



**CITY OF  
PARRAMATTA**

# PLANNING PROPOSAL

263-273 & 279R Pennant Hills Road and 18 Shirley Street,  
Carlingford





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## Planning Proposal drafts

No.	Author	Details	Version
1	URBIS	As submitted to City of Parramatta Council	28 October 2021
2	City of Parramatta Council	Submission to the DPE for Gateway Determination	24 June 2022
3	City of Parramatta Council	Exhibition version in accordance with Gateway Conditions	26 September 2022

# INTRODUCTION

This planning proposal explains the intended effect of, and justification for, the proposed amendment to *Parramatta (former The Hills) Local Environmental Plan 2012*. It has been prepared in accordance with Section 3.33 of the *Environmental Planning and Assessment Act 1979* and the Department of Planning and Environment (DP&E) guide, 'A Guide to Preparing Local Environment Plans' (December 2021).

## Background and context

On 22 November 2021, the applicant, Karimbla Construction Services (NSW) Pty Ltd (a subsidiary of Meriton Group), on behalf of the landowner, Karimbla Properties (No. 61) Pty Ltd (a subsidiary of Meriton Group), lodged a Planning Proposal with the City of Parramatta Council for land at 263-273 & 279R Pennant Hills Road and 18 Shirley Street, Carlingford.

The site (**figure 1**) has a total area of approximately 27,985sqm and is located within the Carlingford Precinct and is made up of 6 lots:

Lots	DP
Lot 1	DP 1219291
Lot 22	DP 21386
Lots 2, 3 & 4	DP 9614
Lots 61 & 62	DP 819136
Lot 1	DP 531044

The site features a 275m frontage to Pennant Hills Road (a classified state main road) to the east, and a 255m frontage to Shirley Street (a local road) to the north and west. The site is predominately undeveloped and cleared of vegetation however there are five two-storey unoccupied dwellings fronting Pennant Hills Road.

The site is located approximately 400 metres east from the planned Carlingford Light Rail stop.



**Figure 1** – Site at 263-273 & 279R Pennant Hills Rd and 18 Shirley St, Carlingford subject to the planning proposal

Under *Parramatta (former The Hills) Local Environmental Plan 2012* the site:

- is zoned part R4 High Density Residential and part RE1 Public Recreation.
- has a maximum building height of 27 metres fronting Pennant Hills Road and 33 metres fronting Shirley Street with the RE1 Public Recreation zoned land does not have a maximum building height.
- has a maximum floor space ratio (FSR) of 2.3:1 with the RE1 Public Recreation zoned land not having a maximum FSR.
- non-residential uses permitted with development consent in R4 High Density Residential land use zone includes centre-based and home-based child care facilities; community facilities; neighbourhood shops; places of public worship. Under Clause 5.4 (7), the retail floor area of neighbourhood shops must not exceed 100 square metres

An extract of each the above maps is provided at **Figures 4 to 7** in Section 4.1 Existing controls.

# PART 1 – OBJECTIVES AND INTENDED OUTCOMES

The objective of this Planning Proposal is to facilitate the permissibility of ‘shops’, ‘food and drink premises’, ‘business premises’ and ‘recreational facility (indoor)’ up to a gross floor area (GFA) of 2,000sqm. The proposed future development of the site seeks to incorporate a metro-style supermarket.

The site’s current land use zoning R4 High Density Residential currently allows a range of non-residential uses including ‘centre-based childcare facilities’, ‘home-based childcare’, ‘community facilities’, ‘neighbourhood shops’ and ‘places of public worship’, however under Clause 5.4 (7) of the LEP, the retail floor area of neighbourhood shops must not exceed 100 square metres.

The site also contains a portion of land zoned RE1 Public Recreation, but the planning proposal will not affect this portion of the site.

# PART 2 – EXPLANATION OF PROVISIONS

In order to achieve the desired objectives, the following amendments to the *Parramatta (former The Hills) Local Environmental Plan 2012* would need to be made:

1. Addition of shops, food and drink premises, business premises and recreational facility (indoor) as additional permitted uses (limited to a maximum of 2,000sqm) to Schedule 1.
2. Addition of 263-273 & 279R Pennant Hills Road and 18 Shirley Street, Carlingford to the Additional Permitted Uses Map.

## **Note – new Parramatta Local Environmental Plan 2022**

Council has prepared a Planning Proposal for a new Local Environmental Plan (LEP) for the City of Parramatta Local Government Area (LGA). The new LEP will replace the existing LEPs that currently apply to land in the LGA and will be the primary planning document for guiding development and land use decisions made by Council. The focus of the Planning Proposal is harmonisation (or consolidation) of existing LEP controls. The Planning Proposal does not propose major changes to zoning or increases to density controls. The Planning Proposal and supporting documents was publicly exhibited from Monday 31 August 2020 until Monday 12 October 2020.

On 12 July 2021, Council resolved to approve the Harmonisation Planning Proposal and Draft Parramatta Local Environmental Plan (LEP), with minor amendments, and to be forwarded to the Department of Planning, Industry and Environment (DPIE) for finalisation. The Harmonisation Planning Proposal and Draft Parramatta LEP have now been submitted to the Department of Planning, Industry and Environment for finalisation.

If supported by DPIE and Council, it is likely that this Planning Proposal would be completed following the finalisation of the new LEP. Therefore, the controls may be required to formally amend a newly consolidated Parramatta Local Environmental Plan (rather than the Parramatta (former The Hills) LEP 2012 as outlined in this document.

## **2.1 Other relevant matters**

### **Voluntary Planning Agreement**

A Letter of Offer submitted by the applicant proposes to deliver the following public benefits:

- A shared pedestrian and cycle pathway through Council owned Shirley Street Reserve; and
- A raised pedestrian crossing accommodating both cyclists and pedestrians on Shirley Street

The Planning Agreement offers a link from the subject site to deliver a part of the planned cycle/pedestrian network on public land adjacent to the site that will improve connectivity and



access to the Parramatta Light Rail for the wider Carlingford precinct and surrounding neighbourhood and a pedestrian crossing on Shirley Street (Refer **Figure 2**).

The need for a Planning Agreement has been identified as an appropriate mechanism to ensure the increase in demand for infrastructure (e.g. due to additional pedestrian foot traffic) due to the Planning Proposal is satisfactorily addressed. The shared path and crossing noted in the Letter of Offer relate to the provision of community infrastructure that will directly benefit and service future development at the site given the likely increase in demand for services and infrastructure arising from the Planning Proposal.



**Figure 2** – Subject Site and Planning Agreement Items

# PART 3 – JUSTIFICATION OF STRATEGIC AND SITE-SPECIFIC MERIT

This part describes the reasons for the proposed outcomes and development standards in the planning proposal.

