

PLANNING PROPOSAL

TO REZONE PART OF
FORMER MOXHAM
QUARRY SITE at
166A Windsor Rd,
Northmead



Document Information

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PART 1 Background

1.1 Introduction

This report forms a *Planning Proposal* for the reuse of part of a disused commercial quarry owned by the Department of Trade & Investment for residential purposes (residential flat development). The Site, known as No. 166A Windsor Road, Northmead and is legally described as Lots 939 & 940 in DP 1176567P. It is located in Northmead, at the rear of No.166 Windsor Road (Lot 366 DP 752058), which contains the Northmead Bowling, Recreation and Sporting Club.

The Proposal seeks consent to rezone part of the Subject site R4 *High Density Residential* under the Parramatta Local Environmental Plan 2011 and also amend the LEP Floor Space Ratio and Building Heights Maps.

This report has been prepared by Cardno on behalf of LHJ Pty Limited who are acting on behalf of the State of New South Wales, owners of the subject land.

This planning proposal has been drafted in accordance with Section 55 of the Environmental Planning and Assessment Act 1979 (EP&A Act) and is structured in accordance with the document, A Guide to Preparing Planning Proposals, NSW Department of Planning & Infrastructure (2012).

The Proposal will result in the following benefits for the State and Regional:

- > additional dwellings, improved housing choice and affordability in a highly sought after, accessible area of Sydney in close proximity to the Parramatta Regional Centre;
- > contribution to the fulfilment of the housing targets established in the Regional and sub- Regional Strategies;
- > appropriate reuse of this currently disused government land by private industry which will provide funds to carry out additional government programs for the wider community;

The proposed rezoning would also provide the opportunity to positively contribute to the local environment by:

- > enabling the installation of significantly improved stormwater management,
- > the removal of substantial areas of weeds currently on the Site,
- > enabling residential between two existing residential areas to replace an unsafe, weed infested 'wasteland', and
- > enabling the rehabilitation of the bushland portions of the site in support of the ecological sustainability of the bushland to the rear of the site, consistent with the objectives of the Quarry Branch Creek Maintenance and Rehabilitation Master Plan.

At its meeting on 25 February 2013 Parramatta City Council resolved not to support the application for rezoning.

On 26 November 2013 the Sydney West Joint Regional Planning Panel (JRPP) recommended that the application proceed to Gateway determination.

On 7 March 2014 the Hon Brad Hazzard, Minister for Planning & Infrastructure, appointed the Sydney West Joint Regional Planning Panel (JRPP) as the alternate Relevant Planning Authority (RPA) for the Application.

1.2 Proposal History

On behalf of the State of New South Wales the Proponent has spent approximately 9 years seeking working with Council to obtain their support for the rezoning and reuse of the Site as proposed. During that time Council planners initially indicated that Council would support a Planning Proposal to rezone and only later (some years) indicated they would not.

Accordingly, on 9 April 2013 the Proponent submitted an Application to the Department of Planning & Infrastructure, for a Gateway Review on the basis that Council was not prepared to support the rezoning. After their review of the details of the Proposal, the Department forwarded the Application to Council, extending them another opportunity to prepare and submit a Planning Proposal as the Relevant Planning Authority (RPA) to which on 25 February 2013 they declined.

1.3 Property Description and Zoning

The Site is known as No.166A Windsor Road, Northmead and legally described as Lots 939 & 940 in DP 1176567 on Windsor Road, in Northmead. It is located to the rear of No.166 Windsor Road, the Northmead Bowling Club, Recreation and Sporting Club in Northmead. The Site has a total area of 16,361sqm, made up of Lot 939 (14,390sqm) and Lot 940 (1,971sqm).

The site contains the disused Moxham Quarry and some adjoining bushlands. Since quarrying operations ceased on the site somewhere around 1914 the site has been unused for many years. It is now fenced, in an overgrown state, a hazard and unusable in its current condition being waterlogged and weed infested. There are currently no buildings on the site. The cut and excavated section of the quarry is currently enclosed by a high, steel framed and mesh fence.

The majority of the subject site is zoned E3 Environmental Management under the recently gazetted Parramatta Local Environmental Plan 2011 (LEP2011), which permits dwellings on the site but not residential apartments. The access way that forms part of the site is zoned part E3 Environmental Management and Part RE2 Private Recreation, the same as the adjacent Northmead Bowling Club at No. 166 Windsor Road. Adjacent to the Windsor Road and the Bowling Club is a strip of land identified as Transport Reservation for road widening of Windsor Road. Moxham Quarry is not covered by any instruments under the NSW Heritage Act (1977) and is not classified by the National Trust of Australia (NSW). The property is not listed as a heritage item in the Parramatta Local Environmental Plan 1996 (Heritage and Conservation).

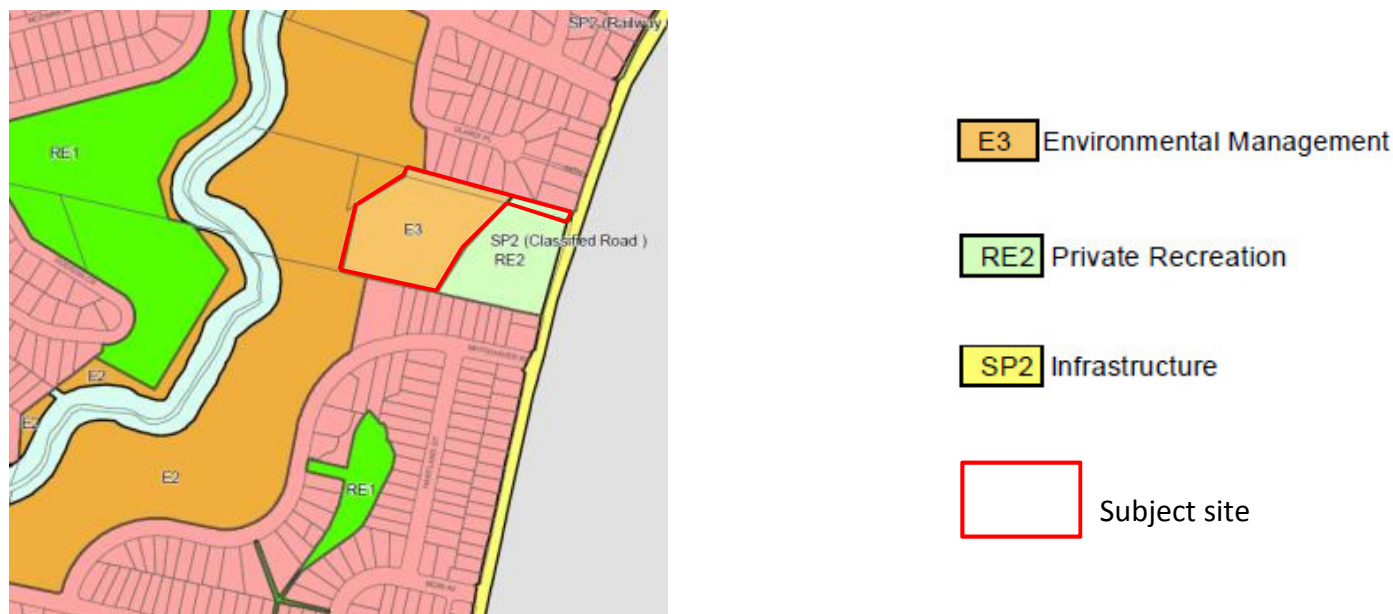
CURRENT LEP2 MAPS

Figure 1 Parramatta Local Environmental Plan 2011 Zoning Map extract *Source: Council website*



Figure 2 Parramatta Local Environmental Plan 2011 FSR Map extract (0.5:1 max)

Source: Council website



Figure 3 Parramatta Local Environmental Plan 2011 Building Height Map extract (9m)

Source: Council website

The eastern edge of the site is approximately level with the Northmead Bowling Club and then drops steeply down into the disused quarry. It rises again towards the adjacent bushland and Scouts Hall land at the rear. Cardno road design engineers have carried an initial review of the topography of the Site provided in the detailed survey commissioned by the Proponent. They conclude that in their opinion, vehicular access to the Site for both construction and permanent operation via the existing access way is achievable and can meet all relevant standards and controls for the type of development contemplated on the site.



Figure 4 The site - Lots 939 & 940 in DP 1176567



Figure 5 Site Aerial
Source: Nearmap.com



Figure 6 Base of quarry containing numerous non-native weeds



Figure 7 Site currently a danger and has been fenced off, with no useful purpose

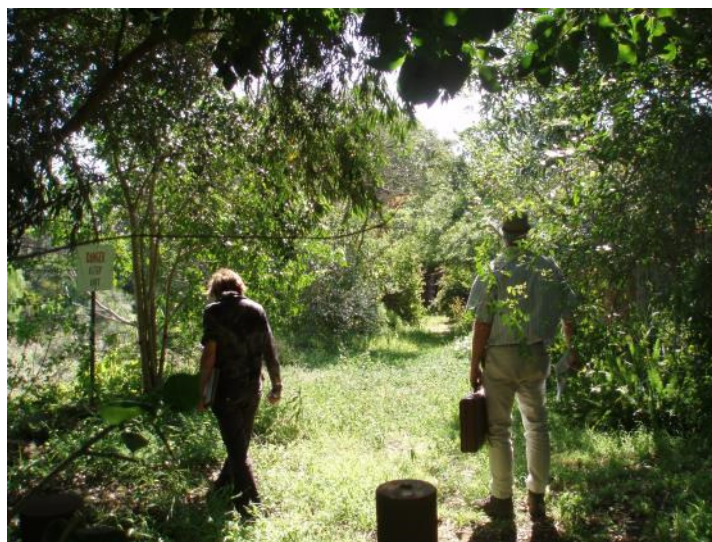


Figure 8 Disused overgrown access way section of the Site

1.4 Strategic Context

The subject site is located in the City of Parramatta local government area (LGA). Parramatta City is Australia's sixth largest CBD and is the economic capital of Western Sydney, as identified in the Sydney Metropolitan Strategy. Parramatta is accessible by road, rail and ferry. It has a growing population, low unemployment and a large skilled labour force.

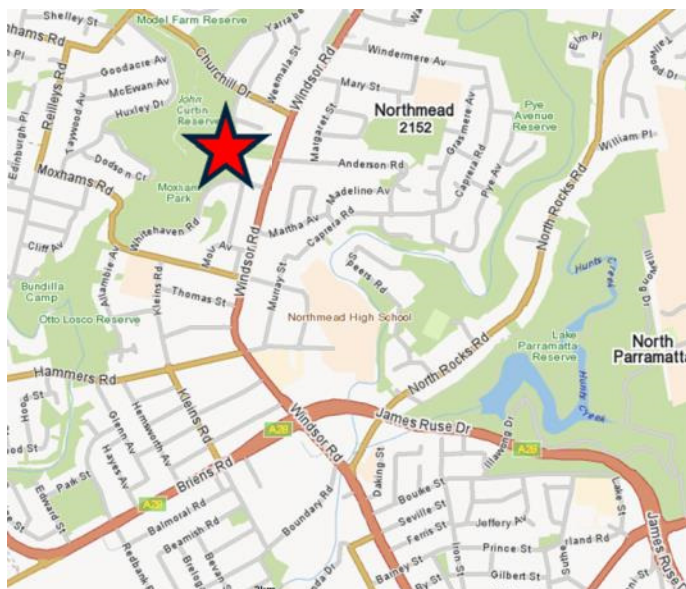


Figure 9 Local Context

Source: whereis.com.au



Figure 10 Regional Context

Source: whereis.com.au

The subject site is located within 2 kilometres of the Parramatta CBD and enjoys excellent access to a number of Sydney's major Regional arteries – the M2, M4, M6 and Windsor Road itself is a major Regional road linking Parramatta to the northern districts.

Parramatta LGA is experiencing growth across a number industry sectors including finance & insurance, medical health services, retail and professional services.

A further 30,000 additional jobs are forecast for the Parramatta over the next 20 years and the population is steadily increasing with an expected demographic of 190,000 by 2026. This clearly impacts directly on to the demand for residential dwellings in the area.

The suburb of Northmead is an attractive elevated dormitory suburb abutting and overlooking the Parramatta City Centre. The site is located on a Windsor Road a major Regional artery.

1.5 Pedestrian access to services and facilities

The subject site is situated within easy walking distance of a range of services and community facilities, in particular the following:

- > The Northmead Bowling, Recreation and Sporting Club,
- > The Northmead Scouts Hall,
- > Woolworth supermarket located on the corner of Campbell Street and Windsor Road approx. 800m from the site,
- > petrol service station directly opposite the Northmead Bowling Club on Windsor Road,
- > petrol service station in Windermere Road, approx. 600m from the site,
- > The Hills School, in William Street which is approx. 600m from the site,
- > Northmead Primary School, Kleins Road which is approx. 500m from the site,
- > Church in Yarrabee Road which is approx. 700m from the site.
- > playground in Lodore Place, Northmead which is approx. 500m from the site,
- > playground in Whitehaven Road, Northmead which is approx. 300m from the site,
- > playground in Madeline Avenue, Northmead which is approx. 500m from the site,
- > playground in Watson Place, Northmead which is approx. 600m from the site,
- > playground in Huxley Drive, Winston Hills which is approx. 600m from the site,
- > playground in Pye Avenue, Northmead which is approx. 800m from the site,
- > playground in Yarrabee Road, Baulkham Hills which is approx. 700m from the site,
- > Moxham Park and Charles Herbert Reserve, both in Whitehaven Road which is approx. 300m from the site,
- > Northmead Reserve, Anderson Road which is 400m from the site,
- > John Curtin Reserve, Huxley Drive, Winston Hills which is approx. 500m from the site,
- > Model Farms Siding Reserve, Folini Avenue, Baulkham Hills which is approx. 500m from the site, and
- > Model Farms Reserve, Churchill Drive, Baulkham Hills which is approx. 600m from the site.

