

CALADINES  
TOWN PLANNING PTY LTD



# **Planning Proposal**

**Amend**

**Parramatta Local Environmental Plan 2011**

**235 – 237 Marsden Road**

**Carlingford**

**December 2016**

**ALLAN CALADINE**  
Town Planner MPlA 

1 Lynbrook Court Castle Hill  
NSW 2154

[T] (02) 9659 7211  
[F] (02) 9659 7244  
[M] 041 359 7295  
[E] [caladines@optusnet.com.au](mailto:caladines@optusnet.com.au)

Local Government Specialist  
ABN 91 096 903 347

# TABLE OF CONTENTS

|   |    |
|---|----|
| 1.0 Introduction.....   | 3  |
| 2.0 Regional Context.....   | 5  |
| 2.1 The Site and Surrounding Environment.....   | 6  |
| 2.2 Site Details.....   | 22 |
| 2.3 Surrounding Road Network.....   | 23 |
| 2.4 Projected Traffic Generation.....   | 23 |
| 2.5 Traffic and Parking.....  | 24 |
| 2.6 Public Transport.....   | 24 |
| 2.7 Economics.....  | 26 |
| 3.0 Pre-Lodgement Meeting.....  | 27 |
| 3.1 Existing Use Rights.....  | 28 |
| 4.0 Proposed Redevelopment of Site.....   | 29 |
| 5.0 Local Planning Controls.....  | 32 |
| 6.0 Planning Proposal.....  | 41 |
| 7.0 Assessment of Planning Proposal Against NSW Department of<br>Planning & Environment Guidelines..... | 43 |
| 8.0 Conclusion.....   | 59 |

Appendix 1 – Architectural Drawings

Appendix 2 - Traffic Report

Appendix 3 – Heritage Report

Appendix 4 – Contamination Assessment

Appendix 5 – Arborist Report

Appendix 6 – Amended Zone Map, Height Map and FSR Map

## 1.0 Introduction

This Town Planning report has been prepared by Caladines Town Planning Pty Ltd on instructions from Gaiset Pty Ltd and accompanies a Planning Proposal to The City of Parramatta Council (known hereafter as Council) for land at 235 – 237 Marsden Road Carlingford (known hereafter as the subject site), consisting of three (3) parcels of land that accommodate a retail plant nursery and two (2) single detached dwellings with associated landscape supply storage areas behind for the property generally known as Swanes Nursery.

The Planning Proposal explains the background to, intent of, and justification for the proposed amendments to Parramatta Local Environmental Plan (PLEP) 2011. Such amendments include:

- change the zoning of the land from R2 Low Density Residential to R3 Medium Density Residential;
- amend the permissible floor space ratio (FSR) from 0.5:1 to 0.6:1 across the whole site and
- amend the permissible building height from 9m to 11m;

A detailed architectural scheme has been prepared by Architex Architects (known hereafter as Architex) in support of the Planning Proposal. The scheme demonstrates that the proposed amendments to PLEP 2011 are consistent with Council's strategic planning vision for this neighbourhood as well as those set out in numerous Regional strategic studies undertaken by the Department of Planning & Environment over the years for the following reasons:

- the proposal will extinguish an existing prohibited land use (retail plant nursery) from operating on the site that is within a predominantly low to medium density residential neighbourhood. The use is currently permissible because of the sites enjoyment of existing use rights prescribed under the Environmental Planning and Assessment Act 1979 and the Environmental Planning and Assessment Regulations 2000;
- adopting the objectives of the Planning Proposal will extinguish any conflict between business and residential land uses;
- the proposal will make better use of the quality local retail hubs, public open space, schools and public transport that are within walking distance of the subject site;
- the proposal has the ability to provide quality residential accommodation for employees of the nearby business hubs;
- provision is made for 48 townhouses (defined in the dictionary of PLEP 2011 as multi dwelling housing) with associated separate basement car parking areas containing 82 resident car spaces;
- provision is made for 12 indented at grade visitor car spaces abutting the townhouses internal road network;
- the proposal makes provision for new medium density housing in the form of townhouses within a well-established low to medium density residential neighbourhood of Carlingford;
- provides additional housing stock for the Parramatta LGA to meet the housing targets set by the draft west central subregional planning strategy and draft West Central District Plan;
- the proposal provides for an increase in housing choice and affordability in a sustainable manner close to all forms of services and amenities;

- the proposal will provide a sympathetic development to the neighbourhood that will not generate any unreasonable noise or overshadowing impacts upon existing or future dwellings;
- the proposal will not generate any unacceptable traffic impacts in terms of additional traffic movements on the surrounding road network that cannot be readily absorbed into the existing road hierarchy. The submission demonstrates that the current number of traffic movements generated on weekends from the site are substantially higher than that generated by the proposed townhouse development and
- the proposal provides for an increase in housing density to improve safety and security within the public and private domains;

If the Planning Proposal does not proceed, none of the above public benefits will be delivered as there are no other permissible land uses in the subject sites current R2 Low Density Residential zone to provide an economic incentive for the plant nursery to close

The Planning Proposal has been prepared in accordance with Section 55 of the Environmental Planning and Assessment Act 1979 and "A guide to preparing planning proposals" drafted by NSW Department of Planning & Environment (August 2016).

It demonstrates how the Planning Proposal will evolve throughout the course of amending PLEP 2011.

The Planning Proposal seeks a Gateway Determination under the provisions of Section 56 of the Environmental Planning and Assessment Act 1979.

The Planning Proposal is accompanied by the following documents:

- Appendix 1 – A detailed architectural/urban design scheme prepared by Architex;
- Appendix 2 - Traffic Report prepared by Thomson Stanbury Associates;
- Appendix 3 – Heritage Impact Assessment prepared by NBRS Architecture Heritage
- Appendix 4 – Contamination Report prepared by Geotechnique Pty Ltd
- Appendix 5 – Arborist Report prepared by Redgum Horticultural
- Appendix 6 - Amended Zoning, FSR and height maps.

## 2.0 Regional Context

The subject site is located within in the City of Parramatta local government area. Parramatta is identified as a strategic centre with Parramatta CBD being Australia's sixth largest CBD and is the economic capital of Western Sydney, as identified in the Sydney Metropolitan Strategy.

Parramatta is readily accessible by road and rail and has a growing population, low unemployment and a large skilled labour force. It is experiencing growth across a number industry sectors including finance & insurance, medical health services, retail, housing and professional services.

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

The suburb of Carlingford is an attractive elevated dormitory suburb afforded distant views of the Parramatta City Centre and surrounds.

Carlingford is located approximately 20kms northwest of the Sydney CBD in an attractive and leafy residential suburb with many parks and services nearby. It is close to a number of large shopping centres and is approximately 2kms west of the Epping Railway Station, which provides for a major rail and bus interchange for the northwest of Sydney and is physically central to Metropolitan Sydney.

Carlingford Railway Station is located approximately 1km south of the subject site.

See **Figure 1**.

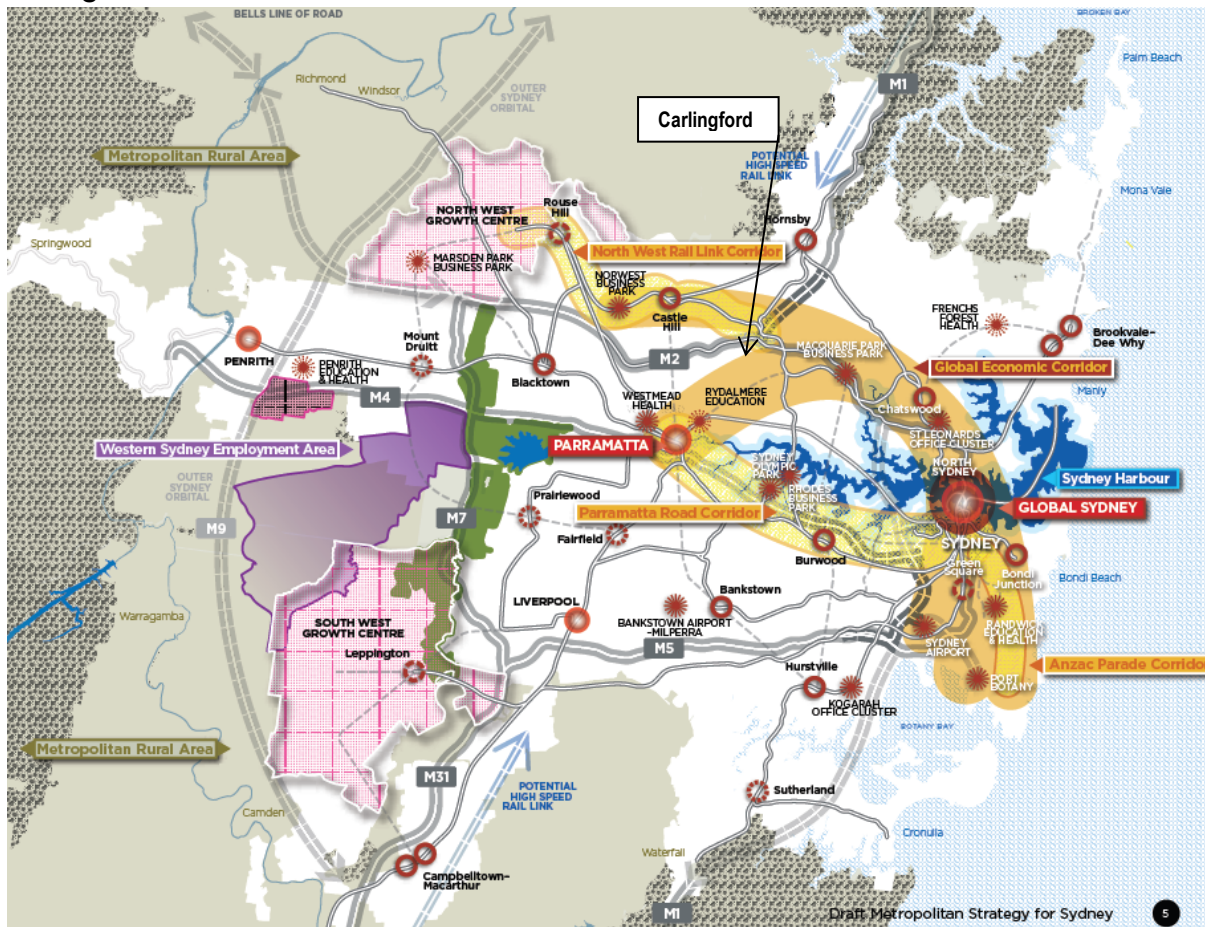


Figure 1

Source: Draft Metropolitan Strategy for Sydney

As Sydney's population grows and changes over time, more than 50 per cent of Sydneysiders will be residents of Western Sydney and serviced by Parramatta as the second CBD of Sydney.

## **2.1 The Site & Surrounding Environment**

The subject site is located on the northern side of Marsden Road between Tomah Street and Mobbs Lane and used for the purpose of a retail plant nursery, generally known as Swane's Nursery.

Whilst there are two (2) dwelling houses on the subject site fronting Marsden Road, each is also used for the storage of nursery supplies associated with Swane's Nursery.

An aerial survey taken in 1943 depicts each lot under cultivation. It appears that the site has been used as a plant nursery since 1921.

Between December 1955 and 1980, the subject site was used as the Catts plant nursery including the propagation of plants before being sold in 1986 to the current owner who is using it under the company name of Swane's Nursery.

Swane's Nursery is serviced by sealed open air car parking spaces in the front setback, which makes provision for approximately 25 unmarked car spaces that are accessed via two separate driveways off Marsden Road (ingress and egress).

Well setback from the sites front boundary is the Swane's indoor garden retail centre, which makes provision for the sale of potted plants and trees and associated landscaping supplies. The plants and trees are sited in clusters both within the retail centre and outside. Customers are afforded the opportunity to wander through the centre and purchase goods from within the building or on the outer areas of the centre.

At 235 Marsden Road (although the mail box is marked 233 Marsden Road) is a single dwelling house, well setback from Marsden Road. This dwelling forms part of the subject site and is in part currently occupied and used by residential tenants. The rear of this property is used for the storage of plants and landscaping supplies as part of the on-going use by Swane's plant nursery.

The other residential dwelling on the site is located at 237 Marsden Road. It is a weatherboard cottage used predominantly for residential purposes with a large storage area for plants and landscaping supplies associated with the nursery at the rear.

The neighbourhood in which the site is located is characterized by a mix of detached dwelling houses, townhouses/ cluster housing and some multi-level residential flat buildings towards Pennant Hills Road (west). A small complex of townhouses, built in the last 10 years abuts the site at 239 Marsden Road.

The subject site falls steeply from west to east and is one of the last remaining large residentially zoned land holdings underdeveloped in this neighbourhood.

The site is within an easy 5 to 10minute walk of the local Carlingford shopping village, located on the corner of Marsden Road and Pennant Hills Road. This centre provides for:

- Medical centre;
- Chemist;
- Small supermarket;
- Restaurants;
- Coffee shop;
- Pastry shop.

A 10 to 15minute walk north of the site is Carlingford Court. It is a much larger, multi-level retail centre located on the corner of Carlingford Road and Pennant Hills Road.

Carlingford Court is similar to the likes of other major retail complexes in this region, such as Westfield North Rocks and Castle Towers. The types of shops within Carlingford Court include:

- Coles Supermarket;
- Woolworths Supermarket
- Target;
- Numerous banks (Commonwealth, ANZ, Bank of QLD, Bendigo Bank, St George);
- Post office;
- Dry cleaners;
- Fruit and vegetable shop;
- Coffee shops;
- Restaurants;
- Bing Lee;
- Florist;
- Gym - Fitness First;
- Dental surgery and medical centre;
- Pharmacies;
- Newsagent;
- Bottle shop (liquor land & BWS);
- TAB;
- Clothing stores;
- McDonald's & KFC Restaurants;
- Hairdressing salons;
- Food shops;
- Dry Cleaners.

