

REZONING REVIEW – Briefing Report

Date of Referral:	14 February 2018	
Department Ref. No:	RR_2018_COPAR_001_00	
LGA:	City of Parramatta	
LEP to be Amended	Parramatta Local Environmental Plan 2011	
Address:	235-237 Marsden Road, Carlingford (Lots 1, 2 and 3 DP 5982)	
Reason for review:	<input type="checkbox"/> Council notified the proponent that it will not support proposed amendment	<input checked="" type="checkbox"/> Council failed to indicate support for proposal within 90 days, or failed to submit the proposal after indicating its support
Is a disclosure statement relating to reportable political donations under s147 of the Act required and provided?	<input type="checkbox"/> Provided	<input checked="" type="checkbox"/> Not required Comment: The application form states that there are no reportable political or gifts to disclose.

SUMMARY OF THE PROPOSAL

Background

The rezoning review request (**Attachments B and D**) was submitted by Caladines Town Planning Pty Ltd on behalf of Gaiset Pty Ltd to seek the following development standards for 235-237 Marsden Road, Carlingford (Lots 1, 2 and 3 DP 5982):

- rezone the site from R2 Low Density Residential to R3 Medium Density Residential;
- increase the building height from 9m to 11m; and
- amend the floor space ratio (FSR) from 0.5:1 to 0.6:1.

The proposal will enable medium-density residential development and potentially deliver up to 48 dwellings in the form of townhouses.

The request has been submitted as City of Parramatta Council failed to indicate support for the proposal within 90 days (**Attachment D**).

Locality and context

The site is approximately 1.5km east of Carlingford Station. It is in the suburb of Carlingford, with the immediate locality predominantly characterised by low-density residential developments (Figure 1, next page).

Marsden Road is a major road within the LGA and is immediately west of the site, running in a general north-south orientation.

Within 200m west of the site is Galaringi Botanic Parklands (Galaringi Reserve), which is an environmental conservation zone. The site is adjacent to the heritage-listed St Paul's Church Cemetery (Figure 2, next page).

Epping Park Centre is 1.4km east of the subject site and includes recreation facilities and retail.



Figure 1: Site and surrounds (source: Nearmap).

