

Planning Proposal

10-16 Loftus Cres, 2 Subway Lane, 5 & 9-11 Knight Street & 88-92A Parramatta Road,
Homebush

Project Chronology

DATE	UPDATE
PARRAMATTA ROAD CORRIDOR URBAN TRANSFORMATION STRATEGY	
17 September 2015	Draft Parramatta Road Corridor Urban Transformation Strategy released.
October – November 2015	Draft Strategy publicly exhibited
9 November 2016	The PRCUTS was launched by the Minister for Planning
19 December 2016	Section 117 Direction (now 9.1) issued for the Parramatta Road Corridor Urban Transformation Strategy, which seeks to: <i>Objectives</i> (1) <i>The objectives of this Direction are to:</i> (a) <i>facilitate development within the Parramatta Road Corridor that is consistent with the Parramatta Road Corridor Urban Transformation Strategy (November, 2016) and the Parramatta Road Corridor Implementation Tool Kit,</i> (b) <i>provide a diversity of jobs and housing to meet the needs of a broad cross-section of the community, and</i> (c) <i>guide the incremental transformation of the Parramatta Road Corridor in line with the delivery of necessary infrastructure.</i>
PLANNING PROPOSAL	
21 March 2018	Meeting with Transport for NSW senior executive: <ul style="list-style-type: none">Matthew Daniel, Pacific PlanningJames Matthews, Pacific PlanningErica Marshall, Lyle Marshall & Partners (Traffic consultant)James White, TfNSWMark Ozinga, TfNSWJohn Fisher, TfNSWTom Grosskopf, TfNSW

	Meeting to discuss traffic impacts and mitigation measures. Generally seemed well received, in particular the road widening and the public benefits associated with the better planning outcome.
30 August 2018	<p>Pre-lodgement meeting held with Council staff:</p> <ul style="list-style-type: none"> • Matthew Daniel, Pacific Planning • James Matthews, Pacific Planning • Aleksandar Jelacic, Aleksandar Projects • Rita Vella, Strathfield Council • Kandace Lindeberg, Strathfield Council <p>A summary of the discussion and response was included in the Planning Proposal.</p>
19 September 2018	PLANNING PROPOSAL LODGED
18 February 2019	Letter received from Council, in relation to their preliminary assessment of the Planning Proposal. The letter requested further information prior to progressing to the next stage.
20 February 2019	Acknowledgement of letter and response to request for updated owners' consent.
25 February 2019	Formal response to council provided, addressing matters raised in letter of 18 February 2019.
25 March 2019	Detailed submission made to Executive Director, Regions (Stephen Murray) at the Department seeking advice on proposal within the Corridor and the damage created to investment due to the uncertainty.
15 April 2019	<p>Meeting with Department of Planning regional Director:</p> <ul style="list-style-type: none"> • Ann-Maree Carruthers, DPIE • Christine Gough, DPIE • Matthew Daniel, Pacific Planning • James Matthews, Pacific Planning <p>A number of items were discussed, including the treatment of projects within the Corridor and sought the State's position and advice on Planning Proposal applications in the Corridor and how they are appropriately meant to be considered and dealt with.</p>
16 April 2019	Letter received from Council in relation to a number of matters in the assessment of the application.
30 April 2019	<p>Response received from Stephen Murray in relation to submission made 25 March 2019. I note the following:</p> <ul style="list-style-type: none"> • <i>The Department is currently working with councils and state agencies in undertaking precinct traffic studies for the precinct which you have highlighted in your email. I acknowledge the length of time this has taken however this work is essential in order to understand the traffic and transport implications for the corridor.</i> • <i>The Department cannot provide any further comments on the merits of any future planning proposals subject to PRCUTS until a formal assessment is undertaken on each proposal.</i>
2 May 2019	Detailed email response to Stephen Murray email.

7 May 2019	<p>Advised by the Department that the Precinct wide traffic study is now being managed by the relevant councils.</p> <p>Advice sought from council (Rita) as to the progress of the study and timing.</p>
13 May 2019	<p>Response from council (Rita) in relation to the traffic study as follows:</p> <ul style="list-style-type: none"> • <i>As you would be aware, Canada Bay, Strathfield and Burwood Councils appointed Bitzios Consultants in 2017 to prepare the precinct wide traffic study and modelling for a key section of the Parramatta Road Corridor Urban Transformation Strategy (PRCUTS).</i> • <i>The traffic study is currently underway, however has experienced a number of delays. This has included a need to rerun the Strategic model.</i> • <i>The three councils are doing their best to accelerate the process, however there are many decisions that are outside of our control, including TfNSW being provided access to data from other Councils in the District.</i> • <i>Canada Bay, Strathfield and Burwood Councils have provided the required information. This information was provided to DPE in a letter dated 2 May 2019.</i> • <i>At this stage the delays to the project are out of the councils control and unfortunately due to this I cannot give a timeframe for completion of the Study.</i>
16 May 2019	Council's advice sent to Department (Stephen Murray).
20 May 2019	Formal response sent to council letter of 16 April 2019.
27 June 2019	<p>Meeting with Council to discuss items in letter:</p> <ul style="list-style-type: none"> • Matthew Daniel, Pacific Planning • James Matthews, Pacific Planning • Rita Vella, Strathfield Council • George Andonoski, Strathfield Council
19 November 2019	<p><u>ANNOUNCEMENT – New Precinct Planning Pathways</u></p> <p>The Burwood Strathfield Homebush precinct is included in the “Collaborative Planning” pathway: <i>“In these precincts the Department will play a coordination role to facilitate collaborative partnerships between the Department and council to resolve complex issues involving state agencies”</i></p>
4 February 2020	Communication sent to TfNSW (Lara Kirchner) on Traffic Study.
12 March 2020	Response received from TfNSW (Lara): <i>I understand that TfNSW and DPIE are currently in discussions with various councils concerning the strategic model and timeframes to complete this work. I will follow up the current status and advise.</i>
15 April 2020	<p>Communication (email) to council (George Andonoski).</p> <p>Note the Cumberland Harmonisation LEP received a Gateway determination with a condition:</p> <p><i>Prior to finalisation, demonstrate that the proposed changes within the Parramatta Road Corridor will result in no net increase to traffic generation. If this cannot be adequately demonstrated in consultation with Transport for NSW and Roads and Maritime Services, then this proposed amendment shall be removed.</i></p> <p>Request to council (with cc Department Executive Director Malcolm McDonald) that a similar approach be taken on the subject proposal to allow it to at least move forward.</p>
6 May 2020	Follow up email to council staff (George) seeking response to above email.
6 May 2020	Follow up email to Department (Malcolm McDonald) seeking assistance from the Department to provide to council, and consider a suitable condition in a future Gateway.

8 May 2020	Response received from Council (George): <i>So, unfortunately, until such time as the mesoscopic transport modelling is complete or the s9.1 Directions are changed, Council is not in a position to assess your planning proposal.</i>
11 May 2020	Response received from Department (Malcolm McDonald): <i>We have been discussing a way forward with TfNSW to finalise the necessary traffic studies to enable rezoning applications to progress. Brendan Metcalfe is the Director overseeing this work – I will pass on your correspondence and ask that he give you a call with an update.</i>
2 June 2020	Meeting with Department's regional office on a number of items including matters in the Parramatta Road Corridor. <ul style="list-style-type: none"> • Matthew Daniel, Pacific Planning • James Matthews, Pacific Planning • Brendan Metcalfe, DPIE • Kris Walsh, DPIE • Simon Ip, DPIE
15 June	Submission made to the COVID 19 Response team requesting the project be included for fast track purposes.
16 June	Fast track submission also sent to regional team.
19 June	Regional team (Brendan) advised that they are in discussions with TfNSW and hope to have news on the traffic studies and the Departments approach to Gateways in the PRCUTS area.
1 July 2020	PDU established. Key task to unlock projects within the Parramatta Road Corridor.
15 July 2020	Advised by the Department (Tim Archer at COVID 19 Response team) that as <i>"the Planning Proposal is still be prepared by Strathfield and has not been submitted to the Department. We may be able to consider the project for future tranches once the Planning Proposal has been submitted to the Department for a gateway determination"</i> .
15 July 2020	Following the above advice from the COVID-19 team, the regional team was subsequently followed up again (Brendan and Eva).
23 July 2020	Phone conference held with regional team. Summary of discussion: <ul style="list-style-type: none"> • As we are likely aware the PDU has now been set up and is tasked with unlocking projects in the Parramatta Road Corridor. • They were set up 8 weeks ago and are now 2 weeks in. • Brendan is trying to meet with them next week for the first time to discuss projects such as ours. • The PDU have already discussed with TfNSW. • It is anticipated that ultimately an announcement will be released in consultation with the councils and TfNSW that will advise councils and the Panels to move projects in the corridor forward. • In the interim it was suggested to email PDU along the following lines: <ul style="list-style-type: none"> ○ Introduce who we are; the site and the context. ○ Outline the PP and when we lodged. ○ Note the work being undertaken and that PP's will be accepted in the corridor. ○ We seek their assistance unlocking this particular project etc ○ Email: planningdeliveryunit@planning.nsw.gov.au

