

- (e) **That**, pending the outcomes of the Gateway Determination, the Planning Proposal, VPA and DCP be placed on public exhibition concurrently.
- (f) **That** Council advises the NSW Department of Planning and Environment that the CEO will be exercising the plan-making delegations for this Planning Proposal as authorised by Council on 26 November 2012.
- (g) **Further, that** Council grant delegated authority to the CEO to correct any minor anomalies of a non-policy and administrative nature that may arise during the amendment process.

8.4 SUBJECT Planning Proposal for land at 266 Victoria Rd and 26 Kissing Point Rd, Rydalmere

REFERENCE RZ/23/2016 - D04954146

REPORT OF Project Officer Land Use

564 RESOLVED (Chadwick)

- (a) **That** Council considers the report that was submitted to the Independent Hearing and Assessment Panel (IHAP) on 16 May 2017 (Attachment A) and its recommendation (Attachment B) which supports the progression of the Planning Proposal for the land at 266 Victoria Rd and 26 Kissing Point Rd, Rydalmere.
- (b) **That** Council endorse the Planning Proposal (which is contained within Attachment 1 of Attachment A of this report) for the land at 266 Victoria Rd and 26 Kissing Point Rd, Rydalmere which seeks to amend the Parramatta Local Environmental Plan 2011 (PLEP 2011) in relation to the subject site by:
  1. Rezoning the site from part R2 Low Density Residential and part zoned SP2 Educational Establishment to part B4 Mixed Use, part R4 High Density Residential, part RE1 Public Recreation and part W1 Natural Waterways;
  2. Increasing the height standard on the site from part 9m to part 28m, part 50m and part 84m;
  3. Increasing the floor space ratio (FSR) standard on the site from part 0.5:1 to 1.5:1 (excluding the riparian corridor) which includes a residential FSR of 1.38:1 and non-residential FSR of 0.12:1;
  4. Amending the Minimum Lot Size Map by removing the minimum lot size designation;
  5. Amending the Minimum Lot Size Map for Dual Occupancy Development Map;
  6. Including a local provision for 5% affordable housing;
  7. Including a local provision for the part non-residential FSR of 0.12:1; and
  8. Including a local provision for the delivery of public open space.

- (c) **That** the Planning Proposal be forwarded to the NSW Department of Planning and Environment for Gateway determination.
- (d) **That** the applicant be required to amend the supporting documentation to the Planning Proposal (i.e. Urban Design Report, Traffic Impact Assessment and Economic Impact Assessment) to reflect Council's position prior to public exhibition, should a Gateway Determination be issued.
- (e) **That** the applicant consult with Transport for NSW (TfNSW) and Roads and Maritime Services (RMS) in response to the identified traffic concerns (Attachment 3 on Attachment A) and undertake additional investigations, modelling and a detailed traffic and transport assessment (TMAP) post-Gateway to the satisfaction of TfNSW and RMS.
- (f) **That** the applicant be required to undertake additional detailed site investigations related to contamination at the former Macquarie Boys High School site to confirm that the site is suitable for future development and a Remediation Action Plan which describes how the site will be remediated to the satisfaction of Council prior to public exhibition, should a Gateway Determination be issued.
- (g) **That** the applicant provide acknowledgement from Western Sydney University (WSU) regarding the legal ownership of the bridge over Victoria Road and associated access roads by the NSW Government and the legal right to access over WSU land to ensure there are no issues with the subject site being accessed via WSU land. This must be provided prior to finalisation of this Planning Proposal. Confirmation is also required from WSU that they have no objection to the access road over their land being dedicated as a public road.
- (h) **That** the applicant consult with local universities and education providers post-Gateway with the intention of entering into a memorandum of understanding or an agreement to work together to provide an opportunity for education, knowledge and technology uses on the subject site consistent with *A Plan for Growing Sydney* and *GPOP Vision*.
- (i) **That** a site-specific Development Control Plan (DCP) be prepared and reported to Council prior to formal exhibition of the Planning Proposal. The Draft DCP prepared should take into consideration all the DCP related issues discussed in the body of this report as well as addressing the mix of housing types that should be provided on this site.
- (j) **That** delegated authority be given to the CEO to negotiate the Voluntary Planning Agreement (VPA) on behalf of Council in addition to Section 94A contributions payable, and that the outcome of negotiations be reported back to Council prior to its concurrent public exhibition with the draft DCP and Planning Proposal.

- (k) **That** Council officers proceed with negotiations for a VPA with the proponent in relation to the Planning Proposal on the basis that any VPA entered into is in addition to Section 94A developer contributions payable. The Draft VPA negotiations scope should include:-
- the potential VPA issues discussed in the body of this report,
  - potential funding to improve access to sporting fields
  - Affordable Housing provision taking into consideration both the Draft West Central District Plan recommendations and any Outcomes of Council Affordable Housing Policy and
  - a mechanism for identifying the mix and location of affordable housing to be provided as part of the development.
- (l) **That** the site-specific DCP and VPA be publicly exhibited concurrently with the Planning Proposal, should a Gateway Determination be issued.
- (m) **That** Council advises the Department of Planning and Environment that the CEO will be exercising the plan-making delegations for this Planning Proposal as authorised by Council on 26 November 2012.
- (n) **That** Council grant delegated authority to the CEO to correct any minor anomalies of a non-policy and administrative nature that may arise during the amendment process.
- (o) **That** prior to Council considering the results of any exhibition process for the site, consultation shall be undertaken with:-
- The Department of Education in relation to the impact on the development on local school enrollments and the ability of the schools to service the increased demand; and
  - Caltex and relevant Government Agencies in relation to the fuel pipeline that runs through the site to determine the impact of this on the planning controls that apply to this site.

8.5           SUBJECT       55 Aird Street Parramatta - Clarification of Endorsed Resolution of 9 May 2016

                  REFERENCE   RZ/18/2015 - D05063546

                  REPORT OF   Project Officer Land Use

565           RESOLVED     (Chadwick)

- (a) **That** for the avoidance of doubt, and following consultation with the mover and seconder of the motion of 9 May 2016 (being Councillors J P Abood and P Esber), this Council confirms that in adopting the resolution made on 9 May 2016, its intent was to: