

# **PLANNING PROPOSAL**

**Swane's Nursery** 235-237 MARSDEN ROAD, CARLINGFORD

PARRAMATTA WE'RE BUILDING AUSTRALIA'S NEXT GREAT CITY

### Planning Proposal drafts

Proponent versions:

No.	Author	Version
1.	Caladines Town Planning	December 2016

### Council versions:

No.	Author	Version
1.	City of Parramatta Council	24 July 2018, Following Sydney West Central Local Planning Panel recommending Gateway Determination.

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### INTRODUCTION

This planning proposal explains the intended effect of, and justification for, the proposed amendment to *Parramatta Local Environmental Plan 2011*. It has been prepared in accordance with Section 3.33 of the *Environmental Planning and Assessment Act 1979* and the Department of Planning and Environment (DP&E) guides, 'A Guide to Preparing Local Environment Plans' (August 2016) and 'A Guide to Preparing Planning Proposals' (August 2016) and 'Guidance for merged councils on planning functions' (May 2016).

### **Background and context**

On 23 December 2016, City of Parramatta Council received a planning proposal from Architex Pty Ltd on behalf of Gaiset Pty Ltd (proponent) to rezone land and amend development standards at 235-237 Marsden Road, Carlingford. The planning proposal seeks to amend the *Parramatta Local Environmental Plan 2011* (PLEP 2011) in relation to the subject site by:

- Rezoning the site from R2 Low Density Residential to R3 Medium Density Residential;
- Increasing the height standard on the site from 9m to 11m; and
- Increasing the floor space ratio (FSR) standard on the site from 0.5:1 to 0.6:1.

The subject site is located at 235-237 Marsden Road in Carlingford on the northern side of Marsden Road between Tomah Street and Mobbs Lane - see Figure 1. The subject site consists of three allotments (legally described as Lots 1, 2 and 3, DP5982) with a total area of 12,884m<sup>2</sup>. The site is currently occupied by a retail plant nursery 'Swane's Nursery' and two dwelling houses, one used by the nursery and the other currently occupied by residential tenants. The site is shown in Figure 1, below.



Figure 1 – Site at 235-237 Marsden Road, Carlingford subject to the planning proposal (Source: SIX Maps, 2016)

Under Parramatta Local Environmental Plan 2011 the site:

- is zoned R2 Low Density Residential
- has a minimum lot size of 550 sqm;
- has a maximum building height of 9 metres;
- has a maximum floor space ratio (FSR) of 0.5:1;

An extract of each the above maps is provided in Part 4 – Mapping; specifically, Section 4.1 Existing controls.

#### Heritage

The subject site does not contain a heritage item nor is it within a heritage conservation area. However, the site adjoins St Paul's Anglican Church Cemetery which is listed as a heritage item (Item 377) of local significance under Schedule 5 of the PLEP 2011.

### **PART 1 – OBJECTIVES OR INTENDED OUTCOMES**

The objective of this planning proposal is to increase the permissible density of development at 235-237 Marsden Road, Carlingford to allow the redevelopment of the site for the purposes of medium density residential housing in the form of townhouses.

### **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. In order to achieve the desired objectives, the following amendments to the *PLEP 2011* would need to be made:

- 1. Amend the zone in the Land Zoning Map (Sheet LZN\_013) from R2 Low Density Residential to R3 Medium Density Residential. Refer to Figure 16, in Part 4.2 of this report.
- 2. Amend the maximum building height in the **Height of Buildings Map** (Sheet HOB\_013) from 9 metres to 11 metres which equates to 1 additional storey or 4 storeys in total. Refer to Figure 17, in Part 4.2 of this report.
- 3. Amend the maximum FSR in the **Floor Space Ratio Map** (Sheet FSR\_013) from 0.5:1 to 0.6:1. Refer to Figure 18 in Part 4.2 of this report.

### 2.1 Other relevant matters

### 2.1.1 Voluntary Planning Agreement

A draft Letter of Offer has not yet been received from the proponent. If a VPA is intended to be entered into as part of the planning proposal, it should be exhibited concurrently with the planning proposal following Gateway Determination.

### 2.1.2 Draft Development Control Plan (DCP)

The architectural design that accompanies this Planning Proposal responds to townhouse design controls contained within the Parramatta DCP. It is intended that should the planning proposal proceed following Gateway, the planning proposal will be assessed under current DCP controls during the Development Application stage.

### 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 a result of any study of report. The planning proposal is the result of an application from the landowner seeking to increase the density of development permitted

on site to facilitate the development of medium density housing. The subject site is located adjacent to Carlingford Corridor along the Greater Parramatta Growth Area.

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

Under the current zoning, multi dwelling housing (which includes townhouses) is not permissible on the site. A planning proposal is necessary to change the zone from R2 Low Density Residential to R3 Medium Density Residential and allow townhouse development. In addition, a planning proposal is needed to amend development standards on 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 Greater Sydney Region Plan 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 Metropolis of Three Cities

In March 2018, the NSW Government released the *Greater Sydney Region Plan: A Metropolis of Three Cities* ("the GSRP") a 20-year plan which outlines a three-city vision for metropolitan Sydney for to the year 2036.

The GSRP is structured under four themes: Infrastructure and Collaboration, Liveability, Productivity and Sustainability. Within these themes are 10 directions which are each contains Potential Indicator and, generally, a suite of objective/s with each objective supported by a Strategy or Strategies. Those objectives and or strategies relevant to this planning proposal are discussed below.

### Infrastructure and Collaboration

An assessment of the planning proposal's consistency with the GSRP's relevant Infrastructure and Collaboration objectives is provided in Table 3a, below.

Infrastructure and Collaboration Direction	Relevant Objective	Comment
A city supported by infrastructure	<b>O1:</b> Infrastructure supports the three cities	This planning proposal seeks residential uplift for an existing R2 – Low Density Residential site that is currently occupied by an existing plant nursery. Changes to planning controls would provide a
	<b>O2:</b> Infrastructure aligns with forecast growth – growth infrastructure compact	development density of 48 medium density townhouse dwellings. A pre-gateway assessment by Council indicates that the proposal would be
	O3: Infrastructure adapts to meet future need	adequately supported by road infrastructure, although is located over 1km of Carlingford station (and proposed light rail stop). The adaptability of
	<b>O4:</b> Infrastructure use is optimised	infrastructure and implications for connectivity and movement networks should be further considered should gateway be received.

**Table 3a –** Consistency of planning proposal with relevant GSRP Actions – Infrastructure and Collaboration

### Liveability

An assessment of the planning proposal's consistency with the GSRP's relevant Liveability objectives is provided in Table 3b, below.

