

The Panel decision was unanimous.

REASONS FOR DECISION

1. The Panel supports the findings in the report and endorsed the reasons contained in that report.
2. The Planning Proposal is consistent with the Parramatta CBD Planning Proposal.

6.2

SUBJECT Pre-Gateway: Planning Proposal for land at 1 Windsor Road, North Rocks

REFERENCE RZ/9/2019 - D07390890

REPORT OF Project Officer Land Use

The Panel considered the matter listed at Item 6.2, attachments to Item 6.2 and the matters observed at the site inspection

PUBLIC FORUM

- Angus White, Jeff mead and Tim Rogers were available to answer questions on behalf of the applicant.

2098

DETERMINATION

That the Local Planning Panel recommend to Council:

That the planning proposal not proceed for the reason that retail premises such as a Woolworths supermarket and liquor store should not be permitted at an isolated site but should be located in or attached to existing town or village centres, in line with sound strategic land use planning.

The Panel decision was:

FOR: D Lloyd, D Johnson and D Sutherland

AGAINST: K McDermott

6.3

SUBJECT Pre-Gateway: Planning Proposal for land at 114-118 Harris Street, Harris Park

REFERENCE RZ/9/2018 - D07402799

REPORT OF Project Officer Land Use

The Panel considered the matter listed at Item 6.3, attachments to Item 6.3 and the matters observed at the site inspection

PUBLIC FORUM

- Adam Byrnes spoke on behalf of the applicant

INNOVATIVE

ITEM NUMBER	6.2
SUBJECT	Pre-Gateway: Planning Proposal for land at 1 Windsor Road, North Rocks
REFERENCE	RZ/9/2019 - D07390890
REPORT OF	Project Officer Land Use
LANDOWNER	J L Dunrose Pty Ltd
APPLICANT	Fabcot Pty Ltd

DEVELOPMENT APPLICATIONS CONSIDERED BY SYDNEY CENTRAL CITY PLANNING PANEL - NIL**PURPOSE:**

To seek Local Planning Panel (LPP) advice on a Planning Proposal for land at 1 Windsor Road, North Rocks for the purposes of seeking a Gateway Determination from the Department of Planning, Industry and Environment.

RECOMMENDATION

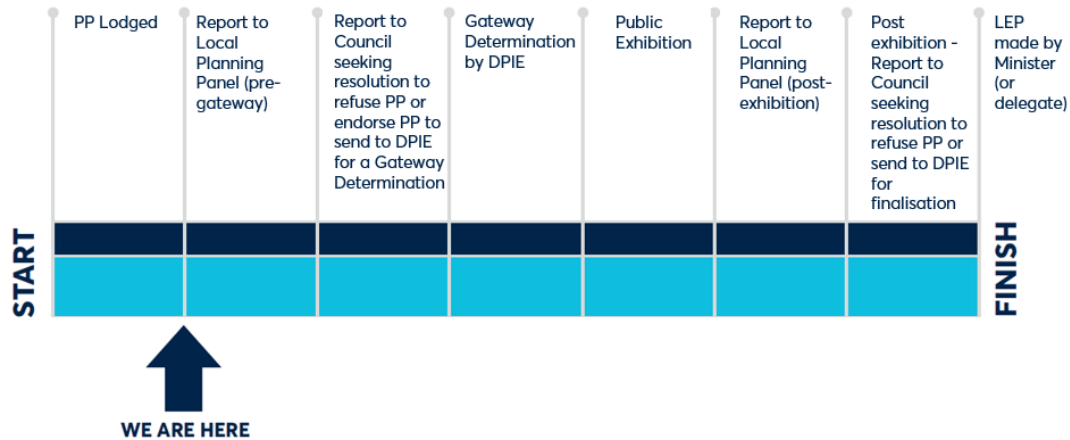
That the Local Planning Panel consider the following Council Officer recommendation in its advice to Council:

- (a) **That** Council endorse the Planning Proposal for the purposes of seeking a Gateway Determination from the Department of Planning, Industry and Environment (DPIE) for land at 1 Windsor Road, North Rocks which seeks to amend Schedule 1 of the Parramatta (former The Hills) Local Environmental Plan 2012 by adding retail premises as an additional permitted use (limited to a maximum of 3,800m²) to facilitate a Woolworths supermarket and a liquor store.
- (b) **That** the Planning Proposal be forwarded to the DPIE for a Gateway Determination.
- (c) **That** Council advises the DPIE that the Chief Executive Officer (CEO) will be exercising the plan-making delegations for this Planning Proposal as authorised by Council.
- (d) **That** Council authorise the CEO to negotiate a Planning Agreement on behalf of Council, with the outcome of negotiations to be reported back to Council prior to its concurrent public exhibition with the Planning Proposal, relating to the following:
 - 1. delivery of a roundabout on North Rocks Road, and
 - 2. augmentation of the existing bridge over Darling Mills Creek to facilitate increased capacity for pedestrian and cyclists.
- (e) **That** a delivery mechanism be agreed to by the State Government and the proponent to facilitate the delivery of the land required to accommodate future upgrades to the James Ruse Drive/Windsor Rd intersection prior to public

exhibition of the Planning Proposal.

- (f) **Further, that** Council authorise the CEO to correct any minor anomalies of a non-policy and administrative nature that may arise during the plan-making process.

PLANNING PROPOSAL TIMELINE



BACKGROUND

- On 28 October 2019, the applicant, Planning Ingenuity Pty Ltd, on behalf of the landowner, Fabcot Pty Ltd, lodged a Planning Proposal with the City of Parramatta Council for land at 1 Windsor Road, North Rocks. The site was previously occupied by a Bunnings store however it is currently unoccupied.

SITE

- The subject site is located on the corner of Windsor Road and James Ruse Drive. The site comprises two lots and is legally described as Lot 1 in DP 112482 and Lot 6 in DP 247452, with a total area of approximately 2.52ha. See **Figure 1** and **Figure 2** below.



Figure 1 – Site at 1 Windsor Road, North Rocks subject to the Planning Proposal**Figure 2** – Aerial view

3. The site has frontage to Windsor Road to the west and to James Ruse Drive (slipway) to the north. It is adjacent to, but does not have frontage to, North Rocks Road, being separated by Darling Mills Creek which runs adjacent to the site to the eastern and southern boundaries.
4. The main access to the site is from North Rocks Road with vehicular entry/exit and a pedestrian walkway via an elevated concrete bridge over Darling Mills Creek. Secondary vehicular access is available to Windsor Road.
5. The site is currently occupied by a large warehouse building (previously occupied by Bunnings Warehouse), with a gross floor area of 7,405m². At grade car parking is provided on the site, with 260 spaces located predominantly to the south of the building with the remainder to the north and west.

CURRENT PLANNING CONTROLS

6. The subject site is zoned B6 Enterprise Corridor and SP2 Infrastructure (Public Transport Corridor) under the provisions of The Parramatta (former The Hills) Local Environmental Plan 2012 as shown in **Figure 3**.

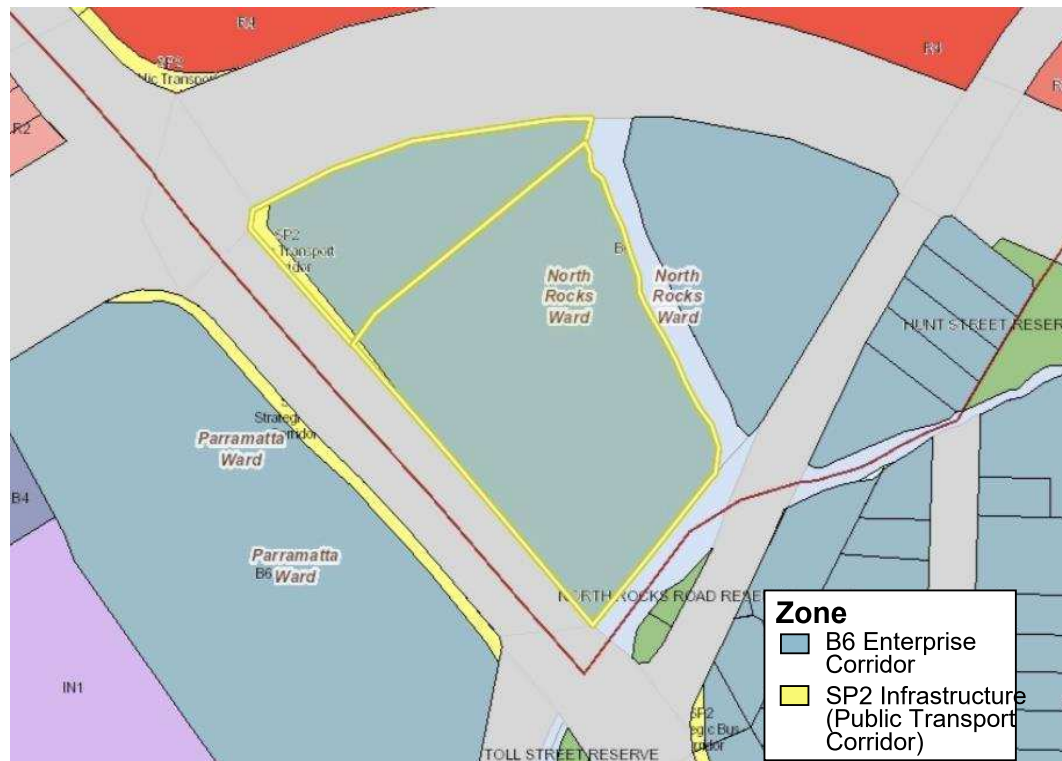


Figure 3: Zoning Map, Parramatta (former The Hills) Local Environmental Plan 2012