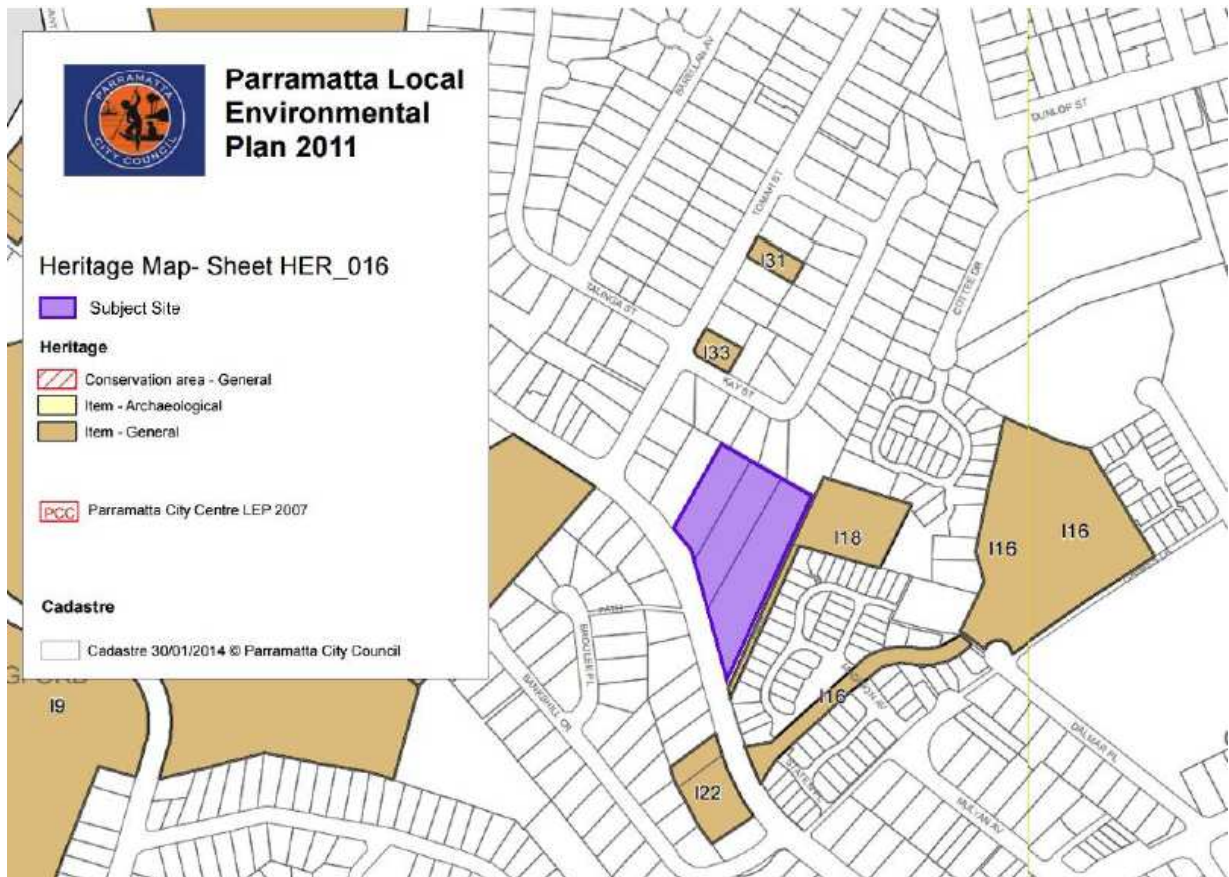


Figure 2: Heritage surrounds.

Site description

The rezoning review applies to Lots 1, 2 and 3 DP 5982 (235-237 Marsden Road, Carlingford). 235 Marsden Road comprises a single-storey detached residential building occupying the southernmost section of the lot. 237 Marsden Road and the remaining majority of 235 forms the site of Swane's Nursery, a retail plant nursery (operating under existing use rights), and a single-storey detached residential building.

The site has a combined total area of approximately 12,884m². It has a driveway off Marsden Road, which is the only point of access to and exit from the site.

Vegetation on the site includes a lining of trees in the southernmost section isolating the residential dwelling from the gardening supply store, a lining of trees along the east and northern sections of the site acting as a barrier to residential lots to the north and east, and trees on the western boundary of the site.

Current planning provisions

The current planning controls applying to the site under the Parramatta Environmental Plan (LEP) 2011 are:

- zoned R2 Low Density Residential;
- maximum building height of 9m;
- FSR 0.5:1; and
- minimum lot size 600m².

Proposed planning provisions

The proposed planning controls for the site are:

- rezone to R3 Medium Density Residential;
- amend the maximum building height from 9m to 11m; and
- amend the FSR from 0.5:1 to 0.6:1 across the whole site.

A copy of the rezoning review request package, which includes the proponent's planning proposal request and amended LEP maps, is provided at **Attachments E-E5**.

INFORMATION ASSESSMENT

Does the proposal seek to amend a zone or planning control that is less than five years old?

No, the existing controls are more than five years old. The subject site's planning controls changed as part of the Parramatta LEP 2011, which came into force on 7 October 2011.

STRATEGIC MERIT TEST

Consistency with the relevant regional plan outside of the Greater Sydney Region, the relevant district plan within the Greater Sydney Region, or corridor/precinct plans applying to the site, including any draft regional, district or corridor/precinct plans released for public comment.

Proponents will not be able to depend on a draft regional, district or corridor/precinct plan when the Minister for Planning, Greater Sydney Commission or Department of Planning and Environment have announced that such a plan will be updated before being able to be relied upon.

Central City District Plan

The Central City District Plan was released on 18 March 2018, after the planning proposal was submitted. The planning proposal provides an assessment on the superseded Draft West Central District Plan.

The relevant planning priority of the Central City District Plan has been identified below to assist in any strategic merit assessment by the panel:

- *Planning Priority C5 – Providing housing supply, choice and affordability, with access to jobs, services and public transport.* The housing target for the City of Parramatta in the plan is more than 21,000 homes between 2016 and 2021. The proposal will enable additional residential development to occur on the site.