Liveability Direction	Relevant Objective	Comment
A city for people	<ul> <li>O6: Services and infrastructure meet communities' changing needs</li> <li>O7: Communities are healthy, resilient and socially connected</li> </ul>	The proposal seeks to respond to the changing needs of the Carlingford area to provide additional housing in an existing residential precinct. The area is surrounded by a diversity of housing including a townhouse development to the east
	<b>O8</b> : Greater Sydney's communities are culturally rich with diverse neighbourhoods	and freestanding single dwellings to the north, west and south of the site. The proposal will contribute a diversity in dwelling types in the Carlingford area. The proposal satisfies the
	<b>O9</b> : Greater Sydney celebrates the arts and supports creative industries and innovation	objectives under this livability direction.
Housing the city	<b>O10</b> : Greater housing supply	A rezoning from R2 to R3 Medium Density Residential and respective increase in HOB and FSR to accommodate 48 medium density townhouse dwellings across the site. The 17 May 2018 West Central Local Planning Panel decision highlights that the proposal responds to providing housing supply, choice and affordability with access to jobs, services and public transport, with the proposal contributing to the achievement of this objective. It is noted that the subject site is located around 400m away from the Carlingford Study Area in the <i>Parramatta Residential</i> <i>Development Strategy</i> .
	<b>O11:</b> Housing is more diverse and affordable	The proposal contributes to housing diversity in the Carlingford area, however does not respond to the need to deliver Affordable Rental Housing in its current form. Affordable Housing should be investigated should the planning proposal proceed to gateway through a VPA offer or development contributions scheme for the site.
A city of great places	<b>O12:</b> Great places that bring people together	The proposal should respond to O12 and the need for a well-designed built environment, provision of social infrastructure and fine grain urban form by using a place-based and collaborative approach to places. The LPP decision identifies several distinctive characteristics of the site that mean it would not create a precedent for rezoning elsewhere in the locality. Characteristics including its large site area, nearby open space, neighbouring medium density housing and long frontage to a main road assist in providing the opportunity to deliver medium density housing in an appropriate location adjacent to low density residential areas.
	<b>013:</b> Environmental heritage is identified, conserved and enhanced	The planning proposal relates to land adjacent to is within close proximity of several heritage items, namely St Paul's Church Cemetery (I18) which is located directly adjacent to the subject site. It is unlikely the proposed development will negatively impact on the heritage value of the adjacent site.

Table 3b - Consistency of planning proposal with relevant GSRP Actions - Liveability

### Productivity

An assessment of the planning proposal's consistency with the GSRP's relevant Productivity objectives is provided in Table 3c, below.

Productivity Direction	Relevant Objective	Comment
A well connected city	<b>O14:</b> The plan integrates land use and transport creates walkable and 30 minute cities	The site is located in the periphery of the Carlingford Town Centre, over 1km from the Carlingford station within an undulating topographic environment between the Cumberland Plain and Hornsby Plateau. The proposal introduces medium density residential uses in an existing residential environment, but is unlikely to satisfy the 30 minute connection by public or active transport between the site and Parramatta CBD in accordance with O14.
	<b>O15:</b> The Eastern, GPOP and Western Economic Corridors are better connected and more competitive	The site is not located with the GPOP corridor; however, it is situated adjacent to GPOP's Next Generation Living Camellia to Carlingford corridor. The proposal attempts to draw upon the principals of this corridor to seek an intensification of uses on the site.
Jobs and skills for the city	<b>O19</b> : Greater Parramatta is stronger and better connected	The proposal would see the existing commercial use cease on site. Although, the existing planning controls demonstrate the desire for residential in the area. The site is located outside the commercial precinct of Carlingford and is expected to contribute to a sympathetic provision of residential development in the area and therefore satisfies O19. Specifically, the proposal balances the efficient movement of people and good with supporting the livability of places on the road network.
	<b>O22</b> : Investment and business activity in centers	The proposal would see additional residential development in the existing residential area of Carlingford in close proximity to the local commercial center of Carlingford. The redevelopment of the Swane's Nursery site for residential may indirectly increase local services demand for the nearby Carlingford town centre.

Table 3c - Consistency of planning proposal with relevant GSRP Actions - Productivity

### Sustainability

An assessment of the planning proposal's consistency with the GSRP's relevant Sustainability objectives is provided in Table 3d, below.

Productivity Direction	Relevant Objective	Comment
A city in its landscape		The proposal is situated on a transitioning topography from the Hornsby Plateau to
	<b>O30</b> : Urban tree canopy cover is increased	Cumberland Plain. The development proposed is of medium density and unlikely to interfere with significant sight lines. The proposal would see the
	<b>O31:</b> Public open space is accessible, protected and enhanced	removal of 57 trees and retention of 24 trees within the property (see Appendix 5 of Proposal). This does not satisfy O30. The proposal should require an equal or increase to urban tree canopy cover across the site. Further landscape direction for the site should be enhanced through quality public open spaces that are accessible and protected.
	<b>O32</b> : The Green grid links Parks, open spaces, bushland and walking and cycling paths	Requirements for increased urban canopy cover and accessible public open space will contribute to improved green grid links across the site between Galaringi Reserve to the south west and Simpson Reserve to north east. These should be addressed following Gateway Determination.
An efficient city	<b>O33</b> : A low-carbon city contributes to net-zero emissions by 2050 and mitigates climate change	The proposal does not include sustainability initiatives such as recycled water, sustainable building materials, photovoltaics. Should the proposal proceed, initiatives towards net-zero
	<b>O34</b> : Energy and water flows are captured, used and re-used	emissions by 2050, methods of recycling construction and ongoing waste should be investigated as part of the Development
	<b>O35</b> : More waste is re-used and recycled to support the development of a circular economy	Application stage. Further consideration should be given to Council's Environmental Sustainability Strategy when delivering the proposal.

Table 3d - Consistency of planning proposal with relevant GSRP Actions - Sustainability

#### Implementation

An assessment of the planning proposal's consistency with the GSRP's relevant Implementation objectives is provided in Table 3d, below.

Table 3d – Consistency of planning proposa	I with relevant GSRP Actions –	Implementation
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Implementation Direction	Relevant Objective	Comment
Implementation	<b>O39</b> : A collaborative approach to city planning	Should the planning proposal proceed to Gateway, feedback from key stakeholders in accordance with Section 3.34 and Figure 58 of this plan should be included.

### **Central City District Plan**

In March 2018, the NSW Government released *Central City District Plan* which outlines a 20-year plan for the Central City District which comprises The Hills, Blacktown, Cumberland and Parramatta local government areas.

Taking its lead from the GSRP, the *Central City District Plan* ("CCDP") is also structured under four themes relating to Infrastructure and Collaboration, Liveability, Productivity and Sustainability. Within these themes are Planning Priorities which are each supported Action. Those Planning Priorities and Actions relevant to this planning proposal are discussed below.

#### Infrastructure and Collaboration

An assessment of the planning proposal's consistency with the CCDP's relevant Infrastructure and Collaboration Priorities and Actions is provided in Table 4a, below.

