residents is not compromised.

These matters can be addressed as part of a future Development Application.

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

The planning proposal will allow for the site to be developed for higher density residential development which will add to the supply of housing available in a location accessible to a range of public transport services.

The potential 'loss' of the existing seniors housing has been assessed by BaptistCare, the current provider. BaptistCare is a recognised and respected community housing provider in NSW and they have a number of other aged care and seniors housing facilities within the catchment of the Carlingford site which are better suited and more in keeping with the community's expectations for this form of housing. The applicant has advised that the upgrades required to the existing services at Carlingford in order to satisfy BaptistCare's benchmark of high quality residential accommodation are not feasible given the availability of alternative accommodation and the age of the existing assets at Carlingford. Therefore, the removal of the seniors housing from the site is unlikely to result in adverse social impacts.

There are currently some 245 'beds' at Carlingford. Including existing residents, staff and visitors, the daily 'population' of the site is in the order to 437 persons.

The applicant has calculated that the removal of the seniors housing will result in the 'loss' of approximately 100 direct and indirect jobs from the site. However, the applicant has advised that it is proposed to transfer displaced residents to alternative facilities in which case those jobs will not be lost, just relocated. The removal of these jobs from the site is unlikely to result in adverse economic impacts in the locality. Further, redevelopment of the site for the purposes of residential flat buildings has the potential to generate jobs in the construction industry.

As part of the planning proposal and any future development of the site for the purposes of residential flat buildings, BaptistCare is prepared to enter into a planning agreement with The City of Parramatta Council to provide at least one dwelling with any future development as an affordable dwelling to be owned by Council. This is yet to be assessed by Council and may be subject to further negotiations.

3.4 Section D – State and Commonwealth Interests

3.4.1 Is there adequate public infrastructure for the planning proposal?

In order to consider the capacity of the site to accommodate higher density residential development, the applicant undertook an assessment of the local and regional road network together with an assessment of stormwater discharge from the existing development on the site.

The transport report at **Appendix 3** also acknowledged that the site has access to public transport, which will minimise traffic generation from the site.

In relation to stormwater drainage, the hydraulic assessment at **Appendix 6** notes that any future development of the site will require the implementation of Water Sensitive Urban Design (WSUD) principles, which will ensure the quality of stormwater leaving the site will be improved and the quantity of stormwater discharge from the site post development will not be greater than current levels.

The site is currently serviced by essential infrastructure. Should any services require augmentation as a result of redevelopment, this would be the responsibility of future developers.

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

A Gateway determination has not yet been obtained. It is anticipated that State and Commonwealth public authorities will be consulted following the outcomes of the Gateway determination. As a minimum it is considered that the following authorities should be consulted:

- Transport for NSW (Roads and Maritime Services)
- Endeavour Energy
- Sydney Water

PART 4 – MAPPING

This section contains the mapping for this planning proposal in accordance with the DP&E's guidelines on LEPs and Planning Proposals.

4.1 Existing controls

This section contains map extracts from Parramatta Local Environmental Plan (P*LEP) 2011* which illustrate the current controls applying to the site.

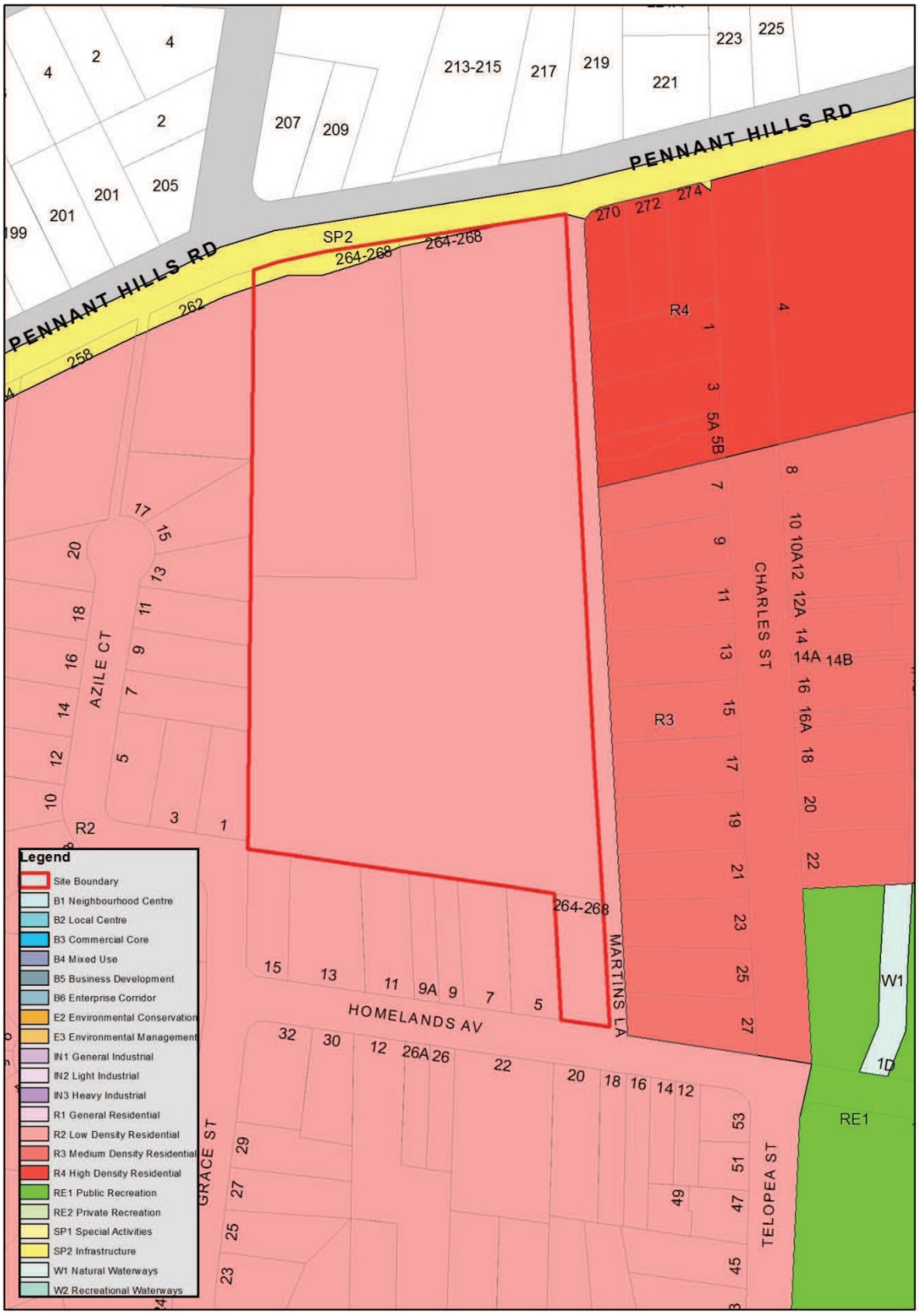


Figure 12 – Existing land zoning extracted from *PLEP 2011* Land Zoning Maps

Figure 12 above illustrates the existing part R2 Low Density Residential, and part SP2 Infrastructure (Classified Road) zones applying to the site.

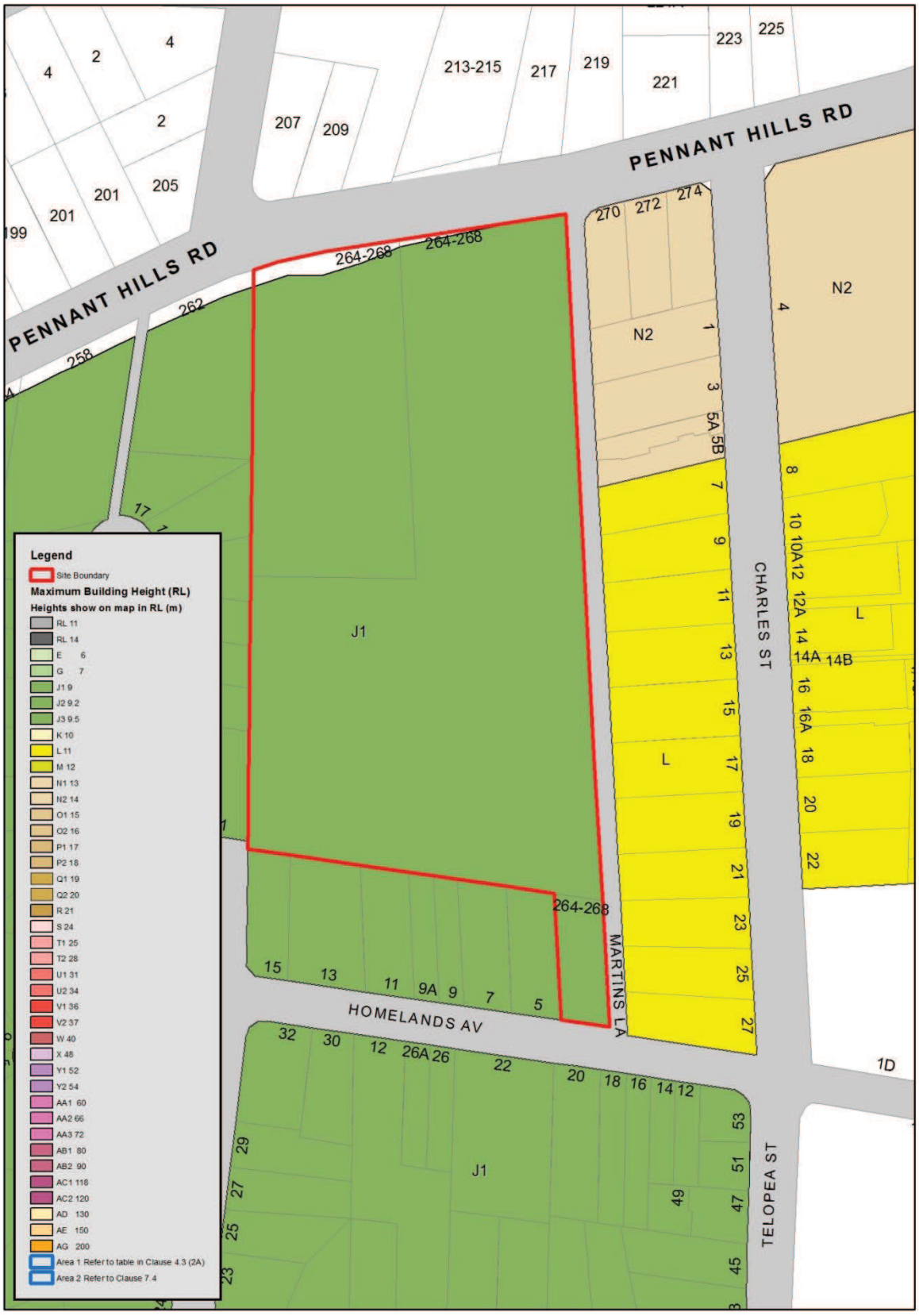


Figure 13 – Existing height of building extracted from *PLEP 2011* Height of Building Maps

Figure 13 above illustrates the existing part 0 and part 9m height of building control applying to the site.

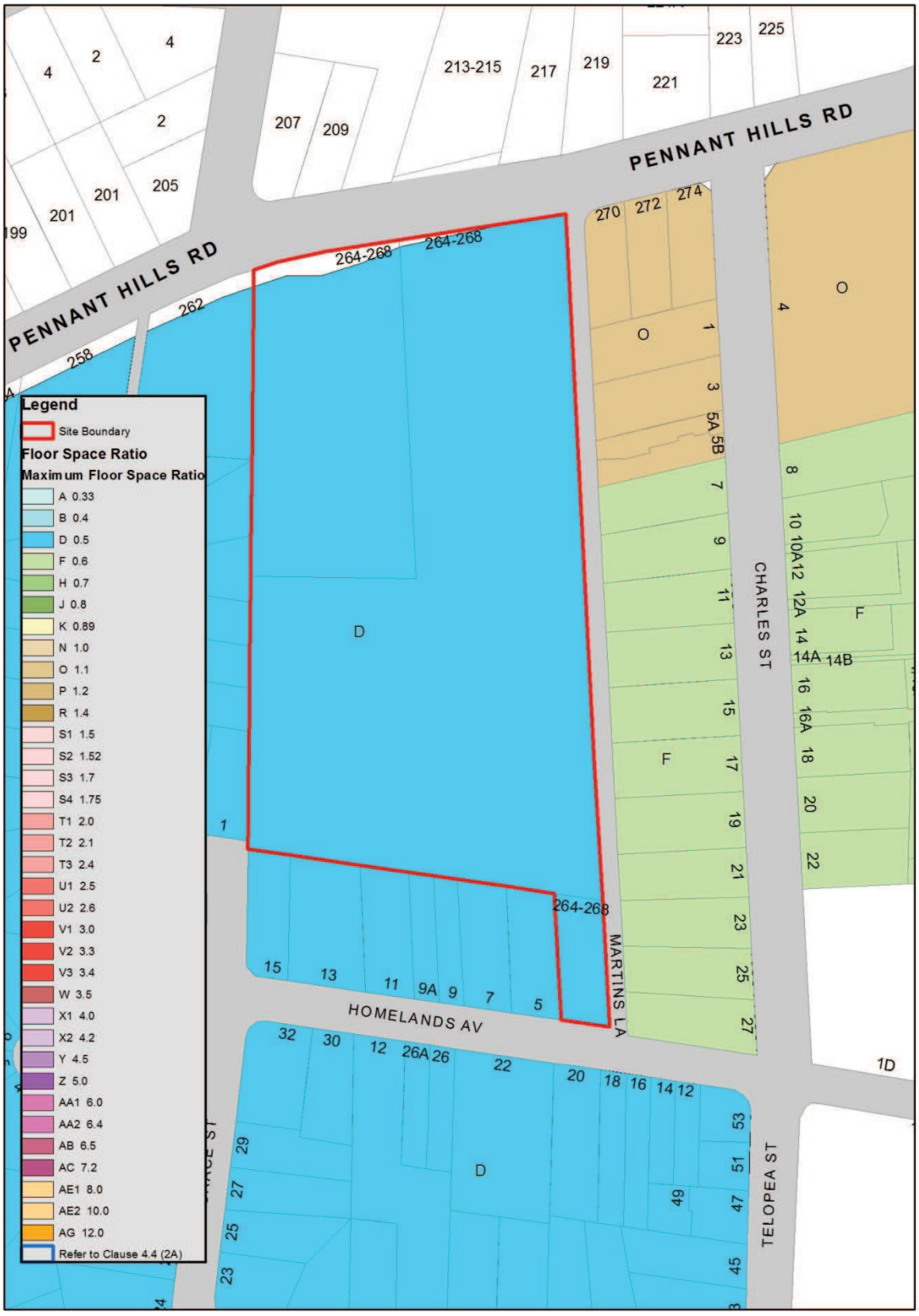


Figure 14 – Existing floor space ratio extracted from *PLEP 2011* Floor Space Ratio Maps

Figure 14 above illustrates the existing part 0 and 0.5:1 FSR applying to the site.

4.2 Proposed controls

The figures in this section illustrate the proposed zoning, building height, floor space ratio and natural resources controls sought by this planning proposal.

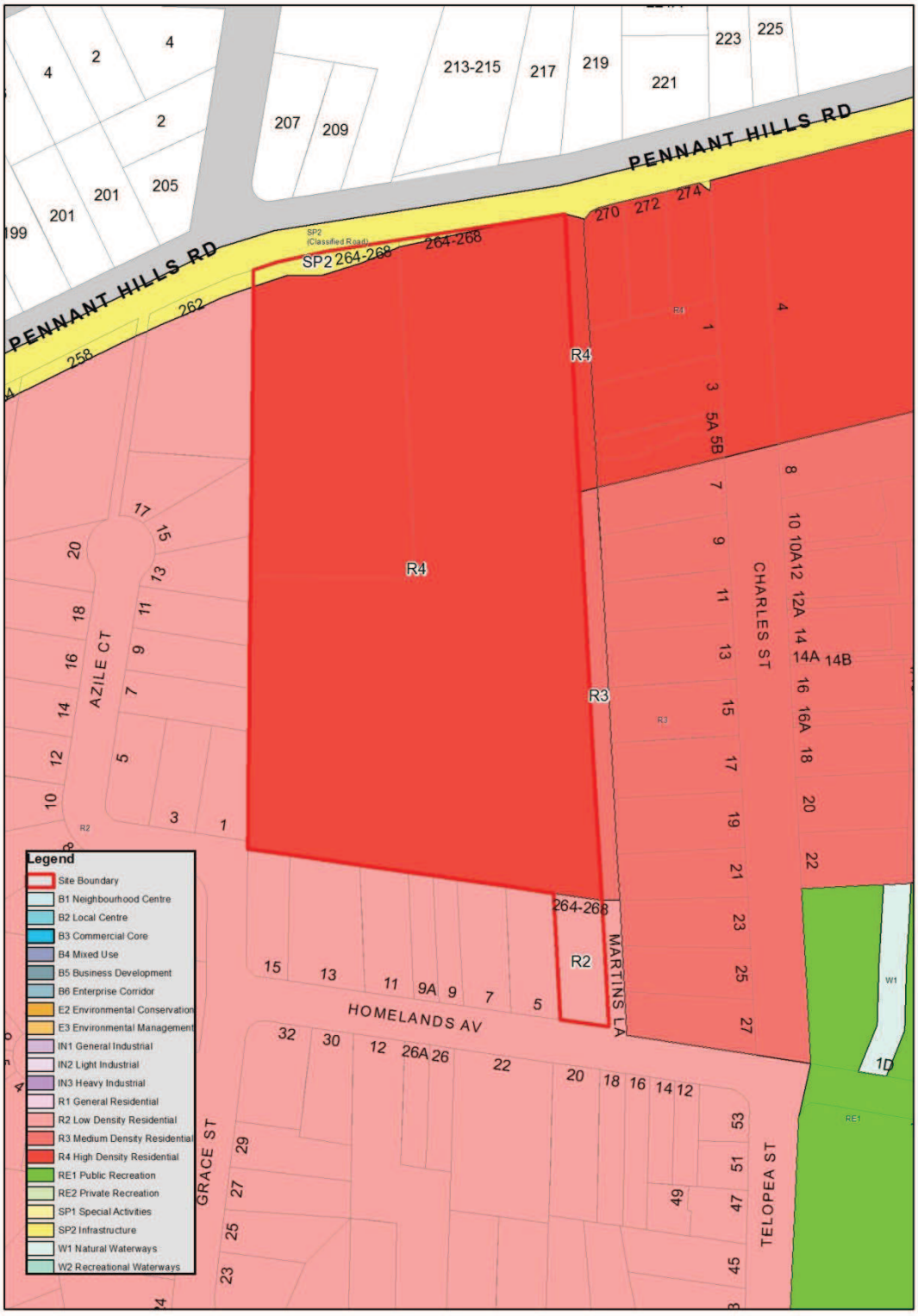


Figure 15 – Proposed amendment to *PLEP 2011* Land Zoning Map

Figure 15 above illustrates the proposed part R2 Low Density Residential, part R4 High Density Residential and part SP2 Infrastructure (Classified Road) zones across the site.

