



Peter Pham
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Your Reference	RR-2022-19 EF22/10253
Our Reference	RZ/3/2022
Contact	Belinda Borg
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Via email: peter.pham@planning.nsw.gov.au

19 October 2022

Dear Mr Pham,

RE: Request for a rezoning review – RR_2022-19 – 169 Pennant Hills Road Carlingford

I refer to your letter dated 28 September 2022 advising that the applicant for a Planning Proposal for land at 169 Pennant Hills Road Carlingford has requested a rezoning review.

This letter provides a response to the revised Planning Proposal and confirms that the Planning Proposal documentation submitted by the applicant and subject to the rezoning review is the version that has been assessed by Council officers for the purposes of reporting to the Local Planning Panel and Council.

Background

On 11 August 2021, Council officers held an informal pre-lodgment meeting with the applicant. At this time, the applicant provided documents that proposed a building height of 22.5m (7 storeys) and floor space ratio of 2.4:1. No proposed zoning change was suggested at the time of the meeting. During the meeting, the applicant was informed of Council officer's concerns with the proposal, particularly the inconsistency of the proposal with the Local Strategic Planning Statement, Local Housing Strategy, and the existing character of the area which is predominantly low density residential.

A Planning Proposal for the site was received by Council on 26 April 2022 seeking to rezone the site from R2 Low Density to R4 High Density Residential, increase the maximum height of buildings from 9m to 20m and amend the floor space ratio map to apply a 2:1 floor space ratio.

Discussions were held with the applicant and owners regarding Council officers continuing concerns that the scale of development proposed is not compatible with the character of the area and that the high density development would only be considered for the site when future strategic planning work examines the wider potential Parramatta CBD to Epping Mass Transit/Train Link Corridor for development post 2036, as identified in the Local Strategic Planning Statement (LSPS) and Local Housing Strategy (LHS). The applicant was provided with the opportunity to withdraw the Planning Proposal ahead of reporting the matter to the Local Planning Panel (LPP).

On 29 July 2022 Council received notification from the applicant that a rezoning review had been submitted to the Department of Planning and Environment (DPE). Given the notification the proposal was reported to the Local Planning Panel (LPP) on 20 September 2022, where the LPP unanimously resolved to recommend to Council that it not proceed with the Planning Proposal, as follows:

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- (a) ***That Council refuse the Planning Proposal at 169 Pennant Hills Road Carlingford for the following reasons:***
- i. *The Planning Proposal is inconsistent with the Local Strategic Planning Statement as the site is not within the identified Carlingford Growth Precinct and the form of development proposed is incompatible with the low density character of the area.*
 - ii. *The Planning Proposal is inconsistent with the Local Housing Strategy as intensification of development along the Parramatta CBD to Epping Corridor is not required to meet existing housing targets.*
 - iii. *The Planning Proposal is premature given that the investigation into the potential Epping to Parramatta Mass Transit/ Train Link has not yet commenced and the likely timeframe for new house delivery associated with this infrastructure is post 2036.*
 - iv. *The proposed density and heights would result in an overdevelopment of the site, are inconsistent with the density and heights of nearby development, and are overbearing of nearby lower scale development.*
- (b) ***Further, that the applicant be advised of Council's decision.***

The Planning Proposal was subsequently reported to Council on 10 October 2022, when Council resolved to not proceed with the Planning Proposal, as follows:

- (a) **That Council refuse the Planning Proposal at 169 Pennant Hills Road, Carlingford for the following reasons:**
- i. The Planning Proposal is inconsistent with the Local Strategic Planning Statement as the site is not within the identified Carlingford Growth Precinct and the form of development proposed is incompatible with the low density character of the area.
 - ii. The Planning Proposal is inconsistent with the Local Housing Strategy as intensification of development along the Parramatta CBD to Epping Corridor is not required to meet existing housing targets until beyond 2036.
 - iii. The Planning Proposal is premature given that the investigation into the potential Epping to Parramatta Mass Transit/Train Link has not yet commenced and the likely timeframe for new housing delivery associated with this infrastructure is post 2036.
 - iv. The proposed density and heights would result in an overdevelopment of the site, are inconsistent with the density and heights of nearby development, and are overbearing of nearby lower scale development.
- (b) **Further, that the applicant be advised of Council's decision.**

The Applicant was advised in writing of Council's resolution on 19 October 2022.