7. The site currently has a height limit of 16m under the Height of Buildings (HOB) map (refer to **Figure 4**).

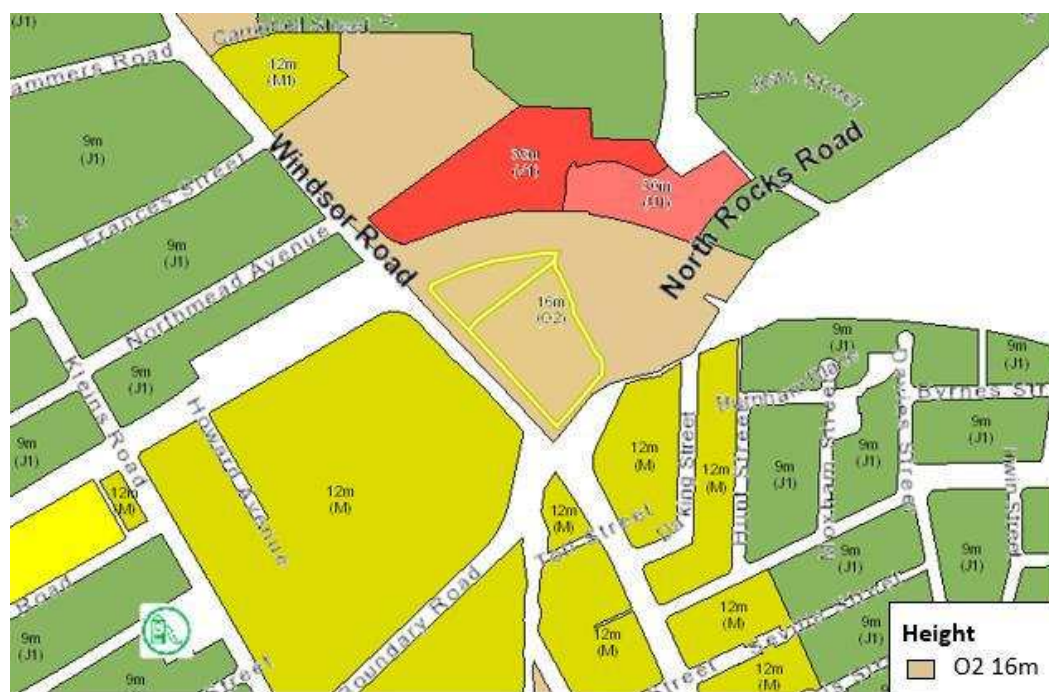


Figure 4: Height of Building Map, Parramatta (former The Hills) Local Environmental Plan 2012

8. This site currently has a floor space ratio of 1:1 under the Floor Space Ratio (FSR) map (refer to **Figure 5**).

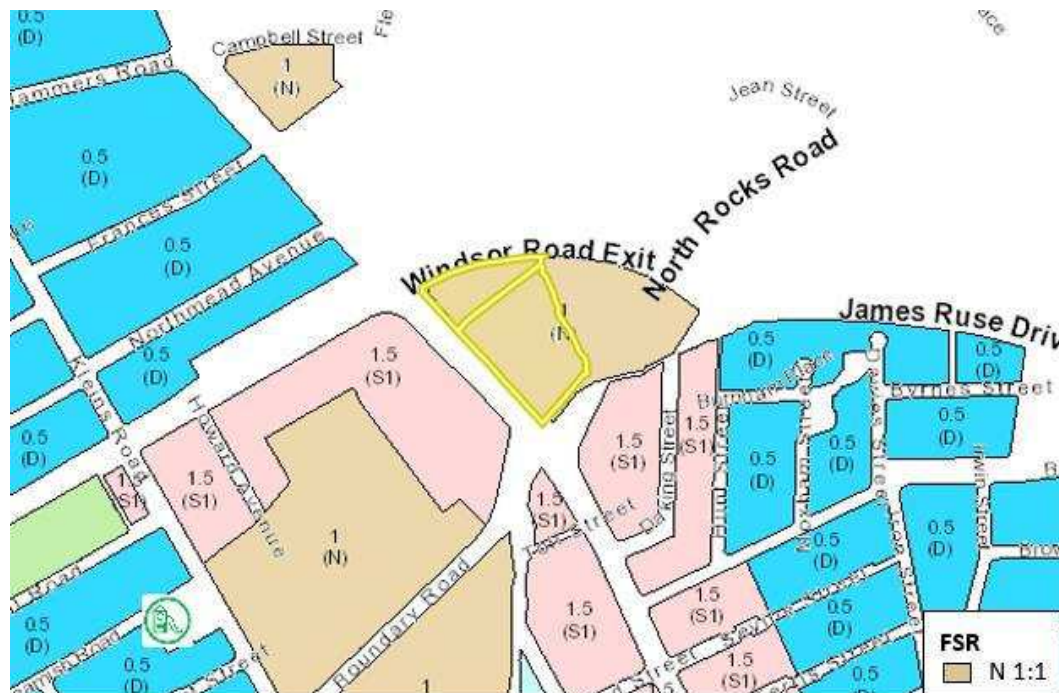


Figure 5: Floor Space Ratio Map, Parramatta (former The Hills) Local Environmental Plan 2012

9. This site contains Heritage Item 23 – Stone Bridge Approaches and Foundation Plaque, Sydney Woollen Mills (refer to **Figure 6**).



Figure 6: Heritage Map, Parramatta (former The Hills) Local Environmental Plan 2012

PLANNING PROPOSAL

10. The submitted Planning Proposal (dated 22 October 2019) seeks approval to permit 'retail premises' in the form of a supermarket and liquor shop on the site. The site is within the B6 Enterprise Corridor Zone which currently allows a range of non-residential (and commercial) uses but not 'retail premises'. The site also contains a small portion of land zoned SP2 Infrastructure (Public Transport Corridor) along the Windsor Road frontage, but this does not affect any existing structures. The proposed future development of the site seeks to utilise the existing warehouse building on the site to accommodate a full-line Woolworths supermarket of 3,800m² (including a BWS liquor store). The remainder of the existing building (3,015m²) will potentially be developed as a warehouse and distribution centre (non-retail) which is permitted under the current B6 zone that applies to the site. Further, an existing mezzanine level of 590m² is proposed to accommodate office space that is also permitted within the current zone. A copy of the Planning Proposal is included at **Attachment 1**.

LOCAL & STRATEGIC PLANNING CONTEXT

State Planning Policies

11. The Planning Proposal is generally consistent with the relevant state policies and planning strategies including the Central City District Plan, State Environmental Planning Policies (SEPPs) and Ministerial Directions under Clause 9.1 of the Environmental Planning and Assessment Act 1979.
12. The Central City District Plan (CCDP) covers the area that includes Blacktown, Cumberland, Parramatta and The Hills LGAs. The role of this Plan is to help deliver the ten directions of the overarching Greater Sydney Region Plan A *Metropolis of Three Cities* and contains a number of planning priorities and objectives that address infrastructure provision and collaboration, liveability, productivity and sustainability objectives. Whilst the CCDP makes many references to future development in Parramatta, this principally relates to the Parramatta CBD where this site is not located. Nevertheless, the CCDP identifies the need to accommodate a significant amount of additional retail floorspace within the District over the next 20 years and the Planning Proposal will contribute to this objective. It is therefore considered that the Planning Proposal is consistent with the CCDP.