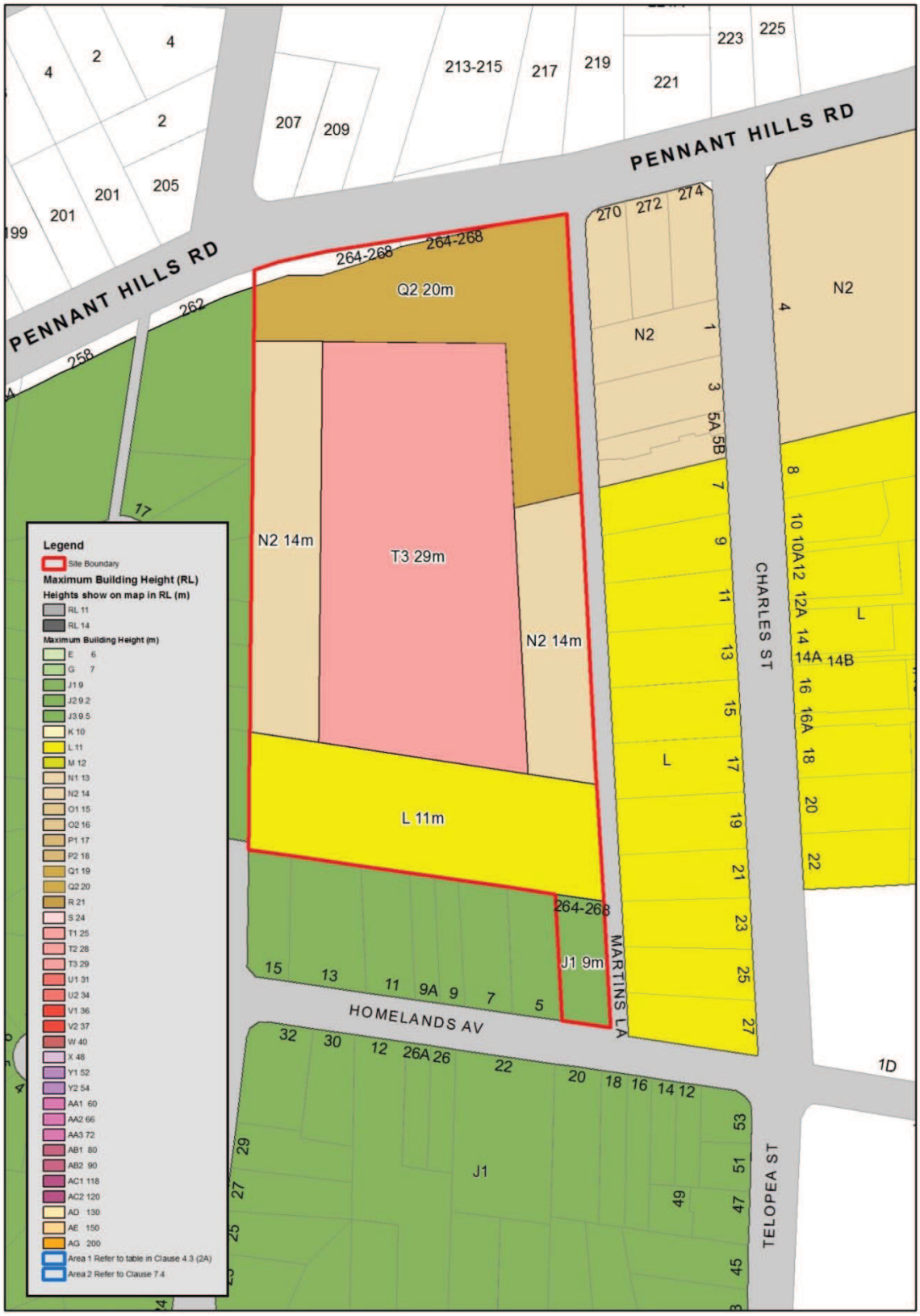


Figure 16 – Proposed amendment to *PLEP 2011* Height of Building

Figure 16 above illustrates the proposed height of building controls across the site ranging from 0 – 29m.

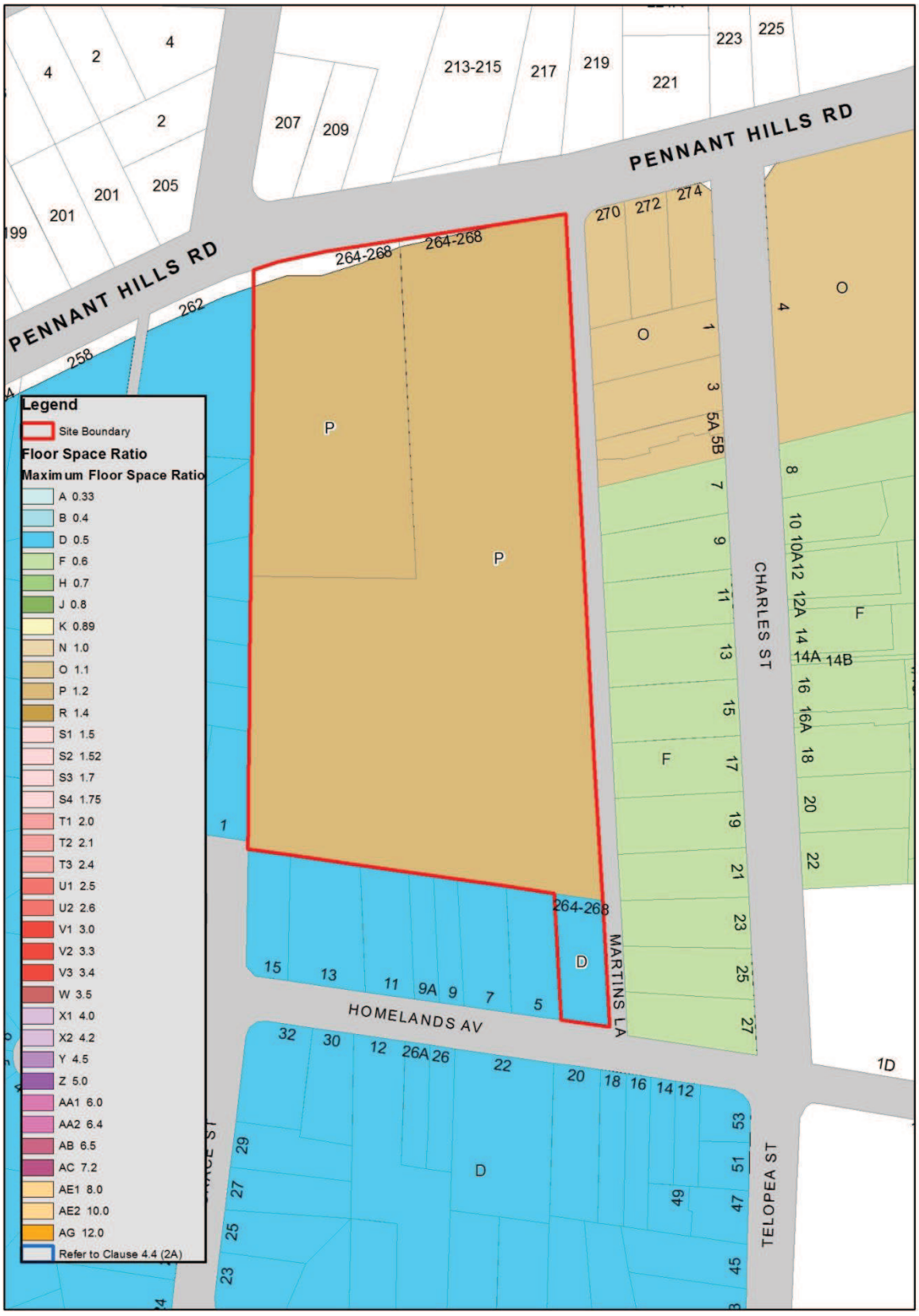


Figure 17 – Proposed amendment to *PLEP 2011* Floor Space Ratio Map

Figure 17 above illustrates the proposed part 0 and part 1.2:1 FSR across the site.

Figure 18 – Proposed amendment to *PLEP 2011* Natural Resources Biodiversity

Figure 18 above illustrates the proposed Natural Resources – Biodiversity on the site.

PART 5 – COMMUNITY CONSULTATION

In accordance with Section 57(2) of the *EP&A Act 1979*, the Director-General of Planning must approve the form of the planning proposal, as revised to comply with the gateway determination, before community consultation is undertaken.

Public exhibition is likely to include:

- newspaper advertisement;
- display on the Council's website; and
- written notification to surrounding landowners.

The gateway determination will specify the level of public consultation that must be undertaken in relation to the planning proposal including those with government agencies.

Pursuant to Section 57(8) of the *EP&A Act 1979* the Responsible Planning Authority must consider any submissions made concerning the proposed instrument and the report of any public hearing.

PART 6 – PROJECT TIMELINE

The detail around the project timeline is expected to be prepared following the referral to the Minister for review of the Gateway Determination. Given this proposal is conditional on other studies being undertaken, it is unclear how the Department of Environment and Planning will prefer the proposal to progress.

Appendix 1 – Council Report & Resolution of 14 June 2016

ECONOMY

ITEM NUMBER	10.3
SUBJECT	Planning Proposals: 264-268 Pennant Hills Road, Carlingford and 258-262 Pennant Hills Road & 17&20 Azile Court, Carlingford
REFERENCE	RZ/2/2015 - D04246670
REPORT OF	Project Officer, Land Use Planning
APPLICANTS:	Baptistcare NSW & ACT & Think Planners Pty Ltd
LAND OWNERS:	Baptistcare NSW & ACT; F & R Sousou; N & T Issa; and N Cochrane

PURPOSE:

The purpose of this report is to provide a formal response to the Department of Planning and Environment regarding the Pre-Gateway Review lodged for the Planning Proposal at 264-268 Pennant Hills Road Carlingford.

However, this response cannot be provided without having regard to the Preliminary Planning Proposal recently lodged with Council for the adjoining site at 258- 262 Pennant Hills Road & 17&20 Azile Court, Carlingford, and the cumulative impacts associated with both proposals.

RECOMMENDATION

(a) That the Planning Proposal for 264-268 Pennant Hills Road, and the Preliminary Planning Proposal for 258-262 Pennant Hills Road and 17&20 Azile Court not proceed at this point in time.

(b) That the applicants of the two existing proposals be offered the opportunity to either:

- Wait for further planning analysis to be undertaken by either Council and/or the State government in relation to the light rail corridor to address broader impacts; OR
- Provide funding for a Council initiated study and consultation process involving affected land owners, to inform a ‘block analysis’ of the area shown at **Attachment 1**; OR
- Work in partnership to undertake further studies, (which must also involve consultation with other affected landowners) to prepare a ‘block analysis’ of the area shown at **Attachment 1** to address the issues detailed in this report. Any block analysis that is prepared must be in accordance with principles agreed with Council officers prior to the commencement of any work.

(c) That the position adopted by Council in (a) and (b) form Council’s response to the Department of Planning & Environment relating to the Pre-Gateway Review application lodged for 264-268 Pennant Hills Road, Carlingford.

(d) Further that the applicants be advised of Council’s decision.

THE SITE & LOCALITY

1. Council has received two planning proposal applications relating to land at 264-268 Pennant Hills Road, Carlingford and 258-262 Pennant Hills Road & 17&20 Azile Court as shown in **Figure 1** below (marked in blue and red, respectively). In addition, as part of the amalgamation process Council has recently become the Council responsible for a third planning proposal on the opposite side of Pennant Hills Road from The Hills Council (marked in purple on Figure 1).

Figure 1: Existing Planning Proposals & Site Context

2. 264-268 Pennant Hills Road, Carlingford, is located on the southern side of Pennant Hills Road, and adjoins Martins Lane along its eastern boundary. The site also has a frontage to Homelands Avenue to the south. The site has an area of approximately 27,493sqm (2.74ha) and comprises an existing aged care facility, known as Baptistcare. Existing site density is approximately 0.42:1 with buildings generally limited to one and two storeys in height. The site contains remnant endangered ecological community Blue Gum High Forest (approximately 0.28 ha) in the southern portion of the site (see **Figure 9**).

3. 258-262 Pennant Hills Road & 17 & 20 Azile Court adjoins the Baptistcare site to the west. The site currently comprises 4 existing detached dwelling houses with a combined site area of approximately 6,250sqm. An existing Council owned pedestrian accessway traverses the centre of the site, linking Azile Court to Pennant Hills Road along a north-south axis.

4. These sites are currently located approximately 650 metres from the existing Carlingford Railway Station. The State Government recently announced an intention to build a new light rail corridor linking Carlingford to Parramatta. Whilst the exact route has not been confirmed, it is expected that the new rail lines would sit within the existing heavy rail corridor between Camellia and Carlingford. The exact location of future light rail stops is not yet known.

5. A significant amount of redevelopment is occurring around Carlingford Station, including recently constructed 4 storeys buildings on the southern side of

Pennant Hills Road at its intersection with Adderton Road (eastern side) as noted in Figure 1 above. Furthermore, land directly adjoining the station on the northern side of Pennant Hills Road (east of Jenkins Road) is currently being redeveloped to include buildings up to 18 storeys in height.

APPLICATION HISTORY

6. On 13 February 2015, Council received an application relating to land at 264-268 Pennant Hills Road, Carlingford (Baptistcare).

7. The proposal sought amendments to the planning controls as follows:

Control	Existing	Proposed
Zoning	R2 Low Density Residential	R4 High Density Residential
Height	9m	32m (10 storeys)
Floor Space Ratio	0.5:1	1.2:1

8. Council officers raised a number of concerns relating to the urban design, bulk and scale, traffic, access and vegetation. The Roads and Maritime Services raised no objection to the planning proposal subject to provision of traffic improvements being implemented by the developer, and that these were to be delivered via a voluntary planning agreement. This is yet to be agreed by the applicant.

9. The applicant subsequently revised the application slightly by reducing the maximum height to 29 metres (9 storeys) and concentrating building height to the central portion of the site.

10. The matter was presented to the former Councillors at a Workshop held on 14 October 2015. The Councillors raised concern with respect to the proposed height and scale of the application and recommended that:

The applicant to be advised that Council would potentially be supportive of a 4-5 storey built form along Pennant Hills Road with a stepping down to 3 & 2 storeys to provide a more appropriate transition to the surrounding lower density character. Investigation be undertaken to examine the possibility of extending the R4 zoning along Pennant Hills Road (to the west).

11. Following the Councillor Workshop, Council officers met the proponent on 4 November 2015, in which further options were discussed as follows:
    - Await the announcement regarding the light rail route to see if it results in a review of planning controls along the route; or
    - Present the proposal to Council as it stands; or
    - Prepare a model of the site and use this for community consultation with Councillors and adjoining neighbours, then report to Council regarding the feedback from the consultation; or
    - Seek Pre-Gateway review (as suggested by the proponent).

12. The proponent nominated that they would prepare a model to assist with a community consultation process they would pursue themselves. The model was submitted to Council on 17 March 2016 and presented at a Councillor Workshop on 21 March 2016.

13. The model demonstrated 4 different options for configuring building height across the site. Each option retained an FSR of 1.2:1 but varied the massing.

14. The heights presented included reducing the heights from within the centre of the site and redirecting this floor space to the Pennant Hills Road frontage, i.e. building heights could be reduced to 6-7 storeys within the centre of the site (down from 9 storeys), and increased to 7 or 8 storeys along Pennant Hills Road (up from 6 storeys).

15. The purpose of presenting options for the site was to enable Councillors to provide feedback to the applicant to enable them to carry out pre-Gateway (non-statutory) consultation with the community prior to Council formally considering the proposal.

