

Sydney Central City Planning Panel
Parramatta Square, 12 Darcy Street
Parramatta NSW 2124

Your Ref	PP-2022-376 – 2020CCI004
Our Ref	RZ/14/2016
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22 June 2022

ATTN: Alicia Hall,

**COUNCIL SUBMISSION - NOTICE OF EXHIBITION FOR THE PLANNING PROPOSAL AT
241-245 PENNANT HILLS ROAD, CARLINGFORD**

Thank you for the opportunity to comment on the Planning Proposal for land at 241-245 Pennant Hills Road, Carlingford, and for granting an extension for the submission to be submitted.

Council does not object to some redevelopment occurring on the site but raises several concerns in relation to the exhibited Planning Proposal as detailed in the accompanying submission.

The key issues Council officers raised in the submission reinforce the resolved Council position dated 22 July 2019 and relate to the following:

- Traffic and road network impacts
- Land use permissibility
- Bulk and scale / interface with surrounding low-density development
- Location of the through-site link
- Lack of sufficient deep soil
- Infrastructure delivery

To demonstrate how a revised scheme might address these concerns, Council officers have modelled an alternative development scheme based on a 1.5:1 Floor Space Ratio (FSR) and 28m building height with 3,500m² commercial floor area. This is in accordance with the resolution of July 2019 whereby Council was amenable to considering a scheme with reduced FSR and height along these lines. The alternative scheme is provided at **Attachment 1** of the submission.

We look forward to working with the applicant and the Sydney Central City Planning Panel to resolve Council's concerns regarding this Planning Proposal.

Kind regards,



Jennifer Concato - Executive Director, City Planning and Design

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Planning Proposal 241-245 Pennant Hills Road, Carlingford

**Council Submission
20 June 2022**

INTRODUCTION

Thank you for the opportunity for Council to provide comment on the draft Planning Proposal for 241-245 Pennant Hills Road, Carlingford (Planning Proposal). Council does not object to the redevelopment of this site, however does not support the built form as included in the exhibition documents. Council welcomes the opportunity to discuss the matters identified in this submission.

The key issues with the Planning Proposal relate to the following:

- Traffic and road network impacts
- land use permissibility
- bulk and scale
- interface with surrounding low density development
- location of the through-site link
- overshadowing
- lack of sufficient deep soil
- infrastructure delivery

To demonstrate how a revised scheme might address these concerns, Council officers have modelled an alternative development scheme based on a 1.5:1 Floor Space Ratio (FSR) and 27.9m building height with 3,500m² commercial floor area that is consistent with the Council resolution of 22 July 2019 (whereby Council was amenable to a 1.5:1 FSR and 28m height limit subject to an additional condition requiring a minimum 2,940m² commercial floor space to ensure no loss of commercial floor space across the site). It is noted that this latest Council officer alternative scheme differs to a previous Council officer alternative scheme that was reported to the 21 May 2019 Local Planning Panel (LPP) given it was designed to be consistent with the Council resolution of 22 July 2019. Council officer's most recent alternative scheme is provided at **Attachment 1** of this submission.

The submission comprises five (4) key areas, including:

1. Background
2. Key issues
3. Infrastructure funding and delivery
4. Conclusion

A summary of current and proposed controls and changes is provided in **Table 1**.

	Current	Proposed
Zone	Part B2 Local Centre and Part SP2 Infrastructure	No change
Building Height	9m (approx. 2-3 storeys)	14m to 49m (approx. 4-15 storeys)
Floor Space Ratio (FSR)	1:1	2.1:1
Dwelling Yield	46 units approx.	97 units approx.
Job Number	N/A	150 approx.
Other proposed changes: <ul style="list-style-type: none"> • Allow for enclosed private balconies to be excluded from GFA calculations (not exceeding a total area of 465m²). • Require a minimum of 1,970m² of non-residential floor space in the future development. • Require the preparation of a DCP prior to any development consent being issued. • Apply design excellence provisions to the site. 		