1.6 Immediate Context

The site is situated off Windsor Road which is a major arterial road into Parramatta town centre. This location provides excellent sub regional linkages into the local town centre and the City of Sydney.

Widening of Windsor Road by the RMS has recently been undertaken in the vicinity of the site and is planned to continue up Windsor Road and it now contains a dedicated bus transit lane.

The Northmead Bowling Club immediately adjoins the subject site to the east and fronts Windsor Road. This is a well utilised recreational and sporting facility in the local community. The facility comprises three bowling greens and associated club facilities which are used by a number of community groups for various activities as well as by the bowling club members.

To the north and south of the site is the rear of low density residential properties which take access from Ulandi and Whitehaven Roads. To the west of the site is natural bushland, which is part of the Moxham Creek Reserve. Also to the southwest is the Scout Hall adjacent to the Reserve.

The subject site therefore presents a good opportunity to provide a connective residential element resulting in a more cohesive, connected neighbourhood, linking the existing residential areas.



Figure 11 Immediate Context

Source: nearmap.com.au



Figure 12 Northmead Bowling Club



Figure 13 Bowling Greens to adjacent to east



Figure 14 View from access laneway to the north
Note: existing dwellings are obscured from the subject site by existing vegetation, topography and orientation of buildings



Figure 15 Whitehaven Road adjacent one and two storey dwellings close to road frontage



Figure 16 Ulandi Place adjacent one and two storey dwellings close to road frontage



Figure 17 Scout Hall adjacent to southwest

1.7 Proponent Details

The Proponent is LHJ Pty Limited on behalf of The State of New South Wales, the land owners.

1.8 Land Owner

The State of New South Wales is the owner of the subject lands. Their consent to the lodgement of this Planning Proposal accompanied the original application to Council.

PART 2 Objectives & Outcome

The proposal seeks to rezone the land to enable the disused former quarry, owned by the Crown, to be reused for multi dwelling housing, residential flat development, passive open space and bush regeneration.

The overall vision of the project is to provide a sustainable residential development that:

- > Provides greater housing choice in an existing residential area located on a bus transit route close to the Parramatta CBD in support of State government metropolitan planning strategies,
- > Respects and complements the surrounding residential and community uses, built forms and sensitive bushland areas,
- > Provides leadership in the application of sustainable development principles,
- > Facilitates a more cohesive, connected neighbourhood, linking residential areas with the Bowling Club as a community hub or focal point,
- > Rehabilitates and protects bushland areas to be retained on the site, and
- > Reduces the quantity, and improves the quality of stormwater entering the adjacent bushland areas to the west of the site.

The Proposal seeks to rezone part of the land known as the Former Moxham Quarry at Northmead to R4 *High Density Residential* to enable reuse of this surplus State owned land. The remainder of the Site is proposed to remain E3 *Environmental Management*.

The Project also seeks to establish a maximum FSR on the area of the site proposed be rezoned R4 *High Density Residential* to 1.1:1. This is significantly less than other R4 zoned lands in nearby Westmead which are 1.7:1.

The Proposal also seeks to establish a range of maximum height limits, based on RL's, across the area of the site proposed to be rezoned R4 *High Density Residential*. As illustrated in the submitted Indicative Concept Plan, due to the significant fall of the land into the former quarry from the boundaries of the area of the site to be affected by these height limits this will only result in a possible building height above the level of the adjacent Bowling greens of approximately 8.5 metres.

PART 3 Explanation of Provisions

3.1 Amendments to the LEP

It is proposed to amend the Parramatta LEP 2011 as set out below:

1. Amend the LEP 2011 Land Zoning Map - Sheet LZN_003 by adjusting the zone boundary of the E3 *Environmental Management* and inserting a new area of 8,411sqm of R4 *High Density Residential* zone in the area of the subject site closest to the Bowling Club land (Lot 366 DP 752058), as illustrated on Figure 18;
2. The LEP 2011 Floor Space Ratio Map - Sheet FSR_003 be amended to permit a maximum FSR of 1.1:1 on the area of the Lots 939 and 940 in DP 1176567 proposed to be rezoned R4 as illustrated on Figure 19.
3. The LEP 2011 Height of Buildings Map - Sheet HOB_003 be amended to permit a range of maximum building heights based on maximum RL's across the area ranging from RL 66.35 to 60.35 on the area of Lot 939 in DP 1176567P proposed to be rezoned R4, as illustrated on Figure 20. This will ensure the development does not protrude more than 8.5 metres above the level of the adjacent bowling green.

This will require alteration of the relevant LEP 2011 zoning, height and floorspace ratio maps as they control development on the area of the subject site proposed to be rezoned R4 as follows:

4. The LEP 2011 Land Zoning Map - Sheet LZN_003 be amended by removing part of the indicated extent of land coloured and zoned E3 *Environmental Management* and by replacing it with the colour indicating the R4 *High Density Residential* zone;
5. The LEP 2011 Height of Buildings Map - Sheet HOB_003 be amended to permit a range of maximum building heights based on RL's in three bands across the site ranging from RL 66.35 to 60.35 on the area of Lot 939 in DP 1176567P proposed to be rezoned R4.
6. The LEP 2011 Floor Space Ratio Map - Sheet FSR_003 be amended to permit a maximum FSR of 1.1:1 on the area of the Site to be rezoned R4. The total land area proposed to be rezoned to R4 is 8,411sqm of the total Site area of 16,361sqm (or 51.4% of the Site), with the remainder, 7,950sqm to stay zoned E3.

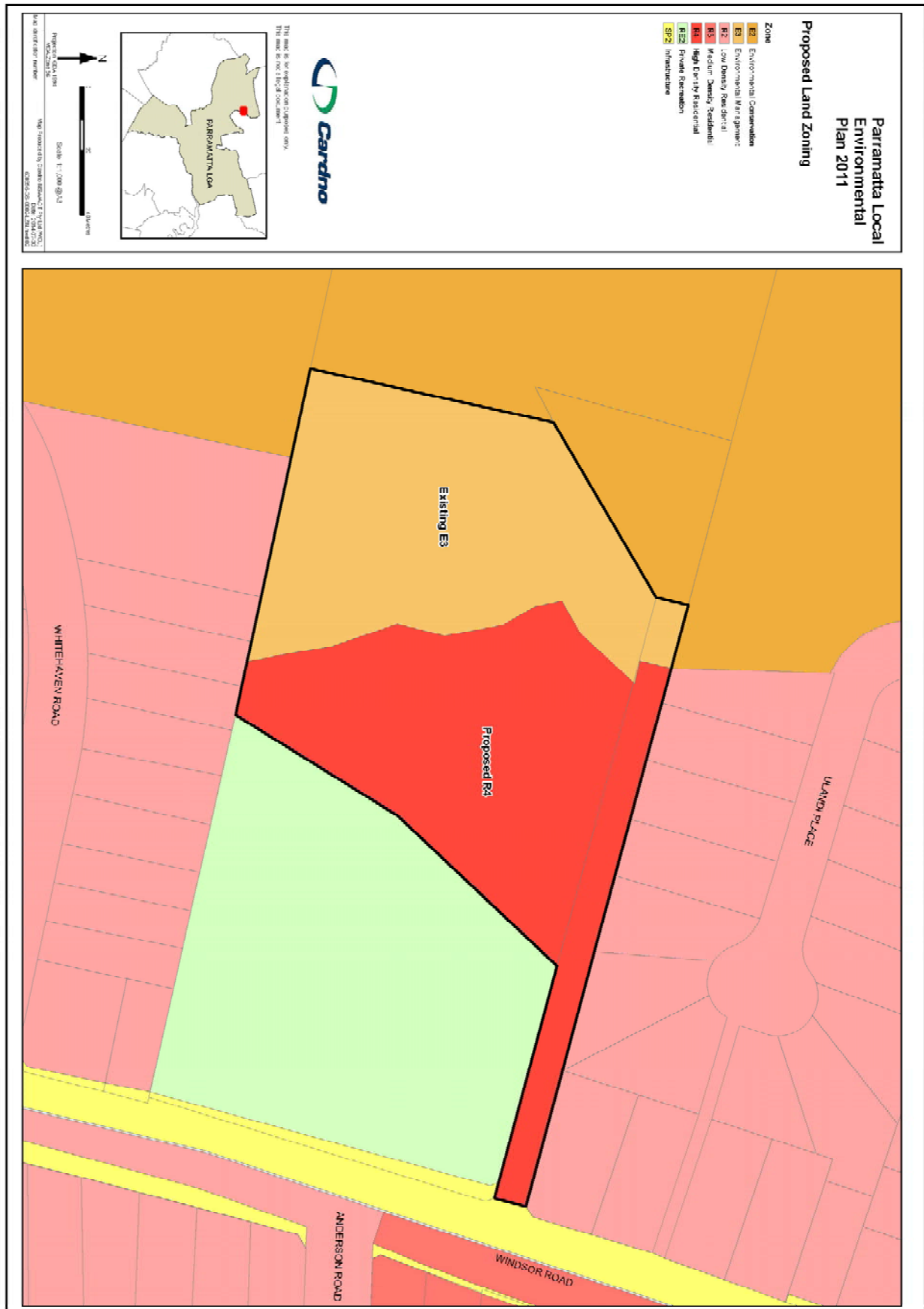


Figure 18 Proposed Amendment to Parramatta Local Environment Plan 2011 Land Zoning Map-Sheet LZN_003

Source: Cardno

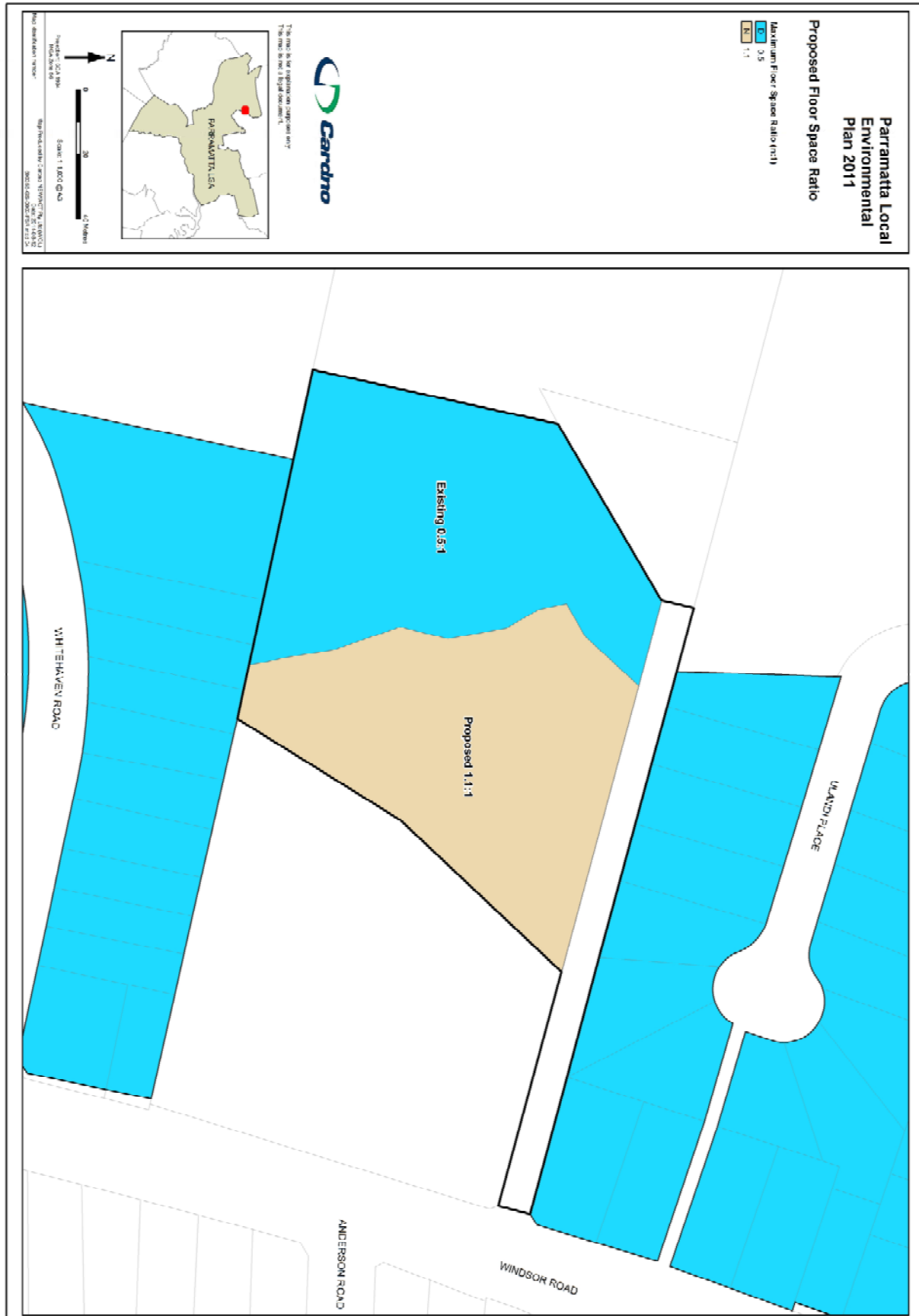


Figure 19 Proposed Amendment to Parramatta Local Environment Plan 2011 Floor Space Ratio Map- Sheet FSR_003