9 November 2020	<ul style="list-style-type: none"> Meeting with council's Deputy GM and Executive Planner. The meeting was held with council to consider how the planning proposal could be processed to the gateway in light of the imminent progression of the 9.1 direction. At the meeting staff advised that it was willing to progress the application to the council for gateway advice but were seeking clear instruction from the department that such process could be enabled. It seems therefore that the action is required from the department to provide a pathway to council.
3 August 2020	<p>COVID-19 team (Tim Archer) followed up on whether we had heard from PDU and cc'd by way of introduction.</p> <p>Formal response and detailed information provided to PDU in relation to issues and problems being faced in the Corridor.</p>
6 August 2020	<p>Response received from PDU (Phillipa Kermeen) confirming that the project likely falls within the remit of the PDU. Comments from the Department of relevance:</p> <ul style="list-style-type: none"> <i>"Part of the PDU's role will be to work with TfNSW and the relevant councils to progress the necessary traffic studies, and to work with each council to coordinate and incorporate the strategic work they already have underway.</i> <i>While it is hoped that this work will provide greater certainty for projects such as yours by fast-tracking the finalisation of the strategy, we understand you are seeking progress on the assessment of your planning proposal in the meantime.</i> <i>We will be in touch in due course if we need any further information from you to help us to better understand the project and the issues and delays you have experienced."</i>
6 August 2020	<p>Regional team (Brendan) acknowledges the PDU response as follows:</p> <p><i>"I see the PDU has now provided a response. I have met with Kiersten and we are taking steps to unlock the corridor. Expect to see movement consistent with the PDU's timetable of priorities for their first 8 weeks."</i></p>
6 August 2020	<p>Response provided to Brendan with practical steps that can assist unlock the project and allow it to move forward pending the separate work being undertaken.</p> <p>Response received from Brendan: <i>"We are working with the PDU to provide a consistent approach to planning proposals across corridor to unlock the development potential in the PRCUTS and move projects forward.</i></p> <p><i>I am sure there will be announcements when a framework has been established to allow planning proposals to proceed to Gateway and that the PDU, the Covid Response team or myself will be in contact when that happens with more detail and direction for your project".</i></p>
2 September 2020	<p>Advised by regional team (Brendan) that <i>"PDU is winding up their consultation with Council's next week on our new approach and the 9.1 Direction.</i></p> <p><i>We will then draft it and release. I am not sure what date this will occur as it will need to go through all the channels."</i></p>
22 September 2020	<p>Meeting with PDU.</p> <ul style="list-style-type: none"> Matthew Daniel, Pacific Planning Bart Bassett, CEPA