Table 1 Summary of current and proposed controls and changes

1. BACKGROUND

The Planning Proposal has been subject to an extensive history, which is detailed at **Attachment 2**. In summary, the originally proposed 2.1:1 FSR and 49m height limit was supported by Council officers and the 21 May 2019 LPP, with the LPP determining that Council consider 2.4:1 FSR subject to a unit cap of 108 and a minimum commercial floor area of 1,970m². The 2.1:1 FSR and 49m height limit was recommended to Council as part of the 22 July 2019 Council report. Council resolved not to support the Planning Proposal at its meeting of 22 July 2019 and resolved that a lower FSR of 1.5:1 and height limit of 28 storeys was appropriate. Council encouraged the proponent to revise their Planning Proposal to be consistent with this resolution. However, this was not agreed to by the proponent and subsequently a rezoning review was pursued.

Council's resolved position for not supporting the higher FSR and height include:

- *The proposed maximum building heights would be out of character for the site and is likely to negatively impact upon the privacy, amenity and solar access of properties to the west of the site on Felton and Pennant Hills Roads.*
- *The proposal in its current format will result in a reduction in the amount of existing commercial floor space at the site which is inconsistent with the objectives of the Central City District Plan and its objectives to provide employment in the Carlingford area.*
- *The vehicle movements generated and connections proposed would put unacceptable levels of traffic on local roads which are already over capacity during peak periods and would potentially delay and conflict with movements on Pennant Hills Road.*

2. KEY ISSUES

Notwithstanding Council officer's previous support for the higher FSR and height, noting the redistribution of building envelopes compared to the original scheme, and following further urban design testing of the most recently exhibited material, Council officers raise issues with the Planning Proposal as expanded upon below.

In addition, it is important to note that the subject site is outside the established precincts mooted for higher density development as part of Council's Local Strategic Housing Statement (LSPS). The development is therefore subject to the housing diversity criteria specified in the LSPS that requires, amongst other things, the built form to be compatible with the surrounding environment (which as detailed in this submission, it is not) and provide 5-10% permanent affordable rental housing. Notwithstanding the housing diversity criteria in the LSPS, the concerns raised in this submission are based on the exhibited scheme, and Council officer's preferred scheme that is based on the Council resolution of 22 July 2019.

Pedestrian and vehicular circulation and traffic impacts

The proposed density increase will have impacts to an already congested network and traffic improvements are needed before density to the extent of what is being proposed should be supported.

The current location of the driveway off Felton Road is supported. However, Felton Road is classified as a local road that has narrow road widths and currently has traffic and parking issues during school peak periods. Felton Road, particularly at the Baker Street intersection, is heavily congested and regularly gridlocked during school peak periods as it is used by parents of nearby schools (James Ruse Agricultural High School west of Baker Street and Carlingford West Public School east of Baker Street) for pick up and drop off, and likely school buses as well. The proposed development will result

in increased traffic generation, putting further strain on the intersection of Felton Road and Baker Street, which is already at capacity during school peak periods.

There is no information provided on the estimated trip generation by the proposed development. This needs to be addressed to understand likely traffic impacts. Improvements are required at this intersection to improve traffic conditions, and this must be addressed and modelled in the traffic report.

The subject site is within 400m from the future Parramatta Light Rail stop. As a result, objective 3J-1 of the ADG is applied to this site which states that “the minimum car parking requirement for residents and visitors is set out in the Guide to Traffic Generation Developments, or the car parking requirement prescribed by the relevant Council, whichever is less”. On this basis, the RMS parking rates for high density residential flat buildings within metropolitan sub-regional centres are applicable to this site.

Potential traffic impacts resulting from new development are a key concern for Council. It is essential that the Planning Proposal and supporting traffic study can demonstrate that the increase in density on the site will not have any significant negative impacts on the existing road network. This includes ensuring that adequate on-site parking is provided for residents and visitors. It is also crucial that deep soil zones not be sacrificed at the expense of basement parking.

