

**PLANNING PROPOSAL AUTHORITY
RECORD OF DECISION TO SUBMIT PLANNING PROPOSAL
TO GATEWAY DETERMINATION**

STRATEGIC PLANNING PANEL of the SYDNEY CENTRAL PLANNING
PANEL

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| DATE OF DETERMINATION | 21 March 2024 |
| DATE OF DECISION | 13 March 2024 |
| PANEL MEMBERS | Stephen Murray (Acting Chair), Helen Lochhead and Paul Mitchell |
| APOLOGIES | None |
| DECLARATIONS OF INTEREST | The Acting Chair had previously deemed for the Rezoning Review the City of Parramatta's six local members have a conflict of interest. On 11 th March 2024 Council confirmed that it has not appointed new local Council members to the Sydney Central District Planning Panel and therefore there will be no local council members participating on the Strategic Planning Panel. |

PLANNING PROPOSAL

PP-2021-3409 - 361-365 North Rocks Road, North Rocks (as described in Schedule 1)

The planning proposal (dated 2 June 2021) seeks to facilitate the redevelopment of the site for residential development ranging from 2 to 7 storeys, 38,000m² for private and public open spaces, 2,700m² floor area for community facilities and 700m² floor area for retail and commercial uses, including childcare facilities, general stores, and medical centre.

An updated planning proposal statement has been prepared by the proponent to address the Panel's Rezoning Review Record of Decision (3 November 2023). The Statement offers two possible masterplan options:

- Option 1 – consistent with the Panel's recommendations, including proposing a maximum 6 storey building height on the north and central portion of the site and a maximum 3 storey (with recessed 4th storey) interface with North Rocks Road; or
- Option 2 – inconsistent with the Panel's decision, proposing a maximum 7 storey building height on the north-west portion of the site and a maximum 4 storey (with recessed 5th storey) interface with North Rocks Road.

PANEL CONSIDERATION AND DECISION

The Strategic Planning Panel of the Sydney Central Planning Panel (Panel) met with the Department of Planning, Housing and Infrastructure (Department), City of Parramatta (Council) and the proponent (Mecone, EG and Hassell Studio) for a Pre-Gateway briefing to consider whether the additional information provided by the proponent had addressed the Panel's conditions from the Rezoning Review of 3 November 2023.

The 3 November 2023 Rezoning Review conditions to be complied with prior to the planning proposal proceeding to a Gateway determination are:

- The scale of the proposed development is to be compatible with the interface along North Rocks Road up to a maximum of three storeys;
- The scale of the proposed development along the eastern and western boundaries is to be no more than a maximum of two storeys;
- Notwithstanding the lower heights at the interface with the existing neighbourhoods, the heights of buildings across the site are to be stepped down the site to relate to the sloping topography, with a maximum of five storeys, with potential for an additional one storey at

the top-level setback, to minimise visual bulk and amenity impacts, and stepping down to two to three storeys;

- The provision of a minimum 34% of the site as open space including the proposed oval;
- The identification of an appropriate zoning or other mechanism to ensure the proposed oval, public spaces, parks and bushland areas are retained for public use;
- The proposed floor space ratio is to be aligned to the new proposed heights;
- Prepare an affordable housing viability report and clarify housing affordability rates, including floor space and number of units and method of management in perpetuity to consider the delivery of affordable housing in the development consistent with the government's strategic housing policy. The Greater Sydney Region Plan and Sydney Central District Plan have affordable housing targets in the range of 5-10% of new residential floor space subject to viability; and
- The inclusion of a proposed LEP provision for a site-specific Development Control Plan (DCP). The site specific DCP is to be generally consistent with, and address, the proposed arrangement of development in the revised master plan and as modified by the requirements above. It is to be prepared by the proponent in consultation with the City of Parramatta and the Department of Planning and Environment.

As the Planning Proposal Authority, the Panel determined to:

1. adopt Option 1 in the proponent's updated planning proposal statement subject to the following amendments.
 - the design excellence provisions be updated to include the site within clause 6.13 of Parramatta LEP 2023 (PLEP), including:
 - removal of the 'up to 10% design excellence floor space bonus' provision;
 - apply to shop-top housing, residential flat buildings, multi-dwelling housing, seniors housing, community facilities and library uses; and
 - require applicable development be assessed by a design review panel and for the consent authority to take into account the advice of the design review panel;
 - The Height of Building Map is to be updated to reflect the Panel's preferred Option 1 as amended which includes:
 - The scale of the proposed development is to be compatible with the interface along North Rocks Road up to a maximum of three storeys;
 - The scale of the proposed development along the eastern and western boundaries is to be no more than a maximum of two storeys;
 - Notwithstanding the lower heights at the interface with the existing neighbourhoods, the heights of buildings across the site are to be stepped down the site to relate to the sloping topography, with a maximum of five storeys, with potential for an additional one storey at the top-level setback, to minimise visual bulk and amenity impacts, and stepping down to two to three storeys;
 - The maximum height of buildings is to be shown in metres rather than storeys;
 - consider an appropriate environmental zoning for the northern bushland interface (subject to further environmental studies);
 - confirm an appropriate mechanism to ensure the public open space is delivered;
 - the explanation of provisions to include a maximum GFA supporting the maximum FSR to ensure the intended development density is clearly identified;
 - the planning proposal is to include documentation (floor plate efficiencies and assumptions to be included) demonstrating that the proposed building envelopes can feasibly accommodate the estimated maximum GFA;