## 3.1 Section A - Need for the planning proposal

This section establishes the need for a planning proposal in achieving the key outcome and objectives. The set questions address the strategic origins of the proposal and whether amending the LEP is the best mechanism to achieve the aims on the proposal.

### 3.1.1 Is the planning proposal a result of an endorsed local strategic planning statement, strategic study, or report?

Yes, the proposal is consistent with and builds upon strategic directions of the Local Strategic Planning Statement in particular the need deliver an improved ‘place-based’ outcome by delivering a level of convenience to future local residents as a result of co-location of uses and *“increased retail and commercial floor space within mixed-use development of local centres”*.

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

The proposed approach will facilitate a select range of compatible non-residential uses at ground level and residential apartments above. It is noted that ‘shop top housing’ is already a permissible use in the R4 High Density Residential zone, and the proposal seeks to broaden the non-residential uses that are permissible at ground level. The additional uses are considered appropriate for a high-density residential context and within the broader Carlingford area.

The site is an appropriate place to allow for limited additional commercial floor space, as it immediately adjoins the B2 Local Centre Zone and provides the primary access between the centre and light rail. It will not impact on the existing Carlingford town centre because there is sufficient growth within the market to accommodate the proposed development without adversely impacting the viability of existing and proposed retail centres, due to the substantial population growth across the area and the moderate scale of proposed development. Therefore, allowing the proposed additional permitted uses in a limited capacity is the best means of achieving the objectives or intended outcomes.

## 3.2 Section B – Relationship to strategic planning framework

This section assesses the relevance of the Planning Proposal to the directions outlined in key strategic planning policy documents. Questions in this section consider state and local government plans including the NSW Government’s Plan for Growing Sydney and subregional strategy, State Environmental Planning Policies, local strategic and community plans and applicable Ministerial Directions.

### 3.2.1 Will the planning proposal give effect to the objectives and actions of the applicable regional, or district plan or strategy (including any exhibited draft plans or strategies)?

#### *A Metropolis of Three Cities*

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

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

#### *Infrastructure and Collaboration*

An assessment of the planning proposal’s consistency with the GSRP’s relevant Infrastructure and Collaboration objectives is provided in Table 1, below.

**Table 1 – Consistency of planning proposal with relevant GSRP Actions – Infrastructure and Collaboration**

Infrastructure and Collaboration Direction	Relevant Objective	Comment
<b>A city supported by infrastructure</b>	<b>O1:</b> Infrastructure supports the three cities	The subject site is located 400m of the proposed Carlingford Light Rail Station, and therefore the proposal’s location is compatible with promoting optimal use of the light rail.
	<b>O2:</b> Infrastructure aligns with forecast growth – growth infrastructure compact	
	<b>O3:</b> Infrastructure adapts to meet future need	
	<b>O4:</b> Infrastructure use is optimised	

#### *Liveability*

An assessment of the planning proposal’s consistency with the GSRP’s relevant Liveability objectives is provided in Table 2, below.

**Table 2 – Consistency of planning proposal with relevant GSRP Actions – Liveability**

Liveability Direction	Relevant Objective	Comment
<b>A city for people</b>	<b>O6:</b> Services and infrastructure meet communities’ changing needs	The proposed additional permitted retail use will provide opportunities and better access to jobs and services for current and future population.
	<b>O7:</b> Communities are healthy, resilient and socially connected	The Planning Proposal will encourage greater opportunity to access to local retailers of fresh food.

**Productivity**

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

**Table 3 – Consistency of planning proposal with relevant GSRP Actions – Productivity**

Productivity Direction	Relevant Objective	Comment
<b>A well connected city</b>	<b>O14:</b> The plan integrates land use and transport creates walkable and 30 minute cities	The subject site is located 400m of the proposed Carlingford Light Rail Station, and therefore the proposal's location is compatible with promoting optimal use of the light rail. The proposed development provides opportunities to access to jobs, goods and services.
	<b>O15:</b> The Eastern, GOP and Western Economic Corridors are better connected and more competitive	
<b>Jobs and skills for the city</b>	<b>O19:</b> Greater Parramatta is stronger and better connected	The retail Impact assessment (Appendix 1) indicates that the metro style supermarket will provide employment generation in the region of 76 jobs.

**Central City District Plan**

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

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

**Infrastructure and Collaboration**

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



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

Infrastructure and Collaboration Direction	Planning Priority/Action	Comment
<b>A city supported by infrastructure</b> <b>O1:</b> Infrastructure supports the three cities <b>O2:</b> Infrastructure aligns with forecast growth – growth infrastructure compact <b>O3:</b> Infrastructure adapts to meet future need <b>O4:</b> Infrastructure use is optimised	<b>PP C1: Planning for a city supported by infrastructure</b> <ul style="list-style-type: none"> <li>• <b>A1:</b> Prioritise infrastructure investments to support the vision of <i>A metropolis</i></li> <li>• <b>A3:</b> Align forecast growth with infrastructure</li> <li>• <b>A5:</b> Consider the adaptability of infrastructure and its potential shared use when preparing infrastructure strategies and plans</li> </ul>	<p>The subject site is located 400m of the proposed Carlingford Light Rail Station, and therefore the proposal's location is compatible with promoting optimal use of the light rail. The proposed development provides opportunities to access to jobs, goods and services.</p> <p>The retail Impact assessment (Appendix 1) indicates that the metro style supermarket will provide employment generation in the region of 76 jobs.</p>

### Liveability

An assessment of the planning proposal's consistency with the CCDP's relevant Liveability Priorities and Actions is provided in Table 5, below.

**Table 5 – Consistency of planning proposal with relevant CCDP Actions – Liveability**

Liveability Direction	Planning Priority/Action	Comment
<b>A city for people</b> <b>O6:</b> Services and infrastructure meet communities' changing needs	<b>PP C3: Provide services and social infrastructure to meet people's changing needs</b> <ul style="list-style-type: none"> <li>• <b>A8:</b> Deliver social infrastructure that reflects the need of the community now and in the future</li> </ul>	<p>The proposed additional permitted uses will provide opportunities and better access to services for current and future population.</p>
<b>O7:</b> Communities are healthy, resilient and socially connected	<b>PP C4: Working through collaboration</b> <ul style="list-style-type: none"> <li>• <b>A10:</b> Deliver healthy, safe and inclusive places for people of all ages and abilities that support active, resilient and socially connected communities by (a-d).</li> <li>• <b>A15:</b> Strengthen social connections within and between communities through better understanding of the nature of social networks</li> </ul>	<p>The Planning Proposal will encourage greater physical activity and social connection by locating services locally. It also provides better access to local retailers of fresh food.</p>

	and supporting infrastructure in local places	
<b>A city of great places</b> <b>O12:</b> Great places that bring people together.	<b>PP C6: Creating and renewing great places and local centres, and respecting the District's heritage</b> • <b>A20:</b> Use place-based planning to support the role of centres as a focus for connected neighbourhoods	

## Productivity

An assessment of the planning proposal's consistency with the CCDP's relevant Productivity Priorities and Actions is provided in Table 6, below.

**Table 6 – Consistency of planning proposal with relevant CCDP Actions – Productivity**

Productivity Direction	Planning Priority/Action	Comment
<b>A well-connected city</b> <b>O19:</b> Greater Parramatta is stronger and better connected	<b>PP C7: Growing a stronger and more competitive Greater Parramatta</b> • <b>A23:</b> Strengthen the economic competitiveness of Greater Parramatta and grow its vibrancy • <b>A26:</b> Prioritise infrastructure investment	The proposed development provides opportunities to access to jobs, goods and services. The retail Impact assessment (Appendix 1) indicates that the metro style supermarket will provide employment generation in the region of 76 jobs.
<b>Jobs and skills for the city</b> <b>O15:</b> The Eastern, GPOP and Western Economic Corridors are better connected and more competitive	<b>PP C8: Delivering a more connected and competitive GPOP Economic Corridor</b> • <b>A29:</b> Prioritise public transport investment to deliver the 30-minute city objective for strategic centres along the GPOP Economic Corridor	The subject site is located 400m of the proposed Carlingford Light Rail Station, and therefore the proposal's location is compatible with promoting optimal use of the light rail. The proposed development provides opportunities to access to jobs, goods and services.
<b>O14:</b> The plan integrates land use and transport creates walkable and 30 minute cities	<b>PP C9: Delivering integrated land use and transport planning and a 30-minute city</b> • <b>A32:</b> Integrate land use and transport plans to deliver a 30-minute city	

<b>O23:</b> Industrial and urban services land is planned, retained and managed	<b>PP C10: Growing investment, business opportunities and jobs in strategic centres</b> <ul style="list-style-type: none"> <li>• <b>A37:</b> Provide access to jobs, goods and services in centres</li> </ul>	The proposed development provides opportunities to access to jobs, goods and services. The retail impact assessment (Appendix 1) indicates that the metro style supermarket will provide employment generation in the region of 76 jobs.
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### ***Sustainability***

An assessment of the planning proposal's consistency with the CCDP's relevant Productivity Priorities and Actions is provided in Table 7, below.

**Table 7 – Consistency of planning proposal with relevant CCDP Actions – Sustainability**

<b>Sustainability Direction</b>	<b>Planning Priority/Action</b>	<b>Comment</b>
<b>O31:</b> Public open space is accessible, protected and enhanced	<b>PP C17: Delivering high quality open space</b> <ul style="list-style-type: none"> <li>• <b>A71:</b> Maximise the use of existing open space and protect, enhance and expand public open space by (a-g) [abridged]</li> </ul>	N/A

### **3.2.2 Will the planning proposal give effect to a council's endorsed local strategic planning statement, or another endorsed local strategy or strategic plan?**

The following local strategic planning documents are relevant to the planning proposal:

#### **Parramatta 2038 Community Strategic Plan**

Parramatta 2038 is a long term Community Strategic Plan for the City of Parramatta and it links to the long-term future of Sydney. The plan formalises several big and transformational ideas for the City and the region.

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

**Accessible:** The proposed additional permitted retail use will provide opportunities and better access to jobs and services for current and future population.

**Thriving:** Contributes to the vibrancy of Parramatta, provides opportunities and better access to jobs and services, which promotes a better quality of life.

**Innovative:** The Planning Proposal provides local retail service to local and the broader community.

#### **Parramatta Local Strategic Planning Statement**

In March 2018 the NSW Government introduced requirements for councils to prepare a Local Strategic Planning Statement (LSPS) as part of planning legislation to align state and

local government plans as well as to guide long term planning and infrastructure decisions. LSPS responds to the planning priorities and objectives within the NSW Government's Central City District Plan as well as the statutory requirements set out in section 3.9 of the Environmental Planning and Assessment Act 1979 (EP&A Act 1979) and supporting regulations.

The LSPS provides greater weight to strategic planning in the broader plan making process and any new planning proposal must justify any inconsistency with this framework and the supporting Local Housing Strategy (LHS) and Employment Lands Strategy (ELS).

Council's Local Strategic Planning Statement was published on 31 March 2020. The LSPS provides strategic direction on how the City of Parramatta is planning for the next 20 years. The site is in an area identified for further population growth, and given there is an existing undersupply of supermarket floorspace in the broader region and the potential job creation from the proposal, it is considered that the Proposal is generally consistent with the LSPS as it is line with Planning Priority 11 which aims to *"Build the capacity of the Parramatta CBD, Strategic Centres, Local Centres and Employment Lands to be strong, competitive and productive"* as the proposal will help to facilitate *"retail and commercial floorspace within mixed use development of local centres."*

### **Parramatta Local Housing Strategy**

The City of Parramatta Local Housing Strategy (Housing Strategy) provides direction at the local level about when and where future housing growth will occur and identifies the relationship with the broader NSW government strategic objectives as identified in the Greater Sydney Region Plan – A Metropolis of Three Cities and the Central City District Plan.

The provision of non-residential uses at the site is aligned with the vision and objectives established in the Housing Policy and will only very slightly reduce the site's ability to deliver residential offerings, as it 'replaces' some of the gross floor area permitted with non-residential uses. The site will still be able to assist in achieving the housing target identified for Carlingford as it is an *"already rezoned precinct which has significant further capacity"*.

The co-location of appropriately scaled retail, business, recreation and residential uses will achieve an improved 'place-based' outcome by delivering a level of convenience to future residents which and *"create activity in neighbourhoods and provide an opportunity for the market to either deliver more housing or commercial space"*. The small-scale nature of the proposed facilities combined with its direct pedestrian connections to the B2 zoned land to the north suggests that this proposal will contribute and support the overall vibrancy of the Carlingford Town Centre, which will rely on activated and pedestrian spaces to more broadly enhance connectivity of the town centre to the Station. A mix of uses creates activity in neighbourhoods, such as cafes and small bars, providing more social opportunity. In some locations, such as near the Parramatta CBD core, it provides an opportunity for the market to either deliver more housing or commercial space depending on the best and highest use of the site.

### **3.2.3 Is the planning proposal consistent with any other applicable State and regional studies or strategies?**

#### **Future Transport Strategy 2056**

The Planning Proposal is in line with 'Future Transport Strategy 2056' principle of the 'Accessible Services'. The associated planning agreement consists of a shared walking and



cycle path through Shirley Street Reserve which will help facilitate connection from the Carlingford light rail stop to the broader pedestrian and cycle network.

