

Planning Services

Gateway Determination Report

LGA	City of Parramatta
RPA	City of Parramatta
NAME	258-262 Pennant Hills Road and 17&20 Azile Court, Carlingford (95 dwellings)
NUMBER	PP_2017_COPAR_008_00
LEP TO BE AMENDED	Parramatta LEP 2011
ADDRESS	258-262 Pennant Hills Road and 17&20 Azile Court, Carlingford
DESCRIPTION	Lots 1 & 19 DP 221491 and Lots 1 & 3 DP 213263
RECEIVED	20 July 2017
FILE NO.	17/10036
QA NUMBER	qA415633
POLITICAL DONATIONS	There are no donations or gifts to disclose and a political donation disclosure is not required.
LOBBYIST CODE OF CONDUCT	There have been no meetings or communications with registered lobbyists with respect to this proposal.

INTRODUCTION

Description of Planning Proposal

The Planning Proposal seeks to rezone land from Part R2 Low Density to Part R4 High Density, increase height from 9m to 14-21m, increase FSR from 0.5:1 to 1.2-1.6:1 & map part of site as Natural Resources Biodiversity to reflect moderate value vegetation at 258-262 Pennant Hills Road and 17&20 Azile Court, Carlingford.

Site Description

The site has a total area of 9,274m² (owned by Sydney Property Development (SPD) and currently accommodates low density residential housing and is split by a Council lane way of 292m². The site is located on the southern side of Pennant Hills Road and has another frontage to a cul-de-sac at Azile Court as shown in Figure 1 below.



Figure 1 – Aerial view of site (outlined in red).

Surrounding Area

The surrounding area is generally characterised by one to two storey dwellings. The subject site is located within the Carlingford Block Study area (shown in Figure 2 below) – an investigation undertaken by Urbis in 2017 and commissioned by SPD and adjoining land owners Baptist Care (264-268 Pennant Hills Road) at the request of Council. The Baptist Care site accommodates an aged care facility that is vacant and no longer in use.

Note, the adjoining Baptist Care site (PGR_2016_COPAR_002_00) received a Gateway Determination 12/09/2016 and will be exhibited together with the subject planning proposal (after receiving Gateway Determination - Attachment C).