On the corner of Marsden Road and Rickard Street (5 minutes walk of the site) is the Macquarie Business Training Centre, which is a fully accredited Registered Training Organisation with a range of nationally-recognised accredited certificate and diploma courses in Aged Care, Marketing, Project Management, Human Resources, Children's Services (Child Care), Business Administration, Training & Assessment, Occupational Health and Safety and Small Business Management.

Carlingford Public School is located towards the north within an easy 5minutes walk of the subject site, fronting Rickard Street.

St Paul's Anglican Church Cemetery is located at 233 Marsden Road abutting the southern boundary of the site. This cemetery is identified in Council's LEP as a local heritage item, which operated between 1850 and 1960. Whilst it remains open to the general public for viewing no burials are permissible on the site and a number of tombstones in the cemetery are in a state of disrepair.

The following amenities and services are also found in this neighbourhood:

- Carlingford Railway Station – 15 minutes walk - 1 km south-west of site;
- Eastwood Railway Station – 2.8 km south-east of site;
- Epping Railway Station – 2.4 km east of the site;
- Bunnings Hardware Store (15 minutes walk - Pennant Hill Road);
- Coles Express Service Station (15 minutes walk - Pennant Hills Rd)
- Simpson Reserve (abutting the rear of the site);
- James Ruse High School – (20minutes walk);
- Childcare centre (5 minutes walk - Marsden Road.)
- Galaringi Reserve;
- Mobbs Lane Reserve;
- Mobbs Lane neighbourhood shops (10 minutes walk);
- Cox Park;
- Talinga Park;
- Don Stewart Park;
- Harold West Reserve

See location map at **Figure 2**, aerial photo of site and surrounds at **Figure 3**, photographs of the site and surrounds at **Figures 4 to 30**.

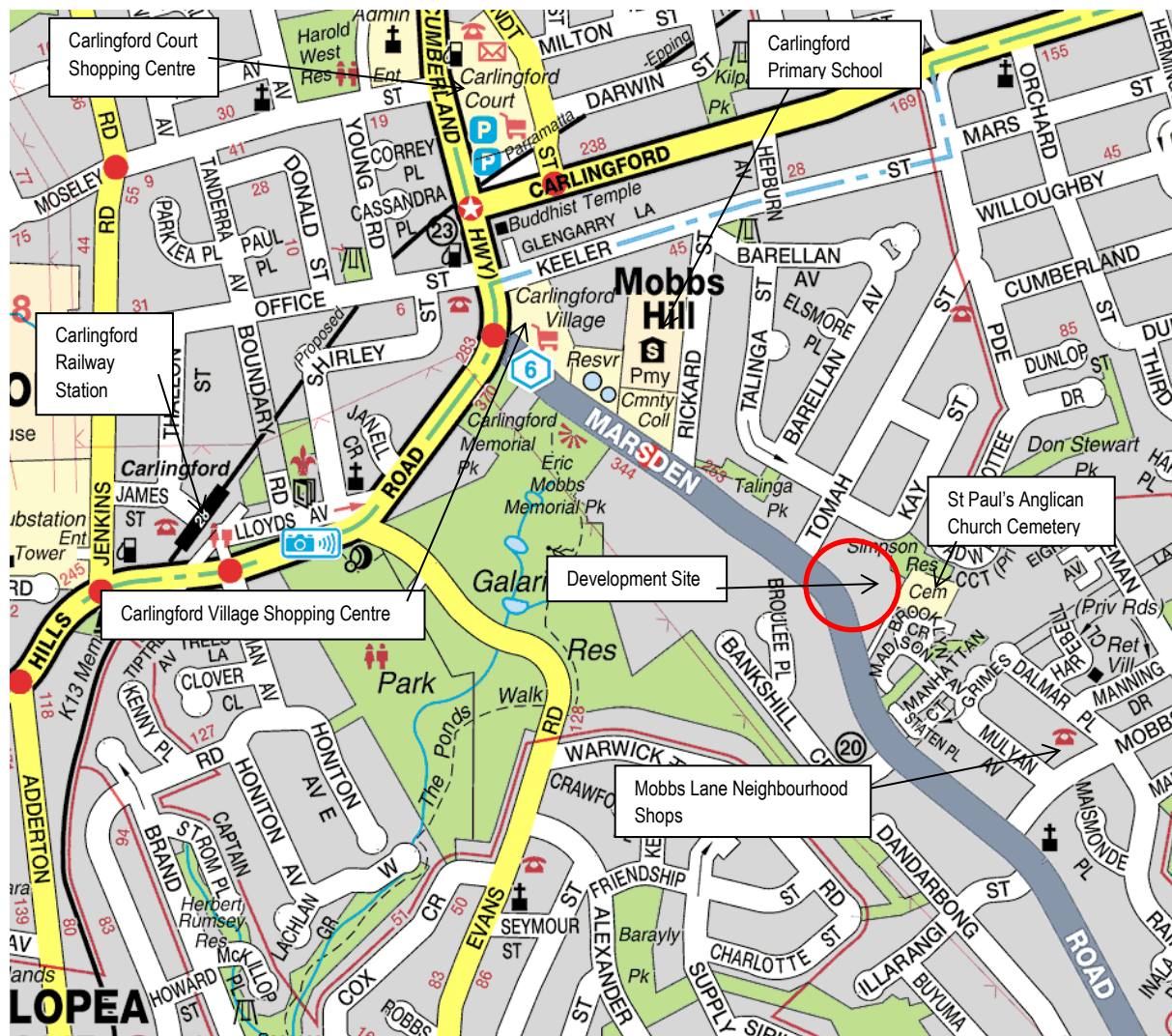


Figure 2





Figure 3  
Source: Six Maps



Figure 4  
View North Towards 235 Marsden Road (Swane's Nursery)



**Figure 5**  
**View North Towards 235 Marsden Road (Swane's Nursery)**  
**Unsealed Access Handle to St Pauls Anglican Church Cemetery on Right**



**Figure 6**  
**View North Towards 233 Marsden Road - St Pauls Anglican Church Cemetery**



**Figure 7**  
**View South Towards 16 Kay Street ( Dwelling at Rear of Subject Site)**



**Figure 8**  
**View South Towards 18 Kay Street ( Dwelling at Rear of Subject Site)**



Figure 9  
View South Towards Simpson Reserve (Rear of Subject Site)



Figure 10  
View North-West Along The Streetscape of Marsden Road



**Figure 11**  
**View South Along The Streetscape of Marsden Road**



**Figure 12**  
**View North-East Along Treed Walkway to Nearby Cluster Home/Townhouse Development off Marsden Road**



**Figure 13**  
**View South Along Streetscape of Marsden Road and Scenic Views Beyond of Western Sydney**



**Figure 14**  
**Dwelling House Opposite the Subject Site in Marsden Road**



Figure 16  
Townhouse Development Across The Road from The Subject Site on Marsden Road



Figure 17  
View North Towards Swane's Retail Centre and Nursery Building Fronting Marsden Road



Figure 18  
View North (Distant) Towards Retail Centre and Car Park of Swane's Nursery



Figure 19  
View East Within Outdoor Car Park of Swane's Nursery





Figure 20  
View North Towards Outdoor Storage of Landscape Supplies for Swane's Nursery



Figure 21  
View Inside of Retail Centre of Swane's Nursery



Figure 22  
View North - Outside Retail and Storage Area of Swane's Nursery



Figure 23  
View North of Swane's Outside Retail Nursery



Figure 24  
View South Towards Retail Centre of Swane's Nursery



Figure 25  
Outdoor Plant and Trees Sale Areas



**Figure 26**  
**View South Towards Swane's Retail Centre Building**



**Figure 27**  
**View North Towards Dwelling at 237 Marsden Road – Swane's Nursery**



**Figure 28**  
**Distant View North Towards Dwelling at 237 Marsden Road**



**Figure 29**  
**View North Towards Adjoining Townhouse Development at 239 Marsden Road**



**Figure 30**  
**View North Along Mobbs Lane & Neighbourhood Shops**

## **2.2 Site Details**

The site is legally described as Lot 1, Lot 2 and Lot 3 in DP5982, having a street frontage of 145m to Marsden Road and generally known as 235 – 237 Marsden Road Carlingford.

Each lot is irregular in shape comprising a total site area of approximately 12884m<sup>2</sup>. See cadastral map at **Figure 31**.



Figure 31

Source: Land and Property Information

### 2.3 Surrounding Road Network

The site has its main frontage to Marsden Road, which is a State road and orientated in a general north-south direction.

All local roads in this precinct are generous in size and carry two (2) way traffic movements with on-street car parking.

Marsden Road provides a key north-south road link in this area, linking Pennant Hills Road with Victoria Road and typically carries two (2) lanes of traffic in each direction.

Excluding Marsden Road there is unrestricted kerbside parking in the surrounding road network.

### 2.4 Projected Traffic Generation

The traffic implications of the proposal primarily concern the effects of the additional traffic flows generated by the proposed development and its impact on the operational performance of the surrounding road network.

It is relevant to note that the traffic activity generated by Swanes Nursery has been using the existing road and points of ingress/egress for many years, the highest level of traffic movements from the applicants traffic surveys demonstrates that such movements are highest on weekends.

It is therefore considered that the increased traffic generation potential of the site as a consequence of the development proposal will primarily concern the proposed new residential development as envisaged by the Planning Proposal during week day peak periods.

## 2.5 Traffic and Parking

The existing traffic controls that apply to the surrounding road network are:

- 60 km/h SPEED LIMIT applies to Marsden Road;
- 70 km/h SPEED LIMIT applies to Pennant Hills Road;
- 50 km/h SPEED LIMIT applies to all other local roads in this neighbourhood.
- 40 km/h SPEED LIMIT (during school days for Carlingford Primary School) applies in the immediate vicinity of Marsden Road;
- Within the last 12 months, new traffic lights have been installed at the intersection of Marsden Road and Mobbs Lane.

The projected on site car parking demand and traffic movements arising from the potential development of the rezoned site is considered acceptable as:

- the traffic generated by the townhouses as a result of the Planning Proposal can be accommodated within the surrounding road network;
- weekday traffic movements at peak periods is not substantially different to that generated by the retail plant nursery;
- weekend traffic movements generated by the proposed townhouses will be lower than that currently generated by the retail plant nursery;
- the proposal provides 82 basement car spaces for residents;
- the proposal provides 12 indented visitor car spaces at grade off the internal road network and
- the planning proposal provides for separate ingress/egress driveways so that all traffic movements into and out of the site will be left in and left out only. This creates a safer environment for vehicles entering and leaving the site.

An indication of the existing traffic conditions on the road network in the vicinity of the site is provided by peak period traffic surveys that form part of the Thompson Stanbury Associates traffic study, which is located at Appendix 2.

## 2.6 Public Transport

Whilst we note that a public bus services does not runs past the site, the nearest bus stops (both sides of the road) are located approximately 616m or 8 minutes walk east of the site in Mobbs Lane. The 2<sup>nd</sup> nearest bus stops are located approximately 700m or 10 minutes walk of the site in Pennant Parade at the intersection Pennant Parade and Willoughby Street.

As shown in **Figure 32**, there are numerous bus stops within walking distance of the site along classified roads such as Pennant Hills Road, Carlingford Road and to the south of the site along Marsden Road as well as many local roads.

All of these bus routes have links to railway stations such as Carlingford, Epping, Eastwood and Parramatta. See **Figure 32**, which demonstrates the bus stops within walking distance of the site.

The bus stops in Pennant Parade and Pennant Hills Road service Route m54, which operates between Parramatta and Macquarie Park. Route m54 provides a service frequency of 10 minutes during weekday peaks, 15 minutes during weekday business periods and 20 minutes during other periods.



The bus stops along Marsden Road service Route 521, which operates between Parramatta and Eastwood. Route 521 provides a service frequency of 60 minutes during most periods, with the exception of weekday peaks when the frequency increases to 30 minutes.

In conjunction with servicing Route m54, the bus stops within Pennant Hills Road service the following routes:

- Route 513 operates between Carlingford and Meadowbank. Route 513 provides a service frequency of 30 minutes during weekday peaks and 60 minutes during weekday business periods; and
- Route 546 operates between Parramatta and Epping and provides a service frequency of 30 minutes during weekday peaks and 60 minutes during other periods.

The site is located approximately 1.2km or 15minutes walk from Carlingford Railway Station, located on the corner of Pennant Hills Road and Jenkins Road. Carlingford Railway Station is the northern-most station on the T6 Line within the Sydney Trains Network, providing connectivity to Clyde Railway Station to the south. Services on the T6 Line provide a 30 minute frequency during weekday peak periods, extending to 60 minutes at other times.

The T1 Line within the Sydney Trains Network provides high frequency services between the Blue Mountains (and beyond) and Hornsby (and beyond). The T1 Line also links with other Lines within the Sydney Trains Network at Blacktown, Parramatta, Granville, Lidcombe, Strathfield and the Sydney CBD.