## State Infrastructure Strategy

The planning proposal is in line with the State Infrastructure Strategy objective of ‘Service Growing Communities’. The associated Planning Agreement will deliver quality infrastructure to match population growth and the evolving needs of the community is a fundamental role of Government which includes better access to essential services provided by the proposed supermarket.

### 3.2.4 Is the planning proposal consistent with the applicable State Environmental Planning Policies?

The following State Environmental Planning Policies (SEPPs) are of relevance to the site (refer to Table 8 below).

**Table 8** – Consistency of planning proposal with relevant SEPPs

State Environmental Planning Policies (SEPPs)	Consistency: Yes = ✓ No = x N/A = Not applicable	Comment
<b>SEPP No 1 Development Standards</b>	N/A	Not relevant to proposed amendment.
<b>SEPP 4 – Development Without Consent and Miscellaneous Exempt and Complying Development</b>	N/A	Not relevant to proposed amendment.
<b>SEPP 60 – Exempt and Complying Development</b>	N/A	This SEPP is not applicable to the subject land under Clause 1.9 of the Parramatta LEP 2011.
<b>SEPP No 65 Design Quality of Residential Flat Development</b>	✓	Detailed compliance with SEPP 65 will be demonstrated at the time of making a development application for the site facilitated by this Planning Proposal.
<b>SEPP (BASIX) 2004</b>	N/A	Detailed compliance with SEPP (BASIX) will be demonstrated at the time of making a development application for the site facilitated by this Planning Proposal.
<b>SEPP (Exempt and Complying Development Codes) 2008</b>	✓	May apply to future development of the site.
<b>SEPP (Housing) 2021</b>	N/A	Not relevant to proposed amendment.

<b>SEPP (Resilience and Hazards) 2021</b>	✓	There is no proposed works as a part of this Planning Proposal.
<b>SEPP (Industry and Employment) 2021</b>	N/A	Not relevant to proposed amendment. May be relevant to future DAs in relation for advertising and signage associated with associated retail/commercial space.
<b>SEPP (Transport and Infrastructure) 2021</b>	✓	May apply to future development of the site for a future DA.
<b>SEPP (Biodiversity and Conservation) 2021</b>	N/A	The proposed development is not located directly on the Sydney Harbour Catchment foreshore. Any potential impacts as a result of development on the site, such as stormwater runoff, will be considered and addressed appropriately at DA stage.
<b>SEPP (Planning Systems) 2021</b>	N/A	May apply to future development of the site.
<b>SEPP (Precincts – Central River City) 2021</b>	N/A	Not relevant to proposed amendment.

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

In accordance with Clause 9.1 of the *EP&A Act 1979* the Minister issues directions for the relevant planning authorities to follow when preparing planning proposals for new LEPs. The directions are listed under nine focus areas:

1. Planning Systems and Planning Systems – Place Based
2. Design and Place (This Focus Area was blank when the Directions were made)
3. Biodiversity and Conservation
4. Resilience and Hazards
5. Transport and Infrastructure
6. Housing
7. Industry and Employment
8. Resources and Energy
9. Primary production

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

**Table 9 – Consistency of planning proposal with relevant Section 9.1 Directions**

Relevant Direction	Comment	Compliance
<b>1. Planning Systems and Planning Systems – Place Based</b>		
<p>Direction 1.1 – Implementation of Regional Plans</p> <p>The objective of this direction is to give legal effect to the vision, land use strategy, goals, directions and actions contained in Regional Plans.</p>	<p>The Planning Proposal applies to land within Sydney's Central City. The Planning Proposal is consistent with the goals, directions and actions contained in the Greater Sydney Region Plan.</p>	Yes
<p>Direction 1.3 – Approval and Referral Requirements</p> <p>The objective of this direction is to ensure that LEP provisions encourage the efficient and appropriate assessment of development.</p>	<p>The Planning Proposal does not introduce any provisions that require any additional concurrence, consultation or referral.</p>	N/A
<p>Direction 1.4 – Site Specific Provisions</p> <p>The objective of this direction is to discourage unnecessarily restrictive site specific planning controls.</p>	<p>This Planning Proposal seeks to amend Schedule 1 of the Parramatta (former The Hills) LEP 2012 to allow 'shops' to facilitate a metro-style supermarket, 'food and drink premises', 'business premises' and 'recreational facility (indoor)' up to a gross floor area (GFA) of 2,000sqm. It is considered that a site specific provision is required for this planning proposal in order to facilitate uses for which there is an identified demand as per the Retail Impact Assessment (Appendix 1) which notes the undersupply of supermarket floorspace in the Parramatta LGA. The amendment will generate additional employment on R4 High Density Residential Land. Rezoning this whole site would facilitate the additional uses over the entire site and result in unintended/greater impacts from a traffic and economic perspectives than what has currently been considered. For example, rezoning the whole site could allow for a larger or multiple supermarkets to develop on the site, the impacts of which have not been assessed.</p>	Yes

Relevant Direction	Comment	Compliance
	A site specific provision is considered the best approach to facilitate the proposed use and mitigate any unintended impacts that could result from the entire site being rezoned. This is proposed to be achieved via a site specific provision limiting the additional uses on the site to a maximum cap of 2,000 sqm, thereby ensuring that the site does not develop outside a clearly defined parameter.	
<p>Direction 1.7 - Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan</p> <p>The objective of this direction is to ensure development within the Greater Parramatta Priority Growth Area is consistent with the Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan dated July 2017 (the Interim Plan).</p>	The planning proposal aligns with the plan's vision of next generation living from Camellia to Carlingford by helping facilitate the living, learning and leisure district that is planned for this northern area of GPOP as it facilitates retail and recreation facilities providing the "conveniences of 'inner-city' living"	Yes
<b>2. Design and Place</b>		
This Focus Area was blank at the time the Directions were made.		N/A
<b>3. Biodiversity and Conservation</b>		
<p>Direction 3.1 – Conservation Zones</p> <p>The objective of this direction is to protect and conserve environmentally sensitive areas.</p>	The Planning Proposal is consistent with this direction, in that it does not apply to environmentally sensitive areas or alter provisions for land in a conservation zone.	Yes
<p>Direction 3.2 – Heritage Conservation</p> <p>The objective of this direction is to protect and conserve environmentally sensitive areas.</p>	The Planning Proposal is consistent with this direction, in that it has no impact to heritage or environmentally sensitive areas.	Yes
<p>Direction 3.5 – Recreation Vehicle Areas</p> <p>The objective of this direction is to protect sensitive land or land with significant conservation</p>	The Planning Proposal is consistent with this direction, in that it: is not proposing to enable land to be developed for the purpose of a recreation vehicle area.	Yes