Infrastructure and Collaboration Direction	Planning Priority/Action	Comment
A city supported by infrastructure	PP C1: Planning for a city supported by infrastructure	This proposal seeks residential uplift for an existing R2 – Low Density Residential site and would
<b>O1:</b> Infrastructure supports the three cities	A1: Prioritise infrastructure investments to support the vision of <i>A metropolis</i>	provide a development density of 48 medium density towhouse dwellings. Further, the site is situated along a classified road and beyond 800m
<b>O2:</b> Infrastructure aligns with forecast growth – growth infrastructure	• A2: Sequence growth across the three cities to promote north-south and east-west connections	of the Carlingford Station (and proposed light rail stop). Any uplift in residential yield for the site should consider a place-based approach encouraged in A4, for the sequencing of
compact O3: Infrastructure adapts to meet	A3: Align forecast growth with infrastructure	infrastructure and shared use of surrounding assets in accordance with the actions of PP C1.
future need O4: Infrastructure	<ul> <li>A4: Sequence infrastructure provision using a place based approach</li> </ul>	
use is optimised	<ul> <li>A5: Consider the adaptability of infrastructure and its potential shared use when preparing infrastructure strategies and plans</li> </ul>	
	• A6: Maximise the utility of existing infrastructure assets and consider strategies to influence behaviour changes to reduce the demand for new infrastructure, supporting the development of adaptive and flexible regulations to allow decentralised utilities	
<b>O5</b> : Benefits of growth realized by collaboration of governments, community and business	<ul> <li>PP C2: Working through collaboration</li> <li>A7: Identify prioritise and delivery collaboration areas</li> </ul>	The proposal is not located within an identified Collaboration Area, Growth Area or Planned Precinct. However, the proposal does identify opportunities from the adjacent GPOP corridor to deliver a vision for medium density housing on the site. The proposal draws upon the principles of the GPOP Collaboration area to coordinate and optimize urban renewal opportunities for medium density housing in Carlingford. Given the several unique characteristics of the site and A7, Council are satisfied for the proposal to proceed to Gateway Determination.

**Table 4a –** Consistency of planning proposal with relevant CCDP Actions – Infrastructure and Collaboration

### Liveability

An assessment of the planning proposal's consistency with the CCDP's relevant Liveability Prioirties and Actions is provided in Table 4b, below.

Liveability Direction	Planning Priority/Action	Comment
A city for people O6: Services and infrastructure meet communities' changing needs	<ul> <li>PP C3: Provide services and social infrastructure to meet people's changing needs</li> <li>A8: Deliver social infrastructure that reflects the need of the community now and in the future</li> <li>A9: Optimise the use of available public land for social infrastructure</li> </ul>	The proposal should investigate ways to maximize the use of the proposed public domain in the site layout of the medium density residential development. This would assist in linking the recreation reserves to the south-west and north- east of the site. The current proposal is satisfactory in principle with regards to A8 and A9, and will be reviewed should a gateway be issued.
<b>07</b> : Communities are healthy, resilient and socially connected <b>08</b> : Greater Sydney's communities are culturally rich with diverse neighbourhoods <b>09</b> : Greater Sydney celebrates the arts and supports creative industries and innovation	<ul> <li>PP C4: Working through collaboration</li> <li>A10: Deliver healthy, safe and inclusive places for people of all ages and abilities that support active, resilient and socially connected communities by (a-d).</li> <li>A13: Strengthen the economic self-determination of Aboriginal communities by engagement and consultation with Local Aboriginal Land Council's.</li> <li>A14: Facilitate opportunities for creative and artistic expression and participation, wherever feasible with a minimum regulatory burden including (a-c).</li> <li>A15: Strengthen social connections within and between communities through better understanding of the nature of social networks and supporting infrastructure in local places</li> </ul>	The proposal aims to deliver medium density housing in the existing residential environment of Carlingford. Council are satisfied by the human scale, but the development should prioritise opportunities for public and active transport access. The development should further consider how it's built form could respond to A15 that hopes to strengthen social connections within and between communities. This should be a consideration should the planning proposal receive gateway determination.
Housing the city O10: Greater housing supply O11: Housing is more diverse and affordable	<ul> <li>PP C5: Providing housing supply, choice and affordability, with access to jobs, services and public transport</li> <li>A17: Prepare Affordable Rental housing Target Schemes</li> </ul>	The planning proposal sought to deliver 48 multi- dwelling housing (terraces) across the site. The site is adjacent to the north, west and south low density residential and medium density to the east. The LPP decision on 17 May 2018 identified that the proposal will improve housing choice and contribute to improved affordability, particularly as it will add to the stock of townhouses, thus addressing undersupply of the "missing middle" of housing typologies. The proposal satisfies A16 of the CCDP but should look at incorporating affordable renting housing as part of the scheme.
A city of great places	PP C6: Creating and renewing great places and local	The CCDP encourages unique character and distinctive mix of land uses, activities, social connectors and functions in places that provide

Table 4b - Consistency of planning proposal with relevant CCDP Actions - Liveability

O12: Great places that bring people together O13: Environmental heritage is identified, conserved and enhanced	<ul> <li>centres, and respecting the District's heritage</li> <li>A18: Using a place-based and collaborative approach throughout planning, design, development and management deliver great places by (a-e)</li> </ul>	social and physical connectivity, local diversity and cultural richness all of which contribute to the livability of neighborhoods and enhance people's quality of life. The proposal should demonstrate actions identified in PP C6 in its public domain and should be considered as part of future development contributions.
ennanceu	<ul> <li>A19: Identify, conserve and enhance environmental heritage by (a-c)</li> </ul>	
	• A20: Use place-based planning to support the role of centres as a focus for connected neighbourhoods	
	<ul> <li>A21: In Collaboration Areas, Planned Precincts and planning for centres (a-d)</li> </ul>	
	<ul> <li>A22: Use flexible and innovative approaches to revitalise high streets in decline.</li> </ul>	

### Productivity

An assessment of the planning proposal's consistency with the CCDP's relevant Productivity Priorities and Actions is provided in Table 4c, below.

Productivity Direction	Planning Priority/Action	Comment
A well-connected city O19: Greater Parramatta is stronger and better connected	<ul> <li>PP C7: Growing a stronger and more competitive Greater Parramatta</li> <li>A23: Strengthen the economic competitiveness of Greater Parramatta and grow its vibrancy [abridged]</li> <li>A26: Prioritise infrastructure investment [abridged]</li> <li>A27: Manage car parking and</li> </ul>	The planning proposal wishes to expand the capacity of the site for medium density residential uses in Carlingford. Council officers are satisfied that car parking and traffic management strategies at the pre-gateway stage under A27. This should be reviewed by RMS should Gateway be received. As a whole, the proposal responds to PP C7 despite its location adjacent to the GPOP corridor.
Jobs and skills for the city	identify smart traffic management strategies PP C8: Delivering a more connected and competitive	The application proposed to amend existing low density residential controls for a medium density
<b>O15:</b> The Eastern, GPOP and Western Economic Corridors are better connected and more competitive	<ul> <li>GPOP Economic Corridor</li> <li>A29: Prioritise public transport investment to deliver the 30- minute city objective for strategic centres along the GPOP Economic Corridor</li> </ul>	development. The site plan includes a communal access road for 41 of the 48 townhouses and communal open space for all dwellings adjacent to Simpson Reserve and Galaringi Reserve. The upgrade of nearby community facilities should be investigated as part of the proposal in accordance with A30.
	• A30: Prioritise transport investments that enhance access to the GPOP between centres within GPOP	
	<ul> <li>A31: Co-locate health, education, social and community facilities in</li> </ul>	