16. The Councillors did not form a unanimous position at this workshop, with some Councillors raising significant concerns over the height of the proposal noting that each option still included significant heights and densities in a precinct they considered should be of a lower scale (max height of 5 storeys) given surrounding low density residential development (at the rear and to the west).

17. Other Councillors also commented that Carlingford Station Precinct development currently permits significant densities (up to 18 storeys), and that the proposed future light rail route may in fact also prompt an increase in residential densities at future stops. Given the lack of consensus, Councillors requested that:

    The applicant present each option to the community as part of their consultation with the addition of a 5th Option demonstrating a scheme with a mix of 5,4,3, and 2 storey buildings.

18. At the Workshop of 21 March 2016, Councillors were also advised of an impending planning proposal relating to land adjoining the Baptistcare site at 258-262 Pennant Hills Road & 17&20 Azile Court. Councillors requested that:

    Council officers provide feedback to the applicant for the site adjoining the Baptist Care site requesting that they consider working together with Baptist Care to ensure an appropriate and consistent approach be taken for FSR and building height across both sites.

19. On 4 May 2016, a Preliminary Planning Proposal was formally received in relation to 258-262 Pennant Hills Road (adjoining the Baptist Care site). The application sought the following:

Control	**Existing**	**Proposed**
Zoning	R2 Low Density Residential	R4 High Density Residential
Height	9m	25m (8 storeys)
Floor Space Ratio	0.5:1	1.99:1

20. It is noted that a Preliminary Planning Proposal differs from a Planning Proposal as the proposal is a concept proposal and may not contain the full analysis and studies required with a Planning Proposal. The intension of the Preliminary Planning proposal is to seek Council's in principle advice as to whether (or not) to proceed to a full Planning Proposal.

21. On 5 May 2016, the Department of Planning & Environment advised Council that a Pre Gateway application had been lodged by the applicant in relation to the Baptistcare site. A response to the Department regarding the Pre-Gateway Review was due to the Department by 18 May 2016. Council officers have sought an extension to 17 June 2016, to enable the matter to be formally considered by the Council.

PRE-GATEWAY REVIEW

22. A proponent may request a pre-Gateway review with the Department of Planning & Environment where the relevant local council has determined not to support the planning proposal or has failed to make a decision within 90 days of lodgement of a planning proposal.

23. The Department makes the final decision on each pre-Gateway review request. This decision is informed by:
    - material submitted from the applicant;
    - a council assessment report and/or any submission made during the review;
    - a report by the Department identifying whether the planning proposal has strategic merit;
    - independent advice from the Joint Regional Planning Panel on the strategic merit and site-specific merit of the proposal.

24. Where a pre-Gateway review recommends that a proposal should proceed, either the council or the JRPP can be appointed as the relevant planning authority and a Gateway determination issued. The Department offers councils the opportunity to be the relevant planning authority for the planning proposal that arises out of a successful pre-Gateway review request unless council has expressly indicated a preference not to undertake this role.

25. The Gateway determination specifies the level of community consultation including the length of time a proposal is to be publicly exhibited, relevant public authorities to be consulted and whether a public hearing is to be undertaken.

KEY ISSUES

Cumulative Impact

26. With the receipt of the two adjoining Planning Proposals, as well as the proposal on the opposite side of Pennant Hills Road (No. 241), a number of cumulative issues need to be considered, primarily being the built form context (urban design) and impact upon traffic and access.

27. While the existing Baptistcare site is large and may be able to be considered for redevelopment as a standalone site, the lodgement of the Preliminary Planning Proposal for the adjoining sites, reflects an expectation that any change in development potential on the Baptistcare site would form a catalyst to enable similar built form on the adjoining sites.

28. Council must consider whether the two proposals will be seen as a precedent by other owners for the future character of the area and development across a wider range of sites is likely to have cumulative impacts that must be considered.

Urban Design

264-268 Pennant Hills Road, Carlingford (Baptistcare)

29. One of the key unresolved issues relating to the Baptistcare site is the built form, particularly proposed height and density on the site in the context of surrounding development. The proposed development sought is consistent with height and densities sought in higher order centres.

30. The Baptistcare site is zoned R2 Low Density Residential. While the existing aged care development is not reflective of a traditional low density use (i.e. detached dwelling houses), the existing density of the site at approximately 0.42:1, along with the 1 and 2 storey built form within a landscaped setting is consistent with a low density residential environment.

31. Land immediately east of the site, on the eastern side of Martins Lane, was rezoned under the Parramatta Local Environmental Plan 2011, to enable R4 High Density Residential development up to 4 storeys in height along the Pennant Hills Road frontage (for a depth of 100m), with an R3 Medium Density Residential zoning to Homelands Avenue. The R3 Medium Density zone enables town house development up to 11m in height (2 storeys plus attic).

32. The reason for rezoning was to enable some increased density in proximity to Carlingford Railway Station. The reason for not extending the higher density zoning to the Baptistcare site or further, reflected the greater separation from public transport. Additional density was allowed for along Adderton Road, which was better serviced by public transport at both Telopea and Carlingford Stations.

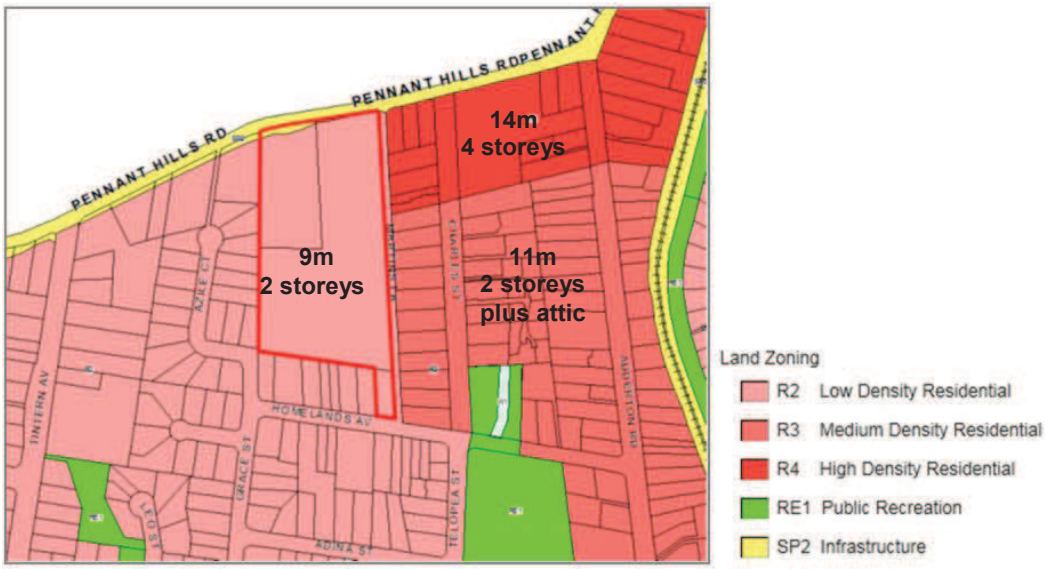


Figure 2: Existing Land Use Zoning Map

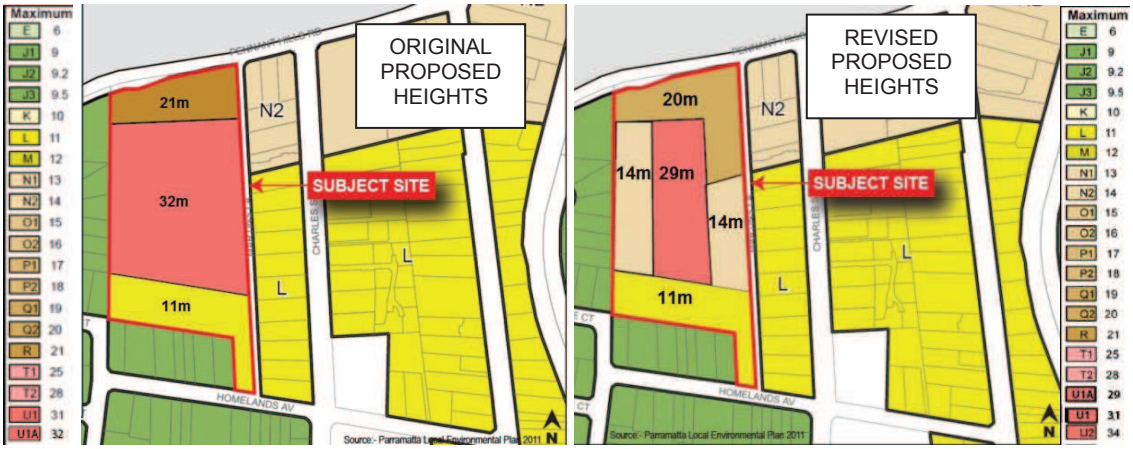
33. Council's Urban Designers raised a number of concerns relating to the initial Baptistcare application received in February 2015. The concerns included: excessive height and density; inappropriate relationship to the surrounding low density environment; visual impact of proposed tall buildings from both the public domain and the adjoining low density environment; potential overshadowing and overlooking impacts; built form relationship to topography;

excessive building lengths; inappropriate internal street network; lack of potential connections to the adjoining properties to the west; potential impact upon existing vegetation.

34. A detailed letter outlining key issues, including urban design matters, was sent to the applicant on 12 May 2015 (see **Attachment 2**). As a result, Council officers met with the proponent on 23 June 2015 to discuss these matters, in particular building height and scale.

35. As a result, the application was amended to reduce the height of buildings across the site as shown in **Figures 3 & 4** below and photomontages prepared by the applicant in **Figures 5, 6 and 7**. The key changes being :

a. Concentrating the taller buildings in the centre of the site (maximum 29m or 9 storeys);
b. Creating lower buffer heights adjacent to the eastern and western side boundaries (14m or 4 storeys).



Figures 3 & 4: Original & Revised Height of Building Map submitted by proponent

Figure 5: Indicative bulk & scale montage – viewed from Pennant Hills Road

Figure 6: Indicative bulk & scale montage – viewed from Azile Court

Figure 7: Indicative bulk & scale montage – viewed from Homelands Avenue

36. A full response to Council's letter dated 12 May 2015 was provided by the applicant on 11 September 2015, see **Attachment 3**. Council's Urban Design Team reviewed the amended design and additional information and provided the following response:

Master Plan
Council's Urban Design Team has consistently recommended a master plan with an indicative subdivision plan referenced in the Development Control Plan (DCP), highlighting open space, streets, right of ways and developable land. An updated illustrative master plan consistent with the changed Height of Building (HOB) is yet to be received. It is strongly recommended that the Urban Design Report is updated and submitted to support with the Planning Proposal (PP) to reflect the changes to height. The structure plan and illustrative concept master plan (in the Urban Design Report) should be included in the DCP. As a minimum the concept master plan should identify the open space and street provision (in sqm/ percentage of site area) as well as street sections and building setbacks.

Building footprints should meet Apartment Design Guidelines (ADG) inter building and privacy separations and located a minimum of 3m from the edge of any proposed street/ lane/ thoroughfare easement to minimise overlooking. This should be dimensioned on the master plan.

Martins Lane
A public domain concept plan for the length of the widened Martins Lane should be prepared at PP stage. This is to inform the alignment plans at Development Application (DA) stage. This is important should the proponent choose to develop the site in stages.

Connectivity
The proponent has not adequately addressed the following (other than a rebuttal) considered important from an urban design point of view. The

proponent's approach risks this proposal becoming a gated estate with poor connectivity. We strongly recommend the following is incorporated in the proposal:

- *North-south central pedestrian link - A 3m pathway as proposed in the last iteration is not acceptable. This should be widened to a formed street that reads as a public thoroughfare. Any landscape and tree planting should be located outside the easement so that it is not relegated to a garden pathway. Where the terrain does not allow an accessible path this may be designed as a wide flight of stairs with accessible circulation alongside.*

Figure 8: Image demonstrating wide flight of stairs acting as de facto street

- *The three cul de sacs – the proposed cul-de-sacs even if linked by a pedestrian access are not supported. It is recommended a vehicular north-south street similar in nature to the widened Martins Lane links the northern most cul-de-sac with the one midway as a loop road that provides address, low speed vehicular access and improved connectivity.*

- *Connectivity with Azile Court*

    - *The proposal lacks adequate pedestrian and cycleway links to Azile Court. It is strongly recommended that a pedestrian/ cycle connection to Azile Court is provided at the south-western corner of the site. The proponent labels that because they do not own the adjoining land they cannot legally achieve this – from an urban design perspective it is considered a desire line and will help with improved connectivity instead of creating a gated estate.*

    - *It is recommended a through site link is future proofed to allow a mid-block link to Azile Court from Martins Lane. The building footprints should be adjusted to facilitate this.*

Terrain/ Access:
Residential uses should limit the ground floor to 500mm above or below existing natural ground level (NGL) unless located above a basement where it should not be more than 1m above NGL.

An accessibility plan is to be provided for the subject site at PP stage to accommodate a potential staged implementation of the development.

Height of Buildings:
The height of building (HOB) plan and section is without reference and is inadequate and needs to relate to the illustrative master plan. While a textual

description has been provided, the dimensions/ setout of the HOB plan must be submitted as a drawn to scale graphic.

Floor Space Ratio:
It is noted a gross FSR of 1.2:1 is proposed for the site. This translates to a net FSR of 2:1 assuming open space and public domain provision of 40% of the total site area (Net FSR = Gross FSR/ % of developable land). This is significantly higher than any net FSR of major developments in the immediate context.

No update has been provided with respect to the area calculation given that the height has been reduced in certain areas – this is likely to reduce the FSR as well. For the purpose of area calculation, a 75% efficiency should be used to calculate (Gross Floor Area) GFA, where 75% of the Gross Building Area (GBA) = GFA. GBA includes all building areas inclusive of balconies, external walls and internal voids.

Vegetation

It is yet to be demonstrated by the proponent that 30% deep soil zone can be achieved. Given the size of the site, the building and basement footprints are likely to be significant. While the depth of soil cover above basements determines the types of planting that may occur, reinstating the existing vegetated nature (including Sydney Blue Gum stands) of the surrounding context would ideally happen in deep soil areas and not above basements. Based on the proponents rebuttal, a significant portion of the planting area may be located above basement car parks. It is therefore recommended that a deep soil zone provision (not including buildings, basement carparks, swimming pools, tennis courts, patios and decks, and impervious surfaces such as paved areas, driveways, carparking and roofed areas) of 30% of the site area is specifically included in the site specific DCP.

Building Length:

Given the fine grained nature of the surrounding development the maximum length of a residential flat building shall not exceed 45m.

Our experience with residential flat building (RFB) development applications indicate a building footprint over 45m generally results in poor amenity, aesthetics and outcomes. Hence any RFB should not exceed 45m.

Lot 1 DP26212 Homelands Avenue

If an 11m high building is located on the lot it will result in an inappropriate built form outcome that is out of character with the remainder of the dwellings on Homelands Avenue. From an urban design perspective the proposed R4 zoning, 11m HOB and 1.2:1 FSR on this lot is not supported. The lot should either be dedicated as a pocket park or zoned R2 (9m and 0.6:1) if included in the PP, or excluded from the proposal.

Recommendations:

- *Recommended Height of Buildings alone may not ensure that the solar access and visual impact issues are adequately addressed. Building*

envelopes consistent with the HOB and illustrative master plan should demonstrate that solar access is achieved on adjacent sites.

- *Dimensions/ setout of the HOB plan is to be submitted as a drawn to scale graphic.*
- *An updated area calculation based on the illustrative concept master plan and HOB should be provided consistent with Item 6 above. It is recommended that the FSR reflect the updated height of building, ensures solar access and minimises visual impact. It is expected this will be lower than the 1.2:1 proposed.*
- *Proposed height and yield should be commensurate to identified public benefit – they include but are not limited to, provision of or contribution to:*
  - *public domain dedication or upgrade/ provision of pedestrian through site links,*
  - *affordable housing provision/ contribution, and*
  - *community facilities/ social infrastructure.*
- *The widened and upgraded Martins Lane should be a public street, designed and named as such, with its fully public nature embedded in the VPA and the title arrangements. No provisos in the VPA and relevant easements should be permitted which allow the owner to restrict access to animals, temporarily exclude the public, remove any member of the public, monitor and direct behaviour of the public, engage security personnel to monitor and control the behaviour of the public, prescribe times when the easement may be exercised, or temporarily suspend the use of the space.*

37. Comment: The issues raised above are yet to be resolved in detail. While some of these issues can be further addressed post gateway determination, the key matter yet to be resolved relates to the maximum building height and density, which would be better informed by the address of urban design concerns raised above.

258-262 Pennant Hills Road and 17&20 Azile Court

38. Council's Urban Designers have reviewed the Preliminary Planning proposal for the adjoining site at 258-262 Pennant Hills Road and 17&20 Azile Court and provided the following analysis.

Based on the existing material submitted and the adjacent proposal on the Baptist Church site, a doubling of density as proposed is a significant departure from the existing context.

Without a precinct based strategic investigation to precede the type, form and height of development this results in, and the transition issues the envelopes at 2:1 have created, the proposal in its current form is difficult to support from an urban design perspective.

A density in accordance with the surrounding context may be the limit to what can be considered under a spot rezoning and an appropriate transition in form in relation to the surrounding low density detached dwellings will still need to be achieved. In our view this might be no more than 1:1 at this stage, however the proponents would be required to provide further testing at these reduced parameters discussed to continue with considerations.