Relevant Direction	Comment	Compliance
values from adverse impacts from recreation vehicles.		
<b>4. Resilience and Hazards</b>		
<p>Direction 4.1 – Flooding The objectives of this direction are to:</p> <ul style="list-style-type: none"> <li>(a) Ensure that development of flood prone land is consistent with the NSW Government's Flood Prone Land Policy and the principles of the Floodplain Development Manual 2005, and</li> <li>(b) Ensure that the provisions of an LEP that apply to flood prone land are commensurate with flood behaviour and includes consideration of the potential flood impacts both on and off the subject land.</li> </ul>	The Planning Proposal is consistent with this direction, in that it is not proposing to development on flood prone land.	Yes
<p>Direction 4.3 Planning for Bushfire Protection The objectives of this direction are to:</p> <ul style="list-style-type: none"> <li>(a) Protect life, property and the environment from bush fire hazards, by discouraging the establishment of incompatible land uses in bush fire prone areas, and</li> <li>(b) Encourage sound management of bush fire prone areas.</li> </ul>	The Planning Proposal is consistent with this direction, in that it is not proposing to development on bushfire prone land.	Yes
<p>Direction 4.4 – Remediation of Contaminated Land The objective of this direction is to reduce the risk of harm to human health and the environment by ensuring that contamination and remediation are considered by planning proposal authorities.</p>	The land is not within an investigation area within the meaning of the Contaminated Land Management Act 1997 and has not been subject to development as described in Table 1 of the contaminated land planning guidelines.	Yes

Relevant Direction	Comment	Compliance
<p>Direction 4.1 - Acid Sulphate Soils</p> <p>The objective of this direction is to avoid significant adverse environmental impacts from the use of land that has a probability of containing acid sulfate soils.</p>	<p>Acid sulphate soils will be addressed further at the development application stage.</p>	N/A
<b>5. Transport and Infrastructure</b>		
<p>Direction 5.1 – Integrating Land Use and Transport</p> <p>The objective of this direction is to ensure that development reduces dependence on cars, increases the choice of available transport and improves access to housing, jobs and services by walking, cycling and public transport.</p>	<p>The Planning Proposal is consistent with this direction, in that it:</p> <ul style="list-style-type: none"> <li>• will enable future workers to walk or cycle to work as the site is in close proximity to the Carlingford light rail service.</li> <li>• will maintain and provide additional retail/commercial premises in proximity to existing transport links</li> </ul>	Yes
<p>Direction 5.2 – Reserving Land for Public Purposes</p> <p>The objectives of this direction are to facilitate the provision of public services and facilities by reserving land for public purposes and facilitate the removal of reservations where the land is no longer required for acquisition.</p>	<p>The Planning Proposal does not include the identification of or removal of and land require for acquisition.</p>	Yes
<p>Direction 6.3 - Site Specific Provisions</p>	<p>The Planning Proposal does not introduce any site -specific provisions.</p>	Yes
<b>6. Housing</b>		
<p>Direction 6.1 – Residential Zones</p> <p>The objectives of this direction are to encourage a variety and choice of housing types, make efficient use of existing infrastructure and services and minimise the impact of residential development.</p>	<p>The Planning Proposal may result in the reduction of housing potential on the subject site, as it allows for 2,000sqm GFA for non-residential uses. However, this impact would be minimal (between 20-25 units) on the overall housing permitted within the current planning controls in the Carlingford Precinct.</p>	Yes
<b>7. Industry and Employment</b>		
<p>Direction 7.1 – Business and Industrial Zones</p> <p>The objectives of this direction are to:</p>	<p>A Retail Impact Assessment (Appendix 1) has been prepared and concludes that there is sufficient growth in the market to accommodate the proposed development without</p>	Yes



Relevant Direction	Comment	Compliance
(a) Encourage employment growth in suitable locations, (b) Protect employment land in business and industrial zones; and (c) Support the viability of identified centres.	adversely impacting the ongoing viability of existing retail centres. The assessment indicates that the metro style supermarket will provide employment generation in the region of 76 jobs.	

### 3.3 Section C – Environmental, social and economic impact

This section considers the potential environmental, social and economic impacts which may result from the Planning Proposal.

#### 3.3.1 Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?

The site is not affected by critical habitat or threatened species, populations or ecological communities, or their habitats.

#### 3.3.2 Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?

##### Traffic and Transport

The expected additional trips as shown in the traffic and parking assessment (**Appendix 2**) on the main road network would be limited to around 47 to 113 vehicles per hour (vph) during the weekday AM peak period and around 92 to 152 vph in the PM peak periods, which is equivalent to one to three additional vehicles per minute, which is considered minor in the surrounding context. The traffic and parking assessment notes:

- If there is no retail component within this precinct, then trips to retail developments beyond the site by the approved residential component would generate external trips to the road network to access other local retail centres.
- The site is within walking distance of the light rail station and bus stops so many of the trips would be walk by trips from public transport customers.
- The site would accommodate a small metro style supermarket (1,200sqm) which will provide limited day to day items and groceries so it will not necessarily require or encourage access by cars unlike larger format supermarkets.

The proposed additional land uses will service local residents in the area and are therefore likely to reduce vehicle trips to outside of the area. A wider footpath will connect the supermarket to the Parramatta Light Rail. This will be discussed further in the Planning Agreement section of the report.

The parking requirement of the proposal will be provided in accordance with Part C of The Hills Development Control Plan 2012 - a minimum car parking requirement of 1 space per 18.5m<sup>2</sup> gross leasable floor area (GLFA) for retail shops (including shopping centres and general business retail). Assuming that GLFA is approximately 75% of GFA, the proposed retail yield of 1,500sqm GLFA will require a total minimum car parking requirement of 81 spaces.

### 3.3.3 Has the planning proposal adequately addressed any social and economic effects?

#### Economic Effects – Retail Impact

The proposed supermarket will assist in addressing the substantial undersupply of supermarket floorspace within the Carlingford area, trade area and competition (**figure 3**). The retail impact assessment (**Appendix 1**) notes there is sufficient supermarket floorspace demand over the short to long term to justify the proposed development on the subject site. The study also notes supermarket and ground floor retail facilities at the subject site will address an immediate need for future on-site residents by providing convenient top-up shopping amenity close to home, and reducing the need for people to drive to undertake daily or top-up shopping.



**Figure 3 – Trade Area and Competition**

The proposed supermarket at the subject site will have no significant impact on the surrounding network of centres and will have positive benefits in terms of addressing undersupply, catering to future demand, creating amenity and economic benefits such as employment. Furthermore, the assessment report notes upon completion of the development, the ongoing operational phase of the retail uses would support a total of 76 additional jobs.



The proposal aligns well with objectives at state, district and local level. The scale and mix of non-residential uses are suitable for that of a local centre. The ambition to re-activate the site and create a focal point for the wider precinct is particularly supported. The potential job creation associated with the proposed development and existing undersupply of supermarket space within the trade area as articulated in the supporting assessment.

### Social Effects

In terms of social impacts, in allowing for a metro style supermarket in an area with an identified shortage of supermarket floor space, the planning proposal will provide for the day-to-day needs of the local population in the area and therefore provide positive social impacts.

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

### **3.4.1 Is there adequate public infrastructure for the planning proposal?**

The Proposal does not intend to facilitate any new development, rather the Planning Proposal will facilitate additional permitted uses.

The Planning Agreement will provide an appropriate mechanism to ensure that issues associated with the increase in demand for infrastructure as a result of the Planning Proposal are satisfactorily addressed.

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

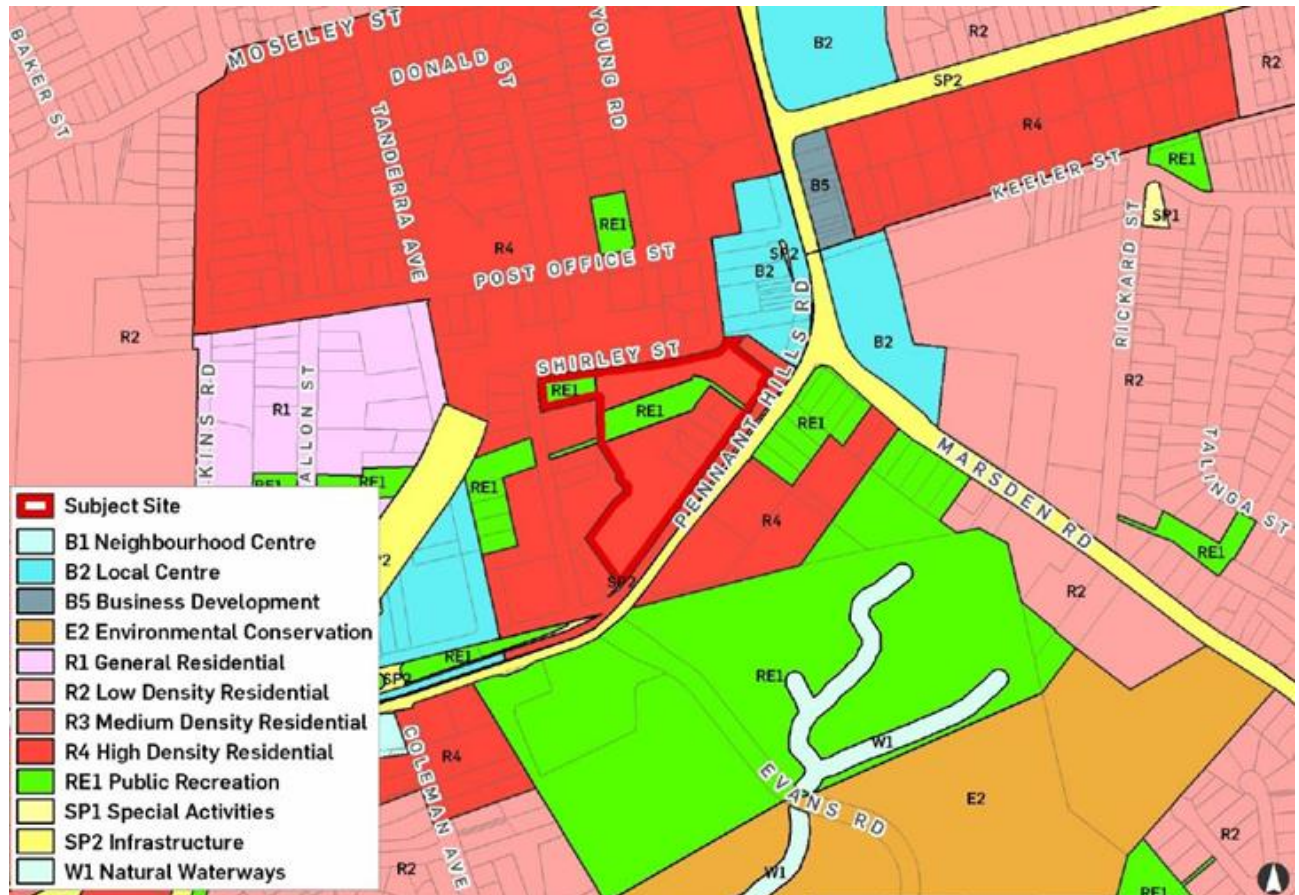
Consultation with the State and Commonwealth public authorities will be undertaken with Transport for NSW and Transport for NSW (Parramatta Light Rail Team) as required by the gateway determination during the public consultation period.

# PART 4 – MAPS

This section contains the mapping for this planning proposal in accordance with the DP&E's guidelines on LEPs and Planning Proposals.