- remove the proposed additional local provision requiring the consent authority be satisfied of visual and environmental impacts from additional built fifth and seventh storey elements;
 - to assist the Gateway assessment and community consultation, the urban design report is to include distribution of the different land uses across the site;
 - include a land reservation acquisition map proposing that Council be the nominated acquisition authority in accordance with Clause 5.1 of PLEP;
 - include 2% of the residential GFA be provided for the purposes of affordable housing; and
 - the site-specific DCP provision include the following requirements which give effect to Option 1 as amended:
 - tree retention, tree canopy and planting requirements; and
 - public domain connections on site and to surrounding land.
2. Request the proponent update the planning proposal and supporting reports and studies in accordance with point 1 above and the LEP Making Guidelines (August 2023) and including the following amendments:
- a planning proposal report (updated to requirements in point 1 above);
 - urban design package, including:
 - details and figures adequately addressing the ADG, including:
 - solar access diagrams;
 - building depth and massing;
 - demonstrate that FSR and heights align with ADG efficiency ratio;
 - building separation; and
 - communal open spaces.
 - landscape masterplan.
 - Updated Visual Impact Assessment;
 - Affordable Housing Viability Assessment (AHVR) prepared by Atlas Economics dated 29 January 2024;
 - any correspondence with agencies and/or Council; and
 - update June 2021 planning proposal supporting technical documents noting date of the original submission and any subsequent updates, including:
 - Preliminary Ecological Assessment dated March 2021;
 - Bushfire Protect Assessment dated March 2021;
 - Flood Assessment Report date March 2021. This report will need to address a Probable Maximum Flood event;
 - Integrated Traffic and Transport Assessments dated May 2021;
 - Acoustic Assessment dated March 2021; and
 - Environmental Review dated March 2021.
3. The proponent to submit the revised planning proposal and supporting reports and studies to the Panel within 8 weeks.
4. The Panel submit the revised planning proposal package for a Gateway determination.

5. The Panel may reconvene to consider the planning proposal package following the receipt of a Gateway determination and prior to public exhibition.


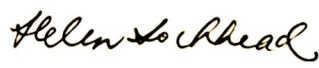

The Panel's decision was unanimous in favour.

REASONS FOR THE DECISION

The Panel discussed the Department's Pre-Gateway Determination Briefing Report, the proponent's revised planning proposal and supporting documents, and Council's response. Concerns of the proponent and of Council were discussed extensively especially in relation to height changes, FSR, local character, building massing and site zoning.

The Panel did not agree with the Department's recommendation that option 2 be adopted. This was determined based on consideration that the Department's, proponent's and Council's presentations. The documentation did not provide adequate justification or reasons to support amending the original decision of the Panel.

The Panel adopted option 1 subject to revisions given herein and supported a revised planning proposal proceeding to a Gateway determination.

| PANEL MEMBERS | |
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|  Stephen Murray (Acting Chair) |  Helen Lochhead |
|  Paul Mitchell | |