Table 4c - Consistency of planning proposal with relevant CCDP Actions - Productivity

	strategic centres along the GPOP Economic Corridor	
<b>O14:</b> The plan integrates land use and transport	PP C9: Delivering integrated land use and transport planning and a 30-minute city	The district plan makes reference to integrated land use and transport outcomes as a means to deliver the '30-minute' city. The proposal is
creates walkable and 30 minute cities	<ul> <li>A32: Integrate land use and transport plans to deliver a 30- muinute city</li> </ul>	located over 1km from the existing railway/proposed light rail station at Carlingford. The site is also located along the 521 Parramatta to Eastwood bus route. The proposal should
	<ul> <li>A33: Investigate, plan and protect future transport and infrastructure corridors</li> </ul>	consider ways of encouraging active transport uses and facilities on the site to connect housing the facilities and commercial centers in the nearby
	• A34: Support innovative approaches to the operation of business, educational and institutional establishments to improve the performance of the transport network	locality.

#### Sustainability

An assessment of the planning proposal's consistency with the CCDP's relevant Productivity Prioirties and Actions is provided in Table 4d, below.

Sustainability Direction	Planning Priority/Action	Comment
A city in its landscape O25: The coast and waterways are protected and healthier	<ul> <li>PP C13: Protecting and improving the health and enjoyment of the District's Waterways</li> <li>A61: Enhance sustainability and liveability by improving and managing access to waterways and foreshores for recreation, tourism, cultural events and water based transport</li> <li>A62: Improve the health of catchments and waterways through a risk based approach to managing the cumulative impacts of development including coordinated monitoring of outcomes</li> </ul>	The proposal is not located in an environmentally sensitive area or likely impacted by natural habitats. The application for medium density development provides an appropriate scale of development given the visibility of the location along a classified road and in the transitional topography between the Hornsby plateau and Cumberland plain. The proposal satisfies this direction.
O27: Biodiversity is protected, urban bushland and remnant vegetation is enhanced O28: Scenic and cultural landscapes are protected	<ul> <li>PP C15: Protecting and enhancing bushland, biodiversity and scenic and cultural landscapes</li> <li>A65: Protect and enhance biodiversity by (a-c) [abridged]</li> <li>A66: Identify and protect scenic and cultural landscapes</li> <li>A67: Enhance and protect views of scenic and cultural landscapes from the public realm</li> </ul>	The proposal carefully responds to A66 and A67 with regards to the scenic views from the site, towards the south over the Cumberland Plain. The application satisfies the actions of PP C15.

 Table 4d – Consistency of planning proposal with relevant CCDP Actions – Sustainability

O30: Urban tree canopy cover is increased O32: The Green grid links Parks, open spaces, bushland and walking and cycling paths	<ul> <li>PP C16: Increasing urban tree canopy cover and delivering Green grid connections</li> <li>A68: Expand urban tree canopy in the public realm</li> <li>A69: progressively refine the detailed design and delivery of (a-c) [abridged]</li> <li>A70: Create Greater Sydney green Grid connections to the Western Sydney Parklands</li> </ul>	The proposal is situated between two existing reserves, namely the Galaringi and Simpson Reserves. The proposal should investigate potential for expansion of the urban tree canopy and green grid, linking these two public recreation spaces. Further, the proposal intends to remove 57 trees and retention of 24 trees within the property (see Appendix 5 of Proposal). To ensure the proposal maintains consistency with PP C16, the development application should include conditions that reference to the expansion of the urban tree canopy and green grid links. This would ensure consistency with PP C16 and respective actions.
<b>O31:</b> Public open space is accessible, protected and enhanced	<ul> <li>PP C17: Delivering high quality open space</li> <li>A71: Maximise the use of existing open space and protect, enhance and expand public open space by (a-g) [abridged]</li> </ul>	The proposal is situated adjacent to Simpson Reserve and in close proximity to Galaringi Reserve. The proposal should demonstrate green links across the site maximizing ease of access between these two spaces in accordance with action requirements of A71 on the site.
An efficient city O33: A low-carbon city contributes to net-zero emissions by 2050 and mitigates climate change O34: Energy and water flows are captured, used and re-used O35: More waste is re-used and recycled to support the development of a circular economy	<ul> <li>PP C19: Reducing carbon emissions and managing energy, water and waste efficiently</li> <li>A75: Support initiatives that contribute to the aspirational objectives of achieving net- zero emissions by 2050</li> <li>A76: Support precinct-based initiatives to increase renewable energy generation and energy and water efficiency</li> <li>A77: Protect existing and identify new locations for waste recycling and management</li> <li>A78: Support innovative solutions to reduce the volume of waste and reduce waste transport requirements</li> </ul>	The proposal does not include sustainability initiatives such as recycled water, sustainable building materials, photovoltaics. Should the proposal proceed, initiatives towards net-zero emissions by 2050, methods of recycling construction and ongoing waste should be investigated as part of the Development Application stage in accordance with A75, A76 and Council's guidelines. Further consideration should be given to Council's Environmental Sustainability Strategy when delivering the proposal.
O36: People and places adapt to climate change and future shocks and stresses O37: Exposure to natural and urban hazards is reduced O38: Heatwaves and extreme heat are managed	<ul> <li>PP C20: Adapting to the impacts of urban and natural hazards and climate change</li> <li>A81: Support initiatives that respond to the impacts of climate change</li> <li>A83: Mitigate the urban heat island effect and reduce the vulnerability to extreme heat</li> </ul>	The proposal is not located in a location identified as impacted by natural hazard zones such as flooding or bushfire. Initiatives listed in the abovementioned sustainability priorities contribute to A83 as to mitigate urban heat island effect in the area. The proposal is satisfactory under PP C20.

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

The following local 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 in particular:

• People and Neighbourhoods: Parramatta will be a world-class city at the centre of Sydney that attracts a diversity of people: a city where people can learn, succeed and find what they need; a city where people live well, get together with others, feel like they belong and can reach their potential.

### City of Parramatta Community Strategic Plan 2018-2038

The City of Parramatta's CSP 'Butbutt Yura Barra Ngurra' is the highest level strategic plan for Council and reflects significant consultation with staff and the community to guide how the community's vision for the city will be achieved over the next 20 years. The plan has six core community objectives that relate to a fair, accessible, green, welcoming, thriving and innovative LGA.

The planning proposal is considered to meet the strategies and key objectives identified in the plan including:

#### 1. Fair

- 1.2 Advocate for affordable and diverse housing choice
- 2. Accessible
- 2.5 Manage traffic congestion and access to parking
- 3. Green
- 3.6 Promote energy and water efficiency, renewable energy sources, and reduced emissions and waste

The intensification of residential uses through multi dwelling housing at 235-237 Marsden Road, Carlingford provides opportunity to deliver diverse housing, green energy solutions. These matters have been referred to as part of the strategic planning justification of the proposal. The planning proposal is justified in principle under the draft CoP CSP.