Building Height

The maximum proposed building height of 49m (15 storeys) is not supported in its current form. This increase in height generates a large bulk and higher street edge that is not considered appropriate for the site given the proximity to existing low density residential development and interface with Pennant Hills Road.

A maximum building height of 28m (9 storeys) is considered appropriate for this site that will result in a built form that responds to the existing context and that is in accordance with the desired future character of the area.

Podium Height and street wall

A podium should be reinstated with a lesser height that better responds to the future context and existing surrounding buildings. Upon review of the scheme a podium height that is 3 storeys maximum (as opposed to the proposed 4, 6 and 10 storey podium heights) is preferred. This creates a comfortable scale to the street frontage that is sympathetic with building heights along Pennant Hills Road and that produces a suitable podium to tower proportion. The maximum building depth for any podium element should be 22m to provide adequate amenity to the residential units and internal courtyard.

Tower component

An increased height to the current LEP controls for the tower element (limited to 1000sqm floor plate / gross building area (GBA) to 29m may be supported by Council officers (with a scheme of a maximum FSR of 1.5:1) if the following proposed podium setbacks are respected and the built form steps down to the northern and western edge:

- Given the podium layout and size after setbacks are applied, Council officers will consider a 0m upper-level setback provided that wind mitigation measures are implemented where required e.g., Awnings and façade treatments.
- A secondary lower tower element to the north can be accommodated at 5 storeys maximum. This is to facilitate a height transition to the western edge and enable adequate solar access to the internal courtyard.

This is shown in further detail in **Attachment 1**.

Setbacks

A minimum 6m deep soil setback should be provided along Pennant Hills Road (after Transport for New South Wales dedication) and Felton Road. These setbacks should consider the space necessary for trees with generous canopies to be suitably accommodated. The setbacks along Pennant Hills Road also helps create a buffer and will protect residents from noise and pollution with trees facilitating a positive natural outlook. Recommended tree species include *Eucalyptus scoparia*; *Brachychiton acerifolius*; *Jacaranda mimosifolia* and *Angophora floribunda*.

A 9m setback to the western boundary is recommended as it can accommodate a through-site link, and a vegetated deep soil zone that will provide ample canopy cover to that edge. This vegetated buffer will provide adequate shade and privacy to the public and adjacent residents. The 9m width is a required transition zone from the low scale development to the west, which is also a requirement of the visual privacy criteria specified in the Apartment Design Guide (ADG).

Interfaces

West: The proposed residential development along the western boundary is not preferred as it decreases the size of communal open space. The removal of the development along this edge would improve pedestrian permeability and co-locate communal open space within a deep soil zone, which will enhance the survival of vegetated habitats. Council officers recommend that the western edge be utilised as a through-site link, which creates a north-south connection and increases the buffer between the proposed and established lower density development.

Street: The 49m built form along Pennant Hills Road and Felton Road presents a sheer edge that does not relate to the predominantly low to mid rise character of the development to the west and south. Further consideration should be given to this interface and its suitability within this context.

Permissibility

“Residential accommodation” which includes residential flat buildings (RFBs) are prohibited in the B2 Local Centre zone. The B2 Local Centre zone only permits RFBs in the form of “Shop top housing”, which requires dwellings to be located above ground floor commercial premises or health services facilities.

Shop top housing will aid in activating the street edge and bring economic opportunities to this site in-keeping with the objectives of the zone.

It is acknowledged that Council officers initially supported the location of attached dwellings/terraces along the western boundary of the site to act as a transition in built form to the adjacent low density residential development; however, this form of development is not permitted in the zone.

Building bulk and scale

The tower floor plate along Pennant Hills Road, although articulated, presents large and bulky proportions due to its length. Council officers recommend a maximum tower floor plate length of 45m to create a slender element and minimise visual impact and overshadowing of open space and adjacent development.

The tower above the podium overhangs onto the through-site link. This is not supported as it exposes the underside of the tower and amplifies bulk and scale. The through-site link should be completely open to sky to allow for sufficient solar amenity and to encourage pedestrians to utilise the link, as is provided in Council officer’s alternative design scheme (refer to **Attachment 1**).