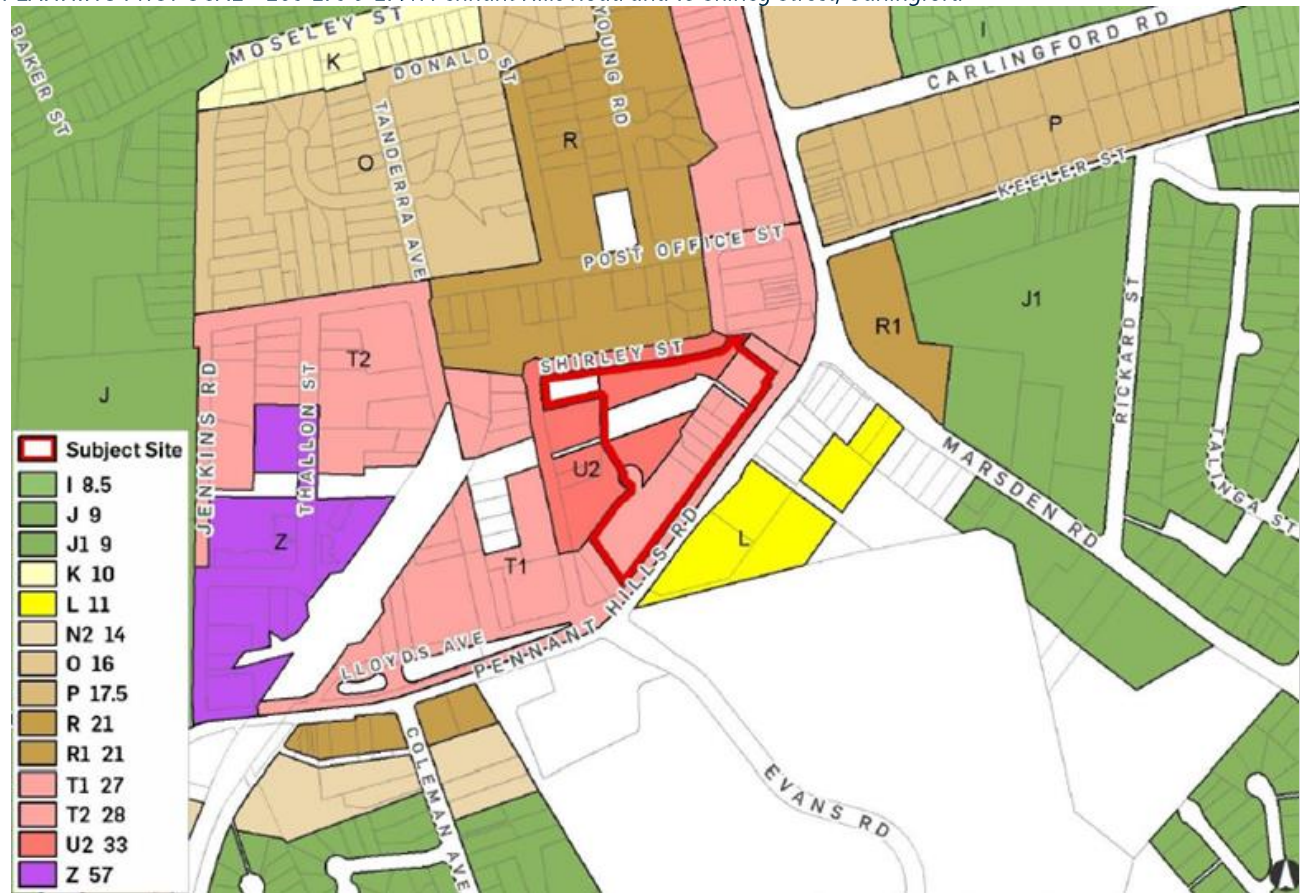
## 4.1 Existing controls

This section illustrates the current *Parramatta (former The Hills) Local Environmental Plan 2012* controls which apply to the site.



**Figure 4 – Existing zoning from *Parramatta (former The Hills) LEP 2012 Land Zoning Map***

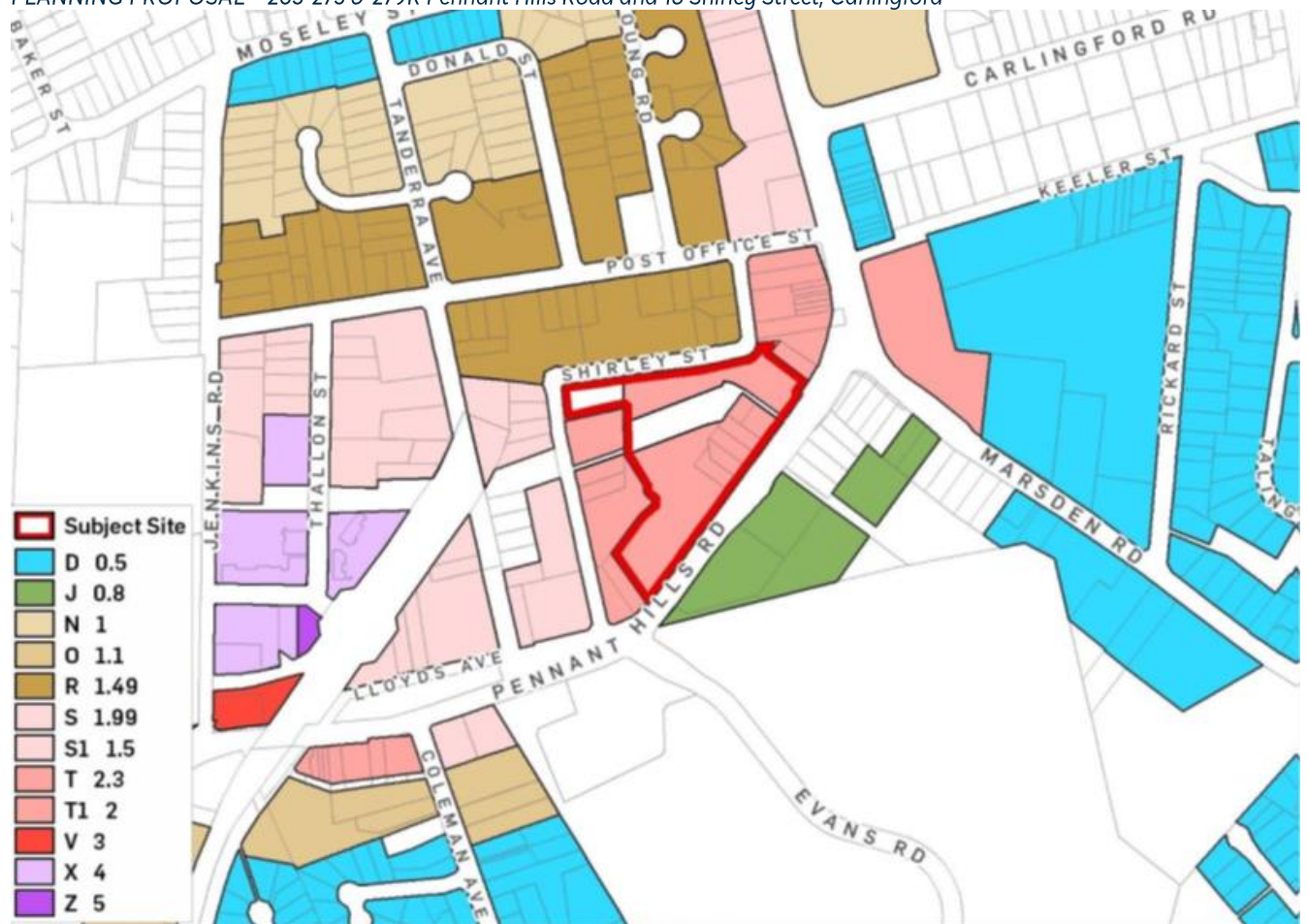
Figure 4 illustrates the existing zoning is part R4 High Density Residential and part RE1 Public Recreation



**Figure 5 – Existing building heights extracted from the Parramatta (former The Hills) LEP 2012 Height of Buildings Map**

Figure 5 illustrates maximum heights of 33m along Shirley Street and 27m along Pennant Hills Road.





**Figure 6 – Existing floor space ratio extracted from the Parramatta (former The Hills) LEP 2012 Floor Space Ratio Map**

Figure 6 illustrates the existing Floor Space Ratio on the RE1 High Density Residential Land is 2.3:1 and that RE1 Public Recreation Land has no Floor Space Ratio.