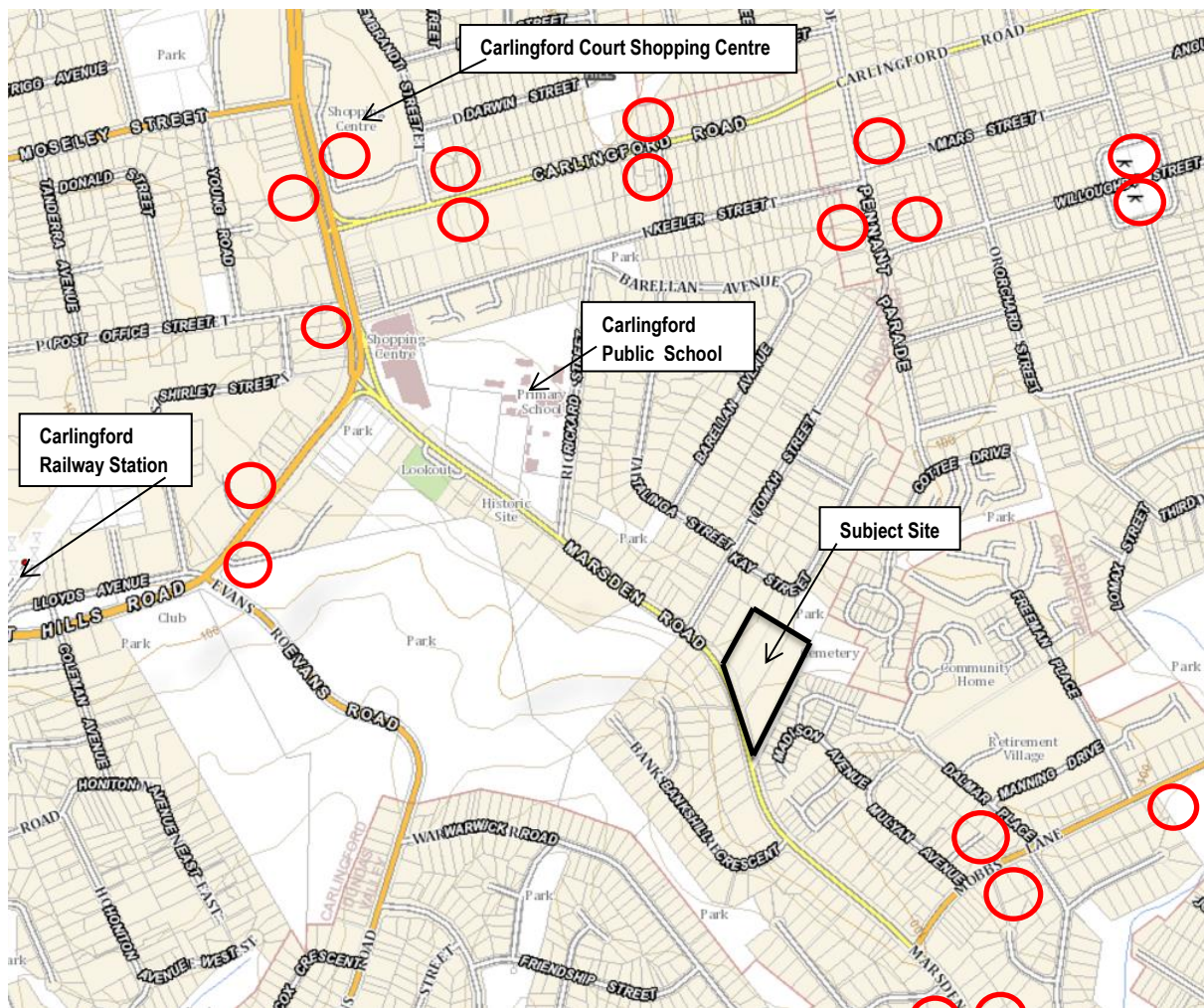


Figure 32

Bus Stops 

## 2.7 Economics

The existing building and other structures on the subject site are reaching the end of their functional and economic life span.

The Planning Proposal provides an opportunity for Council to extinguish a long term existing use on the site to allow the site to be redeveloped in an orderly and economic manner so as to introduce new medium density housing into a neighbourhood that offers quality public amenities and services within walking distance of this site.

It is considered that the proposed townhouses can only complement the well-established low to medium density residential character of this neighbourhood, including the promotion of a form of residential development that will enhance the streetscape by offering a built form that is complimentary to the residential buildings in this neighbourhood in terms of character, bulk and scale, form and height.

It is not unreasonable to expect that some future residents of the proposed townhouses will also work in the immediate to broader neighbourhood precincts as there is a vast employment generating catchment in the vicinity of the site.

The ability for job creation will likely occur in:

- Carlingford Village Shopping Centre;
- Carlingford Court Shopping Centre;
- Epping Town Centre (retail premises + multi-storey offices)
- Shops along Pennant Hills Road;
- North Rocks Westfield Shopping Centre and nearby employment precincts;
- Eastwood shopping centre;
- Castle Hill Business Centre and employment precincts;
- Parramatta CBD (Sydney's 2<sup>nd</sup> CBD. Major retail hub and multi-storey commercial office buildings)

### **3.0 Pre-Lodgement Meeting**

On 8 July 2016 a pre-lodgement meeting was held between the proponent, their architectural and town planning consultants and Robert Cologna, Service Manager and Land Use Planning and Ms Jacky Wilkes Acting Team Leader Land Use Planning.

A set of architectural drawings was tabled at the meeting, which proposed a mix of town houses and a residential flat building in the core of the site. The issues discussed included:

- The site being large in size and afforded existing use rights to operate as a plant nursery;
- Whether the site could be zoned part R3 Medium Density Residential and R4 High Density Residential to provide a mix of housing types;
- Would it be more appropriate to place the proposed form of medium density development into Schedule 1 of Parramatta LEP 2011 rather than have a change to the zone, height and FSR maps;
- Consider the subdivision of the land into single residential allotments and whether access from the Kay Street was an alternative to accessing the site from Marsden Road
- Public transport in the form of buses was not operating along Marsden Road in front of the site.

These pre lodgement discussions were useful in assisting the applicant to determine whether the matter should commercially proceed and also whether there would be a community benefit by up zoning the land to permit medium density housing in the form of a mix of townhouses and residential flat buildings on the site.

Whilst the townhouse and three (3) storey residential flat building option had considerable merit it was considered that a townhouse design would better fit into the sites immediate context.

Access into the site off Kay Street was dismissed because the applicant's traffic engineer was convinced following the carrying out a comprehensive traffic assessment, including traffic counts, that left in and left out traffic movements from the site were appropriate and RMS would not raise objection if a median strip was constructed in front of the site. Further, vehicular access from Kay Street would likely cause amenity problems for existing residents in that street and also connecting streets.

In accordance with Council Officers suggestions about a potential land subdivision, the applicant's architect prepared a draft subdivision plan to demonstrate that all design

options had been explored. See draft subdivision plan accompanying the architectural drawings.

The hypothetical subdivision pattern demonstrates that a maximum of 15 lots could be created with an internal road network servicing each lot however three (3) cul-de-sac bulbs are not provided for, which in its self could reduce yield.

It is noted that each of the lots created was based on a minimum lot size of 600m<sup>2</sup>, which is the minimum lot size to permit dual occupancy development.

In theory it could be suggested that the design would permit 30 dwellings however it is noted that not all lots are rectangular in shape, some have width and depth constraints and as such most likely, not all lots would permit dual occupancy development because of non-compliance with building setbacks, lot width, landscaping, deep soil, internal road network and dwelling orientation that would not meet Council's DCP controls for dual occupancy development and the merits of each dual occupancies design (i.e. some dwellings would turn their backs to Marsden Road and therefore would not enhance the streetscape). The yield could be reduced by as much as 7 dwellings with some lots only accommodating 1 dwelling. The ability to achieve approximately 23 dwellings on this large site would fail to develop the site in an orderly and economic manner.

In regards to a public bus service not running past the site, the applicant's traffic engineer and this planning report have addressed this issue in depth and found that numerous public bus stops are within a short walk of the site. See **Figure 32** of this report and the traffic and parking report prepared by Thompson Stanbury Traffic Engineers at Appendix 2.

### **3.1 Existing Use Rights**

#### **Section 106 – 109 Environmental Planning and Assessment Act 1979**

The subject site has been operating as a plant nursery since 1943. Because plant nurseries are not listed as a permissible land use under the sites R2 Low Density Residential zone, the site enjoys the benefits of existing use rights, as prescribed under the Environmental Planning and Assessment Act 1979.

As identified in the Contamination Consultants report and also the Heritage Consultants report, the following information is provided to demonstrate the length of time that the site has been used for the purpose of a plant nursery:

**1943** The aerial survey (see figure 4 of the heritage architects report at Appendix A) depicts the subject lots under cultivation. As Carlingford was a prime citrus growing area, it is likely to have been planted out as an orchard in the 1920s by Heber James Catt. The house on the western part of the site was likely Catt's home (Lot 3 DP 5982).

**1951** Buildings (house and shed), possibly associated with a rural residential use of the site, are sited in the western portion of the site while the remainder of the site is vacant.

Buildings (houses and shed), possibly associated with rural residential, are also seen on the adjoining northern property.

**1955** Frank Douglas Catt sold Lot 1 to his son, Barry Douglas Catt but retained ownership of Lots 2 and 3. In 1959, Frank conveyed Lots 2 and 3 to FD Catt Pty Limited. Frank and Barry Catt jointly operated the family nursery (Catts Nursery) until the former's death in 1975.

**1961** The site has become disturbed, possibly associated with nursery activities. A building, possibly associated with residential, is noted in the adjacent south western property. The remaining adjoining properties remain essentially unchanged since 1951.

**1970** The subject site remains relatively unchanged since 1961 and the adjacent southern (across Marsden Road), western and northern properties, as well as the region to the west and north-west of the site have been developed into urban residential. The adjoining eastern properties are essentially unchanged.

**1980** The three (3) allotments were conveyed to Bara Consolidated Industries Pty Limited.

**1982** The site and neighbouring properties appear to remain essentially unchanged since 1970.

**1986** The subject site changed hands to Gaiset Pty Limited.

**1994** The site appears to remain essentially unchanged, except for the growth of trees and vegetation in the middle portion and along the eastern boundary of the site since 1982. More urban development is noted in the region to the south, west and northwest of the site. The immediately neighbouring properties are essentially unchanged.

**2002** There is no significant change in the appearance of the site since 1994.

**2016** The neighbouring properties appear to remain essentially unchanged since 2002, except for the properties in the north of the cemetery, which have been further subdivided and developed for residential purposes.

In summary, the aerial photographs and information provided by the applicant's contamination consultant and heritage consultant demonstrate that the site has been continuously used for nursery activities since the early 1940's.

Gaiset Pty Limited is the current owner of the subject site and they continue to use the premises as a plant nursery, known as Swane's Nurseries.

#### **4.0 Proposed Redevelopment of Site**

The objectives of the Planning Proposal seek to:

- enable the redevelopment of the Swane's Nursery site for the purpose of medium density housing in the form of townhouses;
- provide new housing to assist in achieving sub-regional housing targets;
- encourage the development of buildings that achieve design excellence;
- encourage the siting and layout of new buildings to minimise overshadowing on adjoining land;
- increase residential density to better utilize the existing public amenities and services on offer in this neighbourhood;
- provide housing in close proximity of a number of quality and diverse retail centres that includes 2 major supermarkets in Carlingford Court (Coles and Woolworths Supermarkets) and a major retail store in Target (anchor tenants);

- enhance the streetscape of Marsden Road by improving the built form relationship with other townhouse developments along Marsden Road;
- maximise the use of public transport by providing medium density residential housing within walking distance of public transport in the form of buses and a railway station in Carlingford Station;
- provide for a more appropriate residential land use that is consistent in character with the surrounding residential development;
- extinguish a long standing non-conforming land use in a predominantly residential neighbourhood where potential conflict may occur and
- provide for the orderly and economic development of land in a neighbourhood that is characterized by a mix of low to medium density housing.

Should the Planning Proposal be supported, the redevelopment of the site will involve:

- demolition of all existing buildings and other structures on the land;
- site preparation works including the removal of a large number of existing trees and other types of vegetation;
- construction of a single level basement car park below all but one (1) building module;
- provision of 94 car parking spaces, consisting of 82 residential spaces and 12 indented at grade visitor spaces off the internal road network;
- the provision of 7154m<sup>2</sup> of residential floor space, providing a development density of approximately 48 new dwellings. This would generate an FSR Of 0.55:1;
- the provision of 5378m<sup>2</sup> or 42% of the site for landscaping;
- the provision of 4409m<sup>2</sup> or 34.2% of the site for deep soil;
- quality communal open space areas located at the rear of the site;
- the proposed townhouse development will be provided with indigenous landscaping to better suit its urban context;
- vehicular ingress/egress for the proposed townhouse development will be over two (2) splayed 3m wide driveways separated by a triangular concrete island off Marsden Road. Ingress/egress of motor vehicles will be restricted to left in and left out only and a median strip will be constructed along Marsden Road in front of the site to prevent cars turning right into and out of the site;
- the design and location of the vehicular ingress/egress points proposed will provide a safer environment for motor vehicles;
- the proposed townhouses will address the street, to fill in the gap and therefore enhance the streetscape;
- as a result of the topography of the land, the proposed town houses will vary in height by between 9m and 10m, consisting of a good mix of 37 x 3 and 11 x 4 bedroom townhouses. See **Figure 33** and **34** for reduced sized photomontages and Appendix 1 for the architectural drawings and Photomontages.

#### **Zone, Height and FSR Amendments**

- amending the zoning of the land from R2 Low Density Residential to R3 Medium Density Residential zone;
- amending the permissible building height from 9m to 11m (measured to ridge);
- amending the permissible FSR from 0.5:1 to 0.6:1 across the whole site.



*View from South-East corner of site (adjacent cemetery)*

**Figure 33**



*View from Marsden Road*

**Figure 34**

## 5.0 Local Planning Controls

### Local Environmental Plan

#### Parramatta Local Environmental Plan 2011

Parramatta Local Environmental Plan (PLEP) 2011 was gazetted on 7 October 2011 in response to the need to update and introduce a new environmental planning instrument that was consistent with the Standard LEP prescribed for use throughout NSW.

PLEP 2011 seeks to facilitate development deemed to achieve design excellence, quality built form, promote employment opportunities, better use of public transport, conserve natural and cultural heritage and natural and man-made resources.

The specific aims of the plan are set out below:

#### 1.2 Aims of Plan

- (1) *This Plan aims to make local environmental planning provisions for land in Parramatta in accordance with the relevant standard environmental planning instrument under section 33A of the Act.*
- (2) *The particular aims of this Plan are as follows:*
  - (a) *to encourage a range of development, including housing, employment and recreation, that accommodates the needs of the existing and future residents, workers and visitors of Parramatta,*
  - (b) *to foster environmental, economic, social and physical wellbeing so that Parramatta develops as an integrated, balanced and sustainable city,*
  - (c) *to identify, conserve and promote Parramatta's natural and cultural heritage as the framework for its identity, prosperity, liveability and social development,*
  - (d) *to improve public access to the city and facilitate the maximum use of improved public transport, together with walking and cycling,*
  - (e) *to minimise risk to the community in areas subject to environmental hazards, particularly flooding and bushfire, by restricting development in sensitive areas,*
  - (f) *to protect and enhance the natural environment, including areas of remnant bushland in Parramatta, by incorporating principles of ecologically sustainable development into land use controls,*
  - (g) *to improve public access along waterways where natural values will not be diminished,*
  - (h) *to enhance the amenity and characteristics of established residential areas,*
  - (i) *to retain the predominant role of Parramatta's industrial areas,*
  - (j) *to ensure that development does not detract from the economic viability of Parramatta's commercial centres,*
  - (k) *to ensure that development does not detract from the operation of local or regional road systems,*



- (l) to ensure development occurs in a manner that protects, conserves and enhances natural resources, including waterways, riparian land, surface and groundwater quality and flows and dependant ecosystems.