Childcare facility

The proposed childcare facility at Level 1 is not supported. Although it is acknowledged that a future Development Application will provide the detailed design, it is recommended that any childcare facility be located on the ground floor, which can connect to outdoor open space, be open to the sky, be visible and easily accessible from Felton Road. It is noted that the entire ground floor could not comprise a childcare facility as at least part of the ground floor would need to also comprise a retail premises or business premises as “shop top housing”. In addition, the exhibited plans do not appear to include sufficient play space for the proposed 90 place facility in accordance with *State Environmental Planning Policy (Transport and Infrastructure) 2021* (Transport SEPP). Further, the proposed facility will overlook the proposed residential dwellings on the western boundary that will result in privacy concerns.

Wintergardens

Wintergardens could be considered suitable along the Pennant Hills Road frontage due to the road noise and pollution generated by this arterial road. However, should these areas have the ability to be fully enclosed, Council officers do not support the exclusion of these areas from GFA. Enclosed winter gardens read as enclosed habitable rooms from the street, adding to visual bulk and scale. Further, enclosed winter gardens reduce the perception of depth to the façade, reducing the articulation of the building. Given these spaces have the potential to be utilised as habitable rooms (given they can be fully enclosed), any winter gardens should therefore be included as GFA.

In addition to the above, fully enclosable balconies could potentially have implications on the ability to achieve natural ventilation, as intended by the natural cross-ventilation objectives within the Apartment Design Guide (ADG). Therefore, Council officers do not fully object to the idea of winter gardens, albeit they should be counted as GFA and be limited to only the first few storeys to protect articulation. It is recommended that appropriate provisions be inserted into the site-specific DCP stipulating the functionality of these spaces. Such controls have been included in site-specific DCP adopted by Council for Melrose Park North.

Through-site link

The through-site link is proposed to be a public asset (this is supported in principle, however details would need to be resolved as part of a Planning Agreement), however through the grading and proposed design it will likely be perceived as a private thoroughfare. Providing this link along the Western edge of the site will allow the opportunity for it to comprise a deep soil zone for more substantial landscaping that will assist with the transition from the proposed high density development to the adjacent two storey residential area.

It is acknowledged that the inclusion of a through-site link was a direct result of previous consultation with CoP and the intention is supported. However, the proposed design is likely to create a space that is unclear to users as to its functionality and usability.

The through-site link should:

- be open to the sky;
- be a 24/7 publicly accessible space;
- have pedestrian lighting to Australian Standards to provide safe 24/7 access without light spill into adjoining residential properties;
- extend from the footpath on Felton Road to the footpath on Pennant Hills Road;
- have equitable access using graded walkways of no steeper than 1:20, limited use of ramps (if imperative) and/or a 24/7 clearly visible publicly accessible lift service within the building structure;

- have view lines that align across blocks with passive surveillance from the commercial and residential uses of the site;
- trees in deep soil (preferably) or in in set down slabs and planters to encourage and sustain large canopy trees generally consistent with the ADG requirements of minimum soil volumes; and
- be a minimum 3m wide, with controlled access for light-weight maintenance/service vehicles.

Deep soil

The Hills DCP 2012 requires at least 15% of the site area to be deep soil with 6m as a minimum dimension. The applicant is requested to submit a drawing showing the deep soil distribution with dimensions and percentages. It is recommended that the deep soil zone is connected to and be co-located with the communal open spaces to enable planting of large trees and movement of ground water and fauna.

Basement parking

It is recommended that all basement parking be contained within the building footprint to enable deep soil wherever possible. The extension of the basement to the boundary at the northern edge is not supported as it reduces the amount of deep soil to that boundary. Considering the site fronts onto the electricity transmission towers site to the north, a buffer of larger trees and native plantation is recommended, which a suitably sized deep soil area would help to achieve.