Combined Urban Design Analysis

39. Given the cumulative effects of the two proposal, Council's Urban Designers were asked to comment on the benefits of a potential block analysis of the area generally bound by Tintern Avenue to the west, Homelands Avenue to the south, Martins Lane to the east, and Pennant Hills Road to the north as shown in the diagram at **Attachment 1**. The urban designers were asked to highlight the matters that would need to be considered in a wider block analysis.

40. The Urban Designers provided the following recommendation.

Our preference is for a precinct based corridor study to inform any future uplift within the area. This will allow for a strategic approach to this centre in its entirety and avoid the contextual urban design issues spot rezoning tend to create; failing which, a density above 1:1 should not be pursued.

For any block studies undertaken, a master plan should be prepared by a skilled and experienced urban designer addressing the following issues and principles embodied within a revised scheme for any such block incorporating the two relevant sites:

- *Dedicated open space*
- *Street network and connectivity including identification of dedicated street easements and ROWs.*
- *Subdivision patterns addressing implementation and staging.*
- *Block specific DCP controls including, but not limited to:*
  - *Envelope dimensions (including max lengths),*
  - *Setbacks,*
  - *ADG requirements,*
  - *Heights relative to context*
- *Transition in height and transition edges*
- *A public domain concept plan*
- *Street sections*
- *A vegetation DCP/ deep soil and landscaping controls*

The extensive urban design comments provided in relation to the Planning Proposal for 264-268 Pennant Hills Road discussed above (Council reference RZ/2/2015) should be utilised.

Traffic & Access

41. The subject planning proposals are located adjacent to Pennant Hills Road, which forms a major arterial road linking Parramatta to Wahroonga. The road is an RMS controlled roadway, and until recently (12 May 2016) formed a boundary divide between Parramatta City Council and The Hills Shire Council (within part of the suburb of Carlingford).

42. Both of the Planning Proposal allotments that adjoin Pennant Hills Road are subject to road widening reservations, to be acquired by the RMS. Given this affectation, the Baptistcare Planning Proposal was referred to the RMS for comment. The Preliminary Planning Proposal for the adjoining site (258-262 Pennant Hills Road and 17&20 Azile Court) has not been referred to date, as it

is likely that the comments made to the Baptistcare site would be relevant to both sites.

43. In their letter dated 24 March 2015 (see **Attachment 4**), the RMS raised no objection to the planning amendments sought by the Baptistcare Planning Proposal. However, the RMS requested demonstration that the following works can be achieved, should the Planning Proposal be endorsed:
    - Signalisation of Pennant Hills Rd/Baker St intersection;
    - Signalised vehicular access/egress to the site at Pennant Hills Rd/Baker St intersection, including:
    - Right turn movements from Pennant Hills Rd into the site are not to be permitted;
    - Diamond right turn phasing – right turn out of the site is restricted;
    - Internal streets designed to avoid vehicle rat-running through the site;
    - Intersection of Pennant Hills Road and Martins Lane is to be widened to allow for left in/left out movements,
    - No right hand turns movements from Martins Lane to Pennant Hills Road or from Pennant Hills Road into Martins Lane will be permitted.

44. The RMS has requested that these works be fully funded and constructed by developer/proponent, including maintenance of traffic control signals for first 10 years. The RMS has also requested that the developer/proponent be required to submit detailed civil signal design plans to meet RMS requirements, and enter into a Works Authorisation Deed (WAD) with the RMS.

45. In response to the RMS comments, the proponent, in their response dated 11 September 2015 (see **Attachment 3**) stated the following:

    Although there are currently three points of vehicular access to the site from Pennant Hills Road, as part of this Planning Proposal those accesses would be removed. We believe that this will be a net positive result. As no direct access from the site to Pennant Hills Road is proposed could you please confirm which access/egress to the site at Pennant Hills Road/Baker Street the RMS are seeking to be signalised.

    BaptistCare is willing to discuss options regarding treatments to the intersection of Pennant Hills Road and Baker Street should this be deemed as necessary, however any upgrade (if required) should only be triggered when the population increases above that already on site and when it can be demonstrated that the development is likely to have an adverse impact on the level of service of that intersection.

    The permanent resident population of the site as it currently exists is 240 persons. When this is combined with the estimated daily working population of 100 employees, and visitors to the existing development, it is estimated that the increase in traffic generation as a result of full development in accordance with the indicative concept plan would be in the order of 60 to 90 vehicles per hour two-way during the weekday morning and afternoon peak hours1.
    Should it be determined that the development will impact on the operation of the intersection of Pennant Hills Road and Baker Street (taking into account the removal of the three access points to Pennant Hills Road), any contribution towards the signalization of the intersection of Pennant Hills Roads and Baker Street should be pro-rated to take in account the contribution the development

of 264-268 Pennant Hills Road Carlingford will make as a proportion of the vehicles using this intersection.

46. The matter is yet to be further discussed between the proponent and the RMS, and no VPA provisions have yet been agreed. Additional traffic analysis may also be required in relation to the proponent's claims regarding existing traffic generation from the aged care facility. However it is noted that these requirements could form conditions of any Gateway approval.

47. It is noted that the requirement to signalise the Baker Street/Pennant Hills Road intersection will also be influenced by the Planning Proposal for 241 Pennant Hills Road, and 258-262 Pennant Hills Road & 17&20 Azile Court. As such, any future VPA may need to be undertaken on a pro-rata basis.

48. Council's Urban Design team identified that Martins Lane should be widened with the road widening to be dedicated to Council as a fully public, unrestricted, minimum 12-metre wide street with:
    - Double carriageway for two-way vehicular movement;
    - A formed footpath along the western side of the street and verge zone along the eastern side of the street.; and
    - On street car parking that would not impinge on pedestrian and verge areas.

49. In response to the Council comments, the proponent, in their response dated 11 September 2015 (see **Attachment 3**) stated the following:

    The requirement to widen Martins Lane to a minimum 12 metre wide street for its full length however is questioned as this will impact on the existing mature trees located on the eastern boundary of the site. A road reserve of 11.6m as proposed is sufficient to allow for two way traffic movements and accommodate parking bays as well as a wide verge on the western side of the road in order to provide a footpath, retain existing trees and provide deep soil areas for new landscaping.

    As previously discussed, the need to provide a 3.3m verge on the eastern side of Martins Lane (as suggested in the amended connections plan attached to Council's letter) is considered unnecessary and would have detrimental impacts on existing trees.

50. Further analysis regarding widening of Martins Lane may still be required. However, this matter could be resolved post gateway determination.

51. Council Service Manager Traffic & Transport reviewed both Planning Proposal applications and considered that the density was too great given the distance from existing railway stations and centres (for 258-262 Pennant Hills Road).

52. Other concerns raised included: difficulty for pedestrians to safely cross Pennant Hills Road to access either buses or Carlingford Station; problematic right turn movements across Pennant Hills Road (out of the site); safety concerns of vehicles turning right from Pennant Hills Road into the site; and impacts on the local road network, including impact on key intersections, as a result of additional vehicle movements. Much of these concerns could be resolved if arrangements can be put in place to implement the RMS requirements as detailed above.

Cumulative Traffic Analysis

53. Council's Service Manager Traffic & Transport was asked to provide comment on the potential for a " block analysis" as discussed earlier in this report and advised that the following should be considered:

- Signalisation of Baker Street intersection;
- Possible realignment of Azile Court to align to Baker Street;
- Possible new local road connections linking Martins Lane and Azile Court;
- Widening of Martins Lane;
- Capacity for right turn movements onto and off the sites;
- Improved pedestrian safety and pedestrian crossing at Pennant Hills Road;
- Review of local road capacity and widths as a result of increased density;
- Further analysis of intersection service and capacity at key intersections (to be nominated) with consideration of the cumulative impact on the increase in development in the broader Carlingford/Telopea area; and
- Further analysis to be informed by discussions with RMS and Transport for NSW.

Vegetation

54. The site contains remnant areas of an endangered ecological community Blue Gum High Forest. An Ecological Constraints Assessment (incorporating an Assessment of Significance) was prepared for the site and reviewed by Council Open Space and Natural Area Planner who provided the following comment.

A review of the report confirms the presence of 0.28ha of Blue Gum High Forest (BGHF) in 2 distinct areas comprising:

- *Area 1 (11 x Eucalyptus saligna) located along the southern edges of the site;*
- *Area 2 (3 x Eucalyptus saligna) located along the south-eastern edges of the site.*

A number of these trees feature hollows, which provide important habitat for local native fauna. Whilst a modified understorey exists, these BGHF areas are consistent with the NSW Scientific Committee Determination for Critically Endangered Blue Gum High Forest (Threatened Species Conservation Act 1995). BGHF has been reduced to less than 5% of its original extent, with the remaining patches being fragmented, lacking native understorey and surrounded by urban development.

The report therefore regards the BGHF within the site to be of 'moderate conservation significance' and that 'its removal could be considered significant given that the community is listed as critically endangered' and 'will contribute to the cumulative loss of what is considered to be an over-cleared vegetation community'.

The report notes that 'the planning proposal has the potential to cause a significant impact on Blue Gum High Forest through facilitation of future urban development of the subject site' and 'has the potential to cause a significant

impact on the community within the subject site if avoidance measures aren't taken '.

It recommends that 'any development facilitated by the Planning Proposal avoids the removal of Eucalyptus saligna trees where possible' and 'that characteristic shrub and understorey BGHF plant species may be incorporated into the landscape plan to further increase the ecological functioning of the community within the subject site'.

Recommendations

i. In recognition of the conservation significance of the BGHF within the site, it is recommended that the BGHF Areas 1 & 2 (Figure 3.1) are included within the Natural Resources - Biodiversity Map (as this is consistent with other Critically Endangered Ecological Communities located on non-public land within Parramatta LGA);

ii. Buildings (and other infrastructure) are to be located and designed to ensure the retention and ongoing health of the 14 x Eucalyptus saligna trees in Areas 1 & 2 (Figure 3.1);

ii. Landscaping within the site in proximity to the BGHF Areas 1 and 2 is to incorporate the use of BGHF understorey plant species.

55. Comment: The addition of the area into the Natural Resources – Biodiversity Map could be incorporated into the final planning proposal. However, further consideration is required to understand the potential impact of this on site density that could be achieved while preserving the identified BGHF ecological community.

56. Any associated site specific DCP could also include controls relating to the specific retention of the existing Blue Gum High Forest trees. The provisions of Parramatta LEP 2011 and Parramatta DCP 2011 relating to tree preservation will also continue to apply to the land.

Figure 9: Existing Blue Gum High Forest communities at 264-268 Pennat Hills Road Carlingford (Referred to as Figure 3.1 in Ecological Constraints Assessment)

DRAFT SITE SPECIFIC DEVELOPMENT CONTROL PLAN

57. A draft site-specific DCP, which seeks an amendment to the Parramatta DCP 2011, has been prepared by the proponent for 264-268 Pennant Hills road, Carlingford. The draft site-specific DCP intends to guide any future development on the site as a result of the Planning Proposal.

58. It is noted that further substantial review of the draft DCP will be required dependent upon the outcomes of the pre-gateway review determination, any changes on the adjoining site, as well as potential further block analysis of the wider area shown in **Attachment 1**.

DRAFT VOLUNTARY PLANNING AGREEMENT

59. A draft Voluntary Agreement Offer was made by the proponent in relation to 262-268 Pennant Hills Road, Carlingford including widening of Martins Lane, and potential for an affordable housing unit to be dedicated to Council. No offer has been made by the proponent for the adjoining site at 258-262 Pennant Hills Road & 17&20 Azile Court, Carlingford

60. Any future VPAs would need to be commensurate with the uplift being sought by the application/s. Consideration would also need to be given to the traffic upgrade requirements suggested by the RMS. These matters could be considered further following gateway determination.

NEXT STEPS

61. The cumulative urban design and traffic impact of the two applications requires a more considered response having regard to the broader site context, including the future light rail corridor connecting Carlingford to Parramatta, recently announced by the NSW State government.

62. Given the comments from the RMS and Council's Service Manager Traffic & Transport there is an opportunity to take a broader approach which may also resolve precinct based traffic management issues which may not be achievable if different development sites in this precinct are assessed and subsequently developed on a site by site basis.

63. It is recommended that changes to the planning controls in this area be either deferred until a broader approach to address these issues can be considered.

64. One option is to allow this be considered at the same time as Council and/or the State government undertake further land use planning analysis around the future light rail station precincts.

65. Acknowledging that the timeframe for the Light Rail corridor analysis is uncertain and that the applicant may wish to proceed within a shorter timeframe an alternative approach would be for the two existing planning proposal applications to be considered together, to form part of a broader 'block analysis' generally bound by Tintern Avenue to the west, Homelands Avenue to the south, Martins Lane to the east, and Pennant Hills Road to the north as shown below and at **Attachment 1**. This option would require consultation with all affected land owners and the provision of additional studies.

66. This "block analysis" could work in one of two ways. The applicant in this case could agree to fund the studies and consultation. Council officers would write the relevant brief and engage consultants to undertake the further necessary analysis required. The alternative would be for Council Officers to agree on broad principles that need to be addressed and the applicants could undertake the analysis and a broader study in partnership (i.e. effectively Council Officers would sign off on a brief for the analysis). The study could then be pursued and funded by the landowners and provided to Council for its consideration. If the "block analysis" was able to resolve the cumulative issues these Planning Proposals could then proceed without having to wait for the Light Rail Corridor Analysis.

Figure 10: Potential block analysis study area

67. The Department of Planning should be advised that Council does not support the Planning Proposal for 264-268 Pennant Hills Road, Carlingford proceeding until the cumulative impacts associated with the redevelopment of the broader precinct and properly considered. The options Council Officers are suggesting could be pursued to consider the cumulative impact should also be communicated to the Department.

Diane Galea
Project officer, Land Use Planning

ATTACHMENTS:

1	Potential Block Analysis Site Plan	1 Page
2	Letter dated 12 May 2015 outlining Council concerns for Planning Proposal at 264-268 Pennant Hills Road, Carlingford	7 Pages
3	Letter dated 11 September 2015 from applicant responding to Council letter of 12 May 2015	7 Pages
4	Roads & Maritime Services comments regarding Planning Proposal for 264-268 Pennant Hills Road	3 Pages

REFERENCE MATERIAL

approval as considered appropriate by the Director Strategic Outcomes and Development.

ECONOMY

10.1 SUBJECT Outcome of public exhibition - Voluntary Planning Agreement for 125-129 Arthur Street, Parramatta

REFERENCE F2015/02768 - D04238185

REPORT OF Project Officer Land Use

54 RESOLVED (Chadwick)

(a) **That** Council notes no submissions were made during the public exhibition of the Voluntary Planning Agreement for 125-129 Arthur Street, Parramatta.

(b) **That** Council endorses and enters into the exhibited Voluntary Planning Agreement provided at Attachment 1.

(c) **That** the Administrator and Interim General Manager be given delegated authority to execute and affix the Common Seal of Council to the necessary documents.

(d) **That** upon signing of the Voluntary Planning Agreement, the agreement be forwarded to the Department of Planning and Environment in accordance with Section 25G of the Environmental Planning and Assessment Regulation 2000.

(e) **Further, that** a report be brought back to Council no later than August 2016 in relation to a policy for voluntary planning agreements.

10.2 SUBJECT Variations to Standards under Clause 4.6 of LEP 2011, Clause 24 of LEP 2007 and SEPP 1

REFERENCE F2009/00431 - D04244336

REPORT OF Manager Development and Traffic Services

55 RESOLVED (Chadwick)

That the report be received and noted.

10.3 SUBJECT Planning Proposals: 264-268 Pennant Hills Road, Carlingford and 258-262 Pennant Hills Road & 17 & 20 Azile Court, Carlingford

REFERENCE RZ/2/2015 - D04246670

REPORT OF Project Officer, Land Use Planning

56 RESOLVED (Chadwick)

(a) **That** the Planning Proposal for 264-268 Pennant Hills Road, and the Preliminary Planning Proposal for 258-262 Pennant Hills Road and 17 & 20 Azile Court not proceed at this point in time.

(b) **That** the applicants of the two existing proposals be offered the opportunity to either:

- Wait for further planning analysis to be undertaken by either Council and/or the State government in relation to the light rail corridor to address broader impacts; OR
- Provide funding for a Council initiated study and consultation process involving affected land owners, to inform a 'block analysis' of the area shown at Attachment 1; OR
- Work in partnership to undertake further studies, (which must also involve consultation with other affected landowners) to prepare a 'block analysis' of the area shown at Attachment 1 to address the issues detailed in this report. Any block analysis that is prepared must be in accordance with principles agreed with Council officers prior to the commencement of any work.

(c) **That** the position adopted by Council in (a) and (b) form Council's response to the Department of Planning & Environment relating to the Pre-Gateway Review application lodged for 264-268 Pennant Hills Road, Carlingford.

(d) **Further, that** the applicants be advised of Council's decision.

10.4 SUBJECT Hornsby Housekeeping Local Environmental Plan 2013

REFERENCE F2016/02246 - D04248918

REPORT OF Student Project Officer

57 RESOLVED (Chadwick)

That Hornsby Council be advised that the City of Parramatta does not object to the Housekeeping Planning Proposal, as publicly exhibited, being finalised.