**Comment**

The proposed change in zoning from R2 Low Density Residential to R3 Medium Density Residential, increase the FSR from 0.5:1 to 0.6:1 and building height from 9m to 11m above that currently permissible on the land will provide quality housing opportunities in close proximity to major retail hubs, open space, schools and good public transport nodes within walking distance of the site.

The Planning Proposal is therefore consistent with the aims of PLEP 2011.

**Zoning of Land**

The site is zoned R2 Low Density Residential under the provisions of PLEP 2011. See zone map at **Figure 35**.

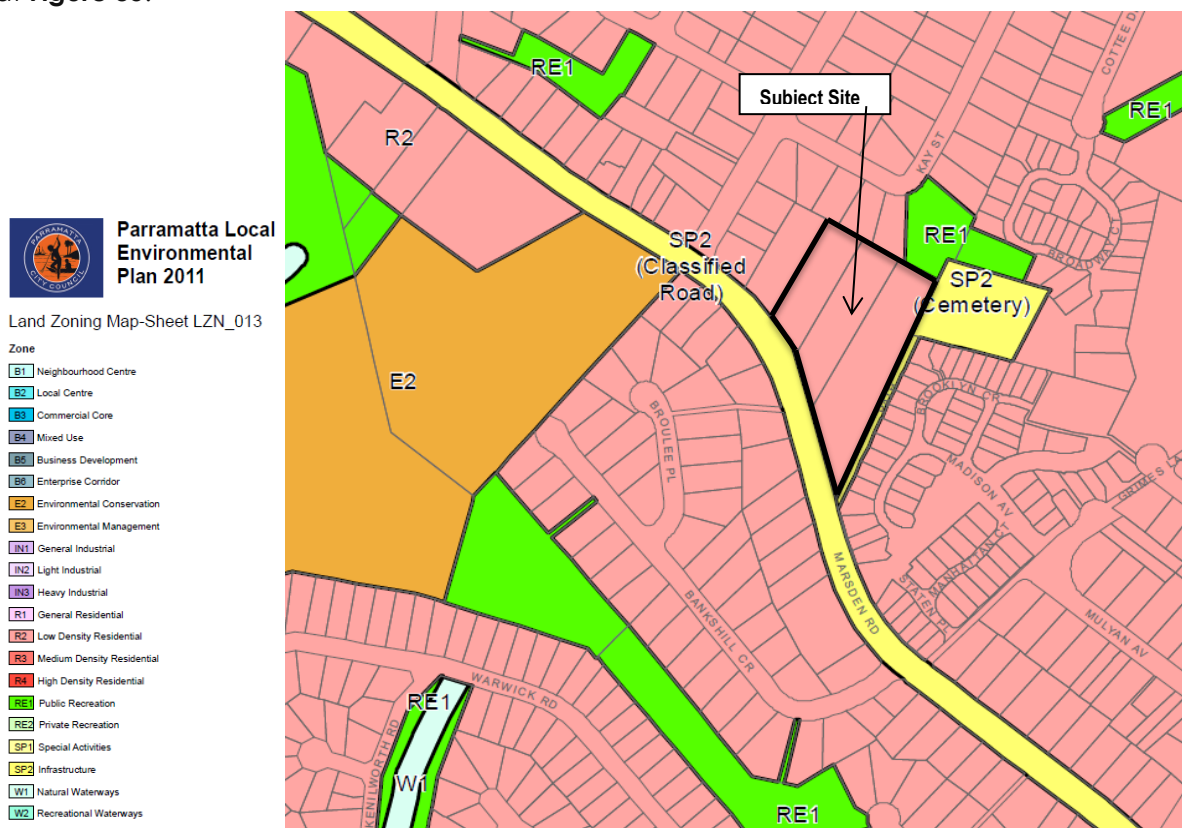


Figure 35  
Source: Parramatta LEP 2011 - Zone Map

See the R2 Low Density Zone objectives and permissible uses are set out below:

**Zone R2 Low Density Residential**

**1 Objectives of zone**

- To provide for the housing needs of the community within a low density residential environment.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.

- To ensure that non-residential land uses are located in a context and setting that minimises impacts on the amenity of a low density residential environment.
- To allow for a range of community facilities to be provided to serve the needs of residents, workers and visitors in residential neighbourhoods.

## **2 Permitted without consent**

Home occupations

## **3 Permitted with consent**

Bed and breakfast accommodation; Boarding houses; Building identification signs; Business identification signs; Community facilities; Dual occupancies; Dwelling houses; Educational establishments; Emergency services facilities; Environmental facilities; Environmental protection works; Exhibition homes; Exhibition villages; Flood mitigation works; Group homes; Health consulting rooms; Home-based child care; Home businesses; Home industries; Hospitals; Hostels; Neighbourhood shops; Public administration buildings; Recreation areas; Recreation facilities (indoor); Recreation facilities (outdoor); Roads; Seniors housing; Water recycling facilities

## **4 Prohibited**

Any development not specified in item 2 or 3

### **Comment**

The site is zoned R2 Low Density Residential under the provisions of PLEP 2011. This low density residential zone permits a range residential land uses including dwellings, dual occupancies, group homes as well as community facilities and services to serve the needs of residents.

### **Building Height**

Pursuant to Clause 4.3 of PLEP 2011, the maximum building height for land in the R2 Low Density Residential zone is 9m. See Height of Buildings Map at **Figure 36** followed by the objectives of the height standard.



**Parramatta Local Environmental Plan 2011**

Height of Buildings Map- Sheet HOB\_013

Maximum Building Height (RL)

Heights shown on map in RL (m)

RL 11

RL 14

Maximum Building Height (m)

E 6

J1 9

J2 9.2

J3 9.5

K 10

L 11

M 12

N1 13

N2 14

O1 15

O2 16

P1 17

P2 18

Q1 19

Q2 20

R 21

T1 25

T2 28

U1 31

U2 34

V 37

W 40

X 48

Y 52

AA 72



Figure 36

Source: Parramatta LEP 2011 - Height of Buildings Map

### 4.3 Height of Buildings

(1) The objectives of this clause are as follows:

- (a) to nominate heights that will provide a transition in built form and land use intensity within the area covered by this Plan,
- (b) to minimise visual impact, disruption of views, loss of privacy and loss of solar access to existing development,
- (c) to require the height of future buildings to have regard to heritage sites and their settings,
- (d) to ensure the preservation of historic views,
- (e) to reinforce and respect the existing character and scale of low density residential areas.

(2) The height of a building on any land is not to exceed the maximum height shown for the land on the Height of Buildings Map.

(2A) Despite subclause (2), any development on land identified with a thick blue line and labelled "Area 1" on the Height of Buildings Map is not to exceed the height determined in accordance with the Table to this clause.

**Site area**

- ≤ 950 square metres
- > 950 ≤ 2,100 square metres
- > 2,100 ≤ 3,200 square metres
- > 3,200 square metres

**Maximum height**

- 15 metres
- 21 metres
- 39 metres
- 52 metres

## Floor Space Ratio

Pursuant to Clause 4.3 of PLEP 2011, the maximum Floor Space Ratio (FSR) for the land is 0.5:1. See FSR Map at **Figure 37** followed by the objectives of the FSR standard.

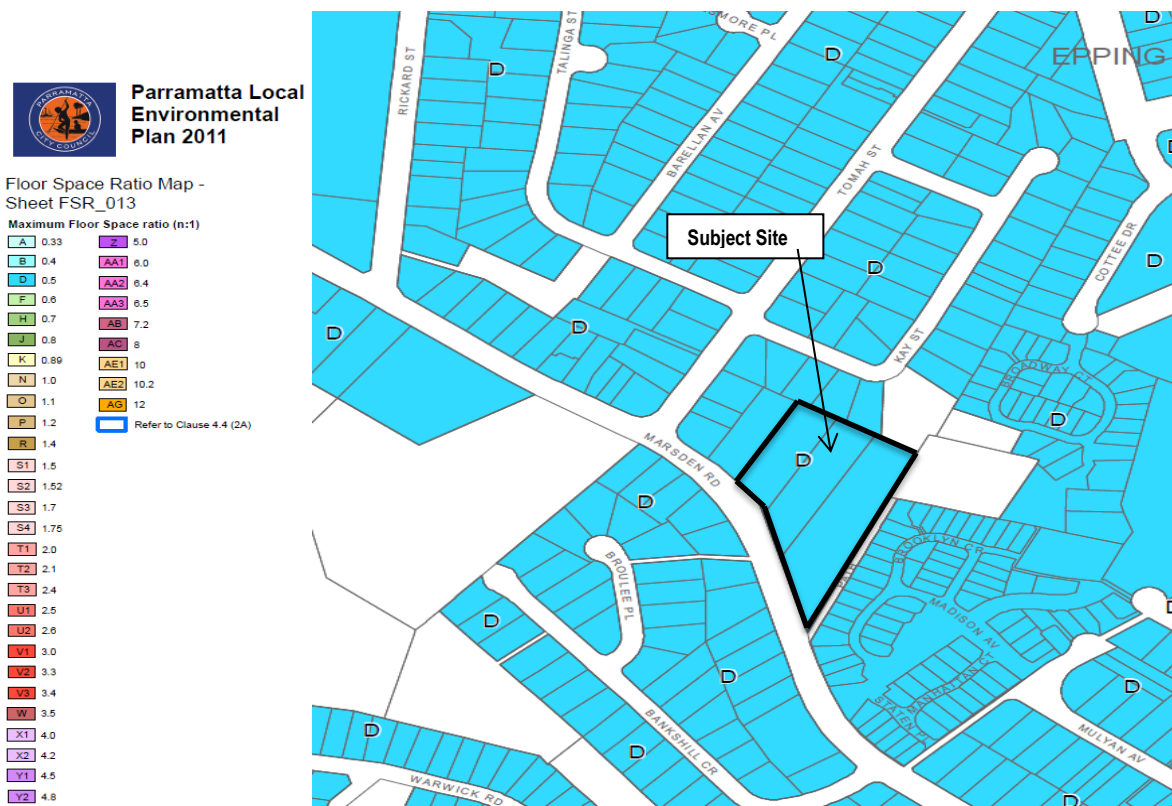


Figure 37  
Source: Parramatta LEP 2011 – Floor Space Ratio Map

### 4.4 Floor Space Ratio

- (1) The objectives of this clause are as follows:
- (a) to regulate density of development and generation of vehicular and pedestrian traffic,
  - (b) to provide a transition in built form and land use intensity within the area covered by this Plan,
  - (c) to require the bulk and scale of future buildings to have regard to heritage sites and their settings,
  - (d) to reinforce and respect the existing character and scale of low density residential areas.
- (2) The maximum floor space ratio for a building on any land is not to exceed the floor space ratio shown for the land on the Floor Space Ratio Map.
- (2A) Despite subclause (2), land identified with a thick blue line and labelled “Area 1” on the Floor Space Ratio Map is not to exceed the relevant floor space ratio determined in accordance with the Table to this clause.

| <b>Site area</b>              | <b>Maximum floor space ratio</b> |
|-------------------------------|----------------------------------|
| ≤ 950 square metres           | 1.5:1                            |
| > 950 ≤ 2,100 square metres   | 3.5:1                            |
| > 2,100 ≤ 3,200 square metres | 4.5:1                            |
| > 3,200 square metres         | 6:1                              |

## Heritage

The development site is not a local heritage item or within a heritage conservation area. The neighbouring site to the south-east is a local heritage item (Item 377) and is known as St Paul's Church Cemetery and is of significance for Parramatta for historical, aesthetic, scientific and social reasons. The Office of Environment & Heritage provides the following comments about the significance of the cemetery.

*"The Cemetery which operated from the 1850s to the 1960s was associated with the local Wesleyan community, and with a number of significant people and events through the decades of interment in its grounds and presents a unique collection of monuments and an unparalleled source of information about the past of the area. Notable pioneers buried here include Mobbs, Cox, Catts, Spurways, Cowells and Hockleys. This cemetery also possesses the potential to contribute to a further understanding of burial customs and religious practices."* (Source: Office of Environment & Heritage).

See also Statement of Heritage Impact prepared by NBR Architecture Heritage at Appendix 3, which concludes that the heritage impacts arising from the development are not associated with the use but rather built form and landscape impacts which are adequately provided for under the height and density controls.

See extract from PLEP 2011 Heritage Map at **Figure 38** followed by the Heritage Conservation objectives.