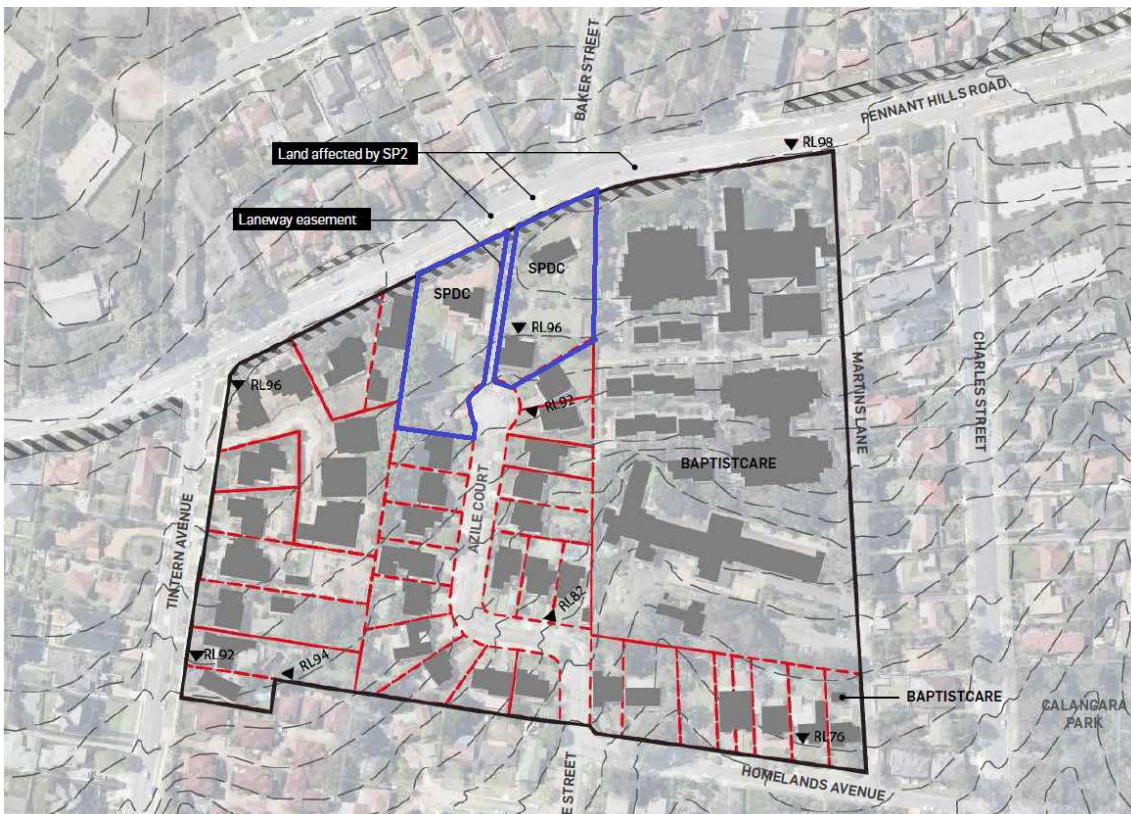


Figure 2 – Location of subject site (outlined in blue) in Carlingford Block Study area.

Summary of Recommendation

It is recommended that the Planning Proposal proceed with conditions given that it will provide for appropriate residential development and is informed by the Carlingford Block Study.

PROPOSAL

Objectives or Intended Outcomes

The objective of this Planning Proposal is to allow for the redevelopment of the site for higher density residential development in a manner that does not result in adverse impacts on the natural and built environment. The Planning Proposal also seeks to achieve biodiversity protection. To achieve this outcome, the provisions of PLEP 2011 as they currently apply will need to be amended. This Planning Proposal seeks to amend the land use zoning, building height and floor space controls.

In addition, a concurrent amendment to the Parramatta Development Control Plan 2011 (DCP) is also proposed. This amendment will provide more detailed development controls for the site. Council are also discussing a potential Voluntary Planning Agreement with the proponent.

Explanation of Provisions

This Planning Proposal seeks to amend PLEP 2011 in relation to the zoning, height and floor space ratio controls as detailed below in Table 1 and Figures 3-5 below:

Control	Current	Planning Proposal	Required LEP Amendment
Zoning	<ul style="list-style-type: none">• Part R2 Low Density Residential• Part SP2 Infrastructure (Classified Road)	<ul style="list-style-type: none">• Part R4 High Density Residential• Part SP2 Infrastructure (Classified Road)	Amend Map Sheet LZN_013
Height	9 metres	<ul style="list-style-type: none">• Part 21m• Part 14m	Amend Map Sheet HOB_013
FSR	0.5:1	<ul style="list-style-type: none">• Part 1.6:1• Part 1.2:1	Amend Map Sheet FSR_013
Natural Resources Biodiversity	N/A	To map part of site as Natural Resources- Biodiversity to reflect existing moderate value vegetation on the site.	Natural Resources - Biodiversity Map

Table 1 – Summary requested amendments to Parramatta LEP 2011



Figure 3 – Current Planning Controls (Carlingford Block Study area outlined)



Figure 4 - Proposed Planning Controls of Carlingford Block Study Area (subject sites outlined in red)



Figure 5 – Proposed amendment to PLEP 2011 Natural Resources Biodiversity Map (subject sites outlined in red).

Mapping

The maps are provided in Part 4 of the Planning Proposal. They are adequate for community consultation.

NEED FOR THE PLANNING PROPOSAL

The Planning Proposal was informed by the Carlingford Block Study investigation which was undertaken by Urbis in 2017 and commissioned by SPD and Baptist Care. The Study presents an urban design and planning analysis of the subject site and its context as well as potential design options for future redevelopment. A copy of the Carlingford Block Study is provided at Attachment A - Appendix 1.