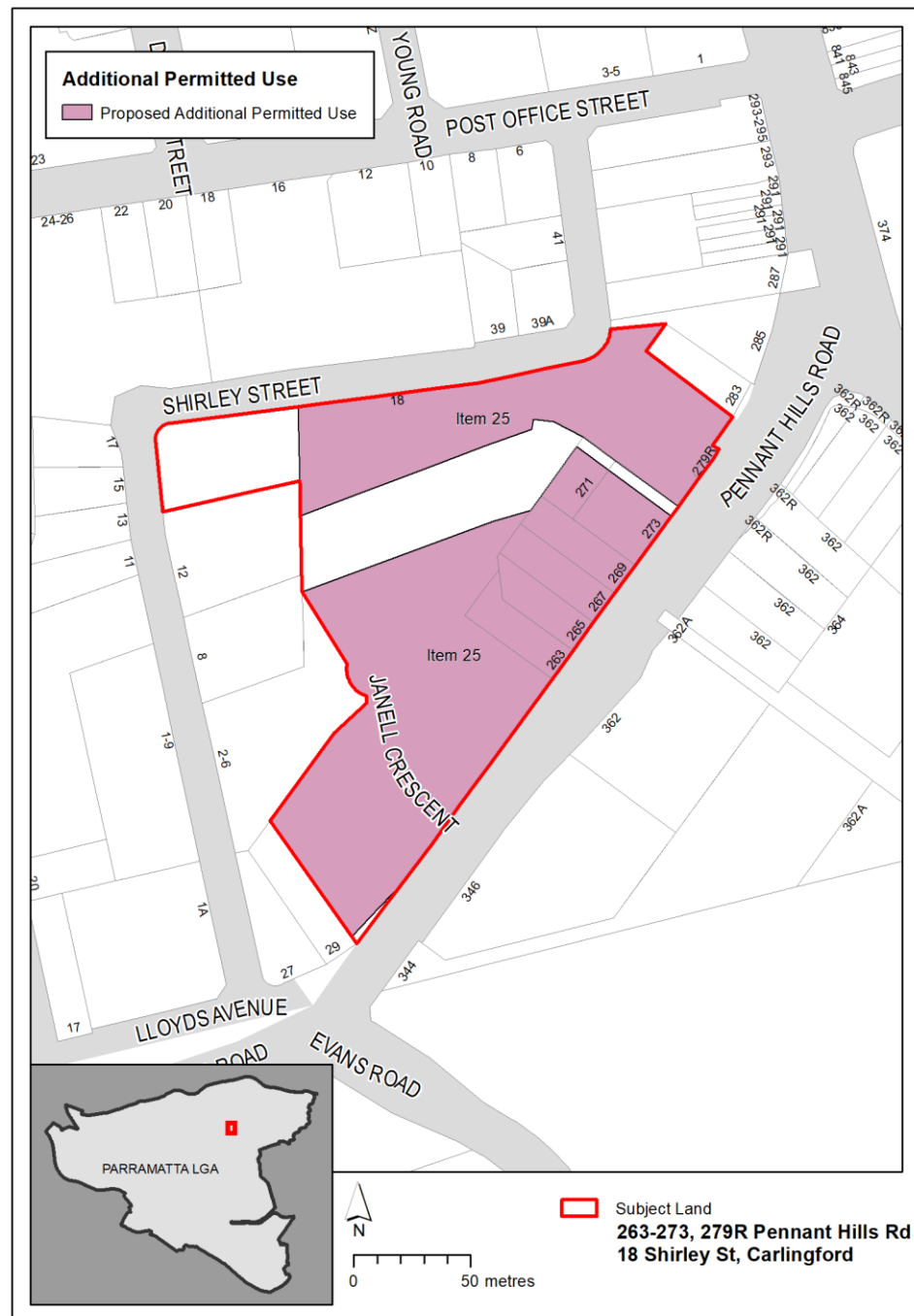


**Figure 7** – Existing additional permitted uses extracted from Parramatta (former The Hills) LEP 2012 Floor Space Ratio Map.

Figure 7 illustrates the existing additional permitted uses on the site.

## 4.2 Proposed controls

No changes to the zoning, height, and FSR controls are proposed as a part of this Planning Proposal. The proposal is seeking to amend Schedule 1 of the Parramatta (former The Hills) Local Environmental Plan 2012 by adding additional permitted uses.



**Figure 8 – Proposed amendment to the Parramatta (former The Hills) LEP 2012 Additional Permitted Use Map**

Figure 8 above illustrates the proposed additional permitted use to permit 'shops', 'food and drink premises', 'business premises' and 'recreational facility (indoor)' (limited to a maximum of 2,000m<sup>2</sup>) on the R4 High Density Residential parts of the site.

# PART 5 – COMMUNITY CONSULTATION

The planning proposal is to be publicly available for community consultation. It is noted that consistent with sections 3.34(4) and 3.34(8) of the EP&A Act 1979, where community consultation is required, an instrument cannot be made unless the community has been given an opportunity to make submissions and the submissions have been considered.

Public exhibition will include:

- newspaper advertisement;
- display on the Council's web-site;
- written notification to adjoining landowners; and
- hard copies at the council customer service centre and Carlingford library.

As required by the gateway determination the planning proposal will be made publicly available for a minimum of 20 days; and will be sent to Transport for NSW and Transport for NSW (Light Rail Team).

Each public authority will be provided with a copy of the planning proposal and any relevant supporting material via the NSW Planning Portal and given at least 30 days to comment on the proposal.

# PART 6 – PROJECT TIMELINE

Once the planning proposal has been referred to the Minister for review of the Gateway Determination and received a Gateway determination, the anticipated project timeline will be further refined, including at each major milestone throughout the planning proposal's process.

Table 10 below outlines the anticipated timeframe for the completion of the planning proposal.

**Table 10 – Anticipated timeframe to planning proposal process**

MILESTONE	ANTICIPATED TIMEFRAME
Report to LPP on the assessment of the PP	17 May 2022
Report to Council on the assessment of the PP	14 June 2022
Referral to Minister's delegate for review of Gateway determination	24 June 2022
Date of issue of the Gateway determination	29 July 2022
Date of issue or revised Gateway determination (if relevant)	N/A
Commencement and completion dates for public exhibition period	Commencement: by 29 October 2022 Completion: 29 November 2022
Commencement and completion dates for government agency notification	Commencement: by 29 October 2022 Completion: by 29 November 2022
Consideration of submissions	December 2022 – January 2023
Consideration of planning proposal post exhibition and associated report to Council	by 29 March 2022
Submission to the Department to finalise the LEP	April 2022
Notification of instrument	by 31 May 2023



## **Appendix 1 – Retail Impact Assessment**

## **Appendix 2 – Traffic and Parking Assessment**