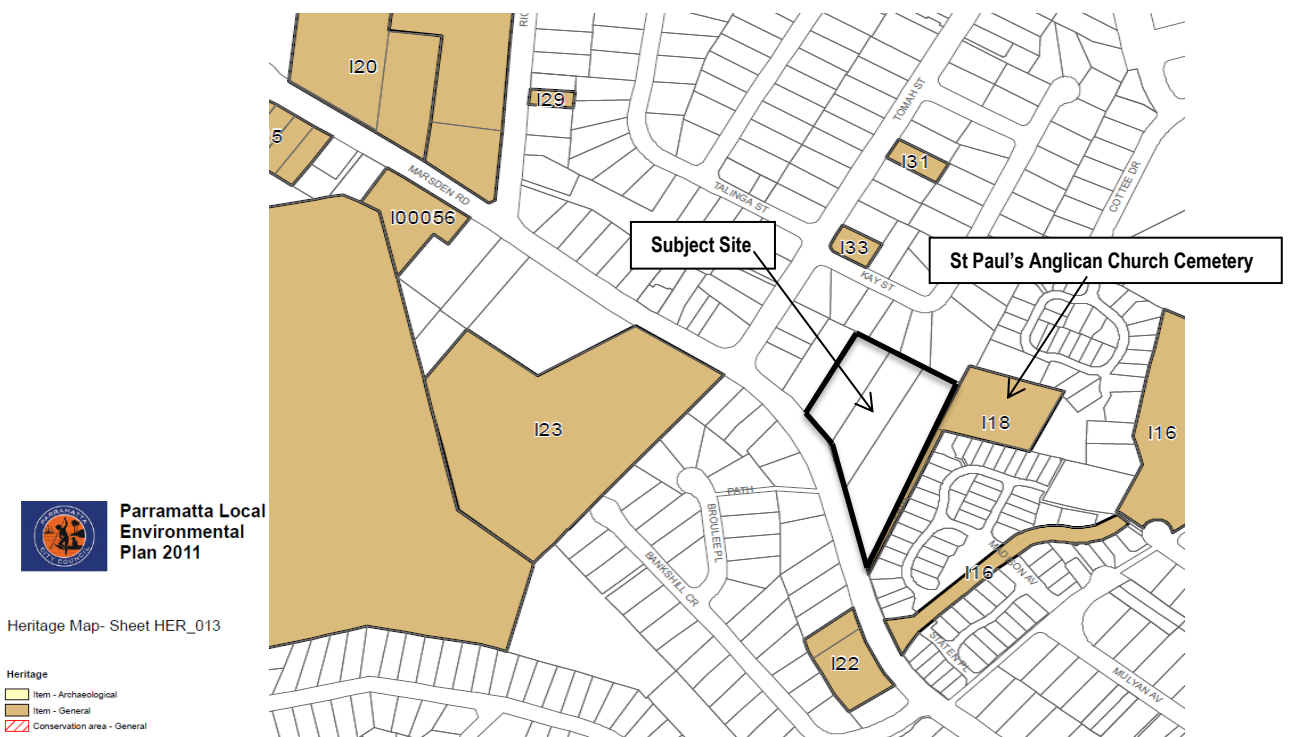


Figure 38  
Source: Parramatta LEP 2011 – Heritage Map

## 5.10 Heritage Conservation

**Note.** Heritage items (if any) are listed and described in Schedule 5. Heritage conservation areas (if any) are shown on the Heritage Map as well as being described in Schedule 5.

### (1) Objectives

The objectives of this clause are as follows:

- (a) to conserve the environmental heritage of Parramatta,
- (b) to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views,
- (c) to conserve archaeological sites,
- (d) to conserve Aboriginal objects and Aboriginal places of heritage significance.

### Acid Sulfate Soils

Pursuant to Clause 6.3 of PLEP 2011, Acid Sulfate Soils, Council's records indicate the land is affected by Class 5 acid sulfate soils. However, because the site is not within 500 metres of adjacent Class 1, 2, 3 or 4 land that is below 5 metres Australian Height Datum and by which the water table is likely to be lowered below 1 metre Australian Height Datum on adjacent Class 1, 2, 3 or 4 land, this control is not applicable.

See acid sulfate soils map at **Figure 39**, and the development standard objectives below:

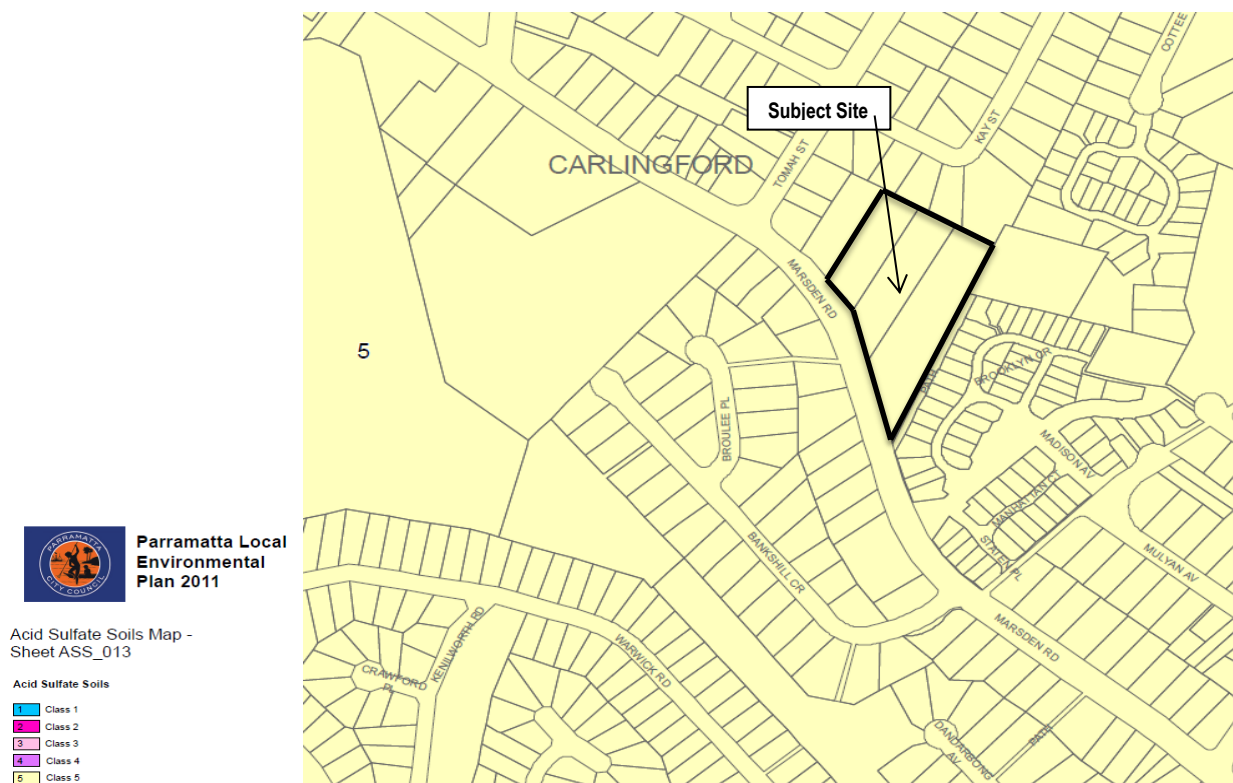


Figure 39  
Source: Parramatta LEP 2011 – Acid Sulfate Soils Map

## 6.1 Acid sulfate soils

- (1) The objective of this clause is to ensure that development does not disturb, expose or drain acid sulfate soils and cause environmental damage.

(2) Development consent is required for the carrying out of works described in the Table to this subclause on land shown on the Acid Sulfate Soils Map as being of the class specified for those works.

| <b>Class of land</b> | <b>Works</b>  |
|----------------------|---|
| 1                    | Any works.  |
| 2                    | Works below the natural ground surface.<br>Works by which the watertable is likely to be lowered.   |
| 3                    | Works more than 1 metre below the natural ground surface.<br>Works by which the watertable is likely to be lowered more than 1 metre below the natural ground surface.  |
| 4                    | Works more than 2 metres below the natural ground surface.<br>Works by which the watertable is likely to be lowered more than 2 metres below the natural ground surface.  |
| 5                    | Works within 500 metres of adjacent Class 1, 2, 3 or 4 land that is below 5 metres Australian Height Datum and by which the watertable is likely to be lowered below 1 metre Australian Height Datum on adjacent Class 1, 2, 3 or 4 land. |

(3) Development consent must not be granted under this clause for the carrying out of works unless an acid sulfate soils management plan has been prepared for the proposed works in accordance with the Acid Sulfate Soils Manual and has been provided to the consent authority.

(4) Despite subclause (2), development consent is not required under this clause for the carrying out of works if:

(a) a preliminary assessment of the proposed works prepared in accordance with the Acid Sulfate Soils Manual indicates that an acid sulfate soils management plan is not required for the works, and

(b) the preliminary assessment has been provided to the consent authority and the consent authority has confirmed the assessment by notice in writing to the person proposing to carry out the works.

(5) Despite subclause (2), development consent is not required under this clause for the carrying out of any of the following works by a public authority (including ancillary work such as excavation, construction of access ways or the supply of power):

(a) emergency work, being the repair or replacement of the works of the public authority required to be carried out urgently because the works have been damaged, have ceased to function or pose a risk to the environment or to public health and safety,

(b) routine maintenance work, being the periodic inspection, cleaning, repair or replacement of the works of the public authority (other than work that involves the disturbance of more than 1 tonne of soil),

(c) minor work, being work that costs less than \$20,000 (other than drainage work).

(6) Despite subclause (2), development consent is not required under this clause to carry out any works if:

(a) the works involve the disturbance of less than 1 tonne of soil, and

(b) the works are not likely to lower the water table.

## **Flood Planning**

### **Comment**

Pursuant to Clause 6.3 of PLEP 2011, the site is not identified on any Council map as being subject to flooding. The flood objectives of Clause 6.3 are set out as follows:

### **6.3 Flood Planning**

- (1) The objectives of this clause are as follows:
  - (a) to minimise the flood risk to life and property associated with the use of land,
  - (b) to allow development on land that is compatible with the land's flood hazard, taking into account projected changes as a result of climate change,
  - (c) to avoid significant adverse impacts on flood behaviour and the environment.
- (2) This clause applies to land at or below the flood planning level.
- (3) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that the development:
  - (a) is compatible with the flood hazard of the land, and
  - (b) is not likely to significantly adversely affect flood behaviour resulting in detrimental increases in the potential flood affectation of other development or properties, and
  - (c) incorporates appropriate measures to manage risk to life from flood, and
  - (d) is not likely to significantly adversely affect the environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses, and
  - (e) is not likely to result in unsustainable social and economic costs to the community as a consequence of flooding.
- (4) A word or expression used in this clause has the same meaning as it has in the Floodplain Development Manual (ISBN 0 7347 5476 0), published in 2005 by the NSW Government, unless it is otherwise defined in this clause.
- (5) In this clause.....

### **Parramatta Development Control Plan 2011**

Parramatta DCP 2011(PDCP 2011) builds upon and provides more detailed provisions than PLEP 2011.

Generally, the provisions of the DCP will be more relevant as part of any future development of the land. The design controls and how the proposal responds to these controls are set out in the architectural submission prepared by Architex accompanying this report. The aims of the DCP are set out below:

#### **1.6 Aims of this Development Control Plan**

The aims of Parramatta DCP 2011 are to:

- Ensure that development contributes to the quality of the natural and built environments
- Encourage development that contributes to the quality of the public domain
- Ensure that development is economically, environmentally and socially sustainable
- Ensure future development has consideration for the needs of all members of the community
- Ensure development positively responds to the qualities of the site and its context
- Ensure development positively responds to the character of the surrounding area



The detailed architectural design that accompanies this Planning Proposal specifically responds to the controls contained within this consolidated DCP. In this respect, the townhouse design complies with all of the policy controls contained within Parramatta DCP 2011 for multi dwelling housing (townhouses).

## **6.0 Planning Proposal**

This Planning Proposal has been prepared in accordance with Section 55 of the Environmental Planning & Assessment Act 1979 and the guide prepared by the NSW Department of Planning & Environment dated August 2016 titled "A Guide to Preparing Planning Proposals" which requires the following matters to be addressed:

### **Part 1 - Objectives or Intended Outcomes**

### **Part 2 - Explanation of Provisions**

### **Part 3 - Justification**

#### **Part 3.1 - Questions to Consider when Demonstrating the Justification**

### **Part 4 – Mapping**

### **Part 5 - Community Consultation**

### **Part 6 - Project Timeline**

### **Part 1 - Objectives or Intended Outcomes**

The Planning Proposal has been prepared as a site specific amendment to PLEP 2011, seeking to change the sites zone, building height and FSR controls, which are set out as follows:

#### **Current Zone**

R2 Low Density Residential

#### **Proposed Zone**

R3 Medium Density Residential

#### **Current Building Height**

9m

#### **Proposed Building Height**

11m

#### **Current FSR**

0.5:1

#### **Proposed FSR**

0.6:1

The objective of the Planning Proposal is to facilitate the future development of the site, enabling all existing buildings and structures on the land to be demolished and removed from the site.

As can be seen from the photographs within this report, the perimeter of the site is being used to store goods associated with the plant nursery and the vegetation along these boundaries is not being maintained and is considered to be visually displeasing.

The architectural design of the proposed townhouses demonstrates a high level of detail, in particular, the proposed townhouses are well setback from the front, side and rear boundaries, promoting a high quality residential environment in a landscape setting for future residents without impacting upon the amenity of existing residents adjoining this site and within this neighbourhood as a whole. Further, all residential car parking is to be

contained within individual basement car parking areas, while associated indented visitor car parking is provided at grade off the internal road network in front of the townhouses.

The amendments set out under this Planning Proposal will ensure that the final form of development on the site is specifically designed to suite the site's characteristics and opportunities for a medium density development that will make a meaningful contribution to the subregional housing targets and promote better use of the existing quality public amenities and services on offer in this neighbourhood.

The intended outcome would also be to enable a development application to be lodged for a multi dwelling housing development in the form of townhouses.

## **Part 2 - Explanation of Provisions**

The proposed amendments are to the zone map, building height map and FSR map contained within PLEP 2011.

The intended outcome of the Planning Proposal is to facilitate the redevelopment of the site to accommodate a high quality townhouse development that would successfully integrate into the surrounding neighbourhood environment without generating any environmental impacts.

## **Part 2 Permitted or Prohibited Development - Parramatta LEP 2011**

### **Clause 2 of Parramatta LEP 2011 – Land Use Zones**

The Planning Proposal seeks to change the current R2 Low Density Residential zoning of the land to R3 Medium Density Residential zone to permit multi dwelling housing as defined in the Dictionary of PLEP 2011 as meaning:

*"3 or more dwellings (whether attached to or detached) on one lot of land, each with access at ground level, but does not include a residential flat building".*

The objectives and permissible land uses within the R3 Medium Density Residential zone are set out as follows:

### **Zone R3 Medium Density Residential**

#### **1 Objectives of zone**

- *To provide for the housing needs of the community within a medium density residential environment.*
- *To provide a variety of housing types within a medium density residential environment.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*
- *To provide opportunities for people to carry out a reasonable range of activities from their homes if such activities will not adversely affect the amenity of the neighbourhood.*

- To allow for a range of community facilities to be provided to serve the needs of residents, workers and visitors in residential neighbourhoods.