Local Strategies

13. Councils are required to prepare a Local Strategic Planning Statement (LSPS) by the State Government. The LSPS sets out the long-term vision for land use planning in a council's local government area (LGA) and responds to broader priorities identified in the District Plans and integrates with a Council's Community Strategic Plan. The LSPS provides greater weight to strategic planning in the broader plan making process and any new planning proposal must justify any inconsistency with this framework and the supporting Local Housing Strategy (LHS) and Employment Lands Strategy (ELS).

14. Council's LSPS was published on 31 March 2020. The LSPS provides strategic direction on how the City of Parramatta is planning for the next 20 years. The site is not in an area that is specifically identified for growth within the LSPS, however given there is an existing undersupply of supermarket floorspace in the broader region as identified in the supporting economic impact analysis and the potential job creation from the proposal (detailed in the *Assessment of Key Issues* below), it is considered that the Proposal is generally consistent with the LSPS. More specifically, the proposal is consistent with Planning Priority 11 of the LSPS that seeks to "*Build the capacity of...Local Centres and Employment Lands to be strong, competitive and productive*".

ASSESSMENT OF KEY ISSUES

15. The following section provides an analysis of the key issues associated with the Planning Proposal. It is recommended that the Planning Proposal be submitted to the Department of Planning, Industry and Environment (DPIE) requesting that retail premises up to a maximum of 3,800m² be permitted on the site as an additional permitted use. The key issues that must be addressed relate to traffic and economic impacts and are discussed in detail below.

Traffic and Transport

16. An assessment of potential traffic and parking implications has been prepared by the applicant's traffic consultant, Colston Budd Rogers & Kafes in support of the Planning Proposal. A copy of the traffic assessment is included at **Attachment 2**. Council officers have reviewed the applicant's Traffic Report and raise the following comments:

Car Parking

17. The Traffic Report states that while the site currently provides approximately 300 parking spaces within the existing at grade car parking area, this will be reconfigured to provide a reduction to the total number of spaces resulting in approximately 256 car spaces in accordance with the RMS rates for supermarkets. In addition, bicycle and motor cycle spaces will be provided in accordance with Council requirements.
18. Based on the parking rates of The Hills DCP 2012, the proposed development would be required to provide a minimum 291 off-street parking spaces. Although the proposed provision of 256 parking spaces is lower than the parking requirement based on The Hills DCP 2012, Council's Traffic and Transport team consider that the reduction in car spaces consistent with RMS rates is acceptable in this case as the site is also in close proximity to public transport (bus) services on Windsor Road which has the potential to further reduce private vehicle trips to the site.

Traffic Generation

19. The Traffic Report indicates that the previous Bunnings store on the site was surveyed by the RMS and found to generate approximately 200 vehicles per hour (two way) in the weekday afternoon peak hour. The report also states that based on surveys of similar supermarkets and RMS guidelines for warehouses and offices, the proposed development would generate approximately 420

vehicles per hour (two way) in the weekday afternoon peak hour. The report, then notes that during the afternoon peak period, a high proportion of the trips will be passing trade given the site's location and heavy traffic flows on the adjacent road network. Accordingly, the report concludes that the increase in traffic on the surrounding road network compared to the previous Bunnings store (when excluding passing trade given these vehicles are already on the road network) is likely to increase by up to 100 vehicles per hour (two way). However, when this is distributed to the surrounding road network, increases in traffic on North Rocks Road and Windsor Road will be minor at approximately 50 vehicles per hour (two way).

20. Council officers consider that the trip generation from the site is likely to be lower than similar sites in the afternoon peak due to the high levels of traffic congestion within the area. A supermarket located in a residential area with low traffic congestion is likely to have significantly higher trip generation due the practicality of being able to access the site in a timely manner rather than sitting in traffic. It is considered that customers are likely to travel to other supermarkets that are easier to access during peak periods or may also travel to the site outside of these peak times to take advantage of the extended trading hours of supermarkets. For this reason, Council officers consider that the proposed centre is not likely to contribute to additional traffic as much as may occur in other locations. That said, whilst the proposal will have a relatively minor impact on the surrounding road network (based on the applicant's modelling detailed above) when compared with the previously approved Bunnings store, Council officers and the applicant's traffic consultant acknowledge that the adjacent road network is currently operating at capacity in the weekday afternoon peak. Notwithstanding the above, the site is well located to deliver improvements to the surrounding traffic network while also improving access to and from the site. This is discussed in detail below under *Traffic and Transport Infrastructure Upgrades*.

Traffic and Transport Infrastructure Upgrades

21. The Traffic Report recommends the provision of a third lane on the westbound off ramp of James Ruse Drive onto Windsor Road. The report indicates that the additional left turn lane will result in reduced delay/queues on the westbound off ramp as well as the ability to reallocate the traffic signalisation phases across the overall road network in this area, including the North Rocks Road approach to Windsor Road (benefitting right turn egress from the subject site).
22. It is noted that the site is well located to facilitate this additional left hand turn lane as it would require some land take along the James Ruse Drive frontage of the subject site which is currently undeveloped (e.g. some at grade car spaces, and landscape buffer). Given that both James Ruse Drive and Windsor Road are State roads the Planning Proposal and associated Traffic Report was also referred to Transport for NSW (TfNSW) for preliminary comment.
23. The key traffic issues raised by TfNSW are detailed in the below table:

Table 1: TfNSW preliminary comments and response

TfNSW Preliminary Comment	Council Officer Response
TfNSW recommend that "a site specific clause be inserted into the LEP limiting retail	The applicant's traffic assessment was based on a 3,800m2 supermarket with the

<p>on the subject site to 3,800sqm only" to align with the traffic generating rate of a shopping centre < 10,000sqm (12.7 vehicle trips per 100sqm GLFA in PM peak period).</p>	<p>balance of the site a warehouse/distribution centre. Therefore, Council officers agree with TfNSW's recommendation that a site specific clause limiting retail on the site to 3,800m2 of retail space in total is appropriate.</p>
<p>TfNSW currently have no approved road proposal that impacts the subject site, however the James Ruse Drive intersection with Windsor Road is currently under investigation for potential future transport improvements in the medium to long term.</p> <p>TfNSW acknowledge that an additional left turn lane at the James Ruse Drive off ramp into Church St/Windsor road will not only benefit the broader network but will also benefit for the proposed development given the existing traffic capacity issues within the adjoining network.</p> <p>Should land be provided to facilitate the above additional lane, TfNSW will consider waiving a right hand turn restriction from the site into North Rocks Rd during afternoon peak.</p> <p>However, to provide flexibility for motorists exiting the site, a U-turn facility (roundabout) should be provided on North Rocks Road (in the vicinity of the site) to allow vehicles wishing to turn right out of the site onto North Rocks Road, can instead turn left, then do a U-turn nearby to allow them to get to Windsor Road, in order to assist right hand turn movements out of the site during peak periods.</p>	<p>At this stage, TfNSW are still yet to prepare a Property Impact Plan detailing how much land will be required for the additional left turn lane on the James Ruse Drive off ramp onto Church Street/ Windsor Road. It is understood that TfNSW are currently in the process of preparing this plan for consideration by the applicant.</p> <p>Should this be agreed to by the applicant, a suitable mechanism to facilitate the delivery of this land to State Government will need formalised (e.g. VPA with the State Government/Satisfactory Arrangements Provisions within the Planning Proposal or other) as this relates to a State Government owned road i.e. James Ruse Drive.</p> <p>In relation to the U-turn facility, Council has care and control of North Rocks Road and it is therefore recommended that Council enter into negotiations with the applicant for the purposes of delivering a roundabout/U-turn facility on North Rocks Road within an appropriate location. It is noted that the proposed roundabout will ultimately need to be approved by Council's Traffic Committee and would not need to be delivered until the supermarket opens, however to ensure certainty that the roundabout will be delivered by the applicant, it is recommended that the commitment to deliver the works is formalised as part of a VPA with Council.</p>
<p>The proponent is required to prepare a detailed Plan of Management that identifies practicable measures to minimise as much as possible queuing/congestion within the site associated with potential delays for motorists attempting to turn right from the site to North Rocks Road during peak periods. This is due to queues on the North Rocks Road approach to Windsor Road extending past the signalised site access road in the peak periods. The Plan of Management should be submitted to Council and TfNSW for review and comment as part of any future DA for the proposed development.</p>	<p>Noted. It considered that the requirements of the Plan of Management could be addressed through the delivery of the roundabout.</p>

24. Council's Traffic and Transport team have also raised a number of issues relating to pedestrian and cyclist access to and from the site. The existing footpath on the southern side of the existing driveway bridge over Darling Mills creek is approximately 1.2m wide which is acceptable for the previous Bunnings use where most customers are picking up hardware and garden supplies by vehicle, but for a supermarket use the nature of shopping trips is different and is likely to generate a greater proportion of trips from pedestrians and/or cyclists.
25. It is therefore recommended that Council investigate the option of negotiating a planning agreement (in addition to the roundabout discussed in the above table) with the applicant to facilitate the provision of a shared path (at least 3m wide) which may require augmentation to the existing bridge (i.e. clip on structure) or alternatively a standalone bridge alongside to facilitate safe access for pedestrians and cyclists entering and leaving the site.
26. Based on the above, it is considered that there are still a number of outstanding traffic and transport matters that are yet to be resolved, however these relate to confirming a delivery mechanism for the proposed additional left turn lane at the James Ruse Drive off ramp into Church Street/Windsor Road (State infrastructure), new roundabout on North Rocks road to manage right hand turn movements from the subject site (Council infrastructure) and improved accessibility for pedestrians and cyclists.
27. It noted that while these delivery mechanisms are still yet to be confirmed, it is considered that the Planning Proposal has appropriately considered the traffic and transport impacts and there is sufficient scope to address how these items will be delivered following Gateway Determination being issued, but prior to public exhibition of the proposal.
28. Should Council endorse the Planning Proposal to proceed to Gateway Determination, Council will continue to liaise with State Government and the applicant to ensure that the identified traffic and transport works (both State and local) are confirmed via an appropriate delivery mechanism (either via VPA and/or planning provisions to be included within the Planning Proposal such as satisfactory arrangements).

Economic Impact

29. An Economic Impact Assessment has also been provided in support of the Planning Proposal prepared by Location IQ. The study presents an analysis of the trade area, its demographics, socio-economic profile, projected population growth and expenditure capacity. It also presents a detailed analysis of the retail profile of the trade area, including a competitor analysis, highlighting the supply and the indicative performance of food retailing stores in the area. Overall, the analysis supports the viability for the proposed supermarket at the subject site. A copy of the Economic Impact Assessment is included at **Attachment 3.**

30. The study notes that there is currently an undersupply of supermarket space within the identified trade area and any impacts on nearby centres or supermarkets both within and outside the main trade area are manageable. The economic impact analysis undertaken by Location IQ indicates that all impacts of the proposed supermarket at 1 Windsor Road, North Rocks on surrounding centres are within a reasonable competitive range of 10% or less. Therefore, the proposal will not threaten the viability of any nearby centre or supermarket, particularly given the current undersupply of supermarket floorspace in the trade area. In addition, the impacts from the proposed development on other centres will be offset over time given the underlying population growth (and associated growth in retail spending) within the trade area and within the broader region. The identified trade area for the proposed supermarket as contained in the economic impact analysis is shown in **Figure 7** below.