10.5 SUBJECT Parramatta Strategic Framework

REFERENCE F2016/00984 - D04249018

REPORT OF Manager City Strategy

Appendix 2 – Urban Design Analysis

264-268 PENNANT HILLS ROAD CARLINGFORD
URBAN DESIGN REPORT

PREPARED FOR BAPTISTCARE

AJ+C
ALLEN JACK+COTTIER

scape design

12 FEBRUARY, 2015

264-268 PENNANT HILLS ROAD CARLINGFORD
URBAN DESIGN REPORT

PREPARED FOR BAPTISTCARE

in Collaboration with

Allen Jack+Cottier Architects Pty Ltd
ABN 53 003 782 250

Principals + Nominated Architects
Michael Heenan 5264
Peter Ireland 6661

Sydney Office
79 Myrtle Street Chippendale
NSW 2008 AUSTRALIA
tel +61 2 9311 8222
fax +61 2 9311 8200

architectsajc.com

Landscape Architecture | Urban Design | Digital Media

Director Georg Petzold
AILA # 001593

Sydney Office
67A Wanganella Street Balgowlah
NSW 2093 Australia
tel +61 4 2420 8682

www.scapedesign.com.au

P:\2014\14085 BaptistCare CarlingfordSite Study\05 Graphics\Report\14085 CarlingfordBaptistCareSite_UrbanDesignReport_v4.indd

CONTENTS

01

01 INTRODUCTION

1.1 BAPTISTCARE

BaptistCare is a leading not-for-profit Christian based care organisation that support thousands of people across NSW and the ACT through more than 160 facilities and programs.

They are currently evaluating all sites and existing developments in and around Carlingford; and have identified that the existing development on 264 Pennant Hills Rd is ageing and does not meet current aged care requirements and community expectations.

1.2 THE SITE

The site, 264-268 Pennant Hills Road Carlingford, is situated approximately 22km north-west of the Sydney CBD and within the Parramatta City Council Local Government Area.

The site is bound by Pennant Hills Road to the north, Martins Lane to the east, Homelands Avenue to the south and by private properties along its other boundaries. It is currently occupied by a BaptistCare aged care development, which provides approximately 240 beds.

Site area: 28,286 m2

Total building footprint (existing): 8,955 m2

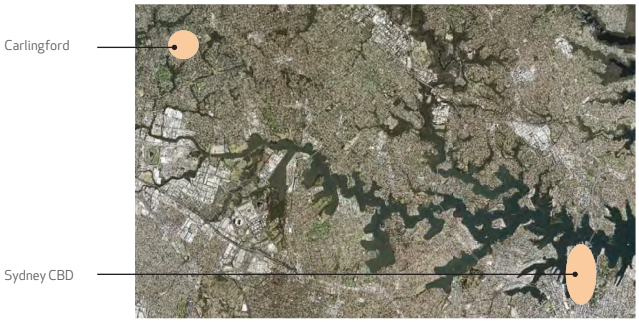
Site coverage (building footprint): 32%

Existing Controls - Parramatta LEP 2011

FSR: 0.5:1

Zoning: R2 - Low density residential

Height restriction: 9m



Site Location

1.3 LOCAL CONTEXT

Land Use

The surrounding area is occupied by a number of existing land uses including: schools to the north and west; commercial uses along Pennant Hills Road at Carlingford Railway Station; open space; low density residential development to the west and south, comprising predominantly 1-2 storey houses; and medium to high density (developing) to the north and east of the site.

Public Transport

Approximately 10 minutes walking distance (750m), north-east of the site is Carlingford railway station. This station provides intermittent services, with only one early morning train connecting directly to Sydney Central Station. At other times of day passengers must change at Clyde to connect with other services. Telopea Railway Station is also close by, to the south of the site. Telopea is on the same service line (Carlingford Line) as Carlingford station where the line terminates.

Pennant Hills Road forms the northern boundary of the site and is a major arterial road, connecting Parramatta in the south-west with Hornsby in the north-east and linking with a number of other major routes in Sydney's road network.

There are bus stops on both sides of the road adjacent to the site. Route 625 connects Parramatta with Pennant Hills via Carlingford and Route M54 is a cross regional service which connects Parramatta, Carlingford, Epping and Macquarie Park.

Carlingford Town Centre + Amenities

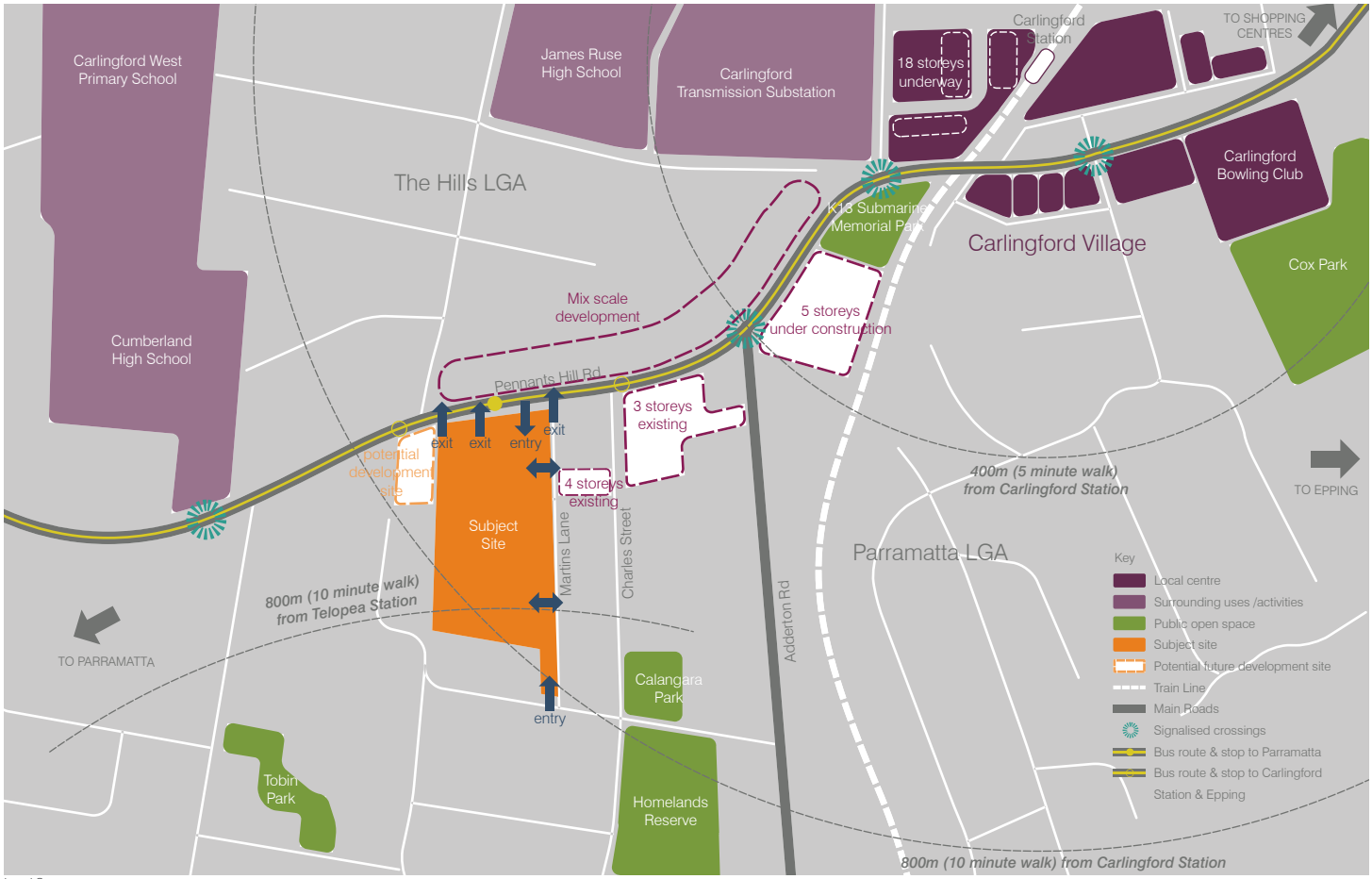
There is a small shopping strip near Carlingford Railway Station. New residential flat buildings up to 18 storeys high have been approved adjacent to the station. The major retail and commercial areas in Carlingford are located 1.5km from the site on Pennant Hills Road, approximately 20 minutes walk away. There are two medium sized shopping centres, Carlingford Court and Carlingford Village.

Carlingford Village


Charles Street looking west

Carlingford Court

Pennant Hills Road



Local Context

1.4 PLANNING CONTEXT

The site is subject to the provisions of Parramatta Local Environment Plan (LEP) 2011. The land to the north and west of Pennant Hills Road is located within The Hills Shire Local Government Area. The land use zoning plan, FSR plan and building height plan are a compilation of both the Parramatta LEP 2011 and The Hills LEP 2012 maps.

The following controls currently apply to the site:

LAND USE ZONING

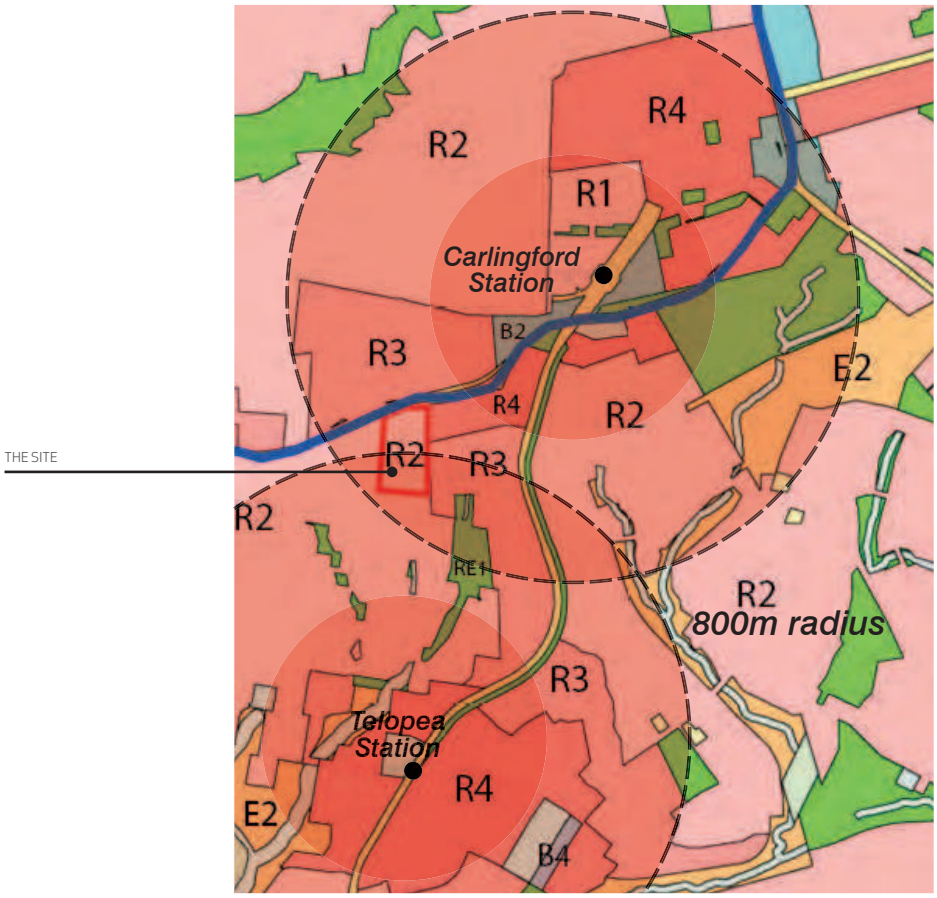
R2 - Low Density Residential

FSR

0.5:1

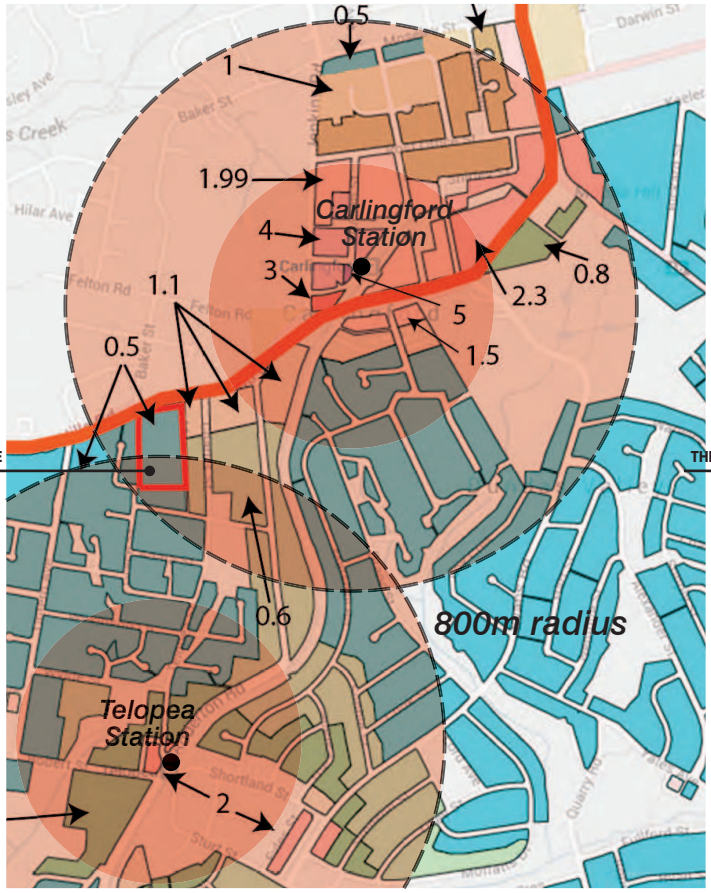
HEIGHT

9M

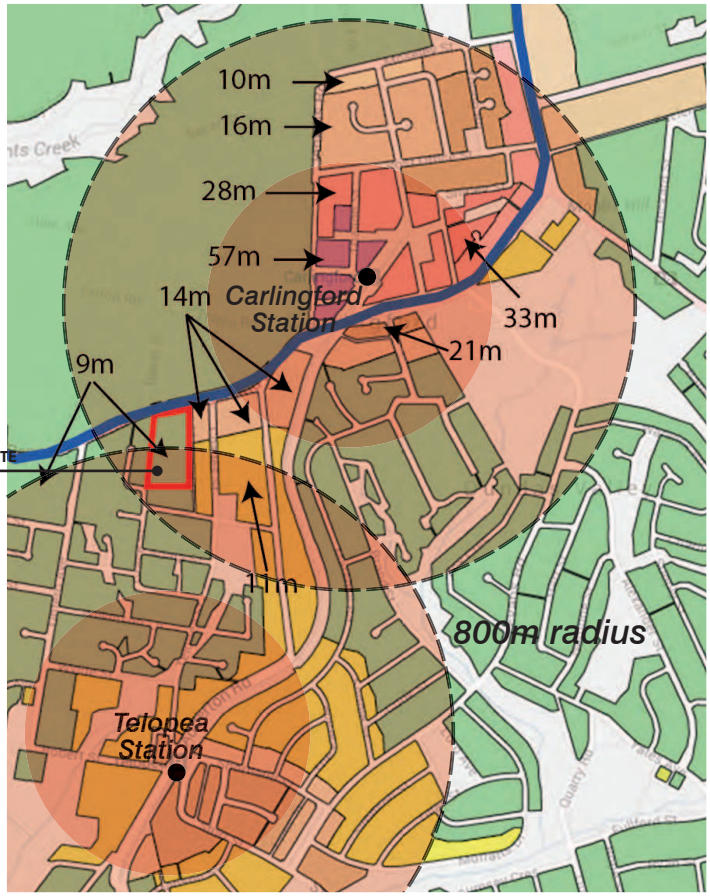


LAND USE ZONING PLAN

R2 - Low Density Residential



FSR PLAN
0.5:1



HEIGHT PLAN
9m

02

02 ANALYSIS

2.1 EXISTING DEVELOPMENT

The site currently houses an existing aged care facility. This accommodates approximately 240 beds and including workers and residents has a population of approximately 437 people on site.

The site area is approximately 28, 286 m2.

There are 10 buildings across the site ranging between 1 - 3 storeys in height. An initial assessment of the existing building footprints has determined that the approximate site coverage, excluding roads, is 32% (from survey, dated 18.06.2014, Mepstead & Associates).

Existing building footprints

2.2 TOPOGRAPHY

One of the site's notable characteristics is its topography. There is a fall across the site of approximately 23m from Pennant Hills Road to Homelands Avenue.

The sloping nature of the site allows for district views to the south from development within the site.

Due to the slope of the site, storm water drainage has had to be managed to reduce the impact of run-off. There are a number of devices already in place throughout the site that accommodate overland flow in heavy storm conditions.

Through the middle of the site there is a large embankment. This has been formed through previous cut and fill earthworks. In addition, the ground level of dwellings to the west of the site is in the order of 5m above the ground level within the site.

Martins Lane, on the eastern edge of the site, rises from RL74.50 at Homelands Ave to approximately RL98.00 at Pennant Hills Road. This represents an average gradient of approximately 1 in 13.

Existing storm water management device on site

Embankments within site

Terraced and stepped nature of the site's topography

Martins Lane near Village Road

Key

- Subject site
- Existing buildings
- Land fall

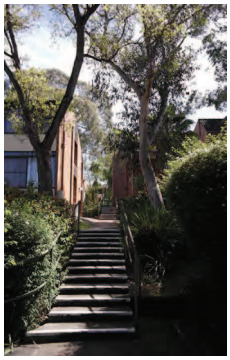
Existing topography

2.3 EXISTING VEGETATION

BaptistCare commissioned McArdle Arboricultural Consultancy to assess the condition of existing trees within the site. A Tree Risk Assessment report was prepared, dated 8th July 2014, to "inspect trees in and around buildings and in areas where staff and public access; to give recommendation to the facilities manager of trees that pose a risk to human health and safety with professional opinion and management of these trees" [sic.]. The report has recommended the urgent and immediate removal of some of the trees on site and some of this work has already been undertaken.