Source: Cardno

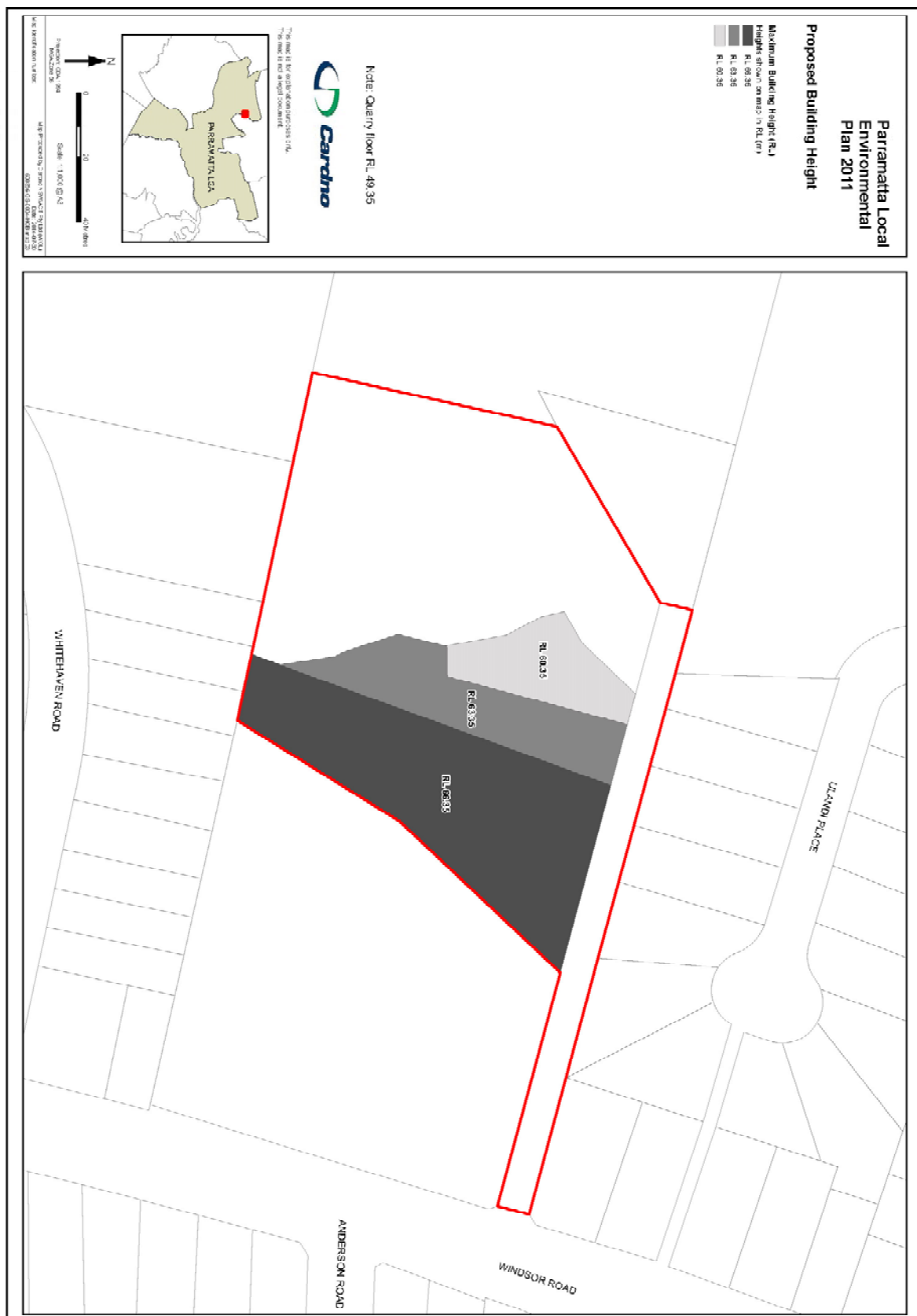


Figure 20 Proposed Amendment to Parramatta Local Environment Plan 2011 Height of Buildings Map-Sheet HOB_003
 Source: Cardno

3.2 Proposed Conservation Agreement

The Land Owner agrees that once part of the site is rezoned R4 to permit redevelopment for residential purposes, it is important to ensure the protection of the bushland on the area of the site proposed to remain zoned E3 Environmental Management and in the adjacent Moxham Reserve. It is also important once rezoned that all Registered Proprietors of the site (in perpetuity) who are carrying out development for the purposes of residential development of the land, including multi dwelling housing, seniors housing and, or residential flat buildings be responsible for ensuring the sustainable, best practice management of overland flow and stormwater management practices, including 'On Site Detention and Rainwater Re-Use Systems' to protect the hydrology of the adjacent bushland.

Accordingly, it is proposed that the land owner enter into a Conservation Agreement with the New South Wales Minister for the Environment. This agreement will be triggered by the rezoning of part of the land to R4 High Density Residential. That Agreement will confer obligations on any new land owners to accept the agreement which will be attached to the Title of the land.

That agreement will apply to both Lots 939 & 940 in Deposited Plan 1176567P and be registered on the Title of both Lots and will be triggered on the rezoning of part of these Lots to R4. On rezoning, the Agreement will bind the owners of the land and include words to the effect that:

(1) All Registered Proprietors of any residential development, including multi dwelling housing, seniors housing and, or residential flat buildings on the land are to be responsible for the management and maintenance of the environmental protection areas on the site located in the area of the site zoned E3 Environmental Management as defined in set out in the Conservation Agreement. In this regard, the Conservation Agreement would include a Bushland Management Plan.

(2) All Registered Proprietors of development for the purposes of residential development, including multi dwelling housing, seniors housing and, or residential flat buildings on the land are to be responsible for ensuring the sustainable, best practice management of overland flow and stormwater management practices, including On Site Detention and Rainwater Re-Use Systems .

(3) All Registered Proprietors of development for the purposes of residential development, including multi dwelling housing, seniors housing and, or residential flat buildings on the land are to be responsible for ensuring the management of stormwater for the development is generally consistent with the Plan No. S13185 H02 P1, entitled Hydraulic Services – Stormwater Transfer and Holding Concept , dated July 2013, prepared by Floth Sustainable Building Consultants.

(4) All Registered Proprietors of development for the purposes of residential development, including multi dwelling housing, seniors housing and, or residential flat buildings on the land are to be responsible for ensuring:

- I. Upstream catchment is successfully collected, controlled and directed towards a retention feature to the west of the site.*
- II. The existing downstream condition is maintained in accordance with the Conservation Agreement, via the use of natural overland overflow, similar to the existing condition, while improving water quality by reducing gross pollutant levels and reducing the weed infestation of the Sydney Turpentine Ironbark Forest.*
- III. The downstream water quality is improved, via the detention feature to the west of the site, roof rainwater reclamation and on-site detention gross pollutant control. The detention feature is to provide increased water quality through settlement. Rainwater reclamation is to be included in the design to improve water quality overflow, via filtration and sedimentation control. A two stage rainwater filtration system that*

discharges back into the landscaping via watering (irrigation system) is also required. The system is to be design to ensure this water will re- enter the underground water system and feed into the STIF.

- IV. *An on-site detention feature is provided to detain water for a short period of time, after gross pollutants are removed from the stormwater in gross pollutant traps.*
- V. *No grey water is discharged to the retention feature or enter the water system.*

3.3 Supporting Indicative Development Concept Plan

3.3.1 Vision for the site

The main vision for the site is for the development of 57 dwellings (refer to Annex 5 Indicative Development Concept Plan) demonstrates that a sustainable residential development can be achieved on the site for High Density Residential Development with minimal impact on the adjacent bushland that:

- > Respects and complements the surrounding residential and community uses and built forms,
- > Provides leadership in the application of sustainable development principles,
- > Appropriate links the two adjacent residential areas and the existing Bowling Club, Scout Hall and surrounding residential area.

The approach adopted has been one of facilitating a development which fully adopts the principles of sustainable development.

The Indicative Concept Plans which test the redevelopment of the site under the proposed development standards have been designed with sensitivity to the topography and bushland on the site and not protrude more than two and a half storeys above the ground level at the top of the quarry, with buildings generally confined to the eastern portion of the site within the existing excavated area of the disused quarry.

It demonstrates that substantial setbacks are possible from adjacent residences, the Bowling Greens and the bushland reserve to the rear. The mass of the building has been designed to complement the context with no more than two and a half residential storeys (9m) visible above the original natural ground level at the boundary with the Bowling Club.

The Indicative Development Concept Plan envisages retention of the existing vehicle access arrangement and with the future widening of Windsor Road the access movements will be restricted to left-turn IN/OUT by a central median island.

Due to the altered topography of the site resulting from the former quarry use, the development can be designed to read as a terraced residential complex nestled in a bushland setting. Landscaped communal spaces are envisaged between the buildings and the bushland areas on the site to be retained for bush regeneration and heritage interpretation.

Resident and emergency vehicle access can continue to be via the 10 metre wide existing disused laneway off Windsor Road. Emergency vehicles, particularly bush fire could have access along the western edge of the old quarry on the proposed new access road to the west of the development, in accordance with Rural Fire Brigade requirements. All vehicular access can be achieved from the Windsor Road frontage via the existing accessway to the former quarry.



Figure 21 Indicative Development Concept Plan

Source: LHJ Pty Limited

Development statistics Indicative Development Concept:

ITEM	
TOTAL SITE AREA: LOTS 939 & 940	16,361sqm
Area proposed R4 Zoning	8,411sqm (51.41%)
Area: Remaining E3	7,950sqm (48.59%)
Area: Footprint Indicative proposal	2,970sqm
AREA: Total floor space	9,252sqm
FSR	1.1 : 1
Site Coverage	18.15% of total site 35% of R4 Zone

PART 4 Justification

This proposal is lodged on the basis that the subject site:

- > fulfils the relevant locational criteria included in the Council's Residential Development Strategy study area,
- > is surplus to State Government needs,
- > is located in the middle of an existing, serviced accessible residential area within 2km of Parramatta City employment lands,
- > in its current form presents a public safety and security hazard to the local community,
- > is well located in terms of access to public transport, community services and facilities,
- > provides an opportunity to provide a connective element resulting in a more cohesive, connected neighbourhood, linking the existing residential areas residential areas, and
- > provides redevelopment opportunity that would result in significant community benefits.

4.1 Need for the planning proposal

4.1.1 Is the planning proposal the result of any strategic study or report?

While the project is not the result of a specific recommendation by a strategic study or report, however, the continuing development of Parramatta CBD as a Regional centre ('Centre of the Sydney Metropolitan Area') has created a demand for increased housing in the immediate fringe areas which have convenient access to the employment, shopping and entertainment facilities available in the centre. Existing single dwelling allotments are being consolidated and superfluous sites rezoned to provide medium density housing, as part of the urban consolidation process, which will support the centre and minimise infrastructure demand. The abandoned Moxham Quarry site on Windsor Road presents such an opportunity in a location which has good access to the arterial road system and public transport.

For many years Parramatta has been identified as the second 'centre' of the Sydney Region. This has been reinforced by successive metropolitan planning Strategies.

The Site is within easy access to the Parramatta CBD which is earmarked to grow substantially over the coming years with State government support through the various Regional and State planning and infrastructure plans and strategies.

The Metropolitan Plan for Sydney 2036 identifies Parramatta as one of 3 three "Regional Cities" together with Penrith and Liverpool. Specifically the Strategy acknowledges Parramatta as being Sydney's second CBD. Parramatta CBD is proposed to have capacity for 70,000 employees by 2036, up from the 60,000 employment capacity target that the 2005 Metropolitan Strategy aimed to have in place by 2031.

Key Directions for housing include:

- > Increasing housing densities in centres where access to employment, services and public transport are provided or can be provided.
- > Investigate the potential for greater development in areas near the Parramatta–Rouse Hill and Parramatta–Liverpool Transitways.
- > Cater for changing housing needs.
- > Provide zoned capacity for a significant majority of new housing in centres

With regard to the provision of new housing in the Sydney Region the Metro Strategy states:

“The Plan determines that 30 to 40 per cent of new housing will be provided in new land release areas. The remaining 60 to 70 per cent will be in Sydney’s existing areas. This split minimises Sydney’s urban footprint, ensuring the Plan provides a balanced approach to growth.”

The proposed reuse of the subject land for residential purposes fully supports the principles and key directions embodied in the Plan as it:

- > Is located Close to Parramatta City Centre employment areas;
- > Fronts Windsor Road which contains a dedicated bus lane for approximately 6 major bus routes linking the site to Parramatta, and Castle Hill and beyond; and
- > Provides the opportunity to reuse surplus government land to provide wider housing choice in an area with low levels medium or high density residential development.