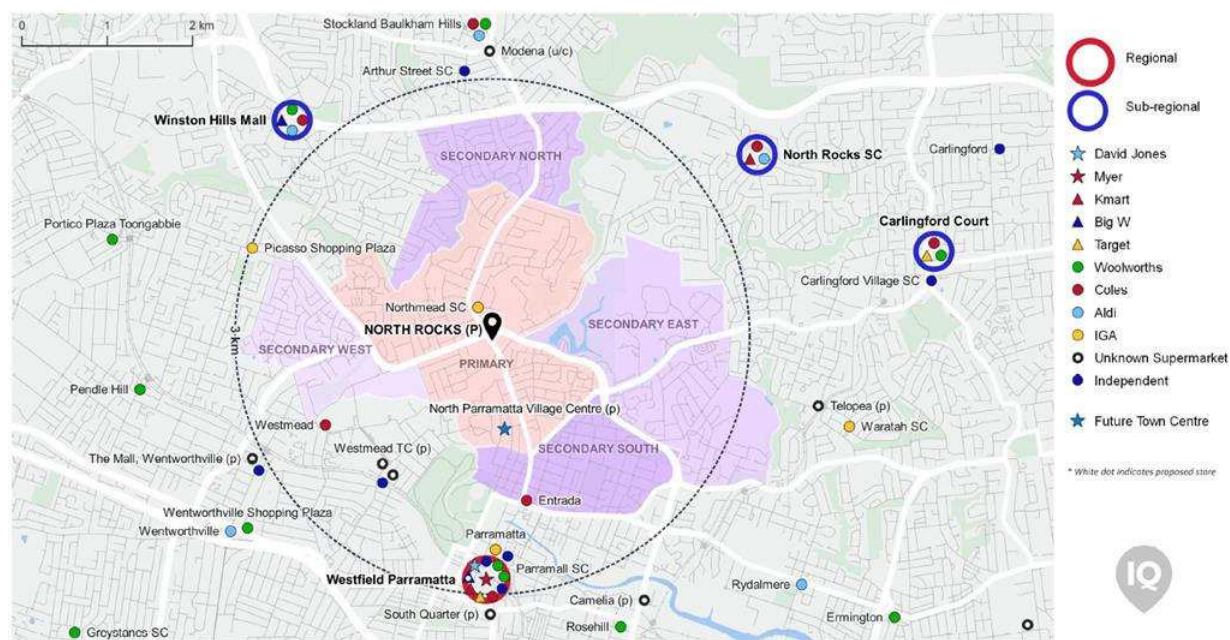


Figure 7: Main Trade Area and Competition (extracted from Economic Impact Assessment)

31. Furthermore, the study notes that the proposed supermarket and associated liquor store, coupled with the warehouse and distribution and ancillary office use will provide both direct and indirect employment generation in the region of 1,196 jobs.
32. Council's Economic Development Team has undertaken a detailed review of the Economic Impact Assessment and agreed with its findings and raised no objection to the Planning Proposal proceeding. On this basis, the Planning Proposal is supported on economic grounds particularly given the potential job creation associated with the proposed development and existing undersupply of supermarket space within the trade area as articulated in the supporting economic impact analysis.
33. It is noted that the Economic Impact Assessment only assesses the potential economic impacts of the proposed development being a supermarket and liquor store of 3,800m², a warehouse and distribution centre and associated office space. However, should the Planning Proposal proceed as submitted and allow retail premises as an additional permitted use, there is potential for a

much larger retail centre to be developed on the site that could include a large number of specialty stores or discount department stores. Such a centre would have a profoundly different impact on surrounding centres that has not been adequately considered should the proposed LEP amendment proceed in its current form. The potential for a much larger centre would also lead to significantly different traffic generation from the site as noted in the traffic and transport section above.

34. In order to address this concern, it is proposed that the additional permitted use of retail premises be limited to a maximum of 3,800m² in accordance with the proposed supermarket and liquor store development included in the Planning Proposal. It is proposed to include this limit as part of the Additional Permitted Use provisions within Schedule 1 of the Parramatta (former The Hills) Local Environmental Plan 2012. This will ensure that retail uses are capped on the site and any additional retail uses do not occur on the site over and above those that have already been subject to a detailed impact analysis.

Heritage

35. A Heritage Impact Assessment has been prepared by Extent Heritage Advisors in support of the submitted Planning Proposal and is included at **Attachment 4**. The site contains a locally listed heritage item referred to as, 'Stone Bridge Approaches and Foundation Plaque, Sydney Woollen Mills', Item A23 in Schedule 5 of The Parramatta (former The Hills) Local Environmental Plan 2012. The only known built heritage elements on the site is a portion of wall with inset foundation plaques located along Windsor Road, directly adjacent to the footpath, which is bounded at the rear by metal cyclone fencing.



Figure 8: Proposed works with existing built heritage item outlined in red

36. The proposed future development of the site seeks to utilise the existing warehouse building, with minor alterations including adjustments to some openings, new shopfront glazing and new awnings. All works would be clear of the existing built heritage fabric by approximately 25 metres, and hence there would be no physical impact on the heritage item. No ground penetrating works are proposed that could impact upon potential archaeological resources (refer to **Figure 8**).
37. There is no direct change proposed to the built heritage item and therefore no impact to its heritage fabric.
38. Council's Heritage Advisor has reviewed the Proposal and advised that the proposed planning amendment will have no impact on the heritage significance of the item on site. A full assessment of potential heritage impacts would be required as part of the future detailed development application and would

address any potential impacts, including visual impacts, however these are expected to be minimal.