| SCHEDULE 1 | | |
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| 1 | LGA – ADDRESS | PP-2021-3409 – Parramatta LGA 361-365 North Rocks Road, North Rocks |
| 2 | LEP TO BE AMENDED | Parramatta Local Environmental Plan 2023 |
| 3 | PROPOSED INSTRUMENT | <p>The planning proposal seeks to facilitate the redevelopment of the site for residential development ranging from 2 to 7 storeys, 38,000m² for private and public open spaces, 2,700m² floor area for community facilities and 700m² floor area for retail and commercial uses, including childcare facilities, general stores, and medical centre.</p> <p>It is proposed to amend the Parramatta Local Environmental Plan 2023 by changing the zoning from R2 Low Density Residential to parts R3 Medium Density Residential, R4 High Density Residential and RE1 Public Recreation; increasing maximum height of building from 8m to parts 9m, 12m, 14m, 17.5m, 23m and 25m; increasing floor space ratio from 0.5:1 to 1.15:1; remove the minimum lot size of 700m²; inserting additional permitted use clause to facilitate a restaurant or café and medical centre in the R4 High Density Residential zone; and inserting a local provision for design excellence.</p> |
| 4 | MATERIAL CONSIDERED BY THE PANEL | <ul style="list-style-type: none"> • Pre-Gateway Briefing Report Package (including attachments), Department of Planning, Housing and Infrastructure, 5 March 2024 • North Rocks Village Planning Statement for Reconvened Rezoning Review Panel, Mecone 14 February 2024 • North Rocks Village Master Plan Addendum, Hassel December 2023 • 361-365 North Rocks Road Visual Impact Assessment Addendum, Urbis February 2024 • Department of Planning, Housing and Infrastructure Slide Presentation, 361-365 North Rocks Road North Rocks Pre-Gateway February 2024 • Mecone Slide Presentation – Rezoning Review North Rocks Village 13 March 2024 • City of Parramatta Slide Presentation - RIDBC North Rocks Planning Proposal 13 March 2024 |
| 5 | BRIEFINGS BY THE PANEL | <ul style="list-style-type: none"> • Briefing from Department of Planning, Housing and Infrastructure: 9.30am – 10.28am, 13 March 2024 <ul style="list-style-type: none"> ○ Panel members in attendance: Stephen Murray (Acting Chair), Helen Lochhead & Paul Mitchell ○ Department of Planning, Housing and Infrastructure (DPHI) staff in attendance: Louise McMahon, Alexander Galea, Renee Ezzy, Jazmin Van Veen, Peter Pham, Aoife Wynter, Lisa Kennedy & Adam Williams ○ Key issues discussed: <ul style="list-style-type: none"> • Proposed options 1 & 2 • FSR – calculation to be consistent across the LGA • Affordable housing contribution – proposed rates & financial viability & bonus provisions • Proposed building heights • Panel’s recommended changes and their adoption |

- Explanation of Intended Effects for low to mid rise housing – draft instrument, nomination by Council of local shopping centre, & access to public transport
- Public open space - public benefits, zoning of bushland areas
- Proposed design excellence clause & bonus height
- Proponent proposing concept plan development application
- Traffic study – modelling on proposed heights
- **Panel discussions with Proponent and Council: 10.31am – 11.32am, 13 March 2024**
 - **Panel members in attendance:** Stephen Murray (Acting Chair), Helen Lochhead & Paul Mitchell
 - **Department of Planning, Housing and Infrastructure (DPHI) staff in attendance:** Peter Pham, Louise McMahon, Alexander Galea, Renee Ezzy, Aoife Wynter, Lisa Kennedy & Adam Williams
 - **Council staff in attendance:** Jema Samonte, David Birds, Kelly van der Zanden, Mark Dillon and Naomi L'Oste-Brown
 - **Proponent members in attendance:** Ben Hendriks, David Tickle, Michael Easson, Georgia Sedgmen, Erin Crane, David Workman and Chris Kelly
 - **Key issues discussed by Proponent:**
 - Consistency with Panel's recommendations from Rezoning Review.
 - Amended master plan – heights, built form, open space
 - Affordable housing viability assessment – 2% or 3%
 - Drafted site specific DCP – draft LEP provision
 - Voluntary planning agreement – discussions with Council
 - **Key issues discussed by Council:**
 - Proponent's proposed masterplan options 1 & 2 - Council has focussed on option 1 and used urban design principle to assess
 - Council concerns with heights & FSR and request removal of public linear park & design excellence bonus
 - Explanation of Intended Effects for low to mid rise housing – draft instrument, nomination by Council of local shopping centre & access to public transport
 - Council require VPA and DCP to be finalised before exhibition of the planning proposal
 - **Key issues discussed with Proponent and Council:**
 - Proposed zoning of bushland area – conservation rather than recreation
 - Alignment between height and FSR
 - GFA methodology
 - Explanation of Intended Effects for low to mid rise housing – draft instrument, nomination by Council of local shopping centre & access to public transport
 - Proposed building heights and the Panel's recommendations from the rezoning review
 - Confirmation that a stage1 concept development application will be lodged as the planning proposal progresses.

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| | | <ul style="list-style-type: none">• Panel Determination: 11.45am – 12.49pm, 13 March 2024<ul style="list-style-type: none">○ Panel members in attendance: Stephen Murray (Acting Chair), Helen Lochhead & Paul Mitchell○ Department of Housing and Infrastructure (DPHI) staff in attendance: Jazmin Van Veen, Peter Pham, Louise McMahon, Alexander Galea, Renee Ezzy, Aoife Wynter, Lisa Kennedy & Adam Williams |
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