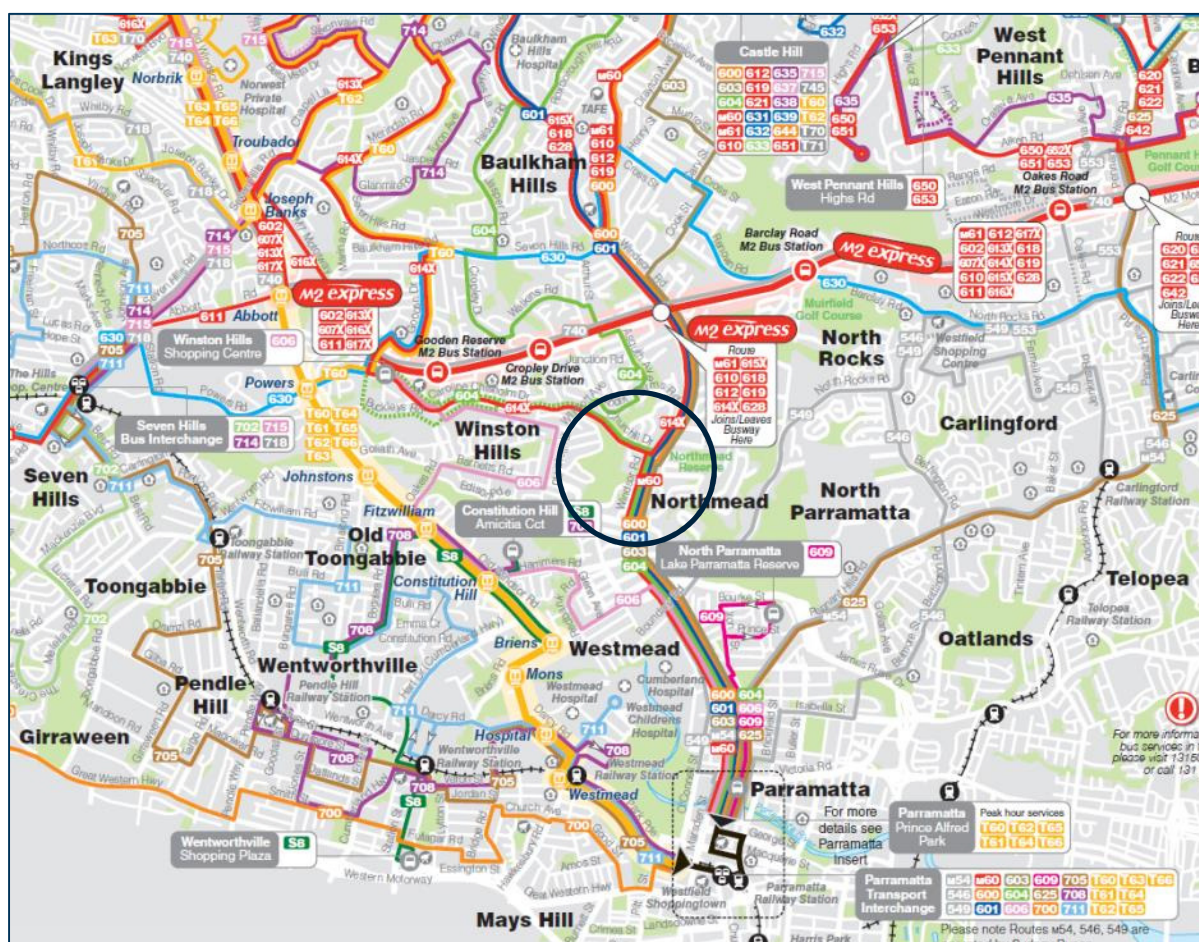


Figure 22 The Hills Buses Route map extract

4.1.2 Is the Proposal the best means of achieving the objectives or outcomes?

As stated above, on the advice of the Department, the Proposal is now to rezone a portion of the subject Site instead of adding additional permissible uses in Schedule 1 of the LEP which was suggested by Council. This has been done on the understanding that the latter approach is contrary to Section 117 Direction 6.3 – Site Specific Provisions, which discourages site specific uses in the Schedule, recommending the use of actual new zonings on land as being a more legitimate, transparent approach.

4.1.3 Is the Proposal consistent with the Regional or Sub Regional Strategy or Draft Strategy?

Metropolitan Plan for Sydney 2036

This Strategy identifies Parramatta as one of 3 three “Regional Cities” together with Penrith and Liverpool. Specifically the Strategy acknowledges Parramatta as being Sydney’s second CBD. Parramatta CBD is proposed to have capacity for 70,000 employees by 2036, up from the 60,000 employment capacity target that the 2005 Metropolitan Strategy aimed to have in place by 2031.

The West Central Sub Region, of which the Parramatta City forms part, is earmarked in the Plan to accommodate 169,000 new homes between 2006 and 2036,

Northmead, the suburb in which the subject land is located, is a pleasant elevated dormitory suburb immediately abutting Parramatta city. It has good access to the full range of urban services and facilities, has direct access to numerous local and regional bus routes, and is bounded on two sides by existing residential development. The site sits behind the Northmead Bowling Club, which fronts Windsor Road and the Moxham Reserve adjoins the site to the rear.

Key Directions for housing include:

- > Increasing housing densities in centres where access to employment, services and public transport are provided or can be provided.
- > Investigate the potential for greater development in areas near the Parramatta–Rouse Hill and Parramatta–Liverpool Transitways.
- > Cater for changing housing needs.
- > Provide zoned capacity for a significant majority of new housing in centres

With regard to the provision of new housing in the Sydney Region the Metro Strategy states:

“The Plan determines that 30 to 40 per cent of new housing will be provided in new land release areas. The remaining 60 to 70 per cent will be in Sydney’s existing areas. This split minimises Sydney’s urban footprint, ensuring the Plan provides a balanced approach to growth.”

The proposed reuse of the subject land for residential purposes fully supports the principles of Urban Consolidation embodied in the Plan.

Draft Metropolitan Strategy for Sydney

The Minister for Planning and Infrastructure recently released the Draft Metropolitan Strategy for Sydney is a new plan to guide our city’s growth. This Plan is the result of extensive community and government agency consultation and envisages around 1.3 million more people will be living in the Sydney Metropolitan region by 2031. This means accommodating around 545,000 new homes and 625,000 new jobs right across the metropolitan area.

Responding to community feedback, the Draft Strategy advocated more balanced growth, promoting more infill medium and high density housing in or close to existing employment centres in preference to the concentration of resources primarily on greenfield development.

In his Statement in the Forward to the Draft Strategy document the Hon Brad Hazzard, the then Minister for Planning & Infrastructure states inter alia:

“Sydneyiders have also told us they want more choice about the types of housing available – and that housing needs to be more affordable, close to jobs and near good transport connections.”

“We will revitalise existing neighbourhoods for people who want to live near our city centres, with an emphasis on giving people more choice about the type of home they live in.”

Once again, Parramatta is recognised as the second CBD of Sydney, and identified as one of the ‘City Shapers’ in the Draft Strategy. Parramatta is earmarked to accommodate 21,000 jobs in the CBD by 2031, as well as growth in the nearby areas of Westmead and Rydalmere. To support this growth the government has committed to improvements in transport connections to the City and other major centres, including Macquarie Park, Castle Hill, Blacktown and Bankstown.



Figure 23 Draft Metropolitan Strategy for Sydney to 2031, Key Areas of Change Map

Source: www.strategies.planning.nsw.gov.au

 Location of subject site

The subject site sits on the fringe of the identified Global Economic Corridor which the government is committed to strengthen by improved infrastructure. The site's strategic location amid many of the areas identified for significant employment growth and infrastructure improvements illustrated on the Draft Strategy's *Metropolitan Priorities for West Central & North West Subregion Map*.

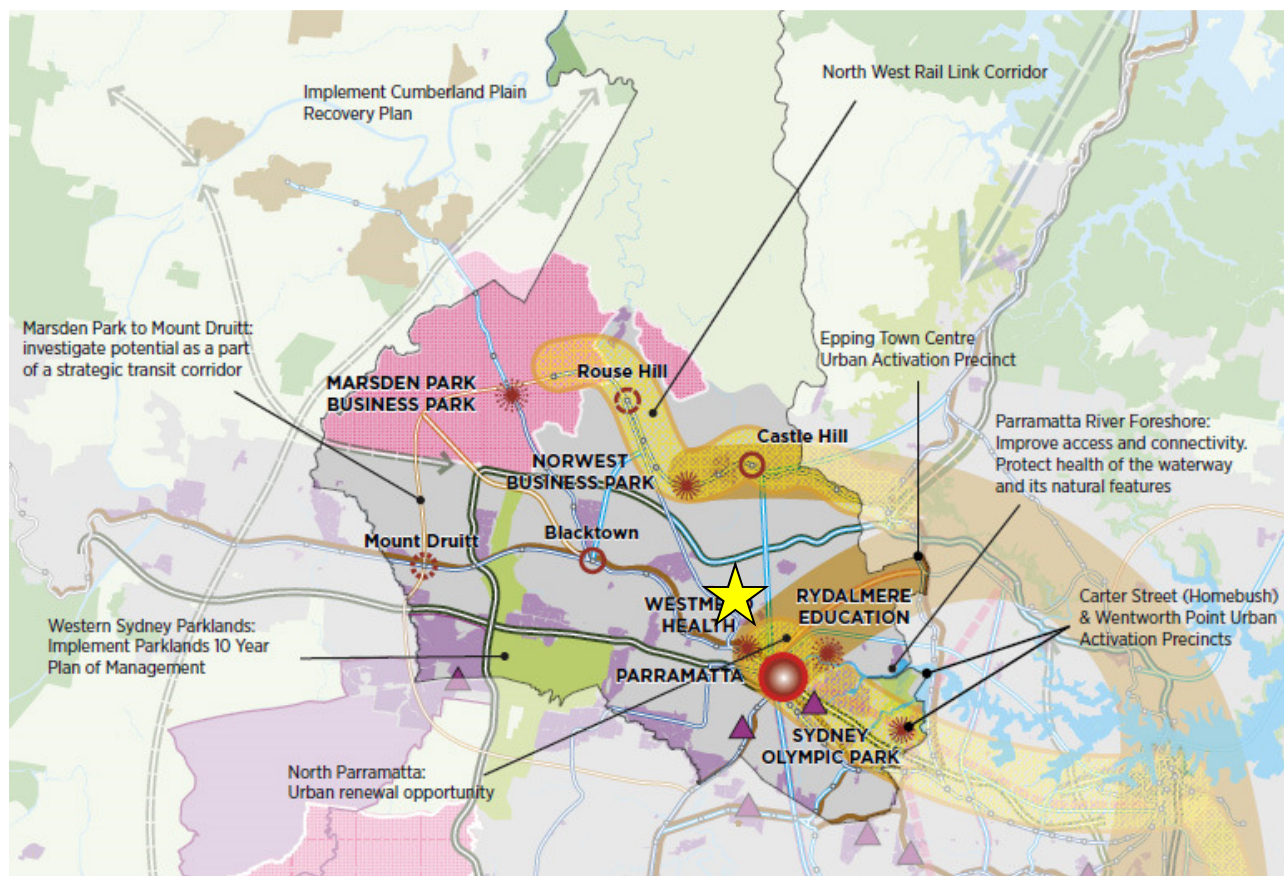


Figure 24 Metropolitan Priorities for West Central & North West Subregion MAP

Source: www.strategies.planning.nsw.gov.au



Location of subject site

The Proposal is consistent with the Draft Metro Strategy as it is well located in an existing urban area amid numerous existing and planned employment centres, including Parramatta employment lands, with good public transport and easy access to the full range of services and facilities. It is therefore highly suitable for the residential development as proposed in this rezoning proposal.

Draft West Central Subregional Strategy

This Draft Strategy was placed on public exhibition in December 2007 and has not as yet been formally adopted by the Department.

The State government's vision for the region is stated as follows:

"By 2031 The West Central Subregion will:

- > *Further enrich its economic role within the Greater Metropolitan Region as the gateway to Western Sydney.*
- > *Be a desirable place to live, work and play.*
- > *Excellent access to public transport, generous open space areas and a culturally rich and diverse community.*
- > *While continuing to experience strong employment and population growth."*

Key Directions for housing include:

- > *Increasing housing densities in centres where access to employment, services and public transport are provided or can be provided.*
- > *Investigate the potential for greater development in areas near the Parramatta–Rouse Hill and Parramatta–Liverpool Transitways.*
- > *Cater for changing housing needs.*
- > *Provide zoned capacity for a significant majority of new housing in centres.*

The Strategy confirmed that at that time The Metropolitan Strategy has set the West Central Subregion a target of 95,500 new dwellings by 2031. A dwelling target to 2031 for the Parramatta LGA was set at Parramatta (21,000). The Strategy also states that significant residential growth is expected in a number of suburbs outside the Parramatta City Centre, including Northmead.

The Proposal supports these sub Regional objectives.

Council's Bicycle Plans

In November 2012 Council adopted their Section 94A Development Contributions Plan (Amendment No. 2). That Plan covers all areas within Parramatta City LGA outside the City Centre. That Plan contains a list of plans and actions that are to be funded by the Plan. One of the Plans, entitled Map 1 - Existing & Proposed Bicycle Routes (North) shows a planned off road bicycle pathway running along Windsor Road in front of the subject site providing direct links to the Parramatta CBD in the south and Baulkham Hills in the north and beyond in both directions. Figure 25 provides an extract of this plan which is an action identified in the Section 94A Plan.

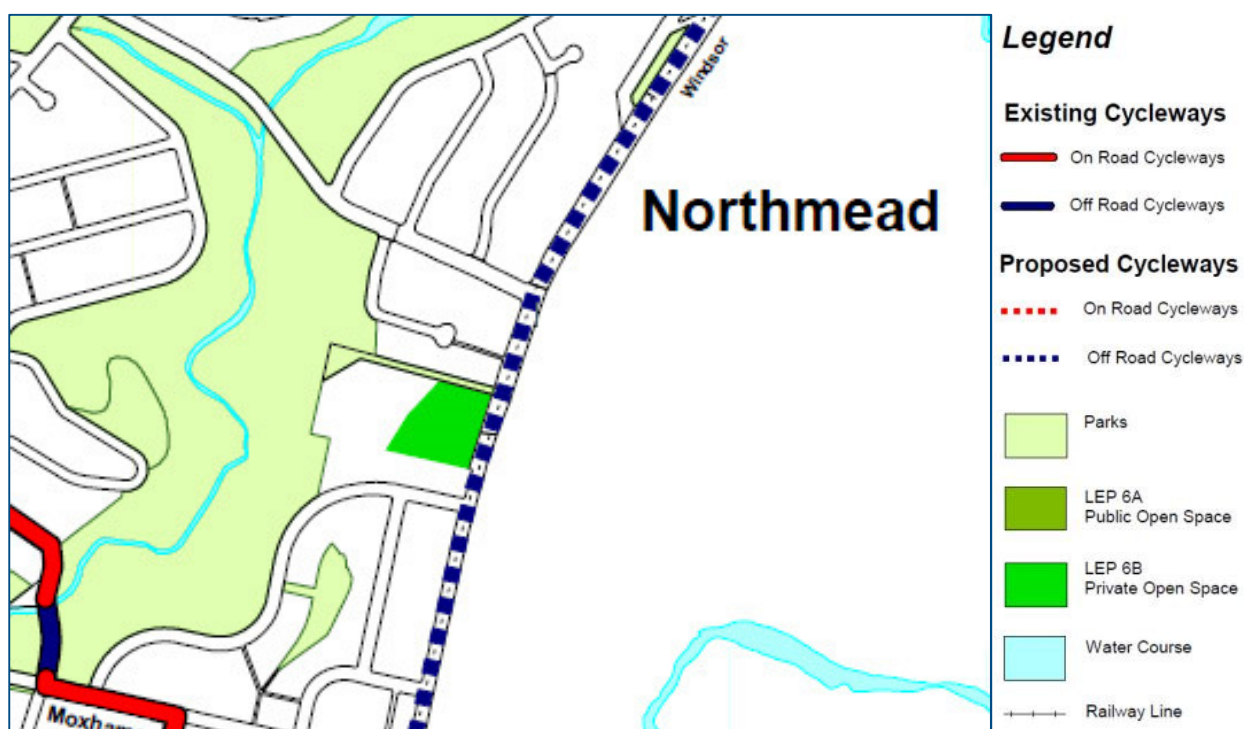


Figure 25 Extract Map 1 - Existing & Proposed Bicycle Routes (North)

Source: Council website

Western Sydney Light Rail Vision

As detailed in the Report commissioned by Council last year “Unlocking Western Sydney’s Potential, Western Sydney Light Rail Network, Part 1 Feasibility Report, May 2013 Council and a number of western Sydney Councils are keen to achieve a Light Rail System in Western Sydney.

That document available on Council’s website describes Council’s vision to construct a Light Rail Network stretching from Macquarie Park and Strathfield in the east to Rouse Hill in the north, Bankstown and Liverpool in the south and Wetherill Park and Blacktown in the west.

It is intended that the light rail network will link key activity centres in the region and will be seamlessly integrated into the existing public transport network.

The document reports:

“The Western Sydney Light Rail Network is not just about providing more public transport – but about fundamentally changing the way Western Sydney lives, works, and accesses recreation and culture – transforming the city by unlocking the economic potential of the region.

The primary reason for proposing the Regional light rail network is to change the shape of the region from a Sydney CBD-centric focus towards a ‘city of cities’ model. This city building initiative aims to deliver improved Regional public transport which drives employment and facilitates residential growth along corridors and in centres in a sustainable city form – improving economic productivity and the liveability of Western Sydney for people.”

It is important to note that the recommended ‘Preferred First Stage’ of this Light Rail Network includes the section between Parramatta to Castle Hill, running along Windsor Road in front of the subject site.



Source: Parramatta City Council

Figure 7.2 Artist Impression of LRT on Windsor Road, Northmead.

Figure 26 Proposed Light Rail on Windsor Road in front of site, between Parramatta and Castle Hill,

Source: Page 42 Light Rail Feasibility Report on Council website

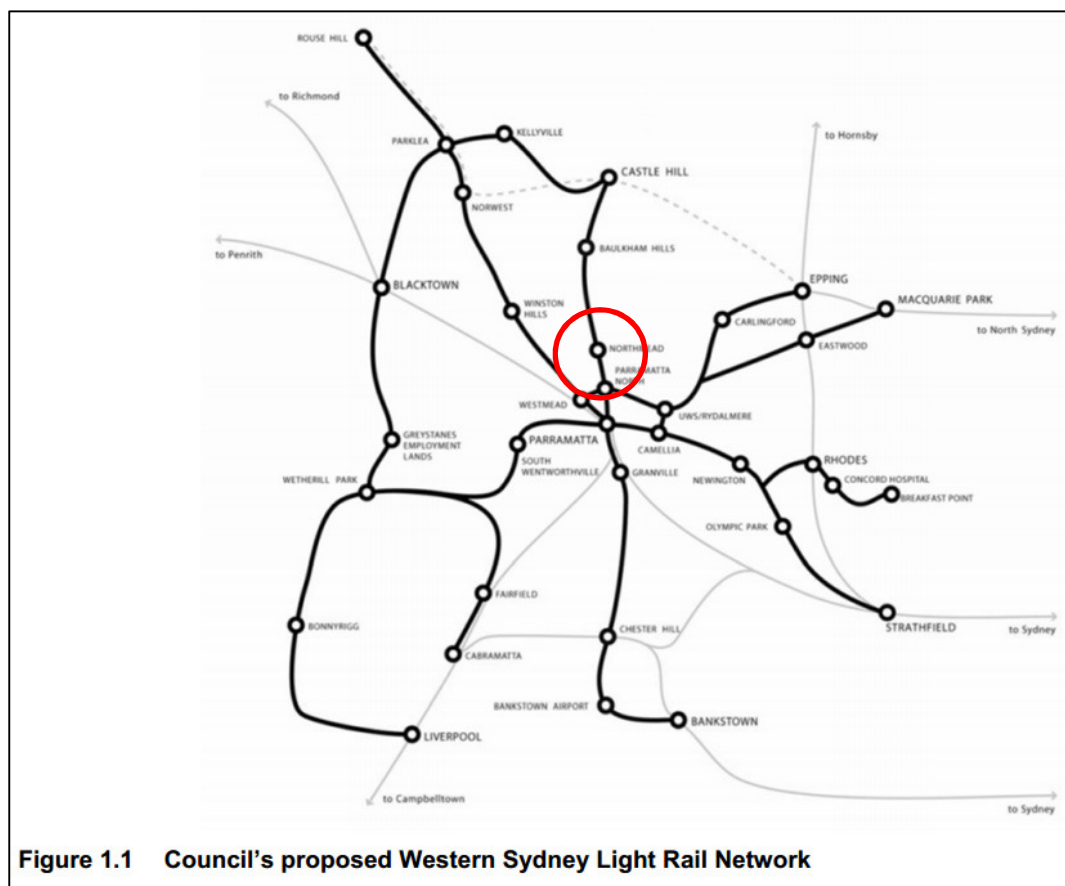


Figure 27 Proposed Light Rail Route Map

Source: Council website

4.1.4 Is the Proposal consistent with local strategies?

Parramatta Twenty25 & Parramatta Strategic Plan

Parramatta Twenty25 is the current 25 year plan for the future of the Parramatta City LGA and is supported by a range of Strategic documents relating to the environment, social and cultural values and the economy. These documents together form the community vision for the next 25 Years for the Parramatta City local government area.

Key Objectives of the Plan of relevance to the subject proposal include:

- > Land and water that is protected, respected and sustained
- > Neighbourhoods that are liveable and distinctive
- > People and places that are linked by sustainable transport and communication networks

With regards to housing, a key element of the Strategy is to plan, *“for the concentrated growth of housing around transport and activity nodes rather than dispersed growth throughout the LGA”*.

The proposed rezoning fully supports the Vision and Objectives of the Strategic Plan.

Parramatta Draft Residential Strategy

In 2006 Parramatta City Council, under direction from the State Government initiated a process of the review of housing needs in the Council area.

The needs study adopted the following methodology to identify suitable residential areas:

“The initial drafting of the study area boundaries was the first step in identifying the capacity of each area to accommodate additional residential development. These boundaries represented the extent of a theoretical walking distance to transport nodes.”

At that time, the Proponent sought to have the subject Site included in lands identified for potential rezoning to permit higher density housing on the basis that the site enjoyed good access to frequent bus services linking to Parramatta CBD to services and facilities and abutted existing residential areas. Specifically the site is situated off the four lane Windsor Road (which includes a dedicated bus lane) which is a major arterial road into Parramatta town centre, linking to Penrith, Baulkham Hills, Winston Hills, Kellyville and Liverpool. This location provides excellent sub Regional linkages into the local town centre and the City of Sydney. The site sits between two existing residential areas which front Windsor Road, Whitehaven Road and Ulandi Place. The site is close to a wide range of community services and facilities and parklands.

The land uses opposite the site on Windsor Road are characterised by a mixture of warehousing, small scale manufacturing, car dealerships, petrol service stations and some single dwelling free standing residential dwellings.

The site, which is in close proximity to Parramatta CBD, is in an area where demand for residential development is strong. The site’s redevelopment for residential flat development in a controlled, environmentally sustainable manner as envisaged by the Proposal will assist in meeting Regional housing targets identified in the various State and Regional planning strategies.

In short, the Proposed rezoning would permit the development of a contemporary residential apartment complex in a highly sought after location with minimal environmental impacts.

Also as stated, we believe the site meets the relevant criteria used by Council in their Draft housing Strategy to identify sites that were suitable for higher density housing. It is also important to note that Council’s investigations which support their Residential Strategy were undertaken 7 – 8 years ago.

In particular in terms of:

- > encouraging centres and neighbourhoods that are innovative , inspirational and provide a wide housing choice
- > can be designed to ensure no overshadowing, overlooking or acoustic impacts to nearby residents
- > respects and conserves the native flora and fauna on the site
- > capitalising on the available and planned frequent public transport services running along the front of the site
- > ensuring a range of housing types to accommodate people of diverse backgrounds and provide life-cycle housing opportunities
- > better linking the neighbourhood
- > improving the safety and security of residents of the area
- > accommodating vehicles out of view of neighbours
- > designing locally appropriate and sustainable architecture and landscape

A report, entitled Parramatta City Council Housing Market Study, prepared by economic/demographic consultant Richard Cardew as part of the research supporting Council’s Draft Residential Strategy found that the level of new dwellings required to meet the population forecast for growth in the Parramatta City LGA ranges from about 14,000 to 23,000, or between 560 and 920 dwellings per annum over the next 20-25 years. He expressed concern about the mismatch between demographics and housing supply and also about the slowing of housing construction in the Parramatta LGA.

He observed further that the sites available for redevelopment without significant site amalgamation will not produce sufficient housing required to meet the building activity and population growth estimates. He noted that housing prices in many parts of Parramatta may not be sufficient to make some of the medium to large medium density zoned sites feasible to redevelop at densities typically associated with medium density development and that redevelopment at the densities allowable under planning controls is unlikely to be feasible.

The subject site presents an opportunity to assist in addressing the issues he raises.

4.1.5 Is the Proposal consistent with applicable Section 117 Directions

The following table provides assessment of the proposal's consistency with the minister for Planning & Environment 117 Directions.

Table 1: Consistency with 117 Directions

DIRECTION	RESPONSE	CONSISTENCY (Y/N/NA)
1. Employment and Resources	N/A	N/A
2. Environment and Heritage		
2.1 Environment Protection Zones The objective of this direction is to protect and conserve environmentally sensitive areas. The Direction requires that environmentally sensitive areas be protected and conserved, except where justified by an environmental study or if the development is in accordance with the relevant Regional Strategy or Sub-Regional Strategy prepared by the Department.	The proposed rezoning will facilitate development which fully supports the aims and objectives of this Direction. Specifically: > <i>A Conservation Agreement will be established and attached to the title of the subject land to ensure the protection of environmentally sensitive areas in the adjacent reserve and on the site, refer Section 3.2 above.</i> > <i>the proposal will not result in any significant detrimental environmental impacts, rather will result in the removal of noxious weeds and improved water quality.</i>	Y
2.2 Coastal Protection	N/A	N/A
2.3 Heritage Conservation The objective of this direction is to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance.	As stated in the accompanying reports by Luisa Alessi, heritage consultant, at Annexure 4 , Moxham Quarry is not covered by any instruments under the NSW Heritage Act (1977) and is not classified by the National Trust of Australia (NSW). The property is not listed as a heritage item in the Parramatta Local Environmental Plan 1996 (Heritage and Conservation). The site is, however, located adjacent to a heritage item (Moxham Park) and is in the vicinity of the Sylvia Gardens Special Character Area.	Y

	Luisa's report identifies likely positive outcomes of the proposed reuse of the site for residential purposes, stating that the proposed LEP Amendment may provide increased opportunities for public visitation and interpretation of Moxham Park and in particularly its historical and aesthetic characteristics. With respect to Moxham Park she concludes that the proposed rezoning of part of the site will have no impact on the heritage significance of Moxham Park, as the Park will retain its existing site boundaries and identified significant elements and features and will continue to be publicly accessible.	
2.4 Recreation Vehicle Areas	N/A	N/A
3. Housing, Infrastructure and Urban Development		
3.1 Residential Zones The objectives of this Direction are: (a) to encourage a variety and choice of housing types to provide for existing and future housing needs, (b) to make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services, and (c) to minimise the impact of residential development on the environment and resource lands.	The Proposal is consistent with this Direction as it will: > broaden the choice of building types and locations available in the housing market; > make more efficient use of existing infrastructure and services, and > reduce the consumption of land for housing and associated urban development on the urban fringe.	Y
3.2 Caravan Parks and Manufactured Home Estates	N/A	N/A
3.3 Home Occupations	N/A	N/A
3.4 Integrating Land Use and Transport The objective of this Direction is to ensure that urban structures, building forms, land use locations, development designs, subdivision and street layouts achieve the following planning objectives: <i>a) improving access to housing,</i>	The proposed rezoning will facilitate development which fully supports the aims and objectives of this Direction. Specifically, as detailed above: > As detailed in Section 4.1.3, the site is within easy walking distance of a range of services, facilities and parklands > The site fronts Windsor Road which accommodates 6 frequent public bus	Y

<i>jobs and services by walking, cycling and public transport, and</i> <i>b) increasing the choice of available transport and reducing dependence on cars, and</i> <i>c) reducing travel demand including the number of trips generated by development and the distances travelled, especially by car, and</i> <i>d) supporting the efficient and viable operation of public transport services, and</i> <i>e) providing for the efficient movement of freight.</i> The Direction requires that rezonings seek to ensure that urban structure, building form, land use locations and subdivision design helps to integrate land use and transport and minimise the need to travel by private car, increases choice of public transport, reduce travel demand, and supports viable operation of public transport.	routes in both directions. Specifically the site is situated off the four lane Windsor Road (which includes a dedicated bus lane) which is a major arterial road into Parramatta town centre, linking to Penrith, Baulkham Hills, Winston Hills, Kellyville and Liverpool. This location provides excellent sub Regional linkages into the local town centre and the City of Sydney. > The road reserve opposite the site on Windsor Road is planned by Council to contain part of a new off-road regional bicycleway linking Parramatta and Baulkham Hills and beyond. Refer Section 4.1.3 and Figure 25 above. > the recommended route of the 'Preferred First Stage' of the Western Sydney Light Rail, a Parramatta Council led initiative, includes the section between Parramatta to Castle Hill, which will run along Windsor Road in front of the subject site. Refer Section 4.1.3 and Figures 26 and 27 above	
3.5 Development Near Licensed Aerodromes	N/A	N/A
3.6 Shooting Ranges	N/A	N/A
4. Hazard and Risk		
4.1 Acid Sulfate Soils	The Site is identified as potentially containing class 5 Acid Sulfate Soils. As it is not necessary to undertake any significant excavation in the redevelopment of the portion of the site proposed to be rezoned to permit residential development no significant issues are predicted in this regard.	Y
4.2 Mine Subsidence and Unstable Land	N/A	N/A
4.3 Flood Prone Land	The site is not identified as Flood Prone	N/A
4.4 Planning for Bushfire Protection 1 July 2009	The Site is not identified as Bush Fire Prone on any Council or RFS Maps. However, the area of the site proposed to be rezoned has been designed to enable the retention of part of the intermittent water body between any new development and the adjacent natural bushland and appropriate setbacks. In addition, the indicative Concept Plan includes a roadway to the rear of the development for bush fire and other emergency vehicle access.	Y

5. Regional Planning		
5.1 Implementation of Regional Strategies	Supports relevant REP's. See above	Y
5.2 Sydney Drinking Water Catchments	N/A	N/A
5.3 Farmland of State and Regional Significance on the NSW Far North Coast	N/A	N/A
5.4 Commercial and Retail Development along the Pacific Highway, North Coast	N/A	N/A
5.8 Second Sydney Airport: Badgerys Creek	N/A	N/A
5.9 North West Rail Link Corridor Strategy	N/A	N/A
6. Local Plan Making		
6.1 Approval and Referral Requirements The objective of this direction is to ensure that LEP provisions encourage the efficient and appropriate assessment of development.	It is proposed that the rezoning be simple and clear and not require unwarranted additional referrals to government authorities at the Development Application Stage.	Y
6.2 Reserving Land for Public Purposes	N/A	N/A
6.3 Site Specific Provisions The objective of this direction is to discourage unnecessarily restrictive site specific planning controls.	The Proposal does not seek to include Site Specific Provisions in Schedule 1 of Council's LEP in compliance with this Direction	Y
7. Metropolitan Planning 7.1 Implementation of the Metropolitan Plan for Sydney 2036	Is consistent with the objectives of this Plan to locate additional housing in close proximity to Parramatta City Centre and on established public transport routes.	Y

4.1.6 Is the Proposal consistent with State Environmental Planning Policies (SEPP's) and deemed SEPP's

An assessment of the Planning Proposal against applicable State Environmental Planning Policies (SEPP's) and deemed SEPP's is provided in the Table 1 below:

Table 2: Consistency with relevant SEPP's

SEPP	CONSISTENCY			COMMENT
	YES	NO	N/A	
<i>SEPP No. 1 Development Standards</i>			✓	Does not apply under Parramatta LEP 2011
<i>SEPP No. 4 Development Without Consent and Miscellaneous Exempt and Complying Development</i>			✓	(clause 6 and Parts 3 and 4) of this SEPP do not apply under Parramatta LEP 2011
<i>SEPP No.60-Exempt and Complying Development</i>			✓	Does not apply under Parramatta LEP 2011
<i>SEPP (Exempt and Complying Development Codes) 2008</i>			✓	May apply to future development of the site
<i>SEPP No.6 Number of storeys</i>	✓			Standard instrument definitions apply
<i>SEPP No.19 Bushland in Urban Areas</i>	✓			The policy is designed to protect bushland in public open space zones and reservations, and to ensure that bush preservation is given a high priority when local environmental plans for urban development are prepared. The Proposal will result in the removal of weeds and better management of water quality and stormwater exiting the site which should enhance the health of the adjacent public reserve. Refer Annexure 3.
<i>SEPP No.32 Urban Consolidation (Redevelopment of Urban Land)</i>	✓			The proposed rezoning will facilitate development which fully supports the aims and objectives of this SEPP. Specifically: > The subject land is surplus to the State's needs and considered suitable for multi-unit housing, being located between two existing residential areas. > The site is no longer required by the State or to be used as a quarry and was not zoned for public open space (which would require Council to acquire at some point in time). > The site enjoys good access to services and facilities and is in close proximity to the Parramatta City CBD Employment areas. > The site is within easy walking distance of

				numerous parklands. > Convenience shopping is available in the neighbourhood. > The site abuts the Northmead Bowling Club which is also used by a number of other local community groups for meetings. > Windsor Road at the frontage of the site accommodates 6 separate and frequent bus services, contains a dedicated bus lane, is planned to also include an off road cycle path (as identified as an action in Council’s current Section 94 Plan) and also proposed to be the route of the preferred first stage of the Western Sydney Light Rail, linking Parramatta CBD to Castle Hill. > The reuse of the site for residential development as proposed will provide much needed additional housing with minimal environmental impacts in a fully serviced sought after part of Sydney and help to support the prosperity of businesses in the Parramatta CBD. > The proposed LEP Amendment will facilitate greater housing choice in the locality. It is important to note that Northmead currently has a low percentage of multi-unit housing compared with the Sydney average: <table><tr><td></td><td></td><td>Northmead</td><td></td></tr><tr><td>Sydney average</td><td></td><td></td><td></td></tr><tr><td>Separate House</td><td>87%</td><td></td><td>64%</td></tr><tr><td>Semi/Terrace</td><td>8%</td><td></td><td>10%</td></tr><tr><td>Flats</td><td>2%</td><td></td><td>22%</td></tr></table> Source: ABS Clause 7 of the SEPP Implementation of aims and objectives requires that: <i>“(1) Each council must, when preparing environmental planning instruments or considering development applications relating to urban land, implement the aims and objectives of this Policy to the fullest extent practicable.</i> <i>(2) The Minister must, when considering the making of environmental planning instruments relating to urban land, implement the aims and objectives of this Policy to the fullest extent practicable.”</i>			Northmead		Sydney average				Separate House	87%		64%	Semi/Terrace	8%		10%	Flats	2%		22%
		Northmead																						
Sydney average																								
Separate House	87%		64%																					
Semi/Terrace	8%		10%																					
Flats	2%		22%																					

<i>SEPP No.64 Advertising & Signage</i>			✓	Not relevant to the proposed Rezoning.
<i>SEPP No.65 Design Quality of Residential Flat Development</i>	✓			As detailed in Annexure 2, the Indicative Development scenario has been designed and assessed against the Residential Flat Design Code and found to be capable of readily complying with all guidelines.
<i>SEPP No.70 Affordable Housing (Revised Schemes)</i>			✓	The proposal will enable greater housing in a suburb that contains mostly single dwellings which will increase affordability in the area. It is assumed future Development Proposals for the construction of dwellings on the site may include provision of a quantum of affordable housing.
<i>SEPP No. 55 Remediation of Land</i>	✓			Pacific Environmental, contamination consultants were engaged to carry out an assessment of the levels of contamination on the subject site. In addition, they advised that there are no NSW DECCW contamination notices that relate to the site. In summary, they report that the site is suitable for residential development with access to soils. Refer Annexure 7.
<i>SEPP (Affordable Rental Housing) 2009</i>			✓	Not relevant to the proposed rezoning but could be applied to future development proposals for construction of housing on the site
<i>SEPP BASIX 2004</i>			✓	Detailed compliance would be required at the development Application Stage.
<i>SEPP (Infrastructure) 2007</i>			✓	Not relevant to the site
<i>SEPP (State and Regional Development) 2011</i>			✓	Not relevant to the proposed rezoning
<i>Draft West Central Sydney Sub regional Strategy</i>	✓			Key Directions for housing include: > <i>Increasing housing densities in centres where access to employment, services and public transport are provided or can be provided.</i> > <i>Investigate the potential for greater development in areas near the Parramatta–Rouse Hill and Parramatta–Liverpool Transitways.</i> > <i>Cater for changing housing needs.</i> > <i>Provide zoned capacity for a significant majority of new housing in centres.</i> The Strategy confirmed that at that time The Metropolitan Strategy has set the West Central Subregion a target of 95,500 new dwellings by 2031. A dwelling target to 2031 for the Parramatta LGA was set at Parramatta (21,000). The Strategy also states that significant residential growth is expected in a

				number of suburbs outside the Parramatta City Centre, including Northmead. Councils were requested to provide for an appropriate range of residential zonings to cater for changing housing needs and improve housing affordability. The Proposal supports these sub Regional objectives.
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4.2 Environmental, social and economic impact

4.2.1 Is there any risk of adverse impacts on critical habitat or threatened species, populations or ecological communities or their habitats?

Assessments were carried out by Eco Logical Australia of the potential impacts of the resultant development scenario of the proposed LEP Amendment against the relevant sections of the *Commonwealth Environment Protection & Biodiversity Conservation Act 1999* (EPBC Act), *NSW Environmental Planning and Assessment Act 1979*, *NSW Threatened Species Conservation Act 1995* (TSC Act) and the *NSW Water Management Act 2000*. This work included a number of on-site flora surveys and day and night faunal identification field surveys which identified only potential presence of the Powerful Owl and species associated with the Sydney Turpentine-Ironbark Forest within the bushland areas of the Site. Refer **Annexure 3** for copies of detailed reports.

It is important to note that the site is not identified on Council's Natural Resources- Biodiversity Maps.

Flora surveys:

Flora surveys were undertaken using the random meander method throughout all accessible areas of the site. Aquatic plants were surveyed from the edge of the quarry. All flora species encountered during the surveys were recorded, with species identified to the lowest taxonomic level possible. Notes on vegetation structure were also recorded.

Eco Logical reported as follows:

A total of 64 flora species (43 native and 21 exotic) were recorded on the site.

Eight non endemic aquatic or riparian flora species were recorded within sections of the disused quarry.

Six species listed as noxious under the NSW Noxious Weeds Act 1993 were also identified in the old quarry on the site, plus six weeds of national significance with potential to impact on surrounding waterways.

There is approximately 0.8ha of land in the extreme western edge of the site contains species that are identified within the Endangered Sydney Turpentine Ironbark Forest (STIF). The STIF on-site is directly connected to extensive areas of native vegetation off-site in the surrounding reserves, including STIF and other communities.

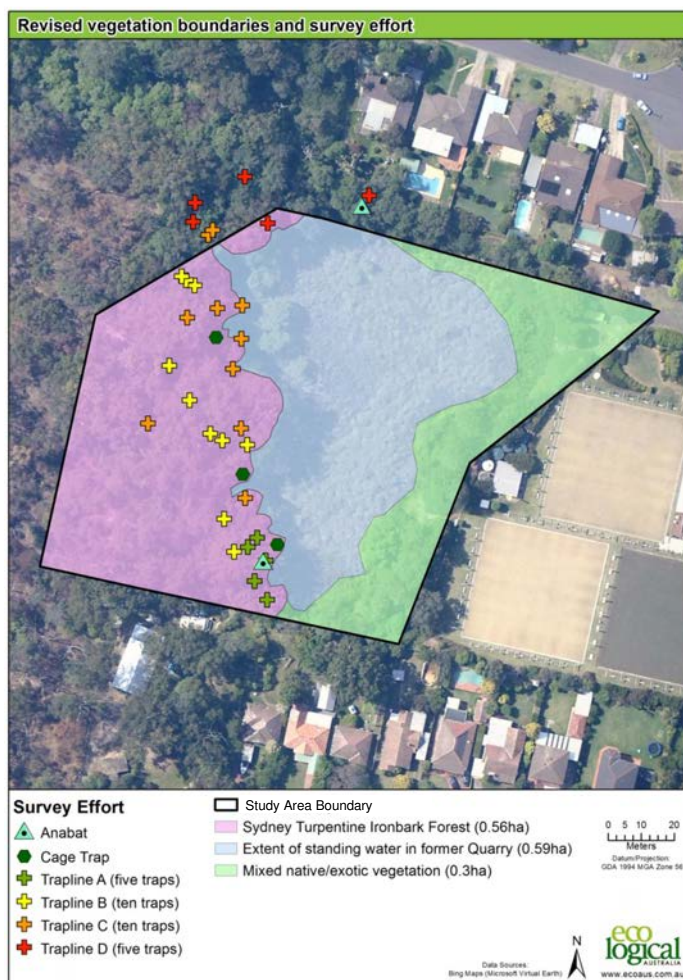


Figure 28 Existing Vegetation on the study area and fauna trapping sites

Source: Ecological



Figure 29 Proposed Vegetation clearing

Source: Ecological

The STIF species are not in the area of the site proposed for redevelopment.

In addition, their research and on site survey revealed:

The vegetation on the Site has a history of disturbance from the former quarry workings and more recently from creation of tracks through and across it by bicycle and motorcycle riders.

The vegetation in the extreme western portion of the site and in Moxham Reserve beyond is relatively intact but the vegetation in the east of the Site is highly disturbed and dominated by exotic species.

These assessments determined that impacts to the endangered ecological community and threatened species from the future development facilitated by the proposed LEP Amendment are unlikely to be significant.

Ecological report that the proposal will result in the removal of a small amount of terrestrial vegetation (0.3 ha), including trees around the northern, eastern and southern boundaries of the quarry. This vegetation consists mainly of exotic vegetation with some natives interspersed. None of the Sydney Turpentine-Ironbark Forest (STIF) species located in the extreme west of the site are required to be removed, (an area of approximately 0.6 ha).

The proposed works will also remove approximately 0.5 ha of mixed native/exotic aquatic vegetation from the former quarry pit area. None of this is vegetation characteristic of STIF.

Specifically, with respect to the future development of the site they concluded:

“There are no flora constraints for future development in the former quarry and minor constraints on the rim to north and east of the former quarry.”

To support the future development of the site they recommend:

“As part of any ecologically sustainable future development that:

the native trees growing on the rim of the former quarry and along the accessway in the north be retained, where practicable; and

the vegetation to the west of the former quarry be conserved and enhanced.”

A significant positive impact of the redevelopment of the site will be the removal of the many species of noxious weeds and stagnant water from the site which adjoins a valued bushland.

Fauna surveys:

Surveys to determine the fauna present on the site included:

Fish surveys - using ten funnel style nets, baited with peanut butter and bread and set in shallow water for a minimum of one hour;

Amphibian surveys - A targeted frog call census was conducted by two people on 13th, 15th and 22nd December 2011 and 31st January 2012, after rain was recorded in the previous five days. Frog calls were broadcast to elicit a response (call playback). The call broadcast started at 1930 hours on each survey night and was conducted for five minutes, followed by ten minutes listening. This method was conducted for each species and repeated several times each night during the hour long survey period. Call recordings used during the survey were taken from Griffith (2006). Active searches were conducted during the day by turning over logs, sifting through leaf litter and walking along the water's edge. Additional searches, including spotlight surveys, were conducted in conjunction with call playback surveys. All frog species observed or heard calling during the survey were identified to species level using Robinson (2004) and Griffith (2006). Habitat assessments and opportunistic observations were made throughout the survey period.

Reptile surveys - reptiles were surveyed during day time hours on two occasions (15th and 16th December 2011). The climatic conditions recorded on both days were deemed to be suitable to undertake reptile surveys. Although the temperatures were generally mild, there was sufficient sun light to encourage considerable reptile activity. These surveys included active searches which involved sifting through leaf litter, and searching beneath rocks, logs and assorted debris. Each search was conducted for a minimum of one hour.

Diurnal birds surveys - Standardised 20 minute early morning (conducted 14th and 15th December 2011) and late afternoon/evening (conducted 7th and 13th December 2011) diurnal bird censuses were undertaken. These surveys involved attempting to identify all birds present through visual or call identification. Surveys were conducted from two locations within the study area. All opportunistic bird species observed or heard calling during the survey were recorded and identified.

Nocturnal birds - were surveyed using a combination of habitat assessments, call playback of owl calls and spotlighting. Spotlighting surveys for nocturnal birds were conducted in conjunction with other nocturnal surveys undertaken on the 6th, 13th, 15th and 22nd December 2011 and 31st January by two people. Daytime habitat assessments included searches for nests and tree hollows suitable in size and structure to support hollow dependant fauna were made throughout the survey period.

Small and medium sized mammals surveys - Small to medium sized mammal surveys were conducted using 30 Elliott Type A (30 x 11 x 8 cm) aluminium traps and four wire cage traps. Traps were located in the terrestrial vegetation to the west of the site. Surveys were conducted over four consecutive nights beginning from the 13th and ending on the 17th December. Traps were checked daily, closed during the day and reopened in late afternoon/evening. Spotlight surveys for mammals were conducted in conjunction with the frog and nocturnal bird surveys.

Microchiropteran bat surveys - Microbats were surveyed using Anabat detectors over 4 consecutive nights (13th to the 16th December) in 2 locations. Both sites were located near the edge of the quarry with the microphones pointing towards the centre of the quarry. Bat calls were analysed using the program AnalookW.

Eco Logical reported as follows:

A total of 43 fauna species were recorded during this survey. This includes four frog, four reptile, 27 bird (21 native and six exotic), eight mammals, including six bat species.

The threatened species Powerful Owl, Eastern False Pipistrelle, Greater Broad-nosed Bat and Grey-headed Flying-fox were recorded as visitors to the site.

No threatened frog species were recorded.

No threatened reptile species were recorded.

No threatened diurnal bird species were recorded.

Although the Powerful Owl was recorded as visiting the site it is unlikely to roost there as it is not a suitable habitat. These are more likely to be located somewhere within the adjacent bushland reserve.

Two species of mammals were recorded during spotlight surveys; the non-threatened Common Brushtail Possum and the exotic *Rattus rattus* (Black Rat).

Six bats species were recorded, two of which are listed as threatened species. These two were only recorded during a single survey night out of the seven that were undertaken. These results suggest that the threatened species identified only utilise the area occasionally.

One Grey-headed Flying-fox, was recorded flying over and roosting within the survey site during one of the nocturnal spotlighting surveys. The site does not appear to represent preferred roosting habitat and no colonies are present on or adjacent to the site.

Potential Impact on the Powerful Owl minimal

Eco Logical Australia (ELA) Senior Ecologist, Dr. David Bain has considered the assertion by ACS Environmental that the Powerful Owl will be significantly affected by the proposed works. Dr. Bain has worked extensively with the Powerful Owl including as BirdLife Australia's Powerful Owl Project Officer. He concluded that the development would minimal effect on the Powerful Owl.

While no threatened species were considered to be significantly impacted by the proposal, Eco Logical provided a range of recommended measures to ensure any potential impacts on the natural flora or fauna are minimised that could be applied to future development proposals for the Site as follows:

PRE-CONSTRUCTION

- > Develop a Construction Management Plan (CMP) which includes sediment and erosion control for construction works and post-construction remediation.
- > Ensure that any constructed riparian area is designed in such a way as to provide habitat to native species and to mitigate impacts of the development on the STIF to the west.
- > Develop a site specific VMP, as per the requirements of the WM Act, including a Weed Control Plan, to protect adjacent vegetation communities and flora and fauna habitat. This VMP should

operate for a minimum of five years from the end of construction works and include management of the riparian area and recommendations for construction of the wetland area.

- > Coarse or large woody debris in the development area should be salvaged and placed in adjacent vegetation where feasible in order to maintain this shelter and food resource for invertebrates, reptiles, mammals and other biota.
- > Any hollow-bearing trees or limbs, or seeding native species should be salvaged and moved to the adjacent bushland.
- > Undertake a pre-clearing inspection before any vegetation clearing occurs to ensure no threatened species have migrated to the site.

DURING CONSTRUCTION

- > Clearly mark native vegetation to be retained as no-go areas for construction crews.
- > Wash down machinery before clearing entering the site (clean on entry) and when leaving site (clean on exit) to limit / prevent weed spread.
- > Limit the risks of Phytophthora Dieback (*Phytophthora cinnamomi*) during construction by following best practice protocols.
- > Ensure that all clearing is only conducted in the defined areas.
- > Ensure that any excavation will take place outside the drip-line of STIF species. It may be necessary to have an ecologist on site when working near the boundary with STIF vegetation;
- > When earthworks are undertaken only use clean fill to reduce the likelihood of introducing weeds.
- > The Quarry should be drained incrementally to reduce the impact on fauna and habitat within the quarry.
- > Ensure that drainage from the site is in line with the Protection of the Environment Operations Act 1997 requirements so that there is no impact on downstream habitats, and potential threatened species habitat. This includes managing the risks presented by invasive species within the quarry such as *Salvinia molesta* and Plague Minnow.
- > Ensure that an ecologist or WIRES member is onsite during the draining of the disused quarry and clearing of vegetation to capture and release fauna found in the construction site. All fauna located within the site will be released into the retained remnant vegetation.

POST-CONSTRUCTION

- > Implement actions outlined in the site specific Vegetation Management Plan (e.g. weed control).
- > Use local provenance native species to revegetate and rehabilitate the subject site and for landscaping within the finished development. This should include the planting of native tree species around the eastern boundary of the site to provide habitat to threatened species identified in the area such as Powerful Owl.

In summary, in terms of potential environmental benefits of the Proposal provides the opportunity to:

- > Enhance biodiversity of the site by clearing noxious weeds from the site and thereby lessen the spread of weeds to the adjacent reserve and private residences.
- > Reduce future degradation of the bushland both on the site and adjacent bushland reserve.
- > Enhance the environmental quality of the site by ensuring that a portion of the site is maintained as bushland which will be maintained as opposed to the neglect of the existing situation.
- > Improve the water management of the site as there are currently large areas of stagnant water which attract vermin.
- > Foster greater community awareness and enjoyment of the environmental and historic qualities of the site and reserve.

4.2.2 Is there any other potential environmental risks and how will they be managed?

Contamination

The report by Pacific Environmental on the findings of a site inspection and soil sampling done on the site, at **Annexure 7** confirmed that the site is suitable for residential development with access to soils.

They report that soils were sampled up to 0.4mBGL. The depth of the soil assessment was limited by the presence of the sandstone floor of the former quarry. Five (5) discrete soil samples were taken from five (5) test bores; all samples were taken in accordance with NSW DECCW *sampling guidelines*). The five (5) soil samples were tested by the laboratory (NATA Accreditation Number 2562) as specified by the NSW DECCW in their Guidelines “*Guidelines for the NSW Site Auditor Scheme – NSW DECC 2006, Second Edition*”.

In addition, Pacific Environmental took two (2) water samples, taken from the impounded water within the old quarry. These were tested by the laboratory (NATA Accreditation Number 2562) as specified by the NSW DECCW in their Guidelines “*Guidelines for the NSW Site Auditor Scheme – NSW DECC 2006, Second Edition*”. Comparison with the ANZECC 2000 Guidelines 95% Freshwater Trigger Values guidelines was undertaken as part of this report. Laboratory analysis revealed that no samples exceeded the ANZECC Guidelines.

Pacific Environmental, experienced contamination consultants were engaged to carry out an assessment of the levels of contamination on the subject site.

Council had concerns about the potential impact of lowering of the groundwater table and potential increases in nutrient loading on the threatened species *Epacris purpurascens* var. *purpurascens* and *Pimelea curviflora* var. *curviflora*. However, no changes to the existing hydrology or nutrient loadings are proposed. As such, there will be no increased impact from changed hydrology.

Bush Fire Risk

Whilst acknowledging the site is **not in a bush fire prone area** on Rural Fire Service or Council Bush Fire Prone Lands Maps, the ‘indicative layout’ has setback buildings from the bushland reserve to the rear and envisages clearing of weeds and undergrowth from parts of the bushland on the site. The inclusion of a permanent water feature will provide a buffer area between the bushland and the proposed development.

In his report at Annexure 8, Roger Fenwick, Bush Fire consultant concludes:

“The proposal can be considered to be reasonably safe against approaching bushfire, subject to vegetation management as shown on the attached indicative proposal, and construction to Level 2 under AS 3959-1999.”

Site land stability.

The site is not identified as being unstable for construction on Council’s Natural Resources - Landslide Risk Maps.

Hydrology – wetland question

At some times during the year there is localised water present on the site in the depression created by the former quarrying activities. It is not a permanent or natural wetland. The closest natural watercourse to the Site is Quarry Branch Creek which runs through the John Curtin Reserve to the west of the subject land. There is a creek in Moxham Reserve approximately 400 metres from the rear boundary of the quarry.

The subject site is **not** identified as a significant wetland in any legislation nor is it identified on any of the following Council LEP 2011 Natural Resources - Riparian Land and Waterways Map.

The proposed works would maintain a portion of the existing standing water along the western boundary, between the proposed development and the vegetation to the west. The retained standing water will not be modified except for a retaining wall along the eastern boundary. The western edge and the native vegetation present will remain untouched.

The environmental impact of the proposed reduction in the area of intermittent water storage was assessed by Eco Logical who concluded that this would not significantly impact the STIF vegetation, reduce water quality, effect water flow or stream ecology, and in fact would be likely to improve water quality and STIF vegetation.

In summary Eco Logical concluded the proposal would ensure:

- > the riparian/terrestrial interface will remain undisturbed,
- > the water levels at the riparian/terrestrial interface will remain unchanged,
- > there will be no decrease in overland flows to the west of the site,
- > no excavation below the current bed of the former quarry is required to redevelop the rezoned portion of the site,
- > the water movement and hydrology through the site will not be affected, and
- > water treatment will improve the quality of water entering the retained standing water by removing some sediments and the majority of gross pollutants, hydrocarbons and nutrients which will benefit the STIF.

The site is not currently connected to the local sewer or stormwater systems. It is proposed to treat the collected stormwater/rainwater for use in the retention feature and development landscaping.

The Report by Floth Sustainable Building consultants at Annexure 5 of this report was prepared to conceptually determine the feasibility of managing the stormwater catchment above and through the proposed site redevelopment, while maintaining the existing downstream condition and improving water quality.

Their report found that the stormwater systems can be designed to ensure that:

- > Upstream catchment is successfully collected, controlled and directed towards the retention feature to the west of the site.
- > The existing downstream condition can be maintained, via the use of natural overland overflow, similar to the existing condition, while improving water quality by reducing gross pollutant levels and reducing the weed infestation of the STIF.
- > The downstream water quality can be improved, via the detention feature to the west of the site, roof rainwater reclamation and on-site detention gross pollutant control. The detention feature provides an increased water quality through settlement. Rainwater reclamation improves water quality overflow, via filtration and sedimentation control, while the two stage

filtration rainwater is discharged back into the landscaping via watering (irrigation system). This water will re-enter the underground water system feeding to the STIF.

- > Gross pollutant traps, that discharge into than on-site detention areas after gross pollutants are removed, will ensure water feeding into the STIF is of high quality.
- > No grey water will be discharged to the retention feature or enter the water system.

Heritage

As detailed in the Heritage report, prepared by Luisa Alessi at **Annexure 4**, the Moxham Quarry was established in the late 1800's by the Moxham family who owned a number of commercial quarries in the Parramatta area at the time. From research and site assessment Luisa believes the quarry was for clay or river pebbles rather than sandstone, stating:

"The wall is clearly not of cut stone, like the wall in the Charles Herbert Reserve and possibly was quarried for clay."

Quarrying on the site ceased somewhere soon after 1914 with the development of the surrounding properties by the Scouts, the Northmead Bowling Club and residential subdivisions.

Moxham Quarry is not covered by any instruments under the NSW Heritage Act (1977) and is not classified by the National Trust of Australia (NSW). The property is not listed as a heritage item in the Parramatta Local Environmental Plan 1996 (Heritage and Conservation).

The site is, however, located adjacent to a heritage item (Moxham Park) and is in the vicinity of the Sylvia Gardens Special Character Area. In this regard Luisa concludes:

"The proposed rezoning of the site will have no impact on the heritage significance of Moxham Park, which is largely associated with its historical and social associations and aesthetic characteristics. The Park will retain its existing site boundaries and identified significant elements and features and will continue to be publicly accessible."

The park is currently bounded by residential development. Whilst a small part of the extended visual curtilage and setting of the Park may change, any potential adverse heritage impacts will be reduced and possibly mitigated by the retention of the existing tree cover and provision of the buffer zone located along the western, shared site boundary."

The report goes on to identify likely positive outcomes of the proposed reuse of the site for residential purposes:

"The proposed LEP Amendment may provide increased opportunities for public visitation and interpretation of Moxham Park and in particularly its historical and aesthetic characteristics."

Moxham Park Reserve Trust

The subject site and the adjacent Moxham Park fall under the Moxham Park Reserve Trust created on 20 October 2012 when Parramatta Council was appointed manager of the Trust. The Trust and Parramatta Council will be consulted on the management of the E3 zoning on the lots 339 and 340 to ensure the ongoing protection of this area.

Impacts on surrounding residents and streetscape

As demonstrated in the Indicative Development Plan at **Annexure 2**, the area of the Site is located and of a suitable size to enable a development that respects the visual and acoustic privacy and sunlight access of surrounding residents. Due to the existing excavated area on the site it will be necessary to design a development that is set well back from boundaries, separated by the access way and generally located within the old quarry and well below the neighbouring properties so that it will nestle into the landscape more than a traditional block. It should also be noted that as illustrated in the aerial photo, the existing dwellings on neighbouring sites are set well away from their side and rear boundaries behind substantial vegetation.

As demonstrated by the indicative development scenario, the existing topography of the Site would result in a 17m high building (from the quarry floor) which would only protrude approximately 8.5m above the ground level of the adjacent bowling greens (Lot 366 DP 752058), due to the substantial level differences between the old excavated quarry which makes up the bulk of the site and the adjacent residential and bowling club properties. It is noted that the LEP maximum height limit on the adjoining properties is 9 metres.

Future apartments on the site would also be barely visible from the Windsor Road frontage of the site. In this regard, the indicative building envelopes and locations have been discussed and designed in consultation with Council planners.



Figure 30 Site aerial showing substantial vegetated rear setbacks of adjacent dwellings

Source: Nearmap.com.au

Traffic and Access

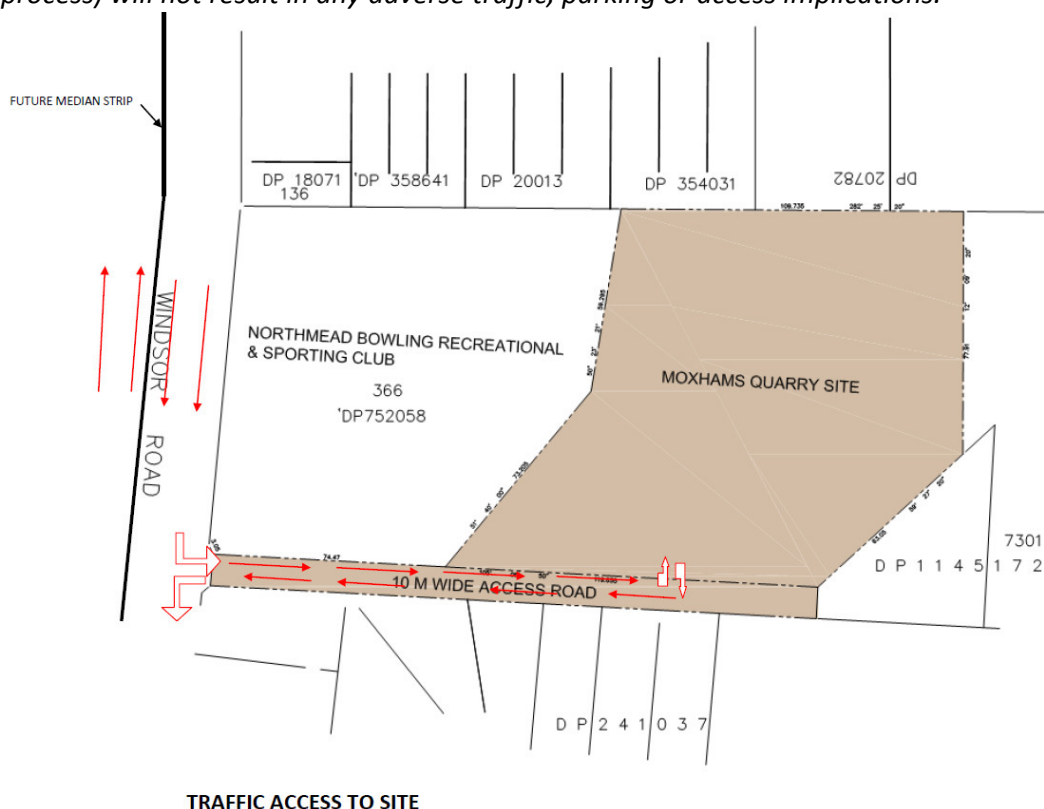
As detailed in their letter included in Annexure 6, Cardno road design engineers have carried an initial review of the topography of the Site provided in the detailed survey commissioned by the Proponent. They conclude that in their opinion, vehicular access to the Site for both construction and permanent operation via the existing access way is achievable and can meet all relevant standards and controls for the type of development contemplated on the site.

Transport and Traffic Planning Associates in their report at Annexure 6 conclude:

“There will be no significant ‘Environmental Capacity’ issues with the proposed development as vehicle access will be directly onto the arterial road system rather than a local residential street.”

“The only issue in relation to traffic related environmental implications is the vehicles which in the future will be required to ‘circle’ on the road system in order to enter the site from the north or egress to the south. These vehicle movements will be relatively minor and will generally use the Model Farms Road/Churchill Drive loop to egress to the south and the Fletcher Street/Campbell Street loop to ingress from the north. Neither of these routes involves any minor local residential streets....

This assessment has concluded that the envisaged development (subject to the LEP amendment process) will not result in any adverse traffic, parking or access implications.”



TRAFFIC ACCESS TO SITE

Figure 31 Access Arrangements for vehicles (Left in, Left out)

Source: LHJ Pty Limited

As detailed in their letter included in **Annexure 6**, Cardno road design engineers have carried an initial review of the topography of the Site provided in the detailed survey commissioned by the Proponent. They conclude that in their opinion, vehicular access to the Site for both construction and permanent operation via the existing access way is achievable and can meet all relevant standards and controls for the type of development contemplated on the site. A preliminary study of the access driveway is provided below.

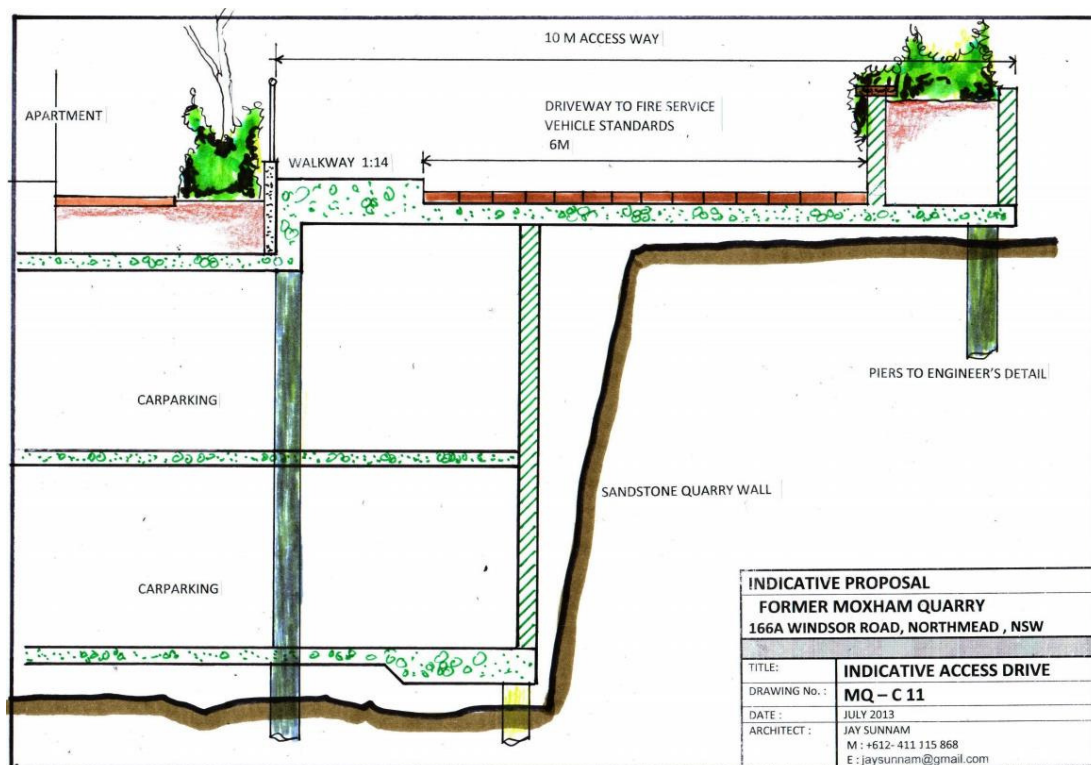


Figure 32 Preliminary Study of Access Driveway

Source: Cardno

Services

A review of the services available to the site including Water; Power; Sewer; Transportation; Telecommunications and Waste Disposal has indicated the existing services are adequate and can be extended to service development as illustrated on the Indicative Development Concept Plan.

Residential amenity

The Indicative Development Plan has been tested and it is confirmed by Jones Williams Architects that future developments can readily comply with SEPP65 and the Residential Flat Design Code. In addition, any future development on the Site could easily be designed to be screened by the substantial existing vegetation on all boundaries.

4.2.3 Would there be any social or economic effects?

The development facilitated by the proposed LEP Amendment will contribute to the general community in the following way:

- > It will result in additional dwellings, improved housing choice and affordability in a highly sought after, accessible area of Sydney in close proximity to the Parramatta Regional Centre;
- > The redevelopment of the site will contribute to the fulfilment of the housing targets established in the Regional and sub- Regional Strategies;
- > The reuse of this currently disused government land by private industry will provide funds to carry out additional government programs for the wider community;
- > The provision of a contemporary residential development on the site will improve the safety and security of the surrounding residential area;

- > Improved safety and security of residents of the immediate local area by the reforming and rehabilitation of the site environmentally, and through the introduction of dwellings which will facilitate a more cohesive residential area and improved passive surveillance of the nearby Reserve areas;
- > The redevelopment of the site for residential purposes as proposed will result in the creation of additional jobs in the construction industry during construction and additional revenue for local businesses during both the construction and operational stages of the development; and
- > The economic use of existing services and facilities which are all available to the support the redevelopment of the site for residential purposes.

4.3 State and Commonwealth Interests

4.3.1 Is there adequate public infrastructure to support the rezoned land?

The subject Site is located in an existing urban area with access to the full range of essential services which can be extended to cater for any future residential development of the Site without augmentation.

4.3.2 What are the views of relevant State Agencies?

As mentioned in the Access and Traffic Report at Annexure 6, the RMS is the only relevant authority and they have advised that they raise no objection to the Project provided vehicular access to future developments on the site is limited to 'Left in Left Out' from Windsor Road.

4.3.3 What is the overall benefit to the Commonwealth or State?

The proposed LEP Amendment is in the State and Commonwealth interest. It will enable the appropriate reuse of surplus State government land with minimal potential for environmental impact and significant opportunity for public benefit. The Planning Proposal fully supports the State and Regional planning objectives for the area surrounding Parramatta CBD.

PART 5 Indicative Project Timeline

The following is an estimate of the project timeframes going forward. The Proponent commits to providing any required details requested by the JRPP within two weeks of any written request for same.

- Referral to DP&E for Gateway determination - August 2014
- Gateway determination - September 2014
- Public exhibition/Public authority consultation – October 2014
- Consider submissions – November 2014
- Post exhibition report to JRPP – December 2014
- Submit to DP&E to finalise LEP amendment (including drafting by Parliamentary Counsel) – January 2015
- Anticipated date for notification of LEP amendment – February/March 2015

ANNEXURE

1

SITE SURVEY

by Adrian Barden

ANNEXURE

2

INDICATIVE DEVELOPMENT
CONCEPT PLAN &
SITE ANALYSIS

by Jay Sunanam Architect in Association with
Jones Williams Architects

ANNEXURE

3

FLORA & FAUNA ASSESSMENT

by Eco Logical Australia Pty Ltd

ANNEXURE

4

HERITAGE REVIEW

by Perumal Murphy Alessi, Heritage
Consultants

ANNEXURE

5

HYDROLOGY REPORT

by Floth Sustainability Consultants

ANNEXURE

6

TRAFFIC & ACCESS REPORT

by Transport and Traffic Planning
Associates

LETTER RE SITE ACCESS ROAD CONSTRUCTABILITY

By Cardno

ANNEXURE

7

SOIL INVESTIGATION &
CONTAMINATION REPORT

by Pacific Environmental

ANNEXURE

8

BUSH FIRE RISK REPORT

by Roger Fenwick, Bush Fire
Management Consultant