Consistency with a relevant local strategy that has been endorsed by the Department.

There is no relevant local strategy that has been endorsed by the Department that can be relied on to establish strategic merit.

However, the planning proposal package (**Attachments E-E5**) considers Council's Parramatta Residential Development Strategy, Parramatta Twenty 25 and Parramatta 2038, which encourage greater housing choice to be in accessible and serviced locations.

Council notes that the proposal is not consistent with local strategies given the site is outside the walkable catchment of Carlingford Station and the Parramatta Residential Development Strategy Carlingford study area.

SITE-SPECIFIC MERIT TEST

The natural environment (including known significant environmental values, resources or hazards).

The subject site is constrained by few environmental factors. The proponent notes that the proposal will not result in any significant environmental impacts.

Vegetation

As identified by the arboricultural impact assessment as part of the planning proposal, the site contains 81 trees (**Attachment E1**). The assessment considers the removal of 57 trees that have been identified as being of poor quality and retaining 24 that are in fair to good condition.

The proposal is in accordance with the recommendations of the arboriculture impact assessment, with the specified trees nominated for removal and the 24 to be retained on the site as part of any future development concept.

Site constraints

The use of agricultural chemicals and fertilisers for the nursery activities on the site means there is potential for the soil to be contaminated.

Underground and above-ground fuel storage tanks on-site may have resulted in oil, mineral spirit and/or petrol leakage into soil and groundwater.

There is the potential for asbestos in the roofing and walls of the buildings, along with concealed water and sewer pipes. There is also the potential for contaminated fill materials on the site.

Within 200m of the site is a major environmental conservation zone (Galaringi Reserve), with a significant portion of the reserve being zoned public recreation. The site is also adjacent to a local cemetery (St Paul's Church Cemetery).

The proposal's statement of heritage impact (**Attachment E2**) notes that appropriate setbacks from the adjacent cemetery may be needed to mitigate any potential negative impacts on the heritage site.

The services and infrastructure that are or will be available to meet the demands arising from the proposal and any proposed financial arrangements for infrastructure provision.

Services and amenities

The proposal notes that the site has access to a range of services including electricity, gas, water, sewerage, telephone and internet.

Consultation with utility providers would be required as part of any Gateway determination to establish the existing and future capacity of the site for the proposed densities.

The site is within 200m walking distance of Galaringi Reserve and within a 10-minute walk of bus stops, with bus services to Carlingford town centre and Carlingford Station.

Traffic and transport

The proponent notes that the proposal will not have a significant impact on current traffic flows in the locality. Additional traffic would be generated due to the increased residential densities. The key findings of the proposal's traffic report (**Attachment E3**) are:

- the development has the potential to delay southbound vehicle movements during the morning and evening peaks; however, it is stated that Marsden Road has the capacity to support safe overtaking of slower vehicles in the kerb-side lane;
- the sight distance along Marsden Road satisfies the minimum requirements for private vehicle access driveways connecting with a 60km/h frontage road under the Australian Standard for Parking Facilities Part 1: Off-Street Car Parking;
- sight distance also satisfies the minimum Safe Intersection Sight Distance specified by Austroads' *Guide to Road Design* – this indicates that motorists can safely exit the site onto Marsden Road; and
- the proposal proposes 94 car parking spaces to service the 48 townhouses, with 12 spaces dedicated to visitor parking.

COUNCIL VIEWS

The Department received Council's views on the proposal on 12 March 2018 (**Attachment C1**). Council confirmed that the revised proposal is the same proposal it received.

A summary of Council's comments and recommendations is as follows:

- the proposal is lacking in strategic justification for a change in residential density due to its inconsistency with the existing strategic planning framework;
- visitor parking within the front setback of the townhouses has the potential to produce poor amenity and pedestrian safety;
- the proximity of the northernmost dwellings to neighbouring lots and their interface with the existing dwellings and removal of several mature trees raises concerns;

- concerns that this development will set a precedent for further intensification of residential developments along the corridor, thereby undermining the adopted strategic planning framework; and
- Council recommended that the communal open space should be relocated to a more centralised position within the development.

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