Heritage

The site is located opposite to the local heritage item I28 within the Parramatta (former The Hills) LEP 2012, known as the *K13 Submarine Memorial Reserve*. The urban design statement states that the impact on K13 Submarine Memorial Park is minor, with some overshadowing occurring for one hour only and affecting a small portion of the site. Council considers that the overshadowing of this park has been underestimated and may have additional impacts on the item and vegetation within the reserve. It is recommended that the building height or form be modified to reduce the impact on the heritage item and surrounding residences in-line with the Council officer alternative development scheme that will ensure impacts are minimised (refer to **Attachment 1**).

Communal open space

Given the location of this site along a major arterial road, it is essential that high quality communal open space be provided within the site. This proposed design does not appear to comply with the minimum communal open space requirements as per The Hills DCP and should be modified to comply with the following in-line with the Council officer alternative design scheme:

- A minimum of 20m² per dwelling is to be provided as a consolidated communal open space for shop top housing and mixed-use developments, where a development comprises five or more dwellings.
- At least 75% of the communal open space area must be provided at ground level and be well landscaped.
- Where upper level or rooftop communal open space is proposed, these spaces are to incorporate landscaping features such as planter boxes or vertical gardens consistent with the required soil depth.
- Where adjoining a residential zone, landscape screening strips with a minimum width of 2m must be provided within setback areas.
- Screen planting should be provided within private and communal open space areas to improve privacy and amenity for residents and surrounding properties.
- The currently designed communal open space is focused on the rooftop terraces with a small area of 25m² on the ground floor; this is not sufficient to provide for good residential amenity.

Environment

Although the Planning Proposal is consistent with the Central City District Plan, it fails to address sustainability related planning priorities, objectives or actions. The Planning Proposal does not adequately address the LSPS and the Local Housing Strategy (LHS). These documents have statutory weight and Planning Proposals are required to demonstrate consistency with these strategic documents with regards to sustainability-related planning priorities.

The City of Parramatta's Environmental Sustainability Strategy (ESS) sets carbon emissions reduction, renewable energy and water consumption targets. The ESS found that under a business-as-usual scenario, carbon emissions and potable water consumption in the City of Parramatta are predicted to increase by 42% and 50% by 2038 respectively, largely due to new development and population growth. To limit the impacts of growth, Council officers require new development and major projects to commit to energy and efficiency and renewable energy solutions that will reduce emissions and water consumption. Examples of strategies and commitments that may be suitable include:

- Improved BASIX targets – Basix Energy +10 above regulated minimum and BASIX water 48
- Maximum use of passive solar shading and natural ventilation in dwellings to improve passive resilience
- Mitigation of Urban Heat Island impacts through building design, materials and landscape treatments
- Maximising roof area allocated for the generation of renewable energy
- Prioritising active transport
- Future proofing through provision of EV charging infrastructure
- Future proofing through all-electric buildings
- Precinct-based initiatives to increase energy and water efficiency
- Provision of dual water piping in all residential units
- Water sensitive urban design
- Avoiding synthetic refrigerants
- Infrastructure to maximise separation and recovery of organic waste

Council's Environmental Sustainability controls contained in section 8.2 Dual Water Systems to section 8.9 Wind Mitigation of Parramatta DCP 2011 should be included in any site-specific DCP noting these controls are consistently included in Council's site-specific DCPs.

3. INFRASTRUCTURE DELIVERY AND FUNDING

Council raises significant concerns regarding the ability to secure the required infrastructure and funding to support the development that would typically be required by Council as part of a Planning Proposal. The proponent had previously indicated a willingness to enter into a Planning Agreement with Council and had submitted a Letter of Offer. The Letter of Offer included the provision of a pedestrian link through the site between Felton Road and Pennant Hills Road, and provision of a childcare centre with a minimum capacity of 90 places. Council officers were, in-principle, supportive of these items, however negotiations with the proponent did not progress as a result of the Council resolution of 22 July 2019.