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

STRATEGIC ASSESSMENT

Regional / District

A Plan for Growing Sydney

The Directions of A Plan for Growing Sydney which apply to the proposal are:

- Direction 1.2 Grow Greater Parramatta – Sydney’s Second CBD
- Direction 1.3 Establish a New Priority Growth Area – Greater Parramatta to the Olympic Peninsula
- Direction 2.1 Accelerate housing supply across Sydney
- Direction 2.2 Accelerate urban renewal across Sydney – providing homes closer to jobs

- Direction 2.3 Improve housing choice to suit different needs and lifestyles
- Direction 4.1 Protect our natural environment and biodiversity

The Planning Proposal generally aligns with these directions.

Draft Towards our Greater Sydney 2056

The Metropolitan Priorities of Towards our Greater Sydney 2056 (a draft amendment to A Plan for Growing Sydney) which apply to the proposal are:

- Metropolitan priority: A growing city
- Metropolitan priority: A city with smart jobs
- Metropolitan priority: A 30-minute city
- Accelerate housing opportunities
- Metropolitan priority: An equitable, polycentric city
- Metropolitan priority: A city of housing choice and diversity
- Metropolitan priority: A collaborative city
- Metropolitan priority: A city in its landscape

The Planning Proposal generally aligns with these priorities.

Draft West Central District Plan

The actions of the Draft West Central District Plan which are applicable to the Planning Proposal are:

- Action P1: Collaborate to create, own and deliver GPOP.
- Action L2: Identify the opportunities to create the capacity to deliver 20-year strategic housing supply targets.
- Action L3: Councils to increase housing capacity across the District.
- Action L6: Support councils to achieve additional affordable housing.
- Action L11: Provide design-led planning to support high-quality urban design.
- Action L12: Develop guidelines for safe and healthy built environments.
- Action S4: Update information on areas of high environmental value.
- Action S5: Use funding programs to deliver the West Central District Green Grid Priorities.

The proposal is consistent with these actions in that the rezoning would facilitate significant additional housing capacity with the District.

Greater Parramatta and the Olympic Peninsula (GPOP) Vision

GPOP has been identified as a new priority growth area in A Plan for Growing Sydney.

The proposal is consistent with the following relevant directions in the GPOP Vision:

- Design Parramatta as our central '30-minute city', with good connectivity within GPOP and beyond to the north, south, east and west.
- Deliver a rich mix of housing to create inclusive and diverse 'inner-city' liveability across GPOP, to attract and retain talent.
- Shape attractive and effective built environments and public spaces that reflect a focus on great urban design and environmental excellence.

Parramatta Light Rail

In order to accommodate the rapid growth of the GPOP region, a vision to deliver an integrated light rail service has been proposed within walking distance of the Carlingford Block Study area. The subject site is situated within ten minutes walking distance to two

future light rail stops at Telopea and Carlingford Station. An increase in density on the site and in the wider Block Study area will provide more housing close to transport and services.

Local

Parramatta 2038 Community Strategic Plan

The Planning Proposal is considered to meet the strategies and key objectives identified in the Plan including:

- Economy: Parramatta's economic growth will help build the City as a centre of high, value-adding employment and the driving force behind the generation of new wealth for Western Sydney.
- Environment: Parramatta will be an eco-efficient city that effectively manages and uses the City's growth to improve and protect the environment.

Draft Carlingford Block Study

The Planning Proposal is consistent with the recommendations of the Draft Carlingford Block Study as discussed in this report.

Section 117(2) Ministerial Directions

The Planning Proposal is consistent with all S117 Directions.

State Environmental Planning Policies

- The Planning Proposal is consistent with the following relevant SEPPs:
- SEPP 55 – Remediation of Land.
- SEPP 65 – Design of Quality of Residential Flat Development.
- SEPP (BASIX) 2004.
- SEPP (Exempt and Complying Development Codes) 2008.
- SEPP (Housing for Seniors or People with a Disability).
- SEPP (Infrastructure) 2007.
- Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005 (now a Deemed SEPP).