## **2 Permitted without consent**

Home occupations

## **3 Permitted with consent**

Attached dwellings; Bed and breakfast accommodation; Boarding houses; Building identification signs; Business identification signs; Child care centres; Community facilities; Dual occupancies; Dwelling houses; Educational establishments; Emergency services facilities; Environmental facilities; Environmental protection works; Exhibition homes; Flood mitigation works; Group homes; Home-based child care; Home businesses; Hostels; Information and education facilities; **Multi dwelling housing**; Neighbourhood shops; Places of public worship; Public administration buildings; Recreation areas; Recreation facilities (indoor); Recreation facilities (outdoor); Respite day care centres; Roads; Semi-detached dwellings; Seniors housing; Water recycling facilities

## **4 Prohibited**

Any development not specified in item 2 or 3

The proposed outcome will be achieved because:

- The amendment to Parramatta LEP 2011 zoning map, changing the zone to R3 Medium Density Residential is provided at Appendix 6
- The amendment to Parramatta LEP 2011 Height of Building Map is shown at Appendix 6, which shows the maximum permissible building height across the whole site is 11 metres.
- The amendment to Parramatta LEP 2011 Floor Space Ratio Map is shown at Appendix 6, which shows a maximum permissible FSR of 0.6:1 across the whole site.

## **7.0 Assessment of Planning Proposal Against NSW Department of Planning & Environment Guidelines**

### **Section A - Need for a Planning Proposal**

#### **Q1 – Is the planning proposal a result of any strategic study or report?**

**No**

This Planning Proposal was not a direct result of a strategic study or report although the residential housing strategy undertaken by the City of Parramatta Council formed the base on which PLEP 2011 was framed.

The Planning Proposal is considered to be an appropriate means of implementing regional strategies to increase housing supply and mix in the Carlingford town centre. These studies include:

- A Plan for Growing Sydney
- Draft West Central District Plan
- West Central Draft Subregional Strategy
- Parramatta 2038 Community Strategic Plan
- Draft Metropolitan Strategy for Sydney
- The Metropolitan Plan for Sydney 2036

## **A Plan for Growing Sydney**

A Plan for Growing Sydney was released on 14 December 2014 and is the NSW Government's 20-year plan for the Sydney Metropolitan Area.

A Plan for Growing Sydney provides direction for Sydney's productivity, environmental management, and liveability and for the location of housing, employment, infrastructure and open space.

The goals the plan seeks to achieve are:

- *a competitive economy with world-class services and transport;*
- *a city of housing choice with homes that meet our needs and lifestyles;*
- *a great place to live with communities that are strong, healthy and well connected;*
- *a sustainable and resilient city that protects the natural environment and has a balanced approach to the use of land and resources.*

A Plan for Growing Sydney states (p.114):

*Accelerate housing supply, choice and affordability and build great places to live  
Work with councils to identify suitable locations for housing and employment growth coordinated with infrastructure delivery (urban renewal), including around Priority Precincts, established and new centres, and along key public transport corridors including the North West Rail Link, the Western Line, the Cumberland Line, the **Carlingford Line**, the Bankstown Line, Sydney Rapid Transit and bus T-Ways.*

The Planning Proposal supports the principles of A Plan for Growing Sydney through the increase in housing numbers and choice via the urban renewal of an existing retail plant nursery that has reached its economic life span with the buildings and grounds in a state of disrepair. Also, with the chain of Bunnings stores and their large landscape supply areas, they have placed pressure on smaller retail plant nursery's to economically survive because they are able to match or beat the prices of these smaller nurseries.

The proposal will remove a commercial land use from a well-established residential neighbourhood, ensuring possible conflict between land uses does not occur.

The site is within close proximity of existing transport networks in bus and rail with the redevelopment of the site resulting in the provision of new medium density housing, enabling the economic use of the land and providing housing choice and affordability in an established suburban location that is within walking distance of quality retail hubs, schools, offices, business premises, churches, medical centres, banks and open space.

The Planning Proposal is considered to be consistent with the identified goals set down by this plan.

## **Draft West Central District Plan**

The Draft West Central District Plan was placed on public exhibition between November 2016 and finalising in March 2017.

This district plan will help set out how "A Plan for Growing Sydney" will apply to local areas.

The West Central District will be at the core of Greater Sydney's 'Central City' which identifies priorities and actions to realise the vision for the District. This draft District Plan translates and tailors metropolitan planning priorities the District by giving effect to the four goals of *A Plan for Growing Sydney*:

- *Goal 1: A competitive economy with world class services and transport*
- *Goal 2: A city of housing choice, with homes that meet our needs and lifestyles*
- *Goal 3: A great place to live with communities that are strong, healthy and well connected*
- *Goal 4: A sustainable and resilient city that protects the natural environment and has a*

*balanced approach to the use of land and resources.*

Chapter 4 Liveable City within the West Central District Plan is of particular importance to this Planning Proposal in that the proposal seeks to promote the better use of land for residential purposes.

The liveability priorities include:

- Improve housing choice;
- Improve housing Diversity and affordability;
- Coordinate and monitor housing outcomes and demographic change;
- Great places
- Foster cohesive communities
- Respond to people's need for services.

The objectives that the subject Planning Proposal seeks to deliver are complimentary to each of the above priorities. In this respect the proposal seeks to provide a well-designed medium density housing development in the form 3 and 4 bedroom townhouses (total 48 units) that are within walking distance of a major retail hub and neighbourhood shops and offices, schools, open space and public transport in both bus and railway services.

The proposals location within this precinct will have no adverse impacts upon neighbours in surrounding residential properties.

### **West Central Draft Subregional Strategy**

The West Central Draft Subregional Strategy 2007 was prepared under the NSW Government's 2005 Metropolitan Strategy.

The State government's vision for this region is set out 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."*

The proposal is consistent with the following key directions identified in the West Central Draft Subregional Strategy:

- **Housing:** by providing housing opportunities to support a diverse workforce and population, contributing to achieving the housing targets identified in the subregional strategy and providing increased housing choice and affordability;
- **Transport:** by allowing higher densities at a suitable location close to the major business centres and a range of public transport options, while preventing overdevelopment of the site through appropriate planning controls; and
- **Environment, Heritage and Resources:** by setting appropriate planning controls to sustainability manage development.

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 the time The Metropolitan Strategy was prepared, the West Central Draft Subregional Strategy set a target of 95,500 new dwellings by 2031. A dwelling target to 2031 for the City of Parramatta LGA was set at 21,000. This figure would now change as a result of the new City of Parramatta LGA boundaries.

The Strategy also states that significant residential growth is expected in a number of suburbs outside the Parramatta City Centre, including the likes of Carlingford and Epping.

Councils were requested to provide for an appropriate range of residential zonings to cater for changing housing needs and improve housing affordability. The Planning Proposal promotes and supports these sub Regional objectives.

The West Central Draft Subregional Strategy and other Subregional Strategies support and implement the Sydney Metro Strategy for the various subregions of Sydney, provide more detailed planning strategies at a subregional level to guide in the preparation of local environmental plans and assessment of development proposals.

Parramatta is identified as the true second CBD of Sydney in the West Central Subregion and economic hub and gateway to Western Sydney. The Draft Strategy seeks to concentrate activities in identified centres such as Carlingford and Epping.

Additional residential accommodation in the form of the proposed townhouse development will support existing public transport infrastructure and major retail hubs in this neighbourhood that are located within a short walk of the subject site.

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

Parramatta 2038 is a long term Community Strategic Plan for the City of Parramatta and links with the long-term future of Sydney.

The planning proposal is considered to meet the strategies and key objectives identified in the plan including the 'People and Neighbourhoods' strategy that focuses on health housing provision, learning and development, and building cohesive, safe neighbourhoods.

The planning proposal is considered to meet the objectives of the strategy by allowing for residential uses which will support the local neighbourhood and will revitalise a large underutilised site that is predominantly used for commercial purposes.

The development of the site will also increase housing supply and choice in an area serviced by excellent services and amenities such as retail hubs, schools, open space, infrastructure and public transport.

### **Draft Metropolitan Strategy for Sydney**

The draft Metropolitan Strategy for Sydney was put on public exhibition in March 2013. The strategy will guide the city's growth to 2031. The proposal is consistent with the following key directions identified in the draft Metropolitan Strategy for Sydney:

- **Balanced Growth:** by providing opportunities for new housing, supporting the growth of businesses in the area, revitalizing the business centre and strengthening the growth of the other small and large centres;
- **Liveable City:** by delivering new housing to meet existing demand and support Sydney's growth, delivering a mix of well-designed housing types in line with current demand, supporting the growth and activation of the Carlingford business centre and attracting investment and providing high quality open spaces to promote social, cultural and recreational opportunities;
- **Productivity and Prosperity:** by acting as a catalyst for employment growth in the area, supporting the existing smaller and major centres by supplying creative hubs and open spaces in keeping with the demand in the area;
- **Healthy and Resilient Environment:** by encouraging high quality architectural and landscape design and adopting ESD principles such as walking and cycling and
- **Accessibility and Connectivity:** by providing housing at a location with excellent public transport access and redeveloping the site that is within walking distance of public bus and rail services.

### **Metropolitan Plan for Sydney 2036**

The Metropolitan Plan for Sydney 2036 (the Metropolitan Plan) provides a broad framework for managing growth and development of Sydney over a 25 year period.

The Metropolitan Plan aligns with a number of State Plan (the NSW State Plan 2021: A Plan to Make NSW Number One) priorities, including promoting jobs closer to home and improving housing affordability.

The Metropolitan Plan is a strategic document that provides a broad framework to facilitate and manage growth and development until 2036. It is driven by projections which identify the need for 770,000 new homes across the Sydney Metropolitan area by 2036.

The Metropolitan Plan contains a number of areas or strategies, including Economy and Employment, Centres and Corridors, Housing, Transport, Environment and Resources, Parks and Public Places and Implementation and Governance.

In summary, the Planning Proposal meets the following relevant directions identified in the Sydney Metropolitan Plan:

- **Direction B: Growing and Renewing Centres**

By showing consistency with Objective B1.3 and locating new housing within walking catchment of existing centres, such as the neighbourhood centre located in Mobbs Lane and also on the corner of Marsden Road and Pennant Hills Road which contains a small supermarket, number of neighbourhood support shops, including a medical centre, restaurants, cafe etc.

Carlingford Court located on the corner of Pennant Hills Road and Carlingford Road is a major multi-level retail hub that contains two (2) supermarket in Coles and Woolworths and another major retailer in Target. Other business premises in this centre have been previously discussed in detail as part of this submission, including, banks, food court, medical centres, pharmacies, specialty shops etc.

Further, Carlingford Court is similar to the Westfield Shopping Centre at North Rocks and Castle Towers in Castle Hill, both identified as being major shopping centres.

There are a number of bus stops on both sides of Pennant Hills Road as well as Carlingford Road, Marsden Road (approximately 700m south of the subject site) and local streets in Mobbs Lane and Pennant Street, which provide direct access to the

surrounding business centres and therefore the site benefits from good access to public transport.

The Carlingford Railway Station is located within 15 minutes walk of the site.

- **Direction D: Housing Sydney's Population**

By showing consistency with objectives D1, D3 and D4. The proposal will address the existing demand for residential use in the existing urban area, which is close to the local neighbourhood centre and public transport. Through appropriate zoning and density controls, the proposal will result in increased housing affordability by allowing for a range of housing types. Through appropriate design controls (site specific master plan), the proposal will ensure that high quality new housing will be provided.

- **Direction H: Achieving Equity, Liveability and Social Inclusion**

By showing consistency with Objective H1.1. To ensure equity, liveability and social inclusion are integrated into plan making and planning decision-making as the proposal aims to integrate affordable housing benefits into the rezoning of the site and its reuse as a residential location for all types of incomes and social groups.

The proposal is consistent with the above objectives and strategies of the Metropolitan Plan for the following reasons:

- Carlingford has good access to a full range of urban services and facilities, including employment precincts and direct access to local bus routes;
- Walkable access (15minutes) to the Carlingford Railway Station.
- Increasing housing densities in centres where access to employment, services and public transport is provided;
- Cater for changing housing needs, such as housing for aged and frail persons or couples wanting to down size but stay in the neighbourhood because of its location to friends, family and public amenities;
- To use the site for residential purposes fully supports the principles of Urban Consolidation and renewal embodied in the Plan;
- facilitate the delivery of a new and choice of housing stock into the Carlingford and the City of Parramatta LGA as a whole;
- increase densities to better utilize and support the availability of quality public bus transport along Pennant Hills Road and Carlingford Road; and
- the bus transport allows links to surrounding business centres and railway stations;
- the amendments to the sites controls would allow for a future built form that is appropriate in bulk, scale, height and density to allow for a development of this type to readily integrate into the surrounding character.
- Carlingford is a pleasant elevated dormitory suburb within close proximity to the City of Parramatta. It has good access to a full range of urban services and facilities, it has direct access to numerous local and regional bus routes, and is bounded on two sides (north and west) by existing residential development and the site adjoins an access handle to a long standing cemetery and Simpson Reserve, which is located at the rear of the site.

**Q2 – Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?**

**Yes**

This Planning Proposal is considered to be the best means of achieving the intended



outcome for the development of the site. The proposal will facilitate the better use of a large site that is currently being used for a commercial land use and sited amongst low to medium density housing. This is a clear opportunity to better promote a more sympathetic development that will enhance the streetscape and offer a development that will better fit into this well established residential neighbourhood.

A site specific LEP rezoning allows a detailed urban design response to a large site in a residential neighbourhood, allowing site specific considerations to be considered, and the delivery of appropriate controls to respect its setting.

## **Section B - Relationship to Strategic Planning Framework**

**Q3 – Is the planning proposal consistent with the objectives and actions of the applicable regional, sub-regional strategy or district plan or strategy (including any exhibited draft plans or strategies)?**

**Yes**

See comments under Q1 above about the draft Metropolitan Strategy for Sydney 2031.