Since this time, Council has adopted the Parramatta (Outside CBD) Contributions Plan which seeks section 7.11 contributions from developments on a per-bedroom basis. These funds contribute towards delivering the infrastructure identified on Council's works program for the Parramatta local government area (LGA). To ensure that infrastructure items that benefit the residents and surrounding community of a development are also delivered, a Planning Agreement is required in addition to the section 7.11 contributions. Planning Agreements are typically linked to Planning Proposals, and Council's concern is that the mechanism for securing this infrastructure is removed given that Council is not the Planning Proposal Authority. In some instances, Planning Agreements can be attached to a

development consent; however, this is not Council's preferred mechanism as it does not provide certainty at the control-making stage that in effect allows the increased density.

Should a Planning Agreement not be entered into between Council and the developer at the Planning Proposal stage, Council becomes at risk of not being able to secure the required infrastructure. Should the proponent be intending to dedicate land to Council for the purposes of the through-site link, then this must be formalised via a Planning Agreement. This is also the case should no dedication occur and instead, an easement be placed on the land. This Planning Agreement will stipulate requirements such as maintenance periods, embellishment costs, and timing of delivery. It is essential that Council be given the opportunity to negotiate these terms with the proponent prior to finalisation of this Planning Proposal.

4. CONCLUSION

This Planning Proposal has been subject to numerous iterations since lodgement with Council in 2016. Most recently, Council resolved on 22 July 2019 to not support the Planning Proposal with an FSR of 2.1:1 and height limit of up to 49m but would consider a revised Planning Proposal representing a 1.5:1 and 28m height limit. The exhibited Planning Proposal seeks an FSR of 2.1:1 and height limit of 49m and therefore, Council does **not** support the proposed scheme in its exhibited form. Council recommends that consideration be given to the issues raised and the alternative scheme detailed in this submission and recommends that further consideration be given to the suitability of the proposed design within the site context.

Attachment 1 – Council Officer’s Alternative Scheme

An alternative scheme has been developed that is consistent with the 1.5:1 FSR and 28m height limit that Council indicated could be supported on the site at its meeting of 22 July 2019. This scheme proposes a 1.5:1 FSR and maximum height of 27.9m that attempts to resolve the issues raised in the submission whilst also enabling a reasonable redevelopment to occur on the site.

It is noted that an alternative scheme was prepared in support of the Council officer report to the 21 May 2019 LPP meeting with a 2.1:1 FSR and building height of part 14m and part 49m. The scheme reduced the bulk of the podium to improve the transition to lower density development to the west. Council officer’s most recent alternative scheme outlined below has a 1.5:1 FSR and 27.9m height limit that is in accordance with the density of the 22 July 2019 Council resolution. Compared to the earlier alternative scheme, a revised building configuration and a new location of the through-site link is proposed that is a result of the most recent urban design testing that has been carried out by Council’s Urban Design team.

A summary of the scheme is provided in **Table 2** below. It is noted that the height limit exceeds that supported by Council; however, is considered a reasonable compromise following on from the further urban design testing that has been carried out based on the exhibited material.

Table 2. Council officer-recommended alternative scheme

FSR	1.5:1
Height	27.9 (9 Storeys)
Total GFA	9461m ²
Commercial	3500m ²
Yield	69 units
Landscaped Area	3069m ²
Communal Open Space (Ground Floor)	1849m ²
Communal Open Space (Podium)	1052m ²
Deep Soil landscaping	1826m ²

Indicative diagrams of the alternative scheme are provided in **Figures 1-4**.