# 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 5 below).

State Environmental Planning Policies (SEPPs)	Consistent: Yes - ✓ No - × or N/A	Comment
SEPP No 1 Development Standards	N/A	This SEPP is not applicable to the subject land under Clause 1.9 of the Parramatta LEP 2011.
SEPP 4 – Development Without Consent and Miscellaneous Exempt and Complying Development	N/A	This SEPP is not applicable to the subject land under Clause 1.9 of the Parramatta LEP 2011.
SEPP 6 – Number of Storeys in a Building	N/A	Standard instrument definitions apply.

Table 5 – Consistency of planning proposal with relevant SEPPs

SEPP 33 – Hazardous and Offensive Development	N/A	This SEPP is not applicable to the subject land under Clause 1.9 of the Parramatta LEP 2011.
SEPP No 55 Remediation of Land	$\checkmark$	A Phase 1 preliminary contamination investigation report for the subject site has been prepared – see Appendix 4.
		Council is satisfied the site can be made suitable for residential purposes with a Phase 2 to be prepared at the DA stage.
SEPP 60 – Exempt and Complying Development	N/A	This SEPP is not applicable to the subject land under Clause 1.9 of the Parramatta LEP 2011.
SEPP 64 – Advertising and Signage	N/A	Not relevant to proposed amendment.
SEPP No 65 Design Quality of Residential Flat Development	N/A	Not relevant to proposed amendment.
SEPP No.70 Affordable Housing (Revised Schemes)	N/A	Not relevant to proposed amendment.
SEPP (Affordable Rental Housing) 2009	N/A	Not relevant to proposed amendment.
SEPP (BASIX) 2004	N/A	Detailed compliance with SEPP (BASIX) will be demonstrated at the time of making a development application for the site facilitated by this Planning Proposal.
SEPP (Exempt and Complying Development Codes) 2008	$\checkmark$	May apply to future development of the site.
SEPP (Infrastructure) 2007	$\checkmark$	Future development of the site will be required to consider the provisions of the Infrastructure SEPP (traffic and noise).
Sydney Regional Environmental Plan No 18–Public Transport Corridors	N/A	This SEPP is not applicable to the subject land under Clause 1.9 of the Parramatta LEP 2011.
Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005	N/A	The proposed development is not located directly on the Sydney Harbour Catchment foreshore. Any potential impacts as a result of development on the site, such as stormwater runoff, will be considered and addressed appropriately at DA stage.
SEPP (Urban Renewal) 2010	N/A	Not relevant to proposed amendment.

# 3.2.4 Is the planning proposal consistent with applicable Ministerial Directions (s.9.1 directions)

In accordance with Clause 9.1 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
- Housing, Infrastructure and Urban Development
- Local plan making

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

Section	Comment	Compliance
2. Environment and Her	itage	· · · · · · · · · · · · · · · · · · ·
Direction 2.3 - Heritage Conservation	The subject site is does not include a heritage item nor is it within a heritage conservation area. However, it is located next to a heritage item of local significance, St Paul's Anglican Church Cemetery.	Yes
	The Planning Proposal will not have an adverse impact or affect the conservation of the cemetery.	
	There are no identified Aboriginal objects or Aboriginal places of heritage significance on this site or neighbouring sites.	
	A heritage report has been prepared by NBRS Architects (2016) – see Appendix 3.	
3. Housing, Infrastructu	re and Urban Development	
Direction 3.1 - Residential Zones	The Planning Proposal is consistent with this direction, in that it:	Yes
	<ul> <li>facilitates additional housing and housing choice in Carlingford that is currently not provided for on the site. The planning proposal will provide for approximately 48 new dwellings on the site.</li> </ul>	
	<ul> <li>provides residential development in an existing urban area that will be serviced by existing infrastructure or if necessary carry out the augmentation of the existing infrastructure</li> </ul>	
	<ul> <li>does not reduce the permissible residential density on the land.</li> </ul>	
Direction 3.4 - Integrating Land Use	The Planning Proposal is generally consistent with this direction, in that it:	Yes
and Transport	<ul> <li>will enable residents to walk or cycle to work if employed in the Carlingford Centre.</li> </ul>	
	<ul> <li>makes more efficient use of space and infrastructure by increasing densities on an underutilized site.</li> </ul>	
4. Hazard and Risk		
Direction 4.1 - Acid Sulfate Soils	The site is identified as Class 5 on the Acid Sulfate Soils Map in Parramatta Local Environmental Plan 2011. Acid sulfate soils are generally not found in Class 5 areas however this will be addressed further at the development application stage.	Yes
Direction 4.3 - Flood Prone Land	The site is not flood prone and is above the 1:100 year flood level.	Yes
	Any potential impacts as a result of development on the site, such as stormwater runoff, will be considered and addressed appropriately at DA stage. This will also include any design detail required to ensure compliance with Council's water management controls within the Parramatta DCP 2011.	

Table 2 - Comparison	of planning prop	osals with relevant	Section 9.1	Directions
			000000000000000000000000000000000000000	Dirocation

Direction 6.1 - Approval and Referral Requirements	The Planning Proposal does not introduce any provisions that require any additional concurrence, consultation or referral.	Yes
Direction 6.3 - Site Specific Provisions	The Planning Proposal does not introduce any site specific provisions.	Yes
7. Metropolitan Planning	g	
Direction 7.1The Planning Proposal is generally consistent with the aims and objectives of A Plan for Growing Sydney. This has been discussed in more detail in Section 3.2.1 above.		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.

# 1.3.1 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?

No. It is not considered that any critical habitat or threatened species, populations or ecological communities, or their habitats will be adversely affected as a result of the Planning Proposal. The site is located within a well-established urban neighbourhood on land that has already been developed. There are no known critical habitats, threatened species or ecological communities within the site.

# **1.3.2** 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:

- Heritage impacts
- Urban Design and Built Form
- Transport and Accessibility Assessment
- Contamination
- Removal of trees

An assessment of the Planning Proposal against these potential impacts is provided below.

#### Heritage impacts

The subject site is does not include a heritage item nor is it within a heritage conservation area. However, it is adjacent to a heritage item of local significance, St Paul's Anglican Church Cemetery (Item I18). The subject site is also located in in the vicinity of two other heritage items Dalmar Children's Home at 3 Dalmar Place, Carlingford (Item I16) and Grandview at 300 and 300A Marsden Road, Carlingford (Item I22). The location of these heritage items in relation to the subject site can be seen below in Figure 2.

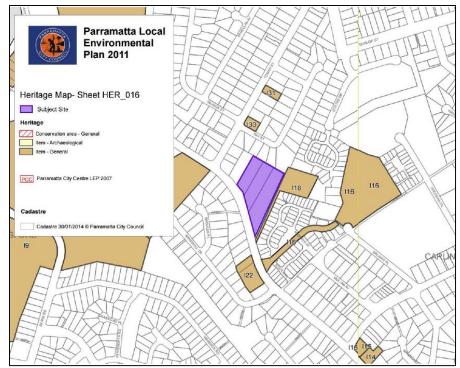


Figure 2 - Extract of Heritage Map from Parramatta LEP 2011 showing site in the context of nearby heritage items.

The adjoining St Paul's Cemetery comprises a large open space with headstones and a range of memorials from the 1850s-1960s as can be seen below in Figure 3. It is a heritage item of local significance and is listed under Schedule 5 of the Parramatta LEP 2011. The cemetery also adjoins Simpson Reserve to the northwest.

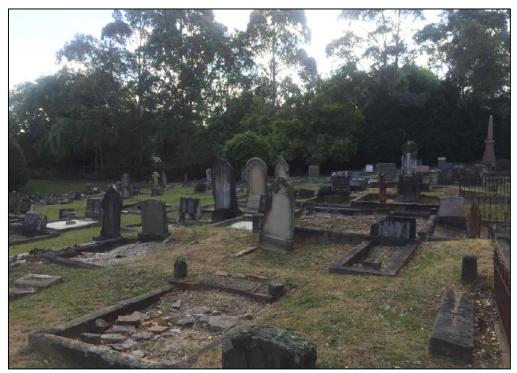


Figure 3 - View east over Cemetery with the subject site in the background Source: NBRS Architecture, 2016

The Planning Proposal is accompanied by a Statement of Heritage Impact, prepared by NBRS Architecture (2016) which confirms that the proposal will not have an adverse impact or affect the conservation of the cemetery. The Statement can be found at Appendix 3 and comments that the proposed height and density appear appropriate to the context of the adjacent heritage item. *"The proposed height and density appear appropriate to the context of the adjacent heritage item and capable of mitigation under the existing LEP and DCP when development consent is sought"* (p.30, Statement of Heritage Impact, NBRS Architecture, 2016).

The Statement also reports that the proposal will not have an adverse impact upon the other nearby heritage items. "The cemetery is hidden from view from the west, south and east. The proposed development will not lessen views to and from the cemetery. Views to and from Dalmar and Grandview will be unaffected" (p.29, Statement of Heritage Impact, NBRS Architecture, 2016).

Furthermore, there are no identified Aboriginal objects or Aboriginal places of heritage significance on this site or neighbouring sites. Council's Heritage Advisor has reviewed the Planning Proposal, Statement of Heritage Impact and associated documentation and has raised no objections. No further comments or concerns were raised from a heritage perspective.

### Urban Design and Built Form

As part of the Planning Proposal, an Architectural Design Scheme has been prepared by Architex (2016). The Design Scheme includes a site analysis, architectural plans and drawings, shadow diagrams and an alternative single-lot subdivision plan.

The proposed development resulting from the Planning Proposal would provide 48 townhouses on the site (37 three bedrooms and 11 four bedrooms) with 94 car parking spaces (82 residential and 12 visitor spaces). The Planning Proposal would provide a gross floor area of 7154m<sup>2</sup> for residential in addition to 1333.2m<sup>2</sup> for communal open space. The concept plan provided can be seen below at Figures 5, 6 and 7.



Figure 5 - Proposed concept plan - development to be realised under Planning Proposal Source: Architex, 2016



Figure 6 - The proposed design concept illustrating the building form along Marsden Rd Source: Architex, 2016



Figure 7 - The proposed design concept illustrating the building form from South-East corner of site Source: Architex, 2016

#### Context:

The site is surrounded by residential housing to the north, south and east with a cemetery (described above) and a park (Simpson Reserve) adjoining the south east portion of the site. The surrounding housing is mostly comprised of single detached dwellings with some townhouses located to the north of the site at 239 Marsden Road (see Figure 8). These townhouses are not reflective of the prevailing character of the broader area and do not conform to the R2 Low Density Residential land use zone applying to the area. Hence, a planning proposal is required should this character be extended to the subject site



Figure 8 – Built form context of land uses surrounding subject site Source: SIX Maps

### **Residential Amenity and Overshadowing**

Residential properties surrounding the site will not be impacted upon by overshadowing or loss of amenity. The height and FSR as proposed was the result of the Architex scheme.

A detailed shadow analysis has been prepared as part of the architectural scheme located at Appendix A. The analysis indicates that the proposal will not significantly overshadow the public domain or adjoining properties. Some overshadowing will occur to the properties south of the site at 3pm during the winter solstice as can be seen below in Figure 10. The affected properties are located at 16-24 Madison Avenue and 26-38 Brooklyn Crescent, Carlingford.

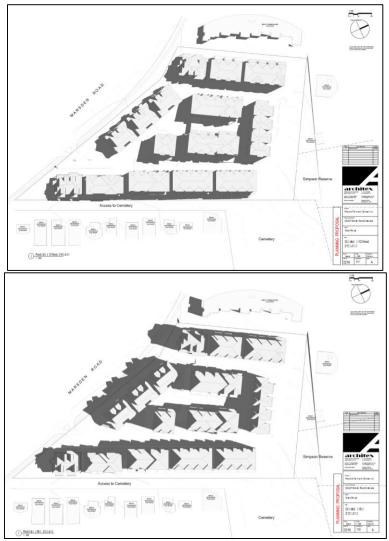


Figure 9 - Overshadowing at 9am on Winter Solstice (top) and at 12pm on Winter Solstice (bottom) Source: Architex, 2016



Figure 101 - Overshadowing at 3pm during Winter Solstice Source: Architex, 2016

Section 3.3.5 of Part 3 of the Parramatta Development Control Plan 2011 requires the following:

"dwellings within the development site and adjoining properties are to receive a minimum of 3 hours sunlight in habitable rooms and in at least 50% of the private open space between 9am and 3pm on 21 June. Where existing development currently receives less sunlight than this requirement, this should not be unreasonably reduced".

The overshadowing caused by the proposal is considered acceptable as the adjoining properties will likely receive more than the minimum of 3 hours of sunlight in habitable rooms and at least 50% of the private open space between 9am and 3pm on 21 June. Any overshadowing impacts caused by a future development on the site will be subject to further assessment at the development application stage.

### Consideration of alternative option

The proponent has provided an alternative single-lot subdivision plan as per the request by Council, prior to the Planning Proposal being submitted (see Figure 11). However, the planning proposal delivers a residential development outcome that is more consistent with housing objectives identified in the region and district plan.

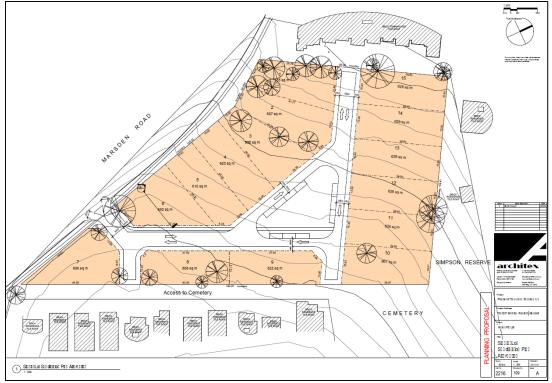


Figure 11 - Alternate development option under current DA conditions

This position is sustained in the LPP decision where it is identified that "the proposal will improve housing choice and contribute to improved affordability, particularly as it will add to the stock of town housing and addressing the undersupply of the "missing middle" of housing typologies. It was also noted in point 5 of the LPP decision that this site has several distinctive characteristics, being its large area, neighbouring medium density housing and open space, and long frontage to a main road, which distinguishes it from other properties in the locality.

### **Transport and Accessibility**

Vehicular access to the site is currently provided by four driveways. The nursery parking is accessed by separate ingress and egress driveways connecting to Marsden Road. In addition to the nursery, the dwelling in the western corner of the site is serviced by a single width driveway whereas the dwelling in the southern corner is serviced by an unformed access road running along the eastern site boundary, servicing the adjoining Carlingford Anglican Cemetery from Marsden Road.

The Planning Proposal concept proposes separated ingress and egress driveways connecting to the Marsden Road southbound travel lanes. These driveways are proposed to be separated by a triangular island and splayed to restrict site ingress and egress movements to left-in / left-out to Marsden Road.

The Planning Proposal is supported by a Traffic and Parking Impact Statement prepared by Thompson Stanbury Associates (2016). The Statement includes an assessment of existing and proposed traffic volumes. Figure 12 extracts a table from the traffic assessment to demonstrate the weekday traffic flow comparison between the existing and proposed development.

SUMMARY OF EXISTING AND PROPOSED WEEKDAY COMMUTER PEAK TRAFFIC GENERATION AND TRIP ASSIGNMENT CHARACTERISTICS					
AM Peak Hour Trips PM Peak Hour					
Existing Development Scenario					
Inbound	10	2			
Outbound	2 10				
Total	12	12			
Proposed Development Sco	enario				
Inbound	2	22			
Outbound	22	2			
Total	24	24			
Change					
Inbound	-8	+20			
Outbound	+20	-8			
Total	+12	+12			

Figure 12- Traffic modelling and trip assignment characteristics for site

Comments from Council's Traffic and Transport team confirm that the proposed vehicular access to the site is acceptable and that the traffic generated from this proposal will not degrade overall service on Marsden Road. Given that Marsden Road is a classified road, consultation with NSW Roads and Maritime Services will need to be undertaken. If supported, this can occur following a Gateway determination.

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

The Planning Proposal will allow for the site to be developed for medium density residential development which will add to the supply of housing available in a location accessible to a range of public transport services. Based on the average size of households living in the Parramatta LGA (2.3 persons per dwelling), the planning proposal will result in a population of 110 persons on the subject site.

The increase in population resulting from the densities envisaged in the Planning Proposal will place increased demand on local schools. It is considered that this demand can be met by the above existing schools in close proximity to the site. Consultation is recommended to be undertaken with the NSW Department of Education during the public exhibition stage to ensure that the additional demand on local schools can be accommodated.

The layout of the planning proposal should consider links connecting Simpson Reserve and Galaringi Reserve.

### **1.4** Section D – State and Commonwealth Interests

#### 1.4.1 Is there adequate public infrastructure for the planning proposal?

The site is located in an existing urban area and has access to a range of existing services, including electricity, gas, water, sewer, telephone and internet. Further investigations will be undertaken at DA stage to determine whether any existing services need to be upgraded.

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

The views of State and Commonwealth public authorities have not been sought at this point in time and will be sought in accordance with any requirements of the Gateway Determination.

### 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 *PLEP 2011* which illustrate the current controls applying to the site.

### Zoning

Figure 13 below illustrates the existing R2 Low Density Residential zone over the site.

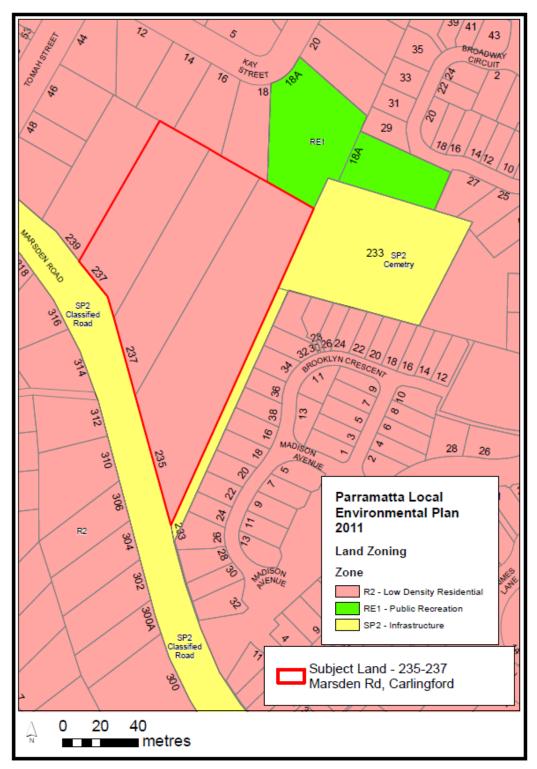


Figure 2 - Existing zoning extracted from the PLEP 2011 Land Zoning Map

### **Height of Buildings**

Figure 14 below illustrates the existing 9 metre height limit applying to the site.

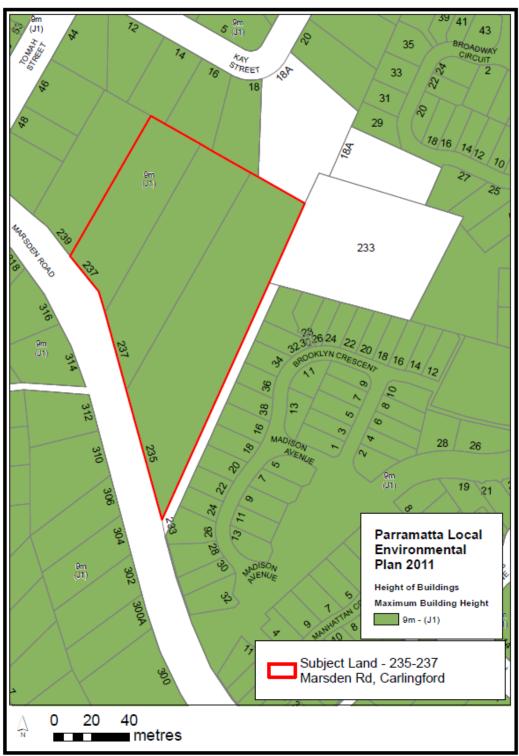


Figure 3 - Existing building height extracted from the PLEP 2011 Height of Buildings Map

### Floor Space Ratio

Figure 15 below illustrates the existing FSR of 0.5:1 over the site.