The Planning Proposal has strategic merit and is consistent with the Metropolitan Plan for Sydney 2036 and West Central Draft Subregional Strategy.

The proposed development facilitated by this Planning Proposal supports this policy by creating additional housing stock, better use of public transport and promotes housing choice and affordability close to employment precincts, such as the Carlingford, Epping, Eastwood, North Rocks and Castle Hill Town Centres.

**Q4 - Is the planning proposal consistent with a council's local strategy or other local strategic plan?**

**Yes**

### **Parramatta Twenty 25 & Parramatta Strategic Plan**

Parramatta Twenty25 is the current 25 year plan for the future of the City of Parramatta 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 City of Parramatta City LGA.

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 City of Parramatta LGA".

The Planning Proposal fully supports and responds to the Vision and Objectives of this local strategic plan.

**Q5 – Is the planning proposal consistent with applicable State Environmental Planning Policies?**

**Yes**

An assessment of the Planning Proposal against all applicable State Environmental Planning Policies (SEPPs) is provided in the **Tables 1 and 2**.

**Table 1**

| State Environmental Planning Policy (SEPP)                            | Compliance   |
|---|--|
| SEPP No 1—Development Standards                                       | Not relevant   |
| SEPP No 14—Coastal Wetlands   | Not relevant   |
| SEPP No 15—Rural Land Sharing Communities                             | Not relevant   |
| SEPP No 19—Bushland in Urban Areas                                    | Not relevant   |
| SEPP No 21—Caravan Park   | Not relevant   |
| SEPP No 26—Littoral Rainforests                                       | Not relevant   |
| SEPP No 29—Western Sydney Recreation Area                             | Not relevant   |
| SEPP No 30—Intensive Agriculture                                      | Not relevant   |
| SEPP No 32—Urban Consolidation (Redevelopment of Urban Land)          | Planning Proposal promotes urban consolidation                           |
| SEPP No 33—Hazardous and Offensive Development                        | Not relevant   |
| SEPP No 36—Manufactured Home Estates                                  | Not relevant   |
| SEPP No 39—Spit Island Bird Habitat                                   | Not relevant   |
| SEPP No 44—Koala Habitat Protection                                   | Not relevant   |
| SEPP No 47—Moore Park Showground                                      | Not relevant   |
| SEPP No 50—Canal Estate Development                                   | Not relevant   |
| SEPP No 52—Farm Dams and Other Works in Land                          | Not relevant   |
| SEPP No 55—Remediation of Land  | A phase 1 contamination assessment has been carried out. See Appendix 4. |
| SEPP No 59—Central Western Sydney Regional Open Space and Residential | Not relevant   |
| SEPP No 62—Sustainable Aquaculture                                    | Not relevant   |
| SEPP No 64—Advertising and Signage                                    | Not relevant   |
| SEPP No 65—Design Quality of Residential Flat Development             | Not relevant   |
| SEPP No 70—Affordable Housing (Revised Schemes)                       | Not relevant   |
| SEPP No 71—Coastal Protection   | Not relevant   |
| SEPP (Affordable Rental Housing) 2009                                 | Not relevant   |
| SEPP (Building Sustainability Index: BASIX) 2004                      | Able to comply (DA consideration)  |
| SEPP (Exempt and Complying Development Codes) 2008                    | Not relevant   |

**Table 2**

| State Environmental Planning Policy (SEPP)  | Compliance  |
|---|---|
| SEPP (Housing for Seniors or People with a Disability) 2004                             | Not relevant  |
| SEPP (Infrastructure) 2007  | Future development of the site will be required to consider the provisions of the Infrastructure SEPP (traffic and noise) |
| SEPP (Kosciuszko National Park— Alpine Resorts) 2007                                    | Not relevant  |
| State Environmental Planning Policy (Kurnell Peninsula) 1989                            | Not relevant  |
| SEPP (Major Development) 2005   | Not relevant  |
| SEPP (Mining, Petroleum Production and Extractive Industries) 2007                      | Not relevant  |
| State Environmental Planning Policy (Miscellaneous Consent Provisions) 2007             | Not relevant  |
| State Environmental Planning Policy (Penrith Lakes Scheme) 1989 SEPP (Rural Lands) 2008 | Not relevant  |
| State Environmental Planning Policy (SEPP 53 Transitional Provisions) 2011              | Not relevant  |
| State Environmental Planning Policy (State and Regional Development) 2011               | Not relevant  |
| SEPP (Sydney Drinking Water Catchment) 2011   | Not relevant  |
| SEPP (Sydney Region Growth Centres) 2006  | Not relevant  |
| State Environmental Planning Policy (Three Ports) 2013                                  | Not relevant  |
| SEPP (Urban Renewal) 2010   | Not relevant  |
| State Environmental Planning Policy (Western Sydney Employment Area) 2009               | Not relevant  |
| <b>Relevant Deemed SEPPS</b>  |   |
| SREP No.9 – Extractive Industry (No 2 – 1995)   | Not relevant  |
| SREP No.18 – Public Transport Corridor  | Not relevant  |
| SREP No.19 – Rouse Hill Development Area  | Not relevant  |
| SREP No. 20 – Hawkesbury – Nepean River (No 2 – 1997)                                   | Not relevant  |

**Q6 – Is the planning proposal consistent with applicable Ministerial Directions (s.117 directions)?**

**Yes**

The planning proposal is consistent with the relevant directions for planning proposals issued by the Minister for Planning under Section 117(2) of the Environmental Planning & Assessment Act 1979.

Assessment against the relevant S.117 directions is set out below:

**1. Employment and Resources**

**1.1 Business and Industrial Zones**

- The land is not zoned for business or industrial purposes. Its commercial existence relies on existing use rights provisions, prescribed under the Environmental Planning and Assessment Act 1979 and associated Regulations.

**2. Environment Protection Zones and Heritage Conservation**

**2.1 Environment Protection Zones**

- The subject site is not located in an environmentally sensitive area and accordingly, this direction is not applicable to this proposal.

**2.3 Heritage Conservation**

- The Planning Proposal will not affect the conservation of the adjacent cemetery that is listed as a local heritage item, nor will the proposal have any impacts upon other local heritages items in this precinct;
- There is no identified Aboriginal objects or Aboriginal places of heritage significance on this site or neighbouring sites;
- The cemetery in general terms, hidden from views. Further, there are no identified historic view corridors in this area that will be affected by the proposed changes. See Heritage Report prepared by NBR Architecture Heritage accompanying this Planning Proposal at Appendix 3.

**3. Housing, Infrastructure and Urban Development**

**3.1 Residential Zones**

The planning proposal is consistent with this direction, in that it:

- facilitates additional and greater choice and diversity of well-designed housing in Carlingford that is not provided for on the site or within the surrounding catchment;
- provides residential development in an existing urban neighbourhood that will be fully serviced by existing infrastructure or if necessary carry out the augmentation of the existing infrastructure;
- does not reduce the permissible residential density on the land and will facilitate a high quality building design that will deliver quality, affordable and choice of residential accommodation that will service the demands of future residents moving into this area;
- promote walking and cycling routes for residents and visitors.

### 3.4 Integrating Land Use and Transport

The Planning Proposal is consistent with this direction, in that it will:

- provide new dwellings in close proximity to existing public transport services;
- enable residents to walk or cycle to work at the nearby major retail hubs and other types of amenities and services on offer in this neighbourhood;
- makes more efficient use of public open space and infrastructure by increasing densities on a much underutilised large parcel of land that is currently used as a retail plant nursery set amongst townhouses and dwelling houses.

### 3.5 Development Near Licensed Aerodromes

- This direction is not applicable.

### 4.1 Acid Sulfate Soils

- The site is identified on Council's Acid Sulfate Soils Map as being within Class 5.
- Because the site is not within 500 metres of adjacent Class 1, 2, 3 or 4 land that is below 5 metres Australian Height Datum and by which the watertable is likely to be lowered below 1 metre Australian Height Datum on adjacent Class 1, 2, 3 or 4 land this direction is not applicable.

### 4.2 Flood Prone Land

- The land is not subject to flooding and therefore this direction is not applicable.

## 5. Local Plan Making

### 5.1 Approval and Referral Requirements

The Planning Proposal does not introduce any provisions that require any additional concurrence, consultation or referral.

### 5.3 Site Specific Provisions

This Planning Proposal does not propose any site specific provisions other than the change in zoning, building height and FSR controls that are to be shown on the standard LEP maps.

## 6. Metropolitan Planning

### 6.1 Implementation of the Metropolitan Plan for Sydney 2036

The Planning Proposal is consistent with the Metropolitan Plan for Sydney 2036, which has been previously discussed in this planning report.

## Section C - Environmental, Social and Economic Impact

**Q7** – *Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?*

**No**

The site is located within a well-established urban neighbourhood and comprises land that has already been developed. There are no known critical habitats, threatened species or ecological communities within the site and therefore the likelihood of any negative

ecological impacts would be minimal.

In view of such, it is considered that the Planning Proposal will not result in any impact on critical habitat or threatened species, populations or ecological communities or their habitats.

**Q8** – *Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?*

**No**

Site investigations have confirmed that the site is free of major constraints and that there are no likely environmental effects associated with the future development of the land that cannot be suitably mitigated through further works or the design of buildings as part of a future development application (DA).

### **Residential Amenity**

A detailed architectural design scheme has been prepared by Architex and accompanies the Planning Proposal at Appendix 1.

The well designed architectural scheme responds to the site's location within a low to medium density residential neighbourhood.

Existing low and medium density residential properties that characterise this neighbourhood will not be impacted upon by over shadowing or general loss of amenity because of the orientation of the land, generous building setbacks and significant separation distances between buildings.

The height and FSR mooted by the Planning Proposal submission has been derived from the Architex scheme.

### **Overshadowing**

A detailed shadow analysis has been prepared as part of the architectural scheme located at Appendix 1. It looks at height scenarios and demonstrates the direction and length of shadows cast by the proposed building forms. See shadow analysis accompanying the architectural drawings.

The shadow study indicates that the proposal will not significantly overshadow the public domain or those other townhouse developments on adjoining properties.

### **Traffic**

The application is accompanied by a traffic and parking report prepared by Thompson Stanbury Traffic Engineers (see Appendix 2), which demonstrates through traffic counts and a lengthy assessment of traffic impacts, concludes that the additional traffic movements generated by the proposal can be absorbed by the existing road network.

### **Contamination**

The site is currently being used as a retail plant nursery with associated lots that contain dwelling houses have open air plant storage areas at the rear. In view of such, a preliminary contamination report has been prepared by Geotechnique (see Appendix 4) to determine whether there is any potential for the site being contaminated. Their report concludes that the site would be suitable for the proposed townhouse development subject to the following recommendations being followed as part of a future DA submission:

## **CONCLUSION AND RECOMMENDATIONS**

Based on this assessment, it is considered that the site would be suitable for the proposed use subject to sampling (after removal of the site features) and testing to address the potential contamination listed in Section 7.0 of the report. If any contaminants are identified the site can be made suitable for the proposed residential (townhouses) use following successful remediation and validation.

It is considered reasonable for conditional development consent to be issued to require the sampling and testing. Based on the results of the testing to determine the need or otherwise for remediation. It is considered that based on this approach Council can be satisfied that the site can be made suitable for the proposed use subject to the imposition of appropriate conditions of consent.

A geophysical surveyor should be engaged to determine the location of the UST noted in the NSW SafeWork records and to identify the presence of any other UST within the site. The UST and any other identified UST and associated infrastructure are to be removed and disposed of at an appropriate facility by a licensed contractor. Following removal/disposal, validation of the UST pit(s) is to be carried out.

For any materials to be excavated and removed from the site, it is recommended that waste classification of the materials, in accordance with the "Waste Classification Guidelines Part 1: Classifying Waste" NSW EPA 2014; NSW EPA resource recovery exemptions and orders under the Protection of the Environment Operations (Waste) Regulation 2014, or NSW EPA Certification: Virgin excavated natural material is undertaken prior to disposal at a facility that can lawfully accept the materials.

Any imported soil (fill) must be assessed by a qualified environmental consultant, prior to importation, to ensure suitability for the proposed use. In addition, the imported fill must not contain asbestos and ash, be free of unusual odour, not be discoloured and not acid sulphate soil or potential acid sulphate soil.

The imported fill should either be virgin excavated natural material (VENM) or excavated natural material (ENM).

### **Removal of Trees**

The site contains a number of large trees around the perimeter of the site. As a result of the proposed townhouse design, a number of trees will need to be removed from the site.

The proponent has engaged the services of Redgum Horticultural who has carried out a detailed tree survey of the site based on the current drawings that accompany this Planning Proposal. See their report at Appendix 5. Their report provides the following conclusions and recommendations about tree removal and retention:

### **CONCLUSION**

Fifty-seven (57) trees are nominated for removal and replacement with species in accordance with the associated Landscape documentation for the development. The twenty-four (24) trees to be preserved will be retained and protected through the implementation of adequate measures for their integration into the development by the application of appropriate technology as detailed in this report. Where appropriate, the Landscape Plan will include planting with new trees including street tree/s.

It is often a consequence of redevelopment, and subject to the nature of the proposed land use that some or all of the trees present on the site prior to that redevelopment may be required to be removed and replaced with new tree plantings in different locations. This may be dependent upon the type of development and its design constraints and the requirements of the local planning instruments and any Landscape Design Codes if existing. Where tree removal is required for this development, it is considered that those trees identified within this report are not sustainable within the context of the proposed development. Where tree retention has been considered, those trees are expected to survive the redevelopment process and remain stable and viable. The retention and protection of existing trees on site is a significant aspect of the development process, allowing those trees as components of the current curtilage to be transferred to the new

development for incorporation into the landscaping works for the site. The retention of some or all of the existing trees contributes to: the preservation of local amenity, screening of views to and from the site, and a balance to the scale and bulk of buildings, while maintaining elements of a continuous landscape, providing a more harmonious integration and transition of the use of the land.