Figure 1. Plan perspective

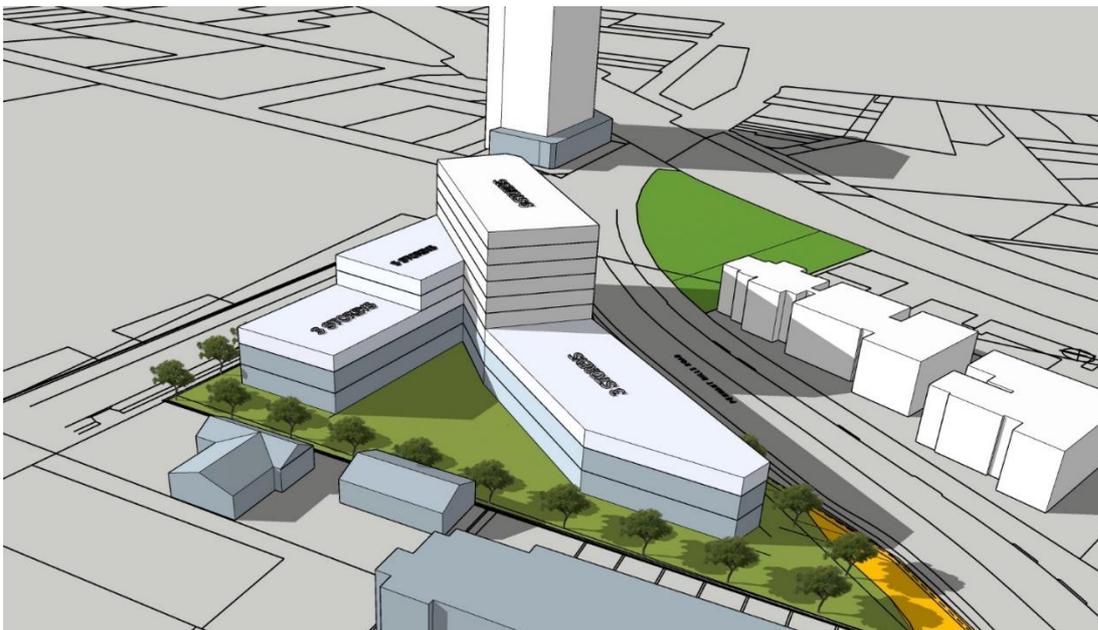


Figure 2. West perspective looking northeast

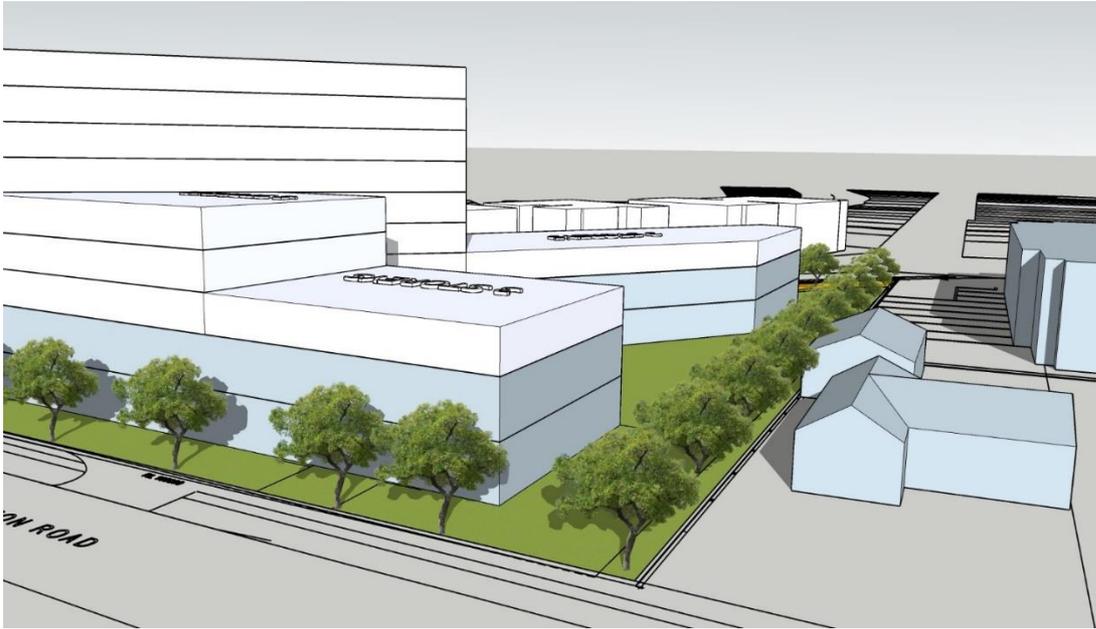


Figure 3. Felton Road perspective (north perspective)



Figure 4. Pennant Hills Road and Felton Road perspective (northeast)

3.1 Key Changes

The through-site link has been relocated against the western boundary. It will be 9m wide, which will allow for a deep soil zone and path access running north to south from Pennant Hills Road to Felton Road providing separation between the site and adjacent low density residential development.