	<ul style="list-style-type: none"> • Kiersten Fishburn, PDU • Will Power, COVID-19 Response
28 September 2020	Post meeting submission made to PDU.
19 October 2020	Response from Kiersten advising that the project has not dropped off the agenda.
9 November 2020	<p>Meeting with Council</p> <ul style="list-style-type: none"> • Matthew Daniel, Pacific Planning • James Matthews, Pacific Planning • Aleksandar Jelcic, Aleksandar Projects • Stephen Clements, Strathfield Council • Kandace Lindeberg, Strathfield Council <p>At the meeting we were advised that council had met with the PDU that morning and while they are very willing to progress the application to the council for gateway advice, they were seeking clear instruction from the department that such process could be enabled. It seems therefore that the action is required from the department to provide a pathway to council. We note this is the same issue we raised at our meeting with the department. We would seek support from the department to provide the advice to enable progression.</p>
9 November 2020	Email to PDU following meeting with council staff, noting that it was the Department holding up progress and not the Council.
10 November 2020	Introduced to David Petrie who is managing the PRCUTS area in the PDU.
12 November 2020	<p>Phone discussion between Matthew Daniel and David Petrie:</p> <ul style="list-style-type: none"> • The 9.1 update process is not only to deal with the issue of traffic management but also to assist guide plan making proposal assessments where it is perceived there maybe a conflict between the 2016 strategy and more recent LPS for relevant LGAs. • I note that you will be in receipt of a program for the completion of the revised 9.1 direction and other items next Tuesday (17 November).
18 November 2020	<p>Advice received from PDU:</p> <p><i>The headline elements include:</i></p> <ul style="list-style-type: none"> • (1) Strategic Traffic Model – December 2020 • (2) Detailed precinct wide studies and recommendations – mid 2021 <p><i>This information aligns with what I discussed with you last week.</i></p> <p><i>Also note that work is underway on amendments to the 9.1 ministerial direction. Again as discussed last week, one of the aims of these changes is to allow for Gateway to be granted ahead of the completion of precinct wide traffic studies.</i></p> <p><i>I do not have a confirmed program for the 9.1 amendments.</i></p>
19 November 2020	Detailed response provided to PDU in relation to the damage to investment and investor confidence of delays and vague timeframes.

23 November 2020	Awaiting release of 9.1 Direction.
November 2020 to March 2021	Ongoing dialogue with PDU
July 2021	<p>Release of the Parramatta Road Corridor Urban Transformation Strategy Implementation Update 2021 and updated Ministerial Section 9.1 Direction for Parramatta Road (7.3) to reference the Implementation Update 2021.</p> <p>The Implementation Update 2021 is an addition to the current strategy and allows planning proposals to now be lodged with the Department of Planning and Environment, receive a gateway determination and go on public exhibition while any outstanding traffic studies are being completed.</p>
23 August 2021	Following the release of the Parramatta Road Corridor Urban Transformation Strategy Implementation Update 2021 and corresponding update to the Section 9.1 Direction, council were contacted seeking a time to meet and discuss the project and the required steps in the process to facilitate the progression of the planning proposal to the Gateway.
24 August 2021	<p>Council responded via email to the request to meet and discuss, by refusing the request:</p> <p><i>“Hi James,</i></p> <p><i>Thank you for your email, but there is no need to be meeting or speaking to Council staff in relation to your planning proposal that you currently have with Council.</i></p> <p><i>We are aware of your application and others that are currently with Council, that fall within the Parramatta Road Corridor, and which up until recently were on hold and dependant on the completion of the precinct wide traffic study.</i></p> <p><i>Council is also aware of the recent changes to the s9.1 Ministerial Directions, which now allows these proposals to proceed to their next stage, with the traffic study required to be completed before any Planning Proposal is made.</i></p> <p><i>I can assure you we are working through the current applications, which includes your proposal, and are looking at how we can best allocate our resources to ensure these proposals are processed in a timely manner.</i></p> <p><i>Should Council require any further information to assist with the assessment of these proposals, then a Council officer will be in direct contact with yourself.”</i></p> <p>The response email is attached to the below letter to the LPP Chair.</p>
14 March 2022	<p>Meeting with Council.</p> <ul style="list-style-type: none"> Matthew Daniel, Pacific Planning James Matthews, Pacific Planning Kandace Lindeberg, Strathfield Council George Andonoski, Strathfield Council