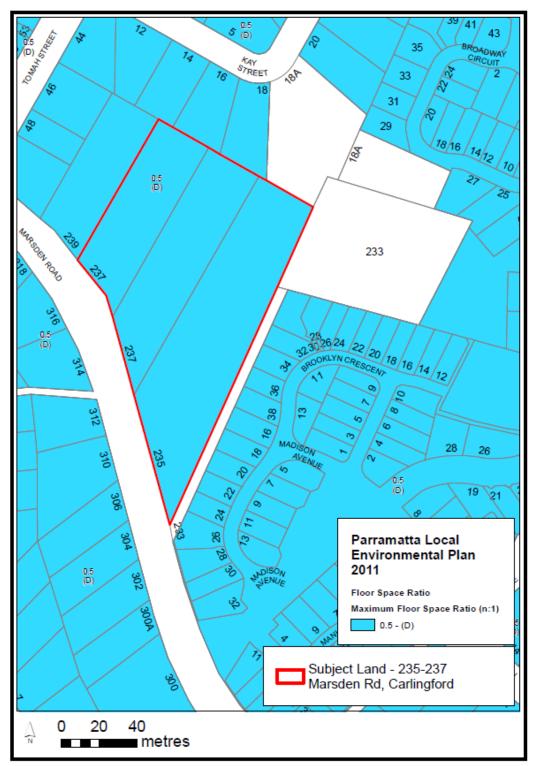


Figure 4 - Existing floor space ratio extracted from the PLEP 2011 Floor Space Ratio Map

### 4.2 **Proposed controls**

The figures in this section (Figures 16, 17 and 18) illustrate the proposed zoning, building height and floor space ratio controls sought by this planning proposal.

### Zoning

Figure 16 below illustrates proposed R3 Medium Density Residential zoning of the site.

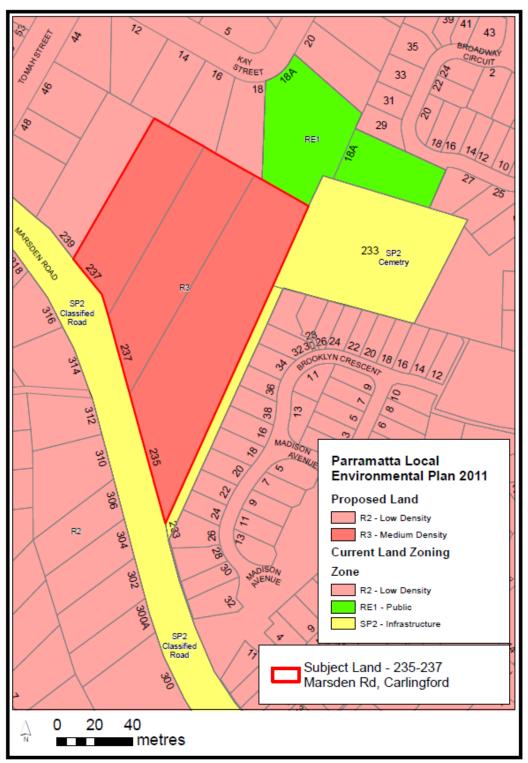
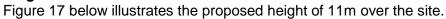


Figure 5 - Proposed amendment to the PLEP 2011 Zoning Map

### Height



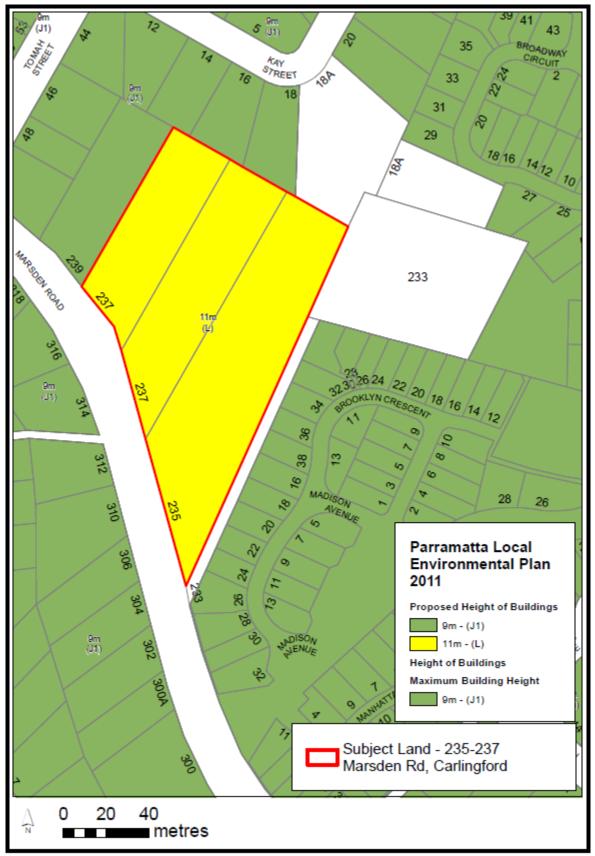


Figure 6 - Proposed amendment to the PLEP 2011 Floor Space Ratio Map

### Floor Space Ratio

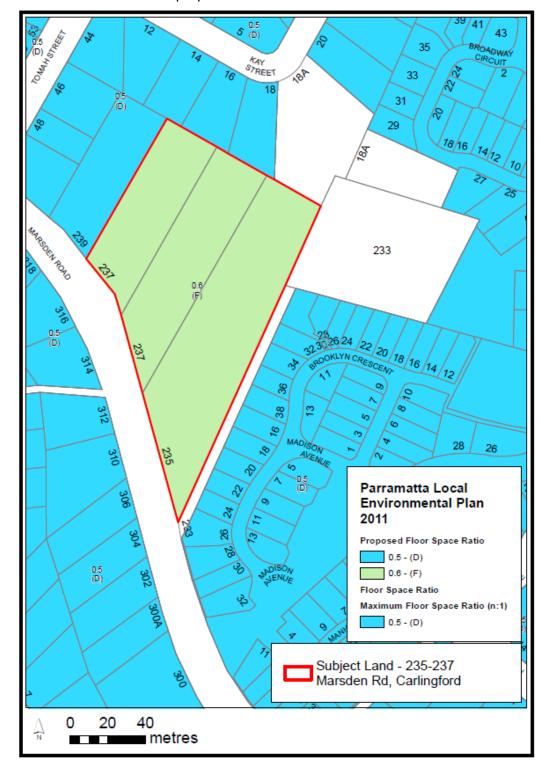


Figure 18 below illustrates the proposed FSR of 0.6 over the site.

Figure 7 - Proposed amendment to the PLEP 2011 Height of Buildings Map

### PART 5 – COMMUNITY CONSULTATION

The planning proposal (as revised to comply with the Gateway determination) is to be publicly available for community consultation.

Public exhibition is likely to include:

- newspaper advertisement;
- display on the Council's web-site; and
- written notification to adjoining 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.

Consistent with Section 3.34(8) of the EP&A Act 1979, where community consultation is required, an instrument cannot be made unless the community has been given an opportunity to make submissions and the submissions have been considered.

### 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.

The following steps are anticipated:

- Referral to Minister for review of Gateway determination July 2018
- Date of Gateway determination August 2018
- Commencement and completion dates for public exhibition period and government agency notification – October 2018
- Consideration of submissions November 2018
- Consideration of proposal post exhibition and reporting to Council February 2019
- Submission to the Department to finalise the LEP April 2019
- Notification of instrument May 2019

# Appendix 1 – Architectural Plans

Council Ref: D04595812

# Appendix 2 – Proponent's Planning Proposal Report

Council Ref: D04595575

# **Appendix 3 Arboriculture Impact Assessment**

Council Ref: D04595848



Prepared by City of Parramatta

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