A copy of the Local Planning Panel Report, Council Report and documentation considered as a part of the Planning Proposal can be viewed below:

Local Planning Panel Agenda (Item 6.1): [Agenda of Local Planning Panel - Tuesday, 20 September 2022 \(nsw.gov.au\)](#)

Local Planning Panel Minutes: [Minutes of Local Planning Panel - Tuesday, 20 September 2022 \(nsw.gov.au\)](#)

Council Meeting Agenda (Item 13.4):
https://businesspapers.parracity.nsw.gov.au/Open/2022/10/OC_10102022_AGN_735_AT.PDF

Council Minutes: [Minutes of Council - Monday, 10 October 2022 \(nsw.gov.au\)](#)

Please find below Council officers' justification for recommending that this Planning Proposal not be progressed. Further details are provided in the Council officer report to Council, which includes the Council officer report to the Local Planning Panel as an attachment, and is supplied in support of the Council position in respect of this review.

2. Assessment of the Planning Proposal

It is considered premature to progress the assessment of the site-specific Planning Proposal for 169 Pennant Hills Road, Carlingford for the following reasons:

2.1 Inconsistency with the Existing Strategic Planning Framework

An assessment of the Planning Proposal against the Local Strategic Planning Statement (LSPS) and Local Housing Strategy (LHS) identifies that the site is located outside of the Carlingford Growth Area Precinct and has not been identified as being within a future growth precinct.

It is noted that the site is located within the potential Parramatta CBD to Epping Mass Transit/Train Link Corridor which is identified in the LSPS to be preserved from intensification of development pending the future investigation of the potential future upgraded public transport corridor for potential higher density development. The LSPS and LHS are both aligned with the key objective of requiring the delivery of State and local infrastructure to support the intensification of development along potential corridors. In this instance a program for investigating the potential for higher density development in this corridor area has not yet been established.

The LSPS and LHS do not support the delivery of high density development along the potential Parramatta CBD to Epping Mass Transit Corridor given the current program for investigating the potential for higher density development in the corridor area has not yet commenced and is not required to deliver dwelling dwellings beyond 2036.

Additional housing, such as that proposed in this Planning Proposal, is not needed before 2036 in order to meet agreed City of Parramatta housing delivery targets of 77,000 new dwellings. Council is meeting its dwelling targets under the Central City District Plan (refer to paragraphs 17-20 of the Local Planning Panel report at Attachment 1), therefore additional density outside of the growth precincts is not required to assist Council in achieving its targets.

The recently established local strategic planning framework comprising the LSPS and LHS has shown that Council has actively worked to identify sufficient land to meet the project needs for the period to 2036 and there is therefore no need to bring forward additional sites, such as that the subject of this Planning Proposal, for development in an unplanned and uncoordinated way.

2.2 Impact on Local Character and Amenity

Significant concern is raised over the proposed height and density on the site that would not result in acceptable impacts or appropriate transitions between the proposed R4 High Density Residential zone and the surrounding R2 Low Density Residential zoned land.

The existing character of local development is predominately two storey town houses and detached dwellings on varying lot sizes. The proposed increase in building height from 9m (2-3 storeys) to 20m (6 storeys) would result in development that is over twice the height of any of the surrounding dwellings and would unduly impact on neighbourhood amenity by way of out of character building scale, overshadowing and overbearing of surrounding low density residential development.

The proposed FSR of 2.0:1 on the subject site is also not considered appropriate for the site given the predominantly low-density character of the area.

The submitted Planning Proposal provides an indicative built form for the site. An assessment of the indicative building plans against the Hills Development Control Plan (HDCP) 2012 that applies to the site has established that the Planning Proposal would not comply with the site -specific controls in relation to setbacks, landscaping, unit floor area, open space and carparking.

It has also been identified that that calculated gross floor area within the proposed concept plans envelopes are lower than the proposed floor space ratio of 2.0:1. As a result the requested floor space ratio would not be achieved without a request for even greater height, therefore an even greater impact on the amenity of the adjoining properties.

Conclusion

The Planning Proposal is not consistent with the State Government endorsed planned approach to delivering higher density development that is supported by transport infrastructure.

Based on the information included in this correspondence, Council officers have fundamental concerns with the submitted planning proposal for 169 Pennant Hills Road Carlingford, which were communicated to the Applicant throughout the assessment process. These concerns have been agreed to by the City of Parramatta Local Planning Panel and endorsed by Council and it is therefore recommended that the Planning Proposal not proceed to Gateway.

Should you wish to discuss this matter further please contact Belinda Borg, Team Leader Major Projects and Precincts on 9806 5653.

Regards



David Birds

Group Manager – Major Projects and Precincts