SITE SPECIFIC ASSESSMENT

Social

The Planning Proposal will allow for the site to be developed for higher density residential development which will add to the supply of housing available in a location accessible to a range of public transport services. Based on the average size of households living in higher density apartments in the Parramatta LGA (2.3 persons per dwelling), the planning proposal will result in a population of 218 persons on the subject site.

The subject site and Block Study area are located within walking distance of the following schools:

- Carlingford West Primary School,
- Cumberland High School, and
- James Ruse Agricultural High School.

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 close 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.

Further, a new public park is recommended as part of the Draft Carlingford Block Study. This new park is to be provided through a Section 94 Plan or VPA and is considered necessary to service the future resident population of the area.

Environmental

Ecology

An Ecological Constraints Analysis (Attachment A – Appendix 4) has identified areas of moderate value vegetation on part of the subject site as shown in Figure 6 below. These areas consist of mature vegetation containing tree hollows, or large trees potentially containing hollows. The constraints placed on land identified as 'Moderate' would likely require offsetting in the form of replanting and/or the installation of nest boxes to ensure suitable habitat features (i.e. hollows) remain within the area.

Council recommended that the moderate value vegetation present on part of the subject site (258 Pennant Hills Rd and 20 Azile Court) be mapped and included in the 'Natural Resources - Biodiversity' Map in the Parramatta LEP 2011. It is considered that, subject to the Council's recommendation being implemented as part of this Planning Proposal, there is no ecological impediments to the Planning Proposal proceeding.

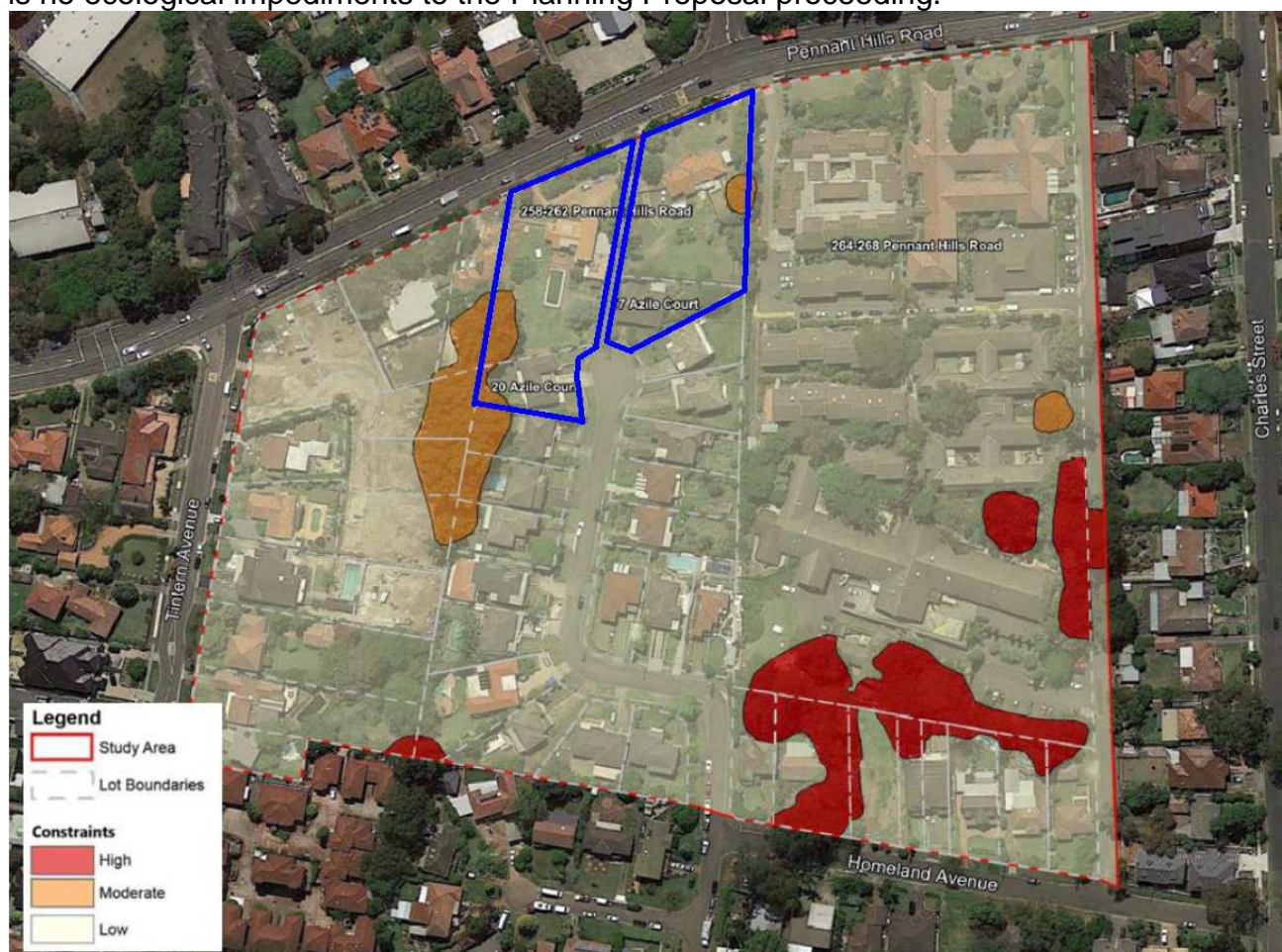


Figure 6 – Areas of moderate and high value vegetation (subject site outlined in blue).

Traffic, Access and Transport

The subject site is well serviced by public transport and is located approximately 800 metres (10 minutes' walk) from Carlingford and Telopea train stations and bus stops with regular services along Pennant Hills Road. Both stations are on the Carlingford line which offers connectivity to Clyde and on to the wider rail network. The Carlingford train service is proposed to cease when the Parramatta Light Rail replaces heavy rail between Camellia

and Carlingford. The light rail will provide more regular services and connect the subject site with the Parramatta CBD and Westmead.

The Planning Proposal is supported by a Traffic and Parking Assessment Report (Attachment 1 - Appendix 2) and an updated traffic report which was undertaken for the wider block study area (Attachment 1 – Appendix 3), which takes into consideration comments raised by Council officers and NSW Roads and Maritime Services (RMS). The wider block study area traffic report identifies the need for intersection upgrades, provision of a new street in the block study area and public domain upgrades to service the future redevelopment of the block precinct. The provision of new internal public roads as recommended above would be delivered (in part) across a portion of those sites shown below in Figure 7, with the remaining land to be dedicated by the applicant for this Planning Proposal and the applicant for the Planning Proposal at 264-268 Pennant Hills Rd, Carlingford (shown as SP2 Road Widening along Pennant Hills Road below). Delivery of traffic lights at the intersection of Pennant Hills Road, Baker Street and any new internal north-south road would also be required. It is expected that the delivery of the roads/intersection would be in part via voluntary planning agreements with the planning proposal applicants, and possibly in part via a future Section 94 contribution plan.



Figure 7 – Draft Public Domain Plan and Intersection Design for Carlingford Block Precinct (subject site outlined in red).

It is recommended that the proponent continues to liaise with the RMS, Council, and the adjoining landowner at 264-268 Pennant Hills Road in relation to the proposed traffic management improvements. It is also recommended that the Carlingford Block Study Traffic Report (Attachment 1 – Appendix 3) be amended to reflect the revised planning proposals and any comments from RMS.

Urban Design

The Planning Proposal for the subject site will result in several residential apartment buildings ranging from 4-6 storeys. This will result in a dwelling yield of approximately 95 apartments and the built form outcomes for the subject site has been developed in consultation with Council as part of the Block Study. The proposed built form enables the ability to achieve good urban design and design quality outcomes and is capable of complying with SEPP 65 Design Quality of Residential Flat Development.

The proponent was originally seeking an FSR of 1.8:1 for the western part of the subject site. However, analysis by Council demonstrated that a 4-storey building, consistent with the Draft Block Study could be achieved on the site with an FSR of 1.2:1 or less and that the proposed FSR of 1.8:1 was not supported. Further, as Council recommend a minimum 10m setback from the western boundary is required to minimise likely direct impacts (i.e. canopy pruning) and indirect impacts (i.e. conflict between residents and fauna) on the identified 'moderate value' vegetation which provides habitat for threatened fauna species. Council have liaised with the proponent on the reduction of the proposed FSR for the site and agree for the Planning Proposal to proceed.

Overshadowing and Privacy

The extent of overshadowing from the buildings detailed in the Carlingford Block Study on June 21 (winter solstice) is shown below in Figure 8. Communal open space areas within the Block Study Precinct maintain solar access between 10 am and 1pm for most sites.

The impact of shadows and solar access to residential units will be assessed in detail as the design for residential buildings is further developed at DA stage.



Figure 8 – Overshadowing on 21 June at 9am, 12pm and 3pm for Carlingford Block Study Area.

Economic

There are no significant economic impacts of the proposal.

CONSULTATION

Community

A community consultation period of 28 days is considered an appropriate amount of time to gauge the response by the community.

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

Agencies

Consultation is required with the following public authorities under section 56(2)(d) of the Act:

- Office of Environment and Heritage
- Department of Education and Communities

- Transport for NSW – Sydney Trains
- Transport for NSW - Roads and Maritime Services
- Telstra
- Sydney Water
- Endeavour Energy
- The Hills Shire Council

Note, this is consistent with the consultation requirements of the Gateway Determination issued for the adjoining Baptist Care Site Planning Proposal at 264-268 Pennant Hills Road, Carlingford (PP_2016_COPAR_002_00 issued 12 September 2016).

Each public authority will be provided with a copy of the planning proposal and any relevant supporting material, and given at least 21 days to comment on the proposal.

TIMEFRAME

The timeframe to finalise this Planning Proposal is 18 months, which is considered appropriate.

DELEGATION

Council has requested delegation of the plan making function in relation to this planning proposal and it is recommended that delegation of the Greater Sydney Commission be issued in the instance.

CONCLUSION

It is recommended that the Planning Proposal proceed with conditions given that it will provide for appropriate residential development and is informed by the Carlingford Block Study.

RECOMMENDATION

It is recommended that the delegate of the Greater Sydney Commission, determine that the planning proposal should proceed subject to the following conditions:

1. Prior to community consultation, Council is to update the Block Study Transport Report to reflect any additional comments received from Roads and Maritime Services.
2. Community consultation is required under Sections 56(2)(c) and 57 of the EP&A Act as follows:
 - (a) the planning proposal must be made publicly available for a minimum of **28 days**; and
 - (b) the relevant planning authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in

Section 5.5.2 of *A guide to preparing local environmental plans* (Department of Planning and Environment 2016).

3. Consultation is required with the following public authorities and / organisations under Section 56(2)(d) of the Act and/or to comply with the requirements of relevant Section 117 Directions:

- NSW Family and Community Services
- Transport for NSW – Sydney Trains
- Transport for NSW - Roads and Maritime Services
- Sydney Water
- Endeavour Energy
- The Hills Shire Council

Each public authority/organisation is to be provided with a copy of the Planning Proposal and any relevant supporting material, and given at least 21 days to comment on the proposal.

4. A public hearing is not required to be held into the matter by any person or body under Section 56(2)(e) of the Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).
5. The timeframe for completing the LEP is to be 18 months from the date of the Gateway determination.
6. Given the nature of the planning proposal, Council should be authorised to exercise delegation to make this plan.



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