



# Planning Proposal

## 2-22 William Street, Granville

Proposal seeks to amend the *Parramatta Local Environmental Plan 2011* by:

- Increasing the maximum building height (HoB) from 14m to 16m,
- Increasing the floor space ratio (FSR) from 1:1 to 1.7:1,
- Removing the local heritage item no. I205 known as 10 William Street (Lot 27 DP 2371) from Schedule 5 of the above LEP.

December 2020 (Planning Proposal updated for exhibition)

(Reference PP2017/1)

# Report history

Date	Status
1 March 2019	Commencement
11 September 2019	Final Report
9 December 2020	Proposal updated for exhibition (Post-Gateway)

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# 1 Introduction

## 1.1 Purpose of the report

This Planning Proposal explains the intended effect of, and justification for, the proposed amendment to the *Parramatta Local Environmental Plan 2011 (Parramatta LEP 2011)*. It has been prepared in accordance with Section 3.33 of the *Environmental Planning and Assessment Act 1979* and the NSW Department of Planning, Industry and Environment (DPIE) guides on preparing Planning Proposals and Local Environment Plans.

## 1.2 Background

### Original Proposal request/s

On 15 December 2015, a planning proposal request (**Attachment A**) and concept scheme (**Attachment B**) was lodged with Parramatta Council for 2-22 William Street, Granville (the Site) by Sid Arida c/- PTI Architects. This original planning proposal request sought to amend the development standards in the *Parramatta LEP 2011* to achieve a greater height and density on the Site to enable the development of a seven (7) storey residential development with two (2) basement levels and roof top gardens.

The original planning proposal request proposed an increase in FSR from 1:1 to 2.3:1 and a proposed increase in maximum building height from 14m to 23m (seven storeys). The proposal included the removal of Heritage Item I205 (No. 10 William Street) from Schedule 5 of the *Parramatta LEP 2011*.

Post Council amalgamations in May 2016, assessment of the planning proposal request became the responsibility of Cumberland Council.

A revised concept scheme was submitted to Cumberland Council in September 2016 (**Attachment C**) contains revised plans, however a revised version of the planning proposal report document was not provided at that time). The revised proposal sought a lower maximum FSR of 1.7:1 and a maximum height of 19.2 metres (five storeys), in attempt to address the overshadowing of the adjoining properties to the south of the Site. It also sought the removal (i.e. demolition) of the heritage item at 10 William Street.

Preliminary public exhibition of the original planning proposal request and revised concept scheme was undertaken by Cumberland Council between 10 April 2017 and 12 May 2017, in accordance with Council's planning proposal notification policy. An assessment of the proposal request and submissions received were undertaken, and this was reported to the Cumberland Independent Hearing and Assessment Panel (Cumberland IHAP) meeting on 13 September 2017 (Please see report at **Attachment D**).

At this meeting, the Cumberland IHAP recommended that the planning proposal request be deferred to a future Cumberland IHAP (now Cumberland Local Panel Planning) meeting and for Council to undertake the following (**Attachment D**):

- Obtain an additional independent heritage opinion on the demolition of the heritage item.

- Undertake an urban design study of whether the FSR is appropriate while satisfying the outcomes required in the Apartment Design Guide (ADG) including but not limited to floor to floor height, appropriate amenity to all habitable rooms, transition to R2 zoning to the south, separation to side boundary setbacks between Sites 1 and 2.
- Consideration be given to any community benefit in the proposed increased FSR and height.

### **Revised proposal request (October, 2018)**

Following above meeting, on 16 October 2018 a revised planning proposal request was submitted by Ethos Urban (**Attachment 1**) on behalf the proponent with a revised concept scheme prepared by PTI Architects (Attachment 2) to address concerns raised by the Cumberland IHAP and to ensure the planning proposal was consistent with the proposed concept scheme provided.

This revised proposal request sought **a maximum FSR of 1.7:1 and a maximum height of 20 metres (five storeys), and like the previous planning proposal requests, it also sought the removal (i.e. demolition) of the existing heritage item located at 10 William Street.**

As per the recommendations of the Cumberland IHAP meeting of 13 September 2017, further additional independent heritage advice (prepared by Extent Heritage) was obtained on the demolition of the existing heritage item (**Attachment 3**).

An FSR study was also undertaken to develop a preferred urban design-built form outcome that is contextually appropriate and delivers good amenity outcomes for residents of the building itself and its neighbours (**Attachment 4**).

The revised proposal request was then reported to the Cumberland Local Planning Panel on 16 April 2019 addressing the earlier recommendations made by the Cumberland IHAP (**Attachment 5**).

At this meeting, the Cumberland Local Planning Panel recommended the following (**Attachment 6**):

*1. Council proceed with the preparation of a Planning Proposal for 2-22 William Street, Granville (Lots 18 – 31 DP 2371 and SP 31488), with the following development standards:*

- *a floor space ratio of 1.7:1; and*
- *a maximum building height of 16m;*

*2. A voluntary planning agreement be negotiated between Council and the Proponent to ensure a public benefit is derived from the uplift value that this planning proposal will achieve.*

*3. Council prepare site specific development controls that prohibit rooftop communal open space, specify the maximum number of storeys, and ensures an appropriate transition in*

*built form between the higher density development on the site and neighbouring low density dwellings.*

*4. The proponent undertake the following, prior to any demolition approval if allowed:*