If all the recommendations and procedures detailed herein are adhered to, some or all of the trees the subject of this report will continue, or will be replaced with more appropriate plantings in suitable locations, or enhanced by additional new plantings, and will grow to develop as important landscape components providing elements of long term amenity for the property and its owners or occupants, and the local community.

The recommendations made in this report are subject to approval by the consent authority. As a renewable and dynamic natural resource the urban tree and the growing environment essential for its survival must be understood and carefully managed to balance its needs with those of people. It is crucial that as required: this resource be planned for, planted, nurtured, protected, maintained and replaced, to ensure appropriateness and suitability of new plantings and trees retained, for safety and viability, so that it remains vital, and is sustainable in continuity.

## **7.0 RECOMMENDATIONS**

7.1 Trees 2, 3, 6, 7, 8x2, 18x2, 39 to 42, 43x4, 46, 47, 56, 57, 60, 63 & 64 are to be retained in situ within the site and are to be protected as detailed in 5.6 - 5.22 & 5.25 - 5.34. Tree protection fences, or works, to be located in accordance with Site Plan B - Trees to be Retained and Tree Protection Zones (Appendix F).

7.2 Where Tree Protection Zone fences are to be moved or relocated this must be undertaken in consultation with the Consultant Arboriculturist for the project to ensure that tree protection is maintained. If the fences are relocated areas are to be mulched in accordance with 5.20 of this report to reduce compaction to the root system of the retained specimens.

7.3 To minimise damage to retained crowns, all Tree Protection Zones are to be adhered to. This must be undertaken in consultation with the Consultant Arboriculturist for the project to ensure that tree protection is maintained. Minor pruning may be required if damage occurs, work is to be undertaken in accordance with section 4 of this report.

7.4 Milestones - Project/Site arborist is to inspect/assess all retained specimens prior to Demolition and Tree Removal, Post Demolition, Prior to Construction during Construction and on completion in relation to trees protected and the protection measures have been carried out as per the approved D/A conditions for the site. Documentation is to be submitted to the consenting authority after each inspection.

7.5 Trees 1, 4, 5x3, 9 to 17, 19x7, 20 to 38, 44, 45, 48 to 55x2, 58, 59, 61, 62, 65 & 66 are to be removed which is to be undertaken in accordance with section 4.0, parts 4.1 - 4.3.

7.6 Tree removal near retained specimens is to be undertaken in accordance with 5.24 of this report.

7.7 Any work to be undertaken within Tree Protection Zones is to be undertaken in accordance 7.2 of this report.

7.8 There is to be no storage of materials, rubbish, soil, equipment, structures or goods of any type to be kept or placed within 5 metres from the trunk or within the dripline of any tree for the duration of the development. This will ensure protection of the tree/s to be retained on or adjacent to site.

7.9 Each of the replacement are to be a vigorous specimen with a straight trunk, gradually tapering and continuous, crown excurrent, symmetrical, with roots established but not pot bound in a volume container or approved similar and be maintained by an appropriately qualified and experienced landscape contractor for up to one (1) year after planting, or as appropriate.



**Q9** – *Has the planning proposal adequately addressed any social and economic effects?*

**Yes**

The proposed development will result in positive economic and social flow-on effects for the surrounding neighbourhood.

The proposed townhouses will deliver valuable medium density housing in a location close to (walking distance) shops, schools, public transport, open space, community facilities and employment precincts.

The residential development proposed is likely to attract a variety of people, from middle aged couples and elderly retirees seeking to downsize, as well as professional couples and young families.

It is likely to attract a diverse social demographic given the location of the site, amenities proposed and excellent accessibility to local services.

Carlingford is a town centre as identified within all regional strategies and a growth area for families so it is important to assess the potential impact of the development on these services. The site is within close proximity to a broad range of shops (small and major), medical centres, schools, pharmacies, offices and associated community facilities and recreational open space.

Although future residents are likely to generate a demand for a broad range of local services, no amenity impacts on privacy, safety, noise, overshadowing and the like is unlikely to occur to impact upon neighbours in surrounding properties

An increase in FSR on this large site, will promote the orderly and economic development of the land in a sustainable manner. New native trees and other types of native vegetation will be introduced to enhance the sites presentation to the street and surrounds.

Increased population on a site within walking distance of quality amenities and services will increase use of existing public transport and spending within the business centre, contributing positively to the economic performance and viability of businesses within this town centre.

The proposal will provide short term work for tradesmen and they will utilise the services of the local business centres, and the excellent public transport and the additional population on this site will allow residents to work and shop within the centre, generating greater economic benefits to local businesses.

### **Social impacts**

The Planning Proposal is not anticipated to have any negative social impacts as the proposal offers housing choice and diversity close to existing and future services and infrastructure to meet strategic objectives in relation to balanced growth. The preferred development concept includes the benefits of a mix of unit types and sizes to accommodate a range of housing needs and household incomes.

### **Section D - State and Commonwealth Interests**

**Q10** – *Is there adequate public infrastructure for the planning proposal?*

**Yes**

The site is located in a well-established urban neighbourhood and has access to a range of existing services, including electricity, gas, water, sewer, telephone and internet. Further investigations will be undertaken at DA stage to determine whether any augmentation works to existing services is required.

**Q11** – What are the views of State and Commonwealth public authorities consulted in accordance with the Gateway determination?

**Yes**

There has been no consultation with any State and Commonwealth authorities to-date. These authorities will have the opportunity to provide comment on the Planning Proposal as part of the formal exhibition period. Any future DA will also be referred to the relevant authorities as required.

#### **Part 4 – Mapping**

Maps of the proposed amendments to Parramatta LEP 2011 zone, height and FSR controls applying to the site have been provided at Appendix 6.

#### **Part 5 - Community Consultation**

The City of Parramatta Council is required to consult with the community in accordance with the gateway determination prescribed by Clause 57 of the Environmental Planning and Assessment Act 1979.

The Planning Proposal will be required to be publicly exhibited for 28 days in accordance with the requirements of the NSW Department of Planning and Environments guidelines "A Guide to Preparing Local Environmental Plans" August 2016.

The specific process of the community consultation to be undertaken will be determined by The City of Parramatta Council as the Relevant Planning Authority, however, it is anticipated that the public exhibition would be notified by way of:

- A public notice in the local newspaper/s;
- Advertising of the Planning Proposal on the City of Parramatta Council's website;
- Written correspondence to adjoining and surrounding landowners and
- The Gateway Determination and Planning Proposal will be publicly exhibited at Council offices, and any other locations, considered appropriate to provide interested parties with the opportunity to view the submitted documentation.

#### **Part 6 – Project Timeline**

Below is an indicative timeline for the planning proposal:

- Referral to Minister for Gateway determination: July 2017
- Date of Gateway determination: September 2017
- Exhibition including government agency consultation: October 2017
- Timeframe for the consideration of proposal post exhibition: November 2017
- Reporting of proposal to Council: February 2018
- Date of submission to PCO to finalise the LEP: June 2018

## 8.0 Conclusion

This town planning report together with other consultants plans and reports provide justification for the site specific Planning Proposal that is in line with the NSW Department of Planning & Environments template for gateway rezoning's. The justification demonstrates:

- the proposal will remove a large retail plant nursery from a predominantly residential neighbourhood thereby extinguishing the sites existing use rights;
- the site because its size, width and depth can readily accommodate the proposed change in zoning and amendments to the building height and FSR controls for the site;
- the proposal is consistent with the objectives and strategies contained within:
  - A Plan for Growing Sydney;
  - Draft West Central District Plan;
  - West Central Draft Sub regional Strategy;
  - Metropolitan Plan for Sydney 2036;
  - Parramatta 2038 Community Strategic Plan;
- the Planning Proposal seeks to rezone the land to R3 Medium Density Residential, to permit townhouses, which is in keeping with the type of housing and character of built form in this neighbourhood;
- the proposal is consistent with all s.117(2) directions as prescribed under the Environmental Planning and Assessment Act 1979;
- the proposed increase in density will better utilize the existing quality bus services that operates throughout this neighbourhood, in particular, these buses have linkages to local and major business centres such as Epping, North Rocks, Castle Hill, Eastwood and Parramatta;
- open space, recreational, community service and education facilities are all within walking distance of the site;
- the provision of housing in close proximity to public transport, community services, shops, open space and employment creates a socially improved network and life balance for residents in order to promote the local business economy through increased patronage;
- there are no identified site constraints that would not support the changes to the zone, FSR and building height controls;
- the proposed R3 Medium Density Residential zoning will support the continued residential population growth of this neighbourhood;
- the proposal will offer a choice of housing types, allowing long term residents in large single dwellings to down size and remain in the neighbourhood;
- the local road network can readily absorb the additional traffic movements generated by the proposed development during peak periods.

The Planning Proposal will positively contribute to the State planning strategic goals of increasing housing densities in neighbourhoods with access to existing facilities and services. Key aspects of the Metropolitan Plan and draft Subregional Strategy emphasise the importance of concentrating increased housing densities in centres that have a broad range of transport, environmental, sustainability and liveability objectives.

Overall, it is considered that the Planning Proposal has a range of positive benefits, and it is requested that Council resolve to forward this Planning Proposal to the Department of Planning and Environment for Gateway Determination in accordance with Section 56 of Environmental Planning & Assessment Act 1979.

# Appendix 1

# Appendix 2

# Appendix 3

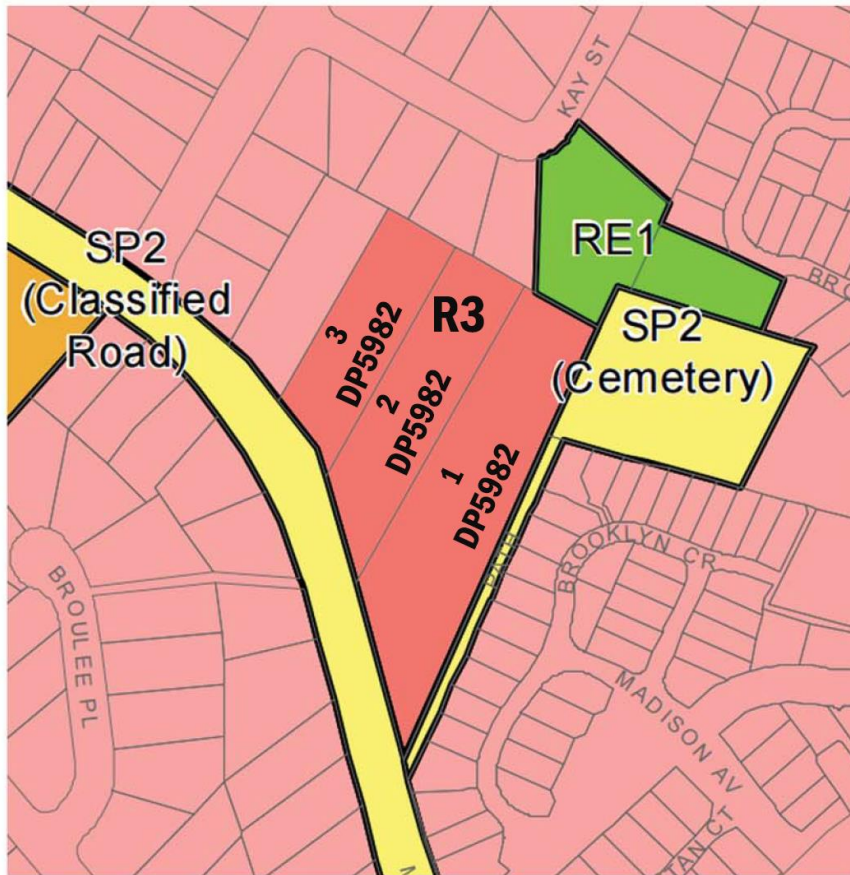
# Appendix 4

# Appendix 5



# Appendix 6

# Land Zoning Map



| Zone |                            |
|------|----------------------------|
| B1   | Neighbourhood Centre       |
| B2   | Local Centre               |
| B3   | Commercial Core            |
| B4   | Mixed Use                  |
| B5   | Business Development       |
| B6   | Enterprise Corridor        |
| E2   | Environmental Conservation |
| E3   | Environmental Management   |
| IN1  | General Industrial         |
| IN2  | Light Industrial           |
| IN3  | Heavy Industrial           |
| R1   | General Residential        |
| R2   | Low Density Residential    |
| R3   | Medium Density Residential |
| R4   | High Density Residential   |
| RE1  | Public Recreation          |
| RE2  | Private Recreation         |
| SP1  | Special Activities         |
| SP2  | Infrastructure             |
| W1   | Natural Waterways          |
| W2   | Recreational Waterways     |

# Floor Space Ratio Map



Maximum Floor Space ratio (n:1)

|    |      |     |                          |
|----|------|-----|--------------------------|
| A  | 0.33 | Z   | 5.0                      |
| B  | 0.4  | AA1 | 6.0                      |
| D  | 0.5  | AA2 | 6.4                      |
| F  | 0.6  | AA3 | 6.5                      |
| H  | 0.7  | AB  | 7.2                      |
| J  | 0.8  | AC  | 8                        |
| K  | 0.89 | AE1 | 10                       |
| N  | 1.0  | AE2 | 10.2                     |
| O  | 1.1  | AG  | 12                       |
| P  | 1.2  |     |                          |
| R  | 1.4  |     |                          |
| S1 | 1.5  |     |                          |
| S2 | 1.52 |     |                          |
| S3 | 1.7  |     |                          |
| S4 | 1.75 |     |                          |
| T1 | 2.0  |     |                          |
| T2 | 2.1  |     |                          |
| T3 | 2.4  |     |                          |
| U1 | 2.5  |     |                          |
| U2 | 2.6  |     |                          |
| V1 | 3.0  |     |                          |
| V2 | 3.3  |     |                          |
| V3 | 3.4  |     |                          |
| W  | 3.5  |     |                          |
| X1 | 4.0  |     |                          |
| X2 | 4.2  |     |                          |
| Y1 | 4.5  |     |                          |
| Y2 | 4.8  |     |                          |
|    |      |     | Refer to Clause 4.4 (2A) |

# Height Of Building Map