The proposed through-site link should be designed as a 24/7 publicly accessible space with equitable access and be included as part of any future Planning Agreement negotiation with Council (further details provided in Section 3 of this submission).

The scheme also includes the following key elements:

- Road setbacks are 6m wide.
- Commercial space to ground floor of podium.
- Built form is distributed over 3 different heights:
 - Towers sit at 9 storeys along Pennant Hills Road down to a podium of 3 storeys closer to the western edge.
 - A secondary tower sits at 5 storeys to Felton Road and steps down to a 3-storey podium.
- The taller tower sits at the corner of the site.
- Communal open space to align in between the arc of the podium and connect to the through-site link on the west.

Attachment 2 – History

This site was formerly within The Hills Shire Council (The Hills) Local Government Area (LGA); however, as a result of the Local Government amalgamations in May 2016, the site is now within the City of Parramatta LGA. A Planning Proposal for this site was initially lodged with The Hills, which was ultimately not supported by the elected Council. Following the amalgamations, the proponent submitted the Planning Proposal to City of Parramatta Council (CoP) for assessment. Since this time, the Planning Proposal has been subject to multiple revisions seeking to achieve an appropriate outcome for the site.

A brief timeline is provided below.

May 2016 – Planning Proposal handed over to the City of Parramatta Council (CoP) from The Hills following the Local Government amalgamations. The Planning Proposal was subject to a Rezoning Review by the Sydney Central City Planning Panel (The Panel) due to The Hills not making a decision on the Planning Proposal within the required 90 days. The Planning Proposal sought an increase in FSR and height controls to 2.8:1 and 57m (17 storeys) respectively. The decision of The Panel was to lower the proposed FSR and height controls to 1.5:1 and 28m (8 storeys) respectively; however, it noted there was an opportunity for the Gateway determination to be altered if it were to be justified by careful analysis of the urban design, height outcomes and traffic issues associated with any revised Planning Proposal.

2016-2019 – Ongoing discussions with the applicant.

May 2019 - the Planning Proposal was considered by the Local Planning Panel (LPP) on 21 May 2019 where it was recommended that the Planning Proposal proceed to Council. The LPP supported the proposed FSR of 2.1:1 and height range of 14m to 49m (4-15 storeys) as recommended by Council officers, but the LPP recommended that an FSR of up to 2.4:1 could be considered subject to a dwelling cap of 108 units and a minimum commercial floorspace of 1,970m².

July 2019 - The Planning Proposal was considered by Council on 22 July 2019. At this meeting, Council resolved **not** to support the Planning Proposal. Council did however resolve to “be amenable” to a revised Planning Proposal at a lower FSR of 1.5:1 and building height limit of 28m (approx. 8 storeys) in keeping with The Panel’s previous decision from 2016 subject to there being no loss of existing commercial floor space on the site (with a minimum commercial floor area of 2,940m²).

May 2021 – As a result of the Council resolution, the applicant indicated that they did not wish to submit a Planning Proposal in keeping with the Council resolution, therefore the Planning Proposal was considered refused. The applicant subsequently requested a Rezoning Review by The Panel, which took place on 7 May 2021. The Panel resolved to support the Planning Proposal as per the Council officer recommendation that was reported to Council on 22 July 2019. At this time, The Panel was appointed the Planning Proposal Authority and would therefore be responsible for progressing the Planning Proposal through the plan-making process as opposed to Council.

February 2022 - A Gateway determination was issued by DPE on 22 February 2022 with a 12-month finalisation timeframe.