28 April 2022	Advised that the planning proposal will be considered by the Strathfield Local Planning Panel on 5 May 2022.
4 May 2022	Letter issued to LPP Chair in response to council officers report and recommendation. The response letter included: <ul style="list-style-type: none"> • VPA letter of offer with public benefit items to the value of \$11,839,878. • Email exchange between staff and Pacific Planning refusing request to meet and resolve any outstanding issues. • Responses to other items raised in council report.
4 May 2022	Letter issued to Acting General Manager with VPA Letter of Offer.
5 May 2022	Matter considered by the Strathfield Local Planning Panel. The LPP resolved: <p><i>"This Planning Proposal is DEFERRED and be referred back to the Panel as constituted on the 5 May 2022"</i></p>
17 May 2022	Following the meeting of the LPP and requirements for a VPA/letter of offer, the following items were issued to council: <ol style="list-style-type: none"> 1. Draft VPA (we have used a template based off the more recent legislation requirements and guides). 2. Revised cl 9.1 Better Planning Outcome report.
2 June 2022	Matter considered by the Strathfield Local Planning Panel. The LPP resolved: <p><i>The panel supports the planning proposal and recommends that it proceed to gateway determination.</i></p> <ol style="list-style-type: none"> 1. <i>That the SLPP support Council forwarding the Planning Proposal proceeding to the department for Gateway.</i> 2. <i>That the SLPP endorse the following Council recommended Gateway conditions:</i> <ol style="list-style-type: none"> a) <i>A review submitted by the applicant of the Economic Contributions Reports by a Council appointed consultant.</i> b) <i>A new Urban Design Strategy by the proponent that addresses the inadequacies outlined in this report. In particular, the need for massing and overshadowing analysis that considers surrounding outcomes under PRCUTS heights and FSRs, comparisons with an FSR outcome of 5:1 and all applicable planning and design guidelines to identify the most appropriate site planning requirements (e.g. setbacks, open space location, stepping of buildings, heritage interface).</i> c) <i>Peer review of the proponent's Urban Design Strategy by a consultant of Council's choosing.</i> d) <i>A review by a consultant of Council's choosing of the proponent's Better Planning Outcome to incorporate the outcomes of the urban design analysis and Council's Economic Contributions analysis.</i>

	<p>e) <i>Review by the Council of the amalgamation patterns under Strathfield's LEP 2012 to accommodate the recommended heights and FSRs under PRCUTS.</i></p> <p>f) <i>Should the revised Better Planning Outcome be accepted, confirmation by Council of the best and most appropriate way of allowing a bonus FSR of 7:1.</i></p> <p>g) <i>Review by the Council of the affordable housing contribution in the Better Planning Outcome to align with Council's strategic planning targets.</i></p> <p>h) <i>Preparation by the proponent of a revised Voluntary Planning Agreement to address the public benefits and affordable housing agreed to in the final Better Planning Outcome document.</i></p> <p>i) <i>Preparation by the Council of a site specific Development Control Plan that applies the outcomes of the final and peer reviewed Urban Design Strategy and any other relevant requirements under PRCUTS Planning and Design Guidelines such as BASIX Targets.</i></p> <p>j) <i>A review by the proponent of the overshadowing impacts of the Planning Proposal on the surrounding areas including, in particular, the playground of Homebush Public School.</i></p> <p>3. <i>That when requesting a gateway determination for the planning proposal, Council seek delegation of the plan-making steps under section 3.36 of the Environmental Planning and Assessment Act 1979.</i></p>
5 July 2022	<p>Council Meeting. <u>Recommendation from staff:</u></p> <p>(a) <i>That Council note the recommendation of the Strathfield Local Planning Panel dated 2 June 2022 in relation to this matter as detailed below, noting that the Panel's recommendation is consistent with the Council Officer's recommendation to support the proposal.</i></p> <p>(b) <i>That Council endorse the Planning Proposal included at Attachments 2 - 5 which seeks to amend the SLEP 2012 by amending Strathfield Local Environmental Plan (SLEP) 2012 as follows:</i></p> <ul style="list-style-type: none"> • <i>Increase the maximum building height from part 16 metres and part 29 metres to 80 metres;</i> • <i>Increase the maximum floor space ratio (FSR) control from part 2:1, part 2.7:1 and part 3.15:1 to 5:1; and</i> • <i>Amend the key site provisions to remove existing height and floor space provisions, and provide for an additional 2:1 floor space provision (7:1 total) where better planning outcomes are achieved.</i> <p>(c) <i>That the Planning Proposal be forwarded to the Department of Planning and Environment with a request for a Gateway Determination.</i></p> <p>(d) <i>That when requesting a gateway determination for the planning proposal, Council seek delegation of the plan-making steps under section 3.36 of the Environmental Planning and Assessment Act 1979.</i></p> <p><u>Council resolution:</u></p> <p><i>"That this matter be discussed at a Councillor Workshop and be submitted to a future Council Meeting"</i></p>

17 August 2022	Advised by council that the planning proposal had been to a Councillor workshop and would now likely go to the October meeting of the Council.
4 October 2022	Council Business Paper released – the matter was not included on the agenda.
12 October 2022	Due to council not progressing the matter, despite being informed that the matter would progress, a rezoning review has been lodged with the Department of Planning and Environment.