> The native vegetation is characterised by the Cumberland Plain Woodland, which is an endangered ecological community. There are approximately 200 trees on site, and they are located in areas which generally have a lower occupation rate. No heritage listed trees were found on site and there are no individual tree species identified on site that are listed as endangered, critically endangered or vulnerable under the TSC Act and EPBC Act. There is a significant group of E. saligna [Eucalyptus Saligna - blue gum] trees on the southern boundary of the site which may constitute blue gum high forest.
>
> *- Tree Risk Assessment Report, McArdle Arboricultural Consultancy, 8 July 2014*

Trees within the site range up to 30-40m in height. The tallest of the trees within the site are predominantly Blue Gums. There are also a number of Tallowood trees along the eastern boundary of the site, on Martins Lane, that range 20-24m in height.



Existing trees

2.4 VIEWS

The topography of the site allows for district views to the south interrupted only by the existing vegetation on site. Any proposed development should take advantage of these views to maximise outlook.

There are no district views from the existing adjoining properties across the site to the east or west.

Views of the site from Pennant Hills Road vary due to the undulating and winding nature of the road.

View 1 - Adjacent to western boundary looking south

View 2 - Village Rd looking east

View 3 - Pennant Hills Road from the east looking to the site

View 4 - Azile Ct

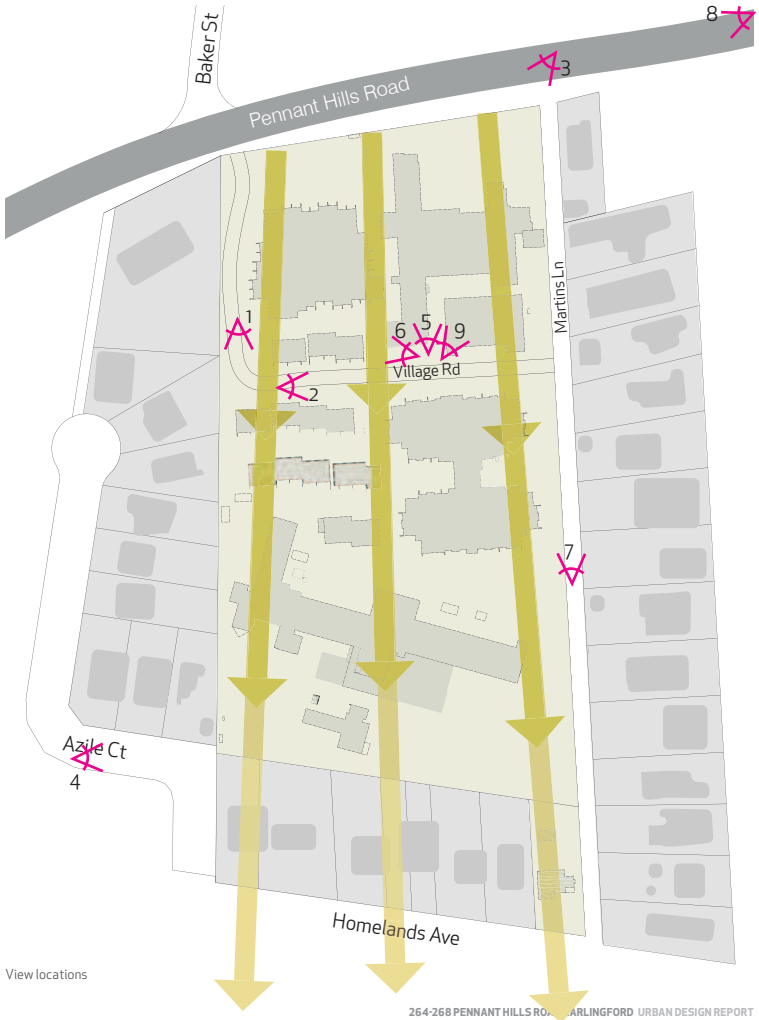
View 5 - View from drone on Village Rd looking north to Pennant Hills Rd

View 6 - View from drone on Village Rd looking north west

View 7 - Martins Lane looking north

View 8 - Pennant Hills Rd near Adderton Rd looking toward site

View 9 - View from drone on Village Rd looking north east



Key

- Subject site
- Existing buildings
- District views

View locations

2.5 ACCESS

The primary street address for the site is currently Pennant Hills Road. This road services the main access points to the development. The secondary address is to Martins Lane, a narrow lane way which runs along the eastern side of the site. There is also an additional frontage on Homelands Avenue.

The main vehicular access to the site is provided from Martins Lane. Martins Lane is a two-way street which runs the full length of the site and also provides access to a number of garages and properties to the east of the site. Martins Lane connects to Pennant Hills Road at t-intersection that is not signalised. This exit allow for left turns only from Martins Lane into Pennant Hills Road. As such, most of the traffic on Martins Lane travels northbound.

Vehicular access to the site is also provided from Pennant Hills Road via three driveways. The eastern two driveways provide entry and exit to a drop-off area at the front of the site and a small number of parking spaces. The western driveway aligns with Baker Street on the opposite side of Pennant Hills Road. This driveway links Village Road within the site to Pennant Hills Road.

Due to the prioritised vehicular traffic in the area there is reduced connectivity for pedestrians. This reliance on vehicles is evident in the narrow footpaths or entire lack thereof. The main pedestrian access to the site is from Pennant Hills Road. There are secondary access points from Homelands Avenue and an informal access from Azile Court at the south-western corner of the site.

Pennant Hills Road looking toward north east corner of the site and Martins Lane

South western corner of the site near Azile Ct

Martins Lane intersection with Pennant Hills Road

Village Road at its intersection with Martins Lane looking west


Pennant Hills Road looking west


Pennant Hills Road looking east

Key
- Subject site
- Existing buildings
- Bus stop
- Existing vehicular access
- Existing connection to Azile Court

Existing access

2.6 NEIGHBOURHOOD

The surrounding neighbourhood is characterised by single and two storey dwellings to the west and south of the site. However, the land to the east and north of the site is zoned for more intensive development with some areas already occupied by medium to high density development.

The north western neighbour, 262 Pennant Hills Rd, is a large site of 2400 m2 that is currently occupied by a single dwelling. Due to the surrounding zoning and the nature of this site, it has development potential and is well placed to act as a transition site between the subject site and low density development to the west.


Azile Court


Telopea Street south of Homelands Avenue


Charles Street (R4 zoning - high density residential)


Megan St


Pennant Hills Road near Tintern Ave


Azile Court

2.7 NOISE

Pennant Hills Road is a major arterial road. In this area it has a speed limit of 60km per hour and currently carries approximately 14500 cars per day on average (RMS 2012 AADT).

An acoustic report was commissioned by BaptistCare. A study was undertaken by Acoustic Logic, dated 9 January 2015, detailing results of attended and unattended traffic and background acoustic measurements. The report indicated that the traffic noise levels measured on Pennant Hills Rd are very high and require design strategies to mitigate noise. Recommendations include setbacks from Pennant Hills Road of approximately 15m and acoustically appropriate glazing and wall construction systems.

Noise

03

03 CONCEPT

3.1 DESIGN PRINCIPLES

Neighbourhood Amenity + Streetscape

MAINTAIN REASONABLE NEIGHBOURHOOD AMENITY AND APPROPRIATE RESIDENTIAL CHARACTER BY:

+ Providing appropriate building setbacks from side and rear boundaries to achieve reasonable privacy, landscaped buffers and prevent overshadowing
+ Providing increased setbacks to Pennant Hills Road to reduce the impact of road noise nuisance and to enable a significant landscaped buffer and appropriate streetscape presentation
+ Using building form and siting that relates to and respects the site's land form
+ Considering, the relationship of buildings on the boundary, with their neighbours

Landscape

BUILD ON THE EXISTING SITE'S NATURAL AND CULTURAL FEATURES IN RESPONSIBLE + CREATIVE WAYS

+ Retain and protect existing native trees where possible
+ Promote indigenous plant species that reflect the regions character of Turpentine-Ironbark Forest and Blue Gum High Forest
+ Provide habitat and biodiversity for local endemic flora and fauna through local endemic plant material
+ Through planting, provide form, enclosure, texture and colour within the public and private domain
+ Link the new buildings and public domain through Water Sensitive Urban Design initiatives
+ Provide good design in open spaces with a unique character, amenity and diverse opportunities for active and passive recreation
+ Provide deep soil zones within 6m of the Pennant Hills Road frontage and provide native planting as a visual buffer to apartment frontages
+ Provide deep soil zones within 3m of side and rear boundaries and provide native planting on boundaries as visual buffers between adjoining properties

Solar Access

ENSURE ADEQUATE DAYLIGHT TO MAIN LIVING AREAS OF RESIDENTS AND ADEQUATE SUNLIGHT TO SUBSTANTIAL AREAS OF PRIVATE + COMMUNAL OPEN SPACE

+ Comply with the rules of thumb set out in the RFDC
+ Position buildings to minimise or eliminate overshadowing onto adjoining properties

Accessibility

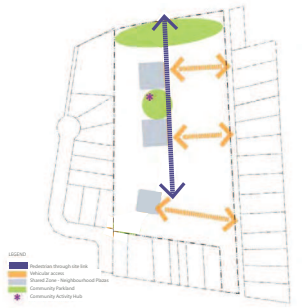
ENSURE A SAFE AND ACCESSIBLE DEVELOPMENT

+ Have obvious and safe pedestrian links from the site that provide convenient access to public transport services and local facilities, and
+ Widen the street reserve to Martins Lane to provide an attractive, and safer environment for pedestrians and motorists with convenient access for residents and visitors.

Crime Prevention

THE PROPOSED DEVELOPMENT SHOULD PROVIDE SECURITY FOR RESIDENTS AND VISITORS AND MINIMISE OPPORTUNITIES FOR CRIME

+ Site planning that allows observation of the approaches to a dwelling entry from inside each dwelling and general observation of public areas, driveways and streets from a dwelling that adjoins any such area, driveway or street, and
+ Where shared entries are required, providing shared entries that serve a small number of dwellings and that are able to be locked, and
+ Providing dwellings designed to allow residents to see who approaches their dwellings without the need to open the front door.



Access links and relationships

Green space links

3.2 STRUCTURE PLAN

Following the analysis of constraints and opportunities for the site an indicative master plan was proposed based on the design principles shown in the attached Structure Plan.

Desired Future Character

Residential development for 264-268 Pennant Hills Road, Carlingford will be generally in the form of residential flat buildings and multi-dwelling housing.

Buildings will be well setback from Pennant Hills Road and screened from the roadway with a suitable landscaped buffer. Taller buildings will be located in the centre of the site and will transition downward in scale at the site perimeters toward the surrounding lower density residential areas. Where buildings adjoin low density residential zones a maximum 4 storey building height will apply, with upper level setbacks to the building envelope where it has frontage to a boundary.

Buildings will be designed to respect the topography of the land and the protrusion of basement car parking above ground level is to be minimised. Stands of mature native trees that contribute to the quality of the landscape will be protected where possible or replaced with suitable species in the redevelopment of the site.

A large, single parcel of communal open landscaped space is to be provided with opportunities for passive recreation, adequate solar access in mid-winter and good connectivity to the street network and pedestrian links to the existing bus stop in Pennant Hills Road.

The road reserve to Martins Lane is to be widened to enable an improved landscaped pedestrian link to be provided between Homelands Avenue and Pennant Hills Road and left turn in to Martins Lane from Pennant Hills Road. The orientation and layout of the future development on the site will ensure that every building entry lobby can be seen from street frontages. Street/mews frontages are to be activated with individual garden entries to ground floor apartments maximising opportunities for passive surveillance.

The design of the buildings will ensure that solar access is achieved within the development to enable an appropriate level of amenity to be achieved for future occupants. The design will incorporate opportunities for natural ventilation to contribute to the environmental efficiency of the development.

1. Provide a generous setback to Pennant Hills Road. To be landscaped to mitigate noise impacts and allow for taller built form
2. Widen Martins Lane to accommodate pedestrian access, and an adequate landscape buffer to neighbours. Existing mature trees to be retained
3. Provide new private roads to give adequate address to all buildings
4. Provide large communal open space to enhance amenity and preserve scenic quality
5. Strategically locate taller built form away from boundaries to minimise visual and shadow impacts to neighbours and allow for larger communal open space
6. Retain where possible all significant trees and vegetation particularly endangered species
7. Work with existing topography to provide an integrated design
8. Provide a minimum 6m setback that increases to 9m in zones of critical proximity
9. Modify existing road configuration to enable vehicles to turn left in and left out at Pennant Hills Road
10. Provide a minimum 6m setback
11. Provide a clear pedestrian link through the site to existing bus stop
12. Widening of Pennant Hills Road Parramatta LEP 2011

3.3 ILLUSTRATIVE CONCEPT MASTER PLAN

Community

Good design recognises that together landscape and buildings operate as an integrated and sustainable system, resulting in greater aesthetic quality and amenity for both occupants and the adjoining public domain. Landscape design builds on the site's existing natural and cultural features in responsible and creative ways. It enhances the development's natural environmental performance by coordinating water and soil management, solar access, micro-climate, tree canopy and habitat values. It contributes to the positive image and contextual fit of the development through respect for streetscape and neighbourhood character, or desired future character. Landscape design should optimise usability, privacy and social opportunity, equitable access and respect for neighbours' amenity, and provide for practical establishment and long term management.

Good pedestrian connectivity and both passive and active outdoor recreational opportunities should be implemented into the sites layout and design proposal.

Vegetation

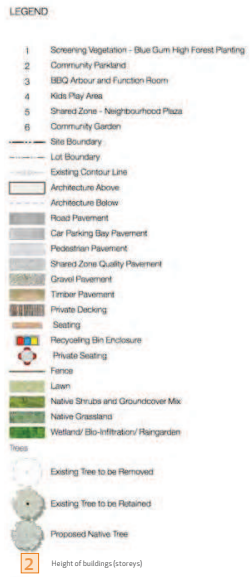
Existing native trees should be retained and protected throughout the site. All conclusions and recommendations in terms of the tree management [pruning and removal] from the 'Tree Risk Assessment' dated 08 July 2014 by McArdle Arboricultural Consultancy should be implemented. An opportunity exists to create a native buffer zone along Pennant Hills Road, where trees to be removed can be replenished with species from the Blue Gum High Forest community.

WSUD

An opportunity exists to link the new buildings, public domain and communal spaces through water sensitive urban design, WSUD. This can be undertaken by creating rain gardens, bioswales, biosinks, water polishing ponds, wetlands and other constructed ecologies which can detain, retain and reuse water. A water management strategy should be implemented for any development. The landscape architect in collaboration with the hydraulic and civil consultants can develop a integrated storm water design throughout the site.

Yields

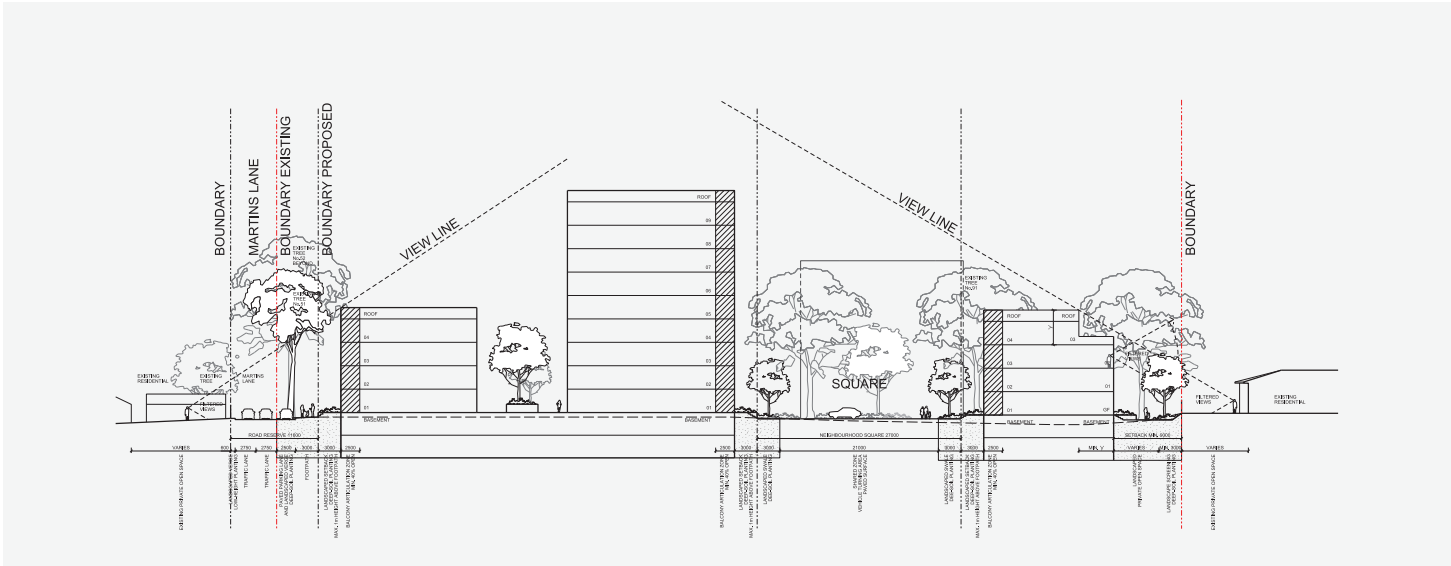
This illustrative master plan has been informed by reference to council's DCP and site specific controls which have been developed for the site.