Flooding

39. An Overland Flow Assessment report has been prepared by BMT WBM Pty Ltd in support of the submitted Planning Proposal. A copy of the Overland Flow Assessment is included at **Attachment 5. Figure 9** below shows there is some flood affectation in the 1% AEP (100 year ARI) flood event but only around the eastern and southern edges of the site (the immediate area of Darling Mills Creek).

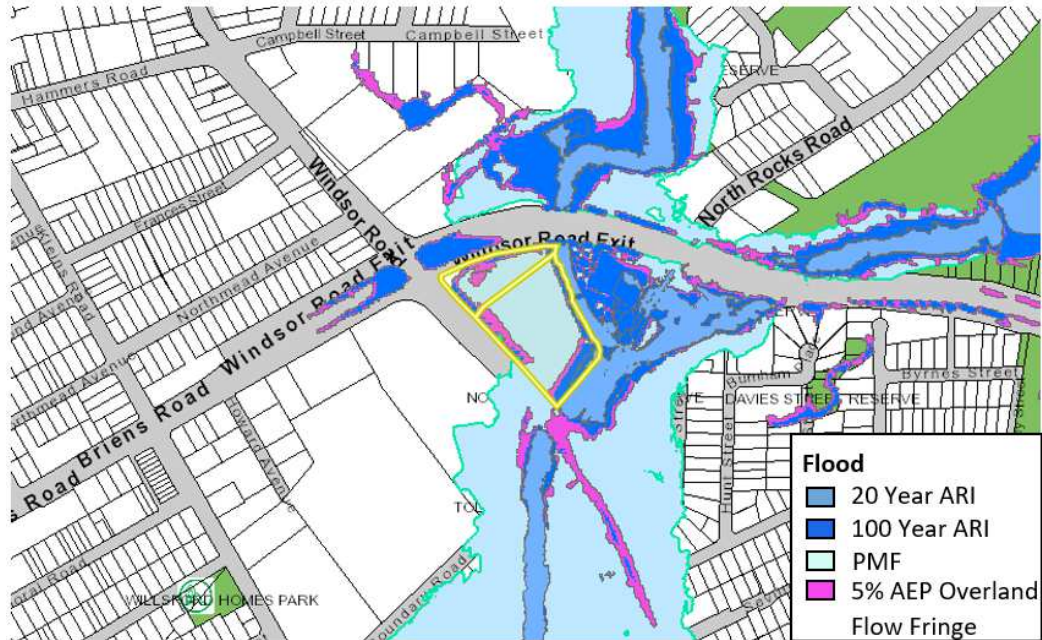
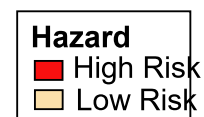


Figure 9: Flood Affectation

40. **Figure 10** shows there is an area of high flood hazard flow (shown in red), but affects the site only the outer edges and is located near the Darling Mills Creek.