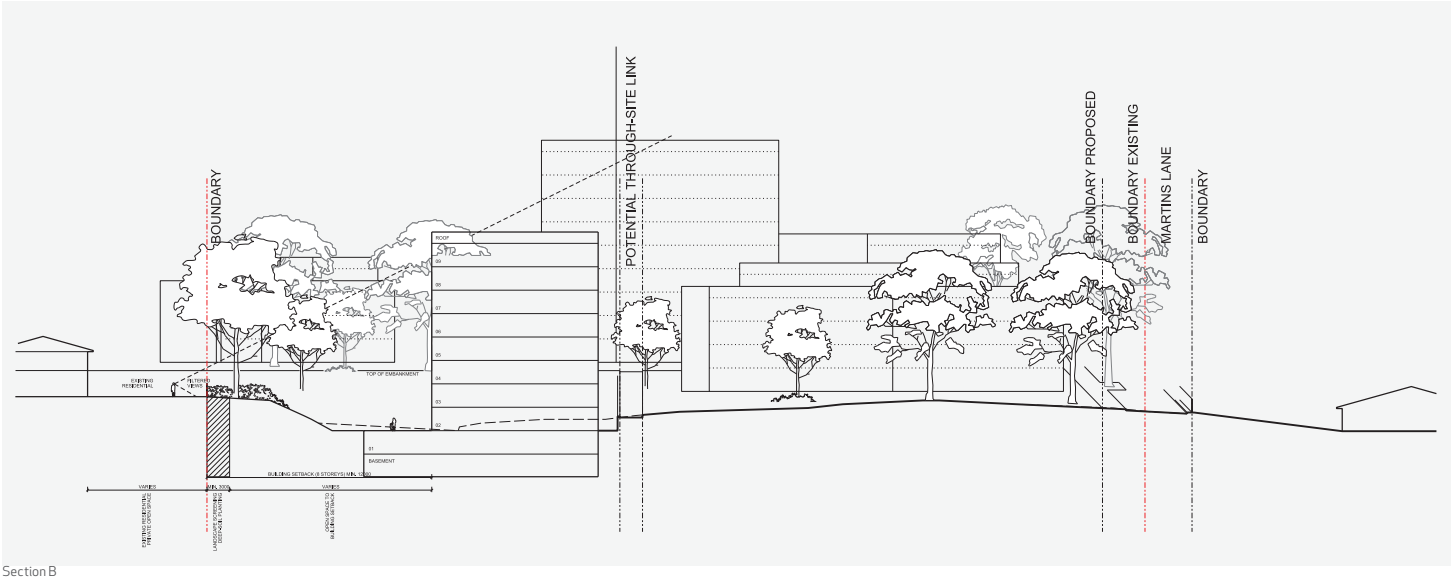
3.4 SECTIONS

Indicative sections to indicate street type and streetscape quality.

Building heights have been formed with regard to view lines from neighbouring properties. These view lines are established at 1.5m above ground level. Proposed building forms step back at upper levels to reduce perceived bulk and height.



Section A


BOUNDARY
POTENTIAL THROUGH-SITE LINK
BOUNDARY PROPOSED
BOUNDARY EXISTING
MARTINS LANE
BOUNDARY
ROOF
TOP OF EMBANKMENT
BASEMENT
VARIES
VARIES

Section B

3.5 APPROXIMATE YIELD

The illustrative concept master plan has been assessed to provide the following yields.

Residential numbers and mix

Building	Unit Type	Studio	1B	1B+St	2B	3B	3B Townhouse	Total
	Mix	0%	5%	19%	59%	12%	4%	100%
	Average NSA	40	52	60	85	105	125	81
		0	**17**	**67**	**209**	**44**	**15**	**351**

Site Efficiency

	Site	Roads and links	Open space	Commercial lots	Residential lots		Site Coverage
Area	28,286	5,912	819		20,198		
Percentage		21%	3%		71%		38%

Car parking rates

Apartment type	Min. spaces/unit
Studio	0.60
1B	1.00
1B+St	1.00
2B	1.25
3B	1.50
3B Townhouse or Villa	1.50
Visitor	0.25
Carshare	1 space

Site Summary

Total GFA	**33,955**	
Site Area - Total	**28,286**	**m²**
FSR - residential	1.2	:1
FSR - non residential	0.0	:1
Gross FSR - total	**1.2**	**:1**
No. of apartments	**351**	
No. of cars	**426**	

Definitions

- FSR is Floor Space Ratio = GFA (LEP)/Site Area
- GFA is Gross Floor Area measured as defined by the governing Local Government Authority
- Site Coverage is the Buidling Footprint plus basements extending beyond the footprint
- all areas are measured in square metres
- all numbers are calculated with decimal places and then rounded up or down to be stated as whole numbers

04

04 TESTING

4.1 VIEW ANALYSIS

A view analysis study was undertaken to determine the impact of new development on existing view lines toward the site.

Refer to the key plan for viewing locations.

Methodology

The surveyor, Mepstead & Associates, was commissioned to provide the relative height of each viewing location in AHP.

Photographs were taken using a 35mm lens with the camera set up to be at 1.5m above the ground, level and horizontal. The computer model was prepared using a matching focal length to the photograph. New trees were assumed to be 20m high.

Conclusion

The view analysis shows that:

+ The scale of the buildings at the perimeter of the site relate to the desired future character and scale of the adjoining R4 zoned land where applicable.
+ The use of upper level setbacks in built form adjacent to boundaries provides a transition in scale to adjoining low density residential zoned sites.
+ The use of a deep soil zone along common boundaries will enable mature tree planting to form an additional visual buffer

04 TESTING

4.2 SHADOW ANALYSIS

Due to the sloping and banked nature of the site, impacts from overshadowing on neighbouring properties are minimised.

The existing trees, due to their height and scale, cause overshadowing on neighbouring properties. Notwithstanding, any impacts on adjoining properties, as a result of redevelopment of the site, will need to ensure that overshadowing impacts on adjoining properties are minimised or not exacerbated.

Winter Solstice - 9am

Winter Solstice - 12pm

Winter Solstice - 3pm

The concept layout plan was modelled in relation to the existing context to ascertain impacts of overshadowing by new development.

There is some overshadowing of properties to the east of the site after 2pm. However, existing trees, up to 30m high, contribute to overshadowing of these properties in the existing context. On the western side there is no additional overshadowing impact after 10am.

Appendix 3 – Traffic and Parking Assessment

BAPTISTCARE NSW

TRANSPORT ASPECTS OF PLANNING PROPOSAL FOR PROPOSED RESIDENTIAL DEVELOPMENT, PENNANT HILLS ROAD & MARTINS LANE, TELOPEA

FEBRUARY 2015

COLSTON BUDD HUNT & KAFES PTY LTD
ACN 002 334 296
Level 18 Tower A
Zenith Centre
821 Pacific Highway
CHATSWOOD NSW 2067

Telephone: (02) 9411 2411
Facsimile: (02) 9411 2422
Email: cbhk@cbhk.com.au

REF: 9636

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1. INTRODUCTION

1.1 Colston Budd Hunt and Kafes Pty Ltd has been commissioned by BaptistCare NSW to review the transport aspects of a planning proposal for a residential development on a site at 264-268 Pennant Hills Road at Telopea. The site has frontage to Pennant Hills Road, Martins Lane and Homeland Avenue, as shown in Figure 1.

1.2 The site is occupied by an aged care development which provides some 240 beds. The planning proposal would provide for a residential development comprising some 355 apartments.

1.3 The transport aspects of the planning proposal are reviewed in the following chapter.

2. TRANSPORT ASPECTS OF PLANNING PROPOSAL

2.1 The transport aspects of the planning proposal are reviewed through the following sections:

- site location and road network;
- potential scale of development;
- policy context;
- public transport, walking and cycling;
- travel access guide;
- parking provision;
- access, servicing and internal layout;
- traffic generation; and
- summary.

Site Location and Road Network

2.2 The site is at 264-268 Pennant Hills Road, on the southern side of the road, at Telopea, as shown in Figure 1. It also has frontage to Martins Lane and Homelands Avenue.

2.3 Vehicular access to the site is provided from Pennant Hills Road via three driveways. The eastern two driveways provide for separate entry and exit at the front of the site to a drop-off area and small number of parking spaces. The western driveway is approximately opposite Baker Street and connects to the internal road network within the site.

2.4 Vehicular access to the site is also provided from Martins Lane. The main internal road through the site, Village Road, connects to Martins Lane on the northern part of the site. A second internal road connects to Martins Lane on the southern part of the site. As well as these roads, Martins Lane provides access to a number of garages and 90° parking on the eastern side of the site.

2.5 Surrounding land use includes a number of schools to the north and west, some commercial uses along Pennant Hills Road, areas of open space and low to medium density residential development. Carlingford railway station is within some 750 metres walking distance to the north-east and Telopea station is a similar distance to the south.

2.6 Pennant Hills Road provides a major link in Sydney's road network, connecting Parramatta in the south-west with Hornsby the north-east. In the vicinity of the site it provides a four lane undivided carriageway with two traffic lanes in each direction and a 60 kilometre per hour speed limit. Clearways operate for southbound traffic during weekday peak periods. There are bus stops on both sides of the road, close to the site. There is a right turn bay in Pennant Hills Road for turns into Baker Street along the site frontage.

2.7 Martins Lane connects to Pennant Hills Road at an unsignalised t-intersection, adjacent to the site. Turns at the intersection are restricted to left turns only from Martins Lane onto Pennant Hills Road. Martins Lane provides a carriageway width of some 5.5 metres, with a wider carriageway at its southern end. It provides for two-way traffic, although in practice, the turning restrictions at Pennant Hills Road mean that most traffic in the lane is northbound. No parking is provided along its length. As previously discussed, angle parking within the site is accessed directly from Martins Lane.

2.8 Homelands Avenue is south of the site, connecting Adderton Road in the east with Grace Street in the west. It provides for two-way traffic, with parking permitted, and a 50 kilometre per hour speed limit. It provides access to residential development. The intersection of Homelands Avenue with Martins Lane is an unsignalised t-intersection with all turns permitted. There is a landscaped median in Martins Lane at the intersection.

2.9 East of the site, Homelands Avenue has a four-way intersection with Charles Street, controlled by stop signs. Charles Street connects to Pennant Hills Road to the north at an unsignalised t-intersection. Turns at the intersection are restricted to left in/left out. Charles Street provides for two-way traffic with parking generally permitted on both sides, with a 50 kilometre per hour speed limit. It provides access to residential development, open space and Telopea railway station to the south.

Potential Scale of Development

2.10 The planning proposal would provide for a residential development comprising some 355 apartments. Vehicular access would be provided from Martins Lane.

Policy Context

2.11 There are a number of strategic state policies which are relevant to future development in the Sydney metropolitan area. The policies include NSW 2021, A Plan for Growing Sydney and The NSW Long Term Transport Master Plan. These policies are discussed below.

- NSW 2021

2.12 NSW 2021: A Plan to Make NSW Number One sets targets to increase the proportion of commuter trips made by public transport for various areas within Sydney by 2016, including:

  - 80 per cent in the Sydney CBD;
  - 50 per cent in the Parramatta CBD;
  - 20 per cent in the Liverpool CBD; and
  - 25 per cent in the Penrith CBD.

2.13 It also has targets to:

  - improve road safety, reduce fatalities to 4.3 per 100,000 population by 2016;
  - double the mode share of bicycle trips made in the metropolitan area by 2016; and
  - increase the proportion of the population living within 30 minutes by public transport of a city or major centre in the metropolitan area.

- A Plan for Growing Sydney

2.14 A Plan for Growing Sydney provides a strategic plan to accommodate an additional 1.6 million people, 664,000 houses and 689,000 jobs.

2.15 The plan includes the following goals and actions to achieve them:

  - Goal 1: a competitive economy with world class services and transport
    Actions:

- grow a more internationally competitive Sydney CBD;
- grow Greater Parramatta – Sydney's second CBD;
- establish a new priority growth area – Greater Parramatta to the Olympic Peninsula;
- transform the productivity of western Sydney through growth and investment;
- enhance capacity at Sydney's gateways and freight networks;
- expand the Global Economic Corridor;
- grow strategic centres – providing more jobs closer to home;
- enhance linkages to regional NSW;
- support priority economic sectors;
- plan for education and health services to meet Sydney's growing needs; and
- deliver infrastructure.

o Goal 2: a city of housing choice, with homes that meet our needs and lifestyles

Actions:

- accelerate housing supply across Sydney;
- accelerate urban renewal across Sydney – providing homes closer to jobs;
- improve housing choice to suit different needs and lifestyles; and
- deliver timely and well planned greenfield precincts and housing.

o Goal 3: a great place to live with communities that are strong, healthy and well balanced

Actions:

- revitalize existing suburbs;

- create a network of interlinked, multipurpose open and green spaces across Sydney;
- create built environments; and
- promote Sydney's heritage, arts and culture.

- Goal 4: a sustainable and resilient city that protects the natural environment and has a balanced approach to the use of land and resources
  Actions:
  - protect our natural environment and biodiversity;
  - build Sydney's resilience to natural hazards; and
  - manage the impacts of development on the environment.

- NSW Long Term Transport Master Plan

2.16 The NSW Long Term Transport Master Plan has been developed, in association with A Plan for Growing Sydney and State Infrastructure Strategy, to support NSW 2021. The key measures identified are as follows:

- providing a fully integrated transport system;
- providing a modern railway system and increase capacity by 60 per cent;
- providing a modern light rail system in the CBD;
- providing a modern bus system to complement the rail networks;
- connect the motorway network, including WestConnex, F3/M2 link and F6;
- reduce congestion in the CBD, including removing the monorail, increasing light rail, improving pedestrian links, increasing ferry use, providing increased capacity on the rail system and improved walking and cycling infrastructure;
- support the growth of new economic centres including the north west and south west rail links, new roads in growth areas and new bus infrastructure;

- connect regional communities through major highway upgrades, and improved rail, bus and air services;
- improve freight efficiency and productivity;
- improve access to Sydney Airport and Port Botany;
- boost walking, cycling and its integration with public transport; and
- preserve future transport corridors.

2.17 The Plan for Growing Sydney defines the Carlingford railway line as an important public transport corridor between Macquarie Park and Parramatta. It identifies the corridor's importance and potential for future development.

Public Transport, Walking and Cycling

2.18 The site is within some 10 minutes' walking distance of Carlingford and Telopea railway stations. Both stations are on the Carlingford Line (Carlingford to Clyde).

2.19 Services on the Carlingford Line operate on a 60 minute headway in each direction.

2.20 A Plan for Growing Sydney identifies improved transport connections between Parramatta and other areas in western Sydney, including along the Carlingford Line. A potential light rail corridor between Parramatta and Macquarie Park, via Carlingford, is identified in the plan.

2.21 Local bus services are provided by Sydney Buses and Hillsbus. As previously discussed, there are bus stops on Pennant Hills Road close to the site.

2.22 Route 625 operates along Pennant Hills Road and connects Parramatta with Pennant Hills via Carlingford. It operates on a 60 minute headway in each direction, Monday to Saturday, with a limited Sunday service. During weekday peak hours, services are more frequent.

2.23 Route M54 is a cross regional service connecting Parramatta, Carlingford, Epping and Macquarie Park. It operates on a 10 minute headway in each direction during peak periods, a 15 minute headway in each direction during weekday off-peak and a 20 minute headway in each direction in the evening and on weekends.

2.24 A number of other bus services connect to Carlingford railway station and Carlingford Court shopping centre.

2.25 There are good pedestrian links between the site and surrounding areas. Traffic signals on Pennant Hills Road east and west of the site (at Adderton Road and outside Cumberland High School respectively) provide for pedestrians to cross Pennant Hills Road, including to reach bus stops on the other side of the road.

2.26 There is a bicycle route along Telopea Street and Wilkinson Lane, south of the site.

2.27 The site therefore has good access to regular public transport services. The proposed development will therefore be readily accessible by public transport, walking and cycling.

2.28 The proposed development would increase residential densities close to existing public transport services. The accessibility of the site and the area will be improved by future improvements to public transport along the Carlingford line.

2.29 To support accessibility by bicycles, appropriate bicycle parking, in accordance with council's controls, should be provided.

2.30 The proposed development will therefore satisfy the objectives of NSW 2021, A Plan for Growing Sydney and the NSW Long Term Transport Master Plan policy package as follows:

- enabling residents to readily access trains and buses close to the site;
- providing an appropriate level of on-site parking, with reference to appropriate council and RMS requirements, to encourage greater public transport use and increase the proportion of trips by public transport;
- providing residential uses along the Carlingford line to reduce the need for private car travel;
- being readily connected to Parramatta and Macquarie Park; and
- providing for an increase in population living within 30 minutes by public transport of a city or major centre in the metropolitan area.

Travel Access Guide

2.31 To encourage travel modes other than private vehicle, it is proposed to adopt a travel demand management approach, through a travel access guide to meet the specific needs of the site, future residents and visitors. The specific requirements and needs of future residents and visitors, including access to major surrounding employment centres, will be incorporated in the travel access guide to support the objectives of encouraging the use of public transport.

2.32 The principles of the travel access guide, to be developed by the applicant in consultation with the owners' corporations, council, RMS, Sydney Buses and other stakeholders, will include the following:

- encourage the use of public transport, including rail services through Carlingford and Telopea and bus services along Pennant Hills Road;
- work with public transport providers to improve services;
- encourage public transport by residents and visitors through the provision of information, maps and timetables;
- raise awareness of health benefits of walking (including maps showing walking routes);
- encourage cycling by providing safe and secure bicycle parking;
- provide appropriate on-site parking provision, consistent with the objective of reducing traffic generation.

2.33 The travel access guide may take the form of a green transport plan. The travel access guide will assist in delivering sustainable transport objectives by considering the means available for reducing dependence solely on cars for travel purposes, encouraging the use of public transport and supporting the efficient and viable operation of public transport services, and will be prepared prior to occupation of the building.

Parking Provision

2.34 Part 3 of the Parramatta Development Control Plan 2011 includes the following minimum car parking requirements for residential flat buildings greater than 400 metres from a transitway bus stop or railway station:

- 0.6 spaces per studio;
- one space per one bedroom dwelling;
- 1.25 spaces per two bedroom dwelling;
- 1.5 spaces per three bedroom dwelling;
- two spaces per four bedroom dwelling;
- one space per four dwellings for visitors; and
- a car wash space which may double as a visitor space.

2.35 Appropriate car parking will be provided at the development application stage, having regard to the above rates. Given the site's good accessibility by public transport, a lower visitor parking requirement would be appropriate.

2.36 The proposed parking provision will include an appropriate number of car share spaces (one space per 50 dwellings), in accordance with the DCP 2011.

2.37 The DCP includes a bicycle parking requirement of one space per two dwellings for residential flat buildings.

Access, Servicing and Internal Layout

2.38 Vehicular access to the site would be provided in three main locations from Martins Lane. The existing access points to the site from Pennant Hills Road will be closed.

2.39 In association with the proposed development, it is proposed to widen Martins Lane, using land from the subject site. Widening the laneway would provide for vehicles to turn left in and left out at Pennant Hills Road, similar to other roads in the area such as Charles Street.

2.40 The internal roads, which will provide access to the site from Martins Lane, will be designed to accommodate two-way traffic, as well as service vehicles for garbage collection.

2.41 Parking for the development will be provided within basement parking levels, under the buildings. Within parking areas, parking space dimensions, aisle widths, ramp grades, transitions, column locations and height clearances would be provided in accordance with AS 2890.1:2004 and AS 2890.2 – 2002.

Traffic Generation

2.42 Traffic generated by the proposed development will have its greatest effects during weekday morning and afternoon peak periods when it combines with other traffic on the surrounding road network.

2.43 Surveys undertaken by RMS include the following traffic generation rates for development:

- 0.15 to 0.19 vehicles per hour per apartment for high density residential apartments; and

- 0.4 – 0.5 vehicles per hour per apartment for medium density residential apartments.

2.44 Given the location of the proposed development, and its accessibility to public transport, traffic generation is likely to be some 0.3 to 0.4 vehicles per hour per apartment two-way at peak times.

2.45 On this basis, the development would generate some 110 to 140 vehicles per hour two-way at peak times.

2.46 These generations compare to the existing development on the site which would be some 50 vehicles per hour two-way at peak times, based on RMS guidelines.

2.47 The increase in traffic generation would be some 60 to 90 vehicles per hour two-way during weekday morning and afternoon peak hours.

2.48 This is a modest increase. The effects of the additional development traffic would be assessed at the development application stage, following traffic counts and analysis.

Summary

2.49 In summary, the main points relating to the transport aspects of the planning proposal are as follows:

i) the planning proposal would provide for a residential development comprising some 355 residential apartments;

ii) the development would increase residential densities close to existing public transport services and potential future public transport services;

iii) the proposed development is consistent with government objectives to reduce private car travel and encourage public transport use;

iv) appropriate on-site parking for cars and bicycles will be provided;

v) access, internal circulation and layout will be provided in accordance with Australian Standards;

vi) the increase in traffic generation would be some 60 to 90 vehicles per hour two-way during weekday morning and afternoon peak hours, compared to the existing development. This is a modest increase; and

vii) the effects of the additional development traffic would be assessed at the development application stage, following traffic counts and analysis.

Location Plan

Colston Budd Hunt & Kafes Pty Ltd

DRAWN BY CBHK Pty Ltd_hs Ref: 9636 05 January 2015

Figure 1

Appendix 4 – Acoustic Assessment

MANAGING DIRECTORS
MATTHEW PALAVIDIS
VICTOR FATTORETTO

DIRECTORS
MATTHEW SHIELDS
BEN WHITE

20141474.1/1202A/R3/MF

12/02/2015

BaptistCare NSW
Level 2
22 Brookhollow Avenue
BAULKHAM HILLS NSW 2153

Email: JRutherford@baptistcare.org.au

ATTN: JODIE RUTHERFORD

264-268 Pennant Hills Road, Carlingford - DA Acoustic Assessment

1 INTRODUCTION

This report presents our DA acoustic review for the proposed aged care facility at 264-268 Pennant Hills Road, Carlingford. General calculations have been carried out in order to show what future acoustic treatments and constructions may need to be adopted in order to meet standard criteria set out in Section 4.1.

SYDNEY
A: 9 Sarah St Mascot NSW 2020
T: (02) 8339 8000
F: (02) 8338 8399

SYDNEY MELBOURNE BRISBANE CANBERRA
LONDON DUBAI SINGAPORE GREECE

www.acousticlogic.com.au
ABN: 11 068 954 343

2 SITE ANALYSIS

The proposed site is located at 264-268 Pennant Hills Road, Carlingford. The site is bounded to the north by Pennant Hills Road which carries a high volume of traffic. To the east is Martins Lane which carries a low volume of traffic used by local residents. South of the project site are the existing residential properties and that have street frontage to Homelands Avenue. West of the proposed site are the existing residential properties.

Detailed site map and noise measurement locations refer to Figure below.

Figure 1 – Map of Project Site and Noise Monitor Locations

3 NOISE MEASUREMENTS

3.1 UNATTENDED NOISE MONITORING

Unattended noise monitoring for both background and traffic noise along Pennant Hills Road has been conducted. Monitoring was undertaken from the 8th to 18th December 2014. Please see below.

3.1.1 Unattended Background Noise Monitoring

Background noise data has been graphed in Appendix B of this report. Detailed rating background noise levels during each time period have been processed based on requirements of NSW EPA Industrial Noise Policy and summarised below.

Table 1 –Rating Background Noise Levels

Location	Time of Day	Measured Noise Level
See Figure 1	7am - 6pm (Day)	36 dB(A)$_{L90}$
	6pm - 10pm (Evening)	35 dB(A)$_{L90}$
	10pm – 7am (Night)	32dB(A)L_{90}

3.1.2 Unattended Traffic Noise Measurements

Traffic noise levels have been processed based on requirements of NSW Road Noise Policy and NSW SEPP. Results have been summarised below.

Table 2 –Unattended Traffic Noise Monitoring Results

Location	Time of Day	Measured Noise Level
See Figure 1 4m from the kerb Full view of traffic	7am - 10pm (Day)	71dB(A)$L_{eq(15hour)}$
	10pm – 7am (Night)	69dB(A)$L_{eq(9hour)}$

3.2 ATTENDED NOISE MEASUREMENT

3.2.1 Attended Traffic Measurement

An attended traffic noise measurement has been conducted along Pennant Hills Road during peak hour traffic, 4:30pm – 5:30pm on Monday 8th December 2014

Table 3 –Manned Traffic Noise Measurement Results

Location	Time of Day	Measured Noise Level
See Figure 1 3m from kerb Full view of traffic	4:30pm-5:30pm	72dB(A)L_{eq}

4 TRAFFIC NOISE INTRUSION ASSESSMENT

In this section we will discuss the following;

- Traffic noise intrusion into the proposed development.
- Acoustic treatments that will need to be considered.

4.1 INTERNAL NOISE CRITERIA

4.1.1 Internal Traffic Noise Criteria

This section will be acoustic criteria which will be adopted for the project based on the site location.

4.1.1.1 Parramatta City Council DCP

Part 3 – Development Principles

"3.3.4 Acoustic Amenity

Residential Development

C.1 Internal habitable rooms of dwellings affected by high levels of external noise are to be designed to achieve internal noise levels of no greater than 50dBA."

4.1.1.2 AS2107 "Acoustics – Recommended Design Sound Levels & Reverberation Times for Building Interiors"

AS2107-2000: Recommended design sound levels and reverberation times for building interiors specifies allowable internal noise levels for internal spaces within residential and commercial buildings. Table 1, in section 5 of AS2107-2000, gives the following maximum internal noise levels for commercial buildings and residential buildings near major roads;

Table 4 – Recommended Design Sound Level

Space /Activity Type	Recommended Maximum Design Sound Level dB(A)Leq
Living Areas	45dB(A) $L_{eq\ (15hour)}$
Sleeping Areas	40dB(A) $L_{eq\ (9hour)}$

4.1.1.3 NSW Department of Planning's 'Development near Rail Corridors and Busy Roads (Interim Guideline)'

Section 3.5 of the NSW Department of Planning's 'Development near Rail Corridors and Busy Roads (Interim Guideline)' states:

"The following provides an overall summary of the assessment procedure to meet the requirements of clauses 87 and 102 of the Infrastructure SEPP. The procedure covers noise at developments for both Road and Rail.

- *If the development is for the purpose of a building for residential use, the consent authority must be satisfied that appropriate measures will be taken to ensure that the following Lea levels are not exceeded:*
  - *in any bedroom in the building: 35dB(A) at any time 10pm-7am*
  - *Anywhere else in the building (other than a garage, kitchen, bathroom or hallway): 40dB (A) at any time."*

4.1.1.4 SEPP (Infrastructure) 2007

As Pennant Hills Road which is classified as carrying in excess of 40,000 vehicles a day it is mandatory for the internal noise levels to be compliant with the following criteria.

"102 Impact of road noise or vibration on non-road development

(3) If the development is for the purposes of a building for residential use, the consent authority must not grant consent to the development unless it is satisfied that appropriate measures will be taken to ensure that the following Lea levels are not exceeded:

(a) In any bedroom in the building--35 dB (A) at any time between 10 pm and 7 am,

(b) Anywhere else in the building (other than a garage, kitchen, bathroom or hallway)--40 dB (A) at any time.

*(4) In this clause, **"freeway"**, **"tollway"** and **"transit way"** have the same meanings as they have in the Roads Act 1993."*

4.1.1.5 Internal Noise Criteria Summary

Table below list the acoustic criteria for the internal noise levels which will be adopted for this project.

Table 5 – Summary of Internal Noise Level Criteria

Space	Noise Level
Bedrooms	35dB(A)$L_{eq(9hour)}$
Habitable Spaces	40dB(A)$L_{eq(15hour)}$

4.2 ACOUSTIC TREATMENTS REQUIRED

4.2.1 Recommended Glazing Construction

Measurements which have been conducted along Pennant Hills Road for have been noted to be significantly high. As it is mandatory for any building which is built on Pennant Hills Road to be compliant with the SEPP (Infrastructure) 2007 with the requirements of point 102 the following construction measures should be adopted.

The proposed 15m setback for the northern façade will allow a lower noise level facing this façade. As detailed floor plans /elevations are not available at this stage the noise intrusion calculations have been carried out based on dimension of typical rooms of similar projects by this office. The following acoustic treatments are recommended for glazing systems.

Option 1

Bedrooms: full height glazing with only 1.5m width for bedrooms.

Living Rooms: full glazing (full height and width) façade.

Option 2

Bedrooms: full glazing (full height and width) for Bedrooms.

Living Rooms: full glazing (full height and width).

The required glazing constructions for each option is shown in Tables below. All Calculations have been made with the assumptions that all bedrooms are carpeted and a room size of 3m x 4m x 2.7m. All living rooms are 4m x 7m x 2.7m.

Table 6 – Option 1– Required Glazing

Room	Glazing Thickness	Seals
Bedrooms	12.38mm Laminate	Yes
Living Rooms	12.38mm Laminate	Yes

Table 7 –Option 2 (full glazing)– Required Glazing

Room	Glazing Thickness	Seals
Bedrooms	6.38mm Laminate + 100mm Air gap + 6.38mm Laminate	Yes
Living Room	12.38mm Laminate	Yes

4.2.2 Façade Wall Structure

The façade wall structure also has two options, see below.

Option 1 –

Masonry Brick Construction. This will not require acoustic upgrading.

Option 2 –

Light weight wall structure. If a light weight wall structure is used along the north, east and west façades, the system will be required to adopt the following construction.

Table 8 – Light Weight Façade Wall Structure

Room	Construction
Bedroom	2 x 9mm Fibre Cement Sheeting + 150mm Steel Stud + 2 x 16mm Plasterboard
Living Room	2 x 9mm Fibre Cement Sheeting + 92mm Steel Stud + 2 x 13mm Plasterboard

4.2.3 Roof Structure

The roof structure also has two options please see below.

Option 1 –

The concrete roof structure. This will not require acoustic upgrading.

Option 2 –

Light weight roof structure. If a light weight roof structure is used along the north, east and west of the roof the system will be required to adopt the following construction.

Table 9 – Light Weight Roof Structure

Room	Construction
Bedroom	1 x 0.5mm Steel Sheeting + 250mm Air gap with insulation (minimum) + 2 x 13mm Plasterboard
Living Room	

4.2.4 Ventilation Requirements

As the project site is facing high traffic noise levels from Pennant Hills Rd, alternate ventilation will need to be considered for the rooms which are located on the north, east and west facades of the project site. Noise levels which are predicted with windows and doors open are greater than the allowed maximum for internal noise levels. To ensure compliance they will be required to remain shut (still operable), meaning that natural ventilation through these apartments is not applicable. Mechanical ventilation or air conditioning system is recommended to the project buildings.

5 EXTERNAL NOISE EMISSION CRITERIA.

This section will be the acoustic criteria which will be adopted for this project based on its location for all noise emissions which are generated from the project site.

5.1 NSW EPA INDUSTRIAL NOISE POLICY

In the absence of any relevant noise emission criteria stipulated in the Parramatta City Council DCP for residential flat buildings, the adoption of the NSW Industrial Noise Policy will be adopted.

The recommended assessment objectives vary depending on the potentially affected receivers, the time of day, and the type of noise source.

5.1.1 Intrusiveness Criterion

The guideline is intended to limit the audibility of noise emissions at residential receivers and requires that noise emissions measured using the L_e descriptor not exceed the background noise level by more than 5 dB(A). Where applicable, the intrusive noise level should be penalised (increased) to account for any annoying characteristics such as tonality.

5.1.2 Amenity Criterion

The guideline is intended to limit the absolute noise level from all noise sources to a level that is consistent with the general environment.

The EPA's Industrial noise policy sets out acceptable noise levels for various localities. Table 2.1 on page 16 of the policy indicates 4 categories to distinguish different residential areas. They are rural, suburban, urban and urban/industrial interface.

Table below provides the recommended maximum noise levels for the suburban residential receivers for the day, evening and night periods. For the purposes of this condition:

- Day is defined as the period from 7am to 6pm Monday to Saturday and 8am to 6pm Sundays and Public Holidays;
- Evening is defined as the period from 6pm to 10pm; and
- Night is defined as the period from 10pm to 7am Monday to Saturday and 10pm to 8am Sundays and Public Holidays.

Table 10 - EPA – Amenity Noise Levels

Type of Receiver	Time of day	Allowable Nosie Emission dB(A) L_e
Residential (Suburban)	Day	60
	Evening	50
	Night	45

5.1.3 Protection of the Environment Operations Act Regulation

Protection of the Environmental Operations regulation limits the noise levels associated within the operation of domestic air conditioning criteria during night time periods which is presented below:

Protection of the Environmental Operations (Noise Control) Regulation 2000-Sect 52

52 Air Conditioners

(1) A person must not cause or permit an air conditioner to be used on residential premises in such a manner that it emits noise that can be herd within a habitable room in any other residential premises (regardless of whether any door or window to that room is open):

(a) Before 8 am or after 10 pm on any Saturday, Sunday or public holiday, or

(b) Before 7 am or after 10 pm on any other day.

5.2 SUMMARY OF EXTERNAL NOISE EMISSION CRITERIA

The following table shows the criteria which will be adopted for noise emission.

Table 11 –Summary of Noise Emission Criteria

Time of Day	Measured Rating Background Noise Level dB(A)L_{90}	Criteria dB(A)L_{eq}
Day (7am-6pm)	36	41
Evening (6pm-10pm)	35	40
Day (10pm-7am)	32	37

6 CONCLUSION

Traffic and background noise measurements have been conducted around and on the property at 264-268 Pennant Hills Road, Carlingford. Provided indicative acoustic treatments in Section 4.2 of this report, the internal noise levels will satisfy the requirements of Parramatta City Council DCP, NSW SEPP and Australian Standard AS2107-2000.

External noise emission criteria has been setup in Section 5 of this report based on the requirements of NSW EPA INP. Detailed plant noise controls will be determined at CC stage.

We trust this information is satisfactory. Please contact us should you have any further queries.

Yours faithfully,

Acoustic Logic Consultancy Pty Ltd
Matthew Furlong

APPENDIX A - UNATTENDED TRAFFIC NOISE DATA