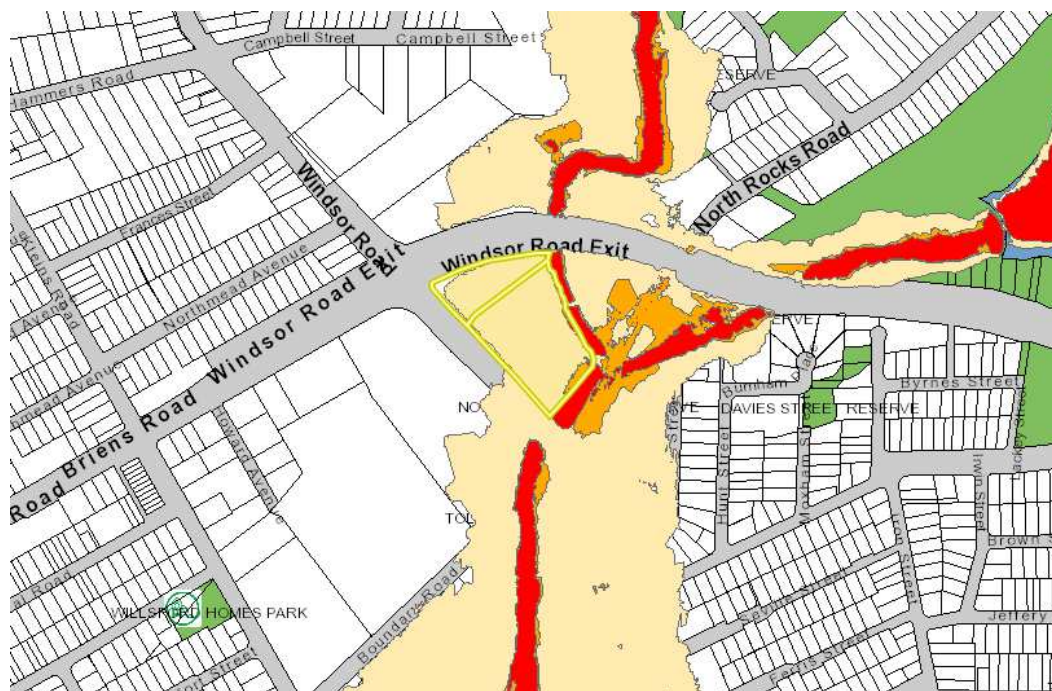


Figure 10: Flood Risk – map showing 'low hazard' flood zone in yellow

41. The change in use from the hardware warehouse (Bunnings) to a supermarket is predicted to increase the number of occupants on the site, which will increase the flood risk associated with this development. However the flood studies indicate minimal intrusion of high hazard flooding onto the site and only minor intrusion of moderate hazard 1% AEP (100 year ARI) flooding around the edges of the land. This means increasing the number of occupants on the site is not likely to generate an increased risk from overland flow flooding.
42. As the proposal is not seeking to alter the extent of the existing building envelope on the site, it does not appear to be obstructing any significant overland flow conveyance path ('floodway') nor will it cause unacceptable displacement of overland flow floodwaters onto other properties or lands.
43. In conclusion, Council's Senior Catchment and Development Engineer advised that there is no apparent impediment to the proposal proceeding with respect to flooding impacts and affectation. Potential flood impacts would be further considered and addressed as a part of the future detailed development application.

PLANNING AGREEMENT

44. Under the City of Parramatta Planning Agreements Policy (adopted 26 November 2018) "*Council will consider, as a matter of public interest, whether satisfactory arrangements have been or will be made for the provision of community infrastructure, given the likely increase in demand for services and infrastructure*" (clause 2.5.2). The Policy also seeks to ascribe a value to any planning agreement related to the land value uplift as a result of the planning proposal.
45. The submitted Planning Proposal is not accompanied by a Letter of Offer seeking to enter into a Planning Agreement with Council as it is only proposing

to include retail premises as an additional permitted use on the site and is not seeking any density uplift. However, given the issues identified within the Traffic and Transport section above, a Planning Agreement may provide an appropriate mechanism to ensure that issues associated with the increase in demand for infrastructure as a result of the Planning Proposal are satisfactorily addressed.

46. It is therefore recommended that Council authorise the Chief Executive Officer (CEO) to negotiate a Planning Agreement on behalf of Council. Should the Planning Agreement proceed, the outcome of the negotiations would be reported back to Council prior to its concurrent public exhibition with the Planning Proposal. The key elements of the Planning Agreement would address the following:
- delivery of a roundabout on North Rocks Road, and
 - augmentation of the existing bridge over Darling Mills Creek to facilitate increased capacity for pedestrian and cyclists.
47. In addition, as noted in the Traffic and Transport section above, a mechanism to deliver a third lane on the James Ruse Drive off ramp should be agreed to by the State Government and the proponent prior to any public exhibition of the Planning Proposal. This will likely require some land take on the northern boundary of the site but will not impact the existing structures on site. Should a Planning Agreement be required to deliver the additional lane, it would be undertaken at State level as James Ruse Drive is not a Council owned and managed road.

SITE SPECIFIC DEVELOPMENT CONTROL PLAN

48. It is noted that the Planning Proposal is only seeking to include a supermarket and associated liquor store as an additional permitted use within Schedule 1 of the Parramatta (former The Hills) Local Environmental Plan 2012, and that the use is proposed to be incorporated within an existing building on site. It is therefore not considered necessary to include a site-specific DCP to support the proposal in this instance. The existing provisions within The Hills Shire DCP 2012 are considered sufficient to manage the assessment of any development application on the site should the proposal proceed.

PLAN-MAKING DELEGATIONS

49. Revised delegations were announced by the then Minister for Planning and Infrastructure in October 2012, allowing councils to make LEPs of local significance. On 26 November 2012, Council resolved to accept the delegation for plan-making functions. Council has resolved that these functions be delegated to the CEO.
50. Should Council resolve to endorse the Planning Proposal to proceed, it is recommended that Council request that it exercise its plan-making delegations. This means that once the Planning Proposal has been to Gateway, undergone public exhibition and been adopted by Council, Council officers will deal directly with the Parliamentary Counsel Office on the legal drafting and mapping of the

amendment. The LEP amendment is then signed by the CEO before being notified on the NSW Legislation website.

CONCLUSION AND NEXT STEPS

51. This report recommends that the Planning Proposal for 1 Windsor Road, North Rocks proceed to Gateway.
52. Should the proposal proceed and a Gateway Determination be issued, the Planning Proposal will be placed on public exhibition and the outcomes of the exhibition will be reported to the Local Planning Panel if any objections are received. If no objections are received, the matter will be reported directly to Council post-exhibition.

CONSULTATION & TIMING

53. The Planning Proposal and supporting documents were referred internally to Council's Heritage, Flooding, Traffic and Transport, Economic Development teams and externally to the TfNSW for comment.
54. No public consultation has been undertaken relating to this Planning Proposal. Should Council resolve to proceed with the Planning Proposal, it (and all related information) will be submitted to the DPIE for Gateway Determination. Community consultation will be undertaken as required by the Gateway Determination.

FINANCIAL IMPLICATION FOR COUNCIL

55. Should Council resolve to proceed with the Planning Proposal, the costs incurred in conducting the community consultation are covered by the fees associated with the submission of the Planning Proposal request. Should a Planning Agreement be required to support the Planning Proposal, a separate report will be provided to Council outlining all financial implications associated with such an agreement.



Jane Liang
Project Officer Land Use

Michael Rogers
Land Use Planning Manager

David Birds
Group Manager, City Planning

Jennifer Concato
Executive Director City Planning and Design

ATTACHMENTS:

- | | | |
|--|---|----------|
| 1  | Planning Proposal for 1 Windsor Road, North Rocks | 46 Pages |
| 2  | Traffic Review | 8 Pages |

- 3 [↓](#) Economic Impact Assessment
- 4 [↓](#) Heritage Impact Assessment
- 5 [↓](#) Flooding Report

61 Pages

9 Pages

8 Pages

REFERENCE MATERIAL