- prepare an archival recording of the heritage item at 10 William Street as per the NSW OEH Guideline How to prepare archival records of heritage items;*
- organise for an interpretation strategy to be prepared by a qualified heritage consultant for the group of three cottages at 6, 8 and 10 William Street, and for this strategy to be integrated into any proposed development in accordance with The Burra Charter: The Australia ICOMOS Charter for Places of Cultural Significance 2013, and the NSW OEH documents namely Interpreting Heritage Places and Items Guidelines 2005, and the Heritage Interpretation Policy 2005. The interpretation strategy should also integrate the reuse of any salvaged material; and*
- organise for a qualified heritage consultant to prepare a list of items and materials to be salvaged. Any material identified for salvaging should be photographed, tagged and catalogued by a heritage consultant and stored until reused in a secure, weather-proof location. The location of the storage should be ascertained by the proponent in consultation with Cumberland Council.*

Following the above panel meeting, the matter was also considered by the Cumberland Council's Heritage Committee on 19 June 2019. The Committee was provided with an update on the heritage assessment undertaken for the proposed removal of the heritage item at 10 William Street, Granville as part of the planning proposal for 2-22 William Street.

Expert advice provided by Extent Heritage noted that there were a number of significantly better examples of this type of heritage items in the local area. No objection was raised by the Heritage Committee. 10 William Street, Granville has also been identified in Stage 1 of the Cumberland Heritage Study as no longer meeting the NSW heritage criteria for heritage items. The matter was reported to Council on 7 August 2019 (**Attachment 7**).

Following above, the proposal was reported Council's meeting of 4 September 2019. Council resolved to prepare a planning proposal and seek a Gateway Determination (refer to **Attachment 8**). At this meeting, Council also resolved to prepare a site-specific DCP and to derive public benefit through preparation of a voluntary planning agreement.

Following Council's lodgement of the proposal in October 2019, in January 2020, DPIE issued a Gateway Determination (**Attachment 9**) for the proposal requesting that the proposal proceed with conditions.

## 2 Existing context

### 2.1 Land to which the proposal applies

The planning proposal applies to land at 2 – 22 William Street, Granville. The Site is the block on the southern side of William Street, and is bound by William Street, Clyde Street, Factory Street and a rear access laneway.



**Figure 1:** Aerial photograph of the Site and surrounds.

The area of the Site is approximately 3700m<sup>2</sup>. It comprises fifteen allotments containing seven buildings with a frontage to William Street (detached residential dwellings), and two storey strata subdivided residential flat building including six apartments (See **Table 1** for Lot and Deposited Plan Numbers). The Site also contains a commercial building used for warehousing at the western end of the block and includes the existing heritage item at 10 William Street (**Figure 1**).

**Table 1 – Lot and Deposited Plan Numbers**

Property Address	Lots and Deposited Plan
22 William Street	Lot 18 Section 2 in DP 2371 Lot 19 Section 2 in DP 2371 Lot 20 Section 2 in DP 2371
12 William Street	Lot 21 Section 2 in DP 2371

	Lot 22 Section 2 in DP 2371 Lot 23 Section 2 in DP 2371 Lot 24 Section 2 in DP 2371 Lot 25 Section 2 in DP 2371 Lot 26 Section 2 in DP 2371
10 William Street	Lot 27 Section 2 in DP 2371 (Existing PLEP Heritage Item)
8 William Street	Lot 28 Section 2 in DP 2371
6 William Street	Lot 29 Section 2 in DP 2371
4 William Street	Lot 30 Section 2 DP 2371 Lot 31 Section 2 in DP 2371
2 William Street	SP 31488

Sid Arida, the applicant owns the Site at 10-22 William Street (Site 1) and has instigated the LEP amendment. The remaining portion of the Site is known as 2-8 William Street (Site 2) and comprises five allotments held under private ownership and strata title (**Figure 2**).



**Figure 2:** Overall site ownership pattern.



**Figure 3:** No.2 William Street, viewed from William Street



**Figure 4:** No.10 William Street (heritage item)



**Figure 5:** No.6 and No.8 William Street



**Figure 6:** View east along rear laneway

## 2.2 Local context

The Site is bound to the north by the Granville RSL Club and existing industrial buildings (towards Clyde Railway Station). These buildings are accessed from and have frontage to, Memorial Drive with no vehicular access or active frontages to William Street, facing the Site.

To the east of the Site is an industrial precinct zoned IN1 General Industrial. The lots to the south of the Site fronting First Street (and backing onto the rear lane) are established detached residential dwellings within an R2 Low Density Residential zone with a max FSR of 0.5:1 and a 9m height limit. Allotments to the west of Clyde Street are residential flat buildings varying from two to four storeys within a R4 High Density Residential zone with a max FSR of 1.1:1 and a 14m height limit.

There are a range of recreational facilities within walking distance of the Site, including the Granville RSL Club, Granville Town Centre, public open space, and sporting ovals. The Granville Town Centre also provides a range of educational facilities.

The Site is located approximately 150m from Clyde Railway Station and about 500-600 metres from Granville Station and the Granville shopping area located along Mary Street and South Street.



**Figure 7:** Granville RSL Club, northwest of the Site



**Figure 8:** View on Clyde Street, north east of the Site



**Figure 9:** Granville Multicultural Community Centre



**Figure 10:** No. 14 Clyde Street

## 2.3 Existing planning controls

The current planning controls of the Site are described below.

### Land Use Zoning

The site is currently zoned R4 High Density Residential (**See Figure 11**) in the *Parramatta LEP 2011*. The objectives of the zone are:

- To provide for the housing needs of the community within a high density residential environment.
- To provide a variety of housing types within a high density residential environment.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- To provide opportunity for high density residential development close to major transport nodes, services and employment opportunities.

- 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.

Key permitted uses include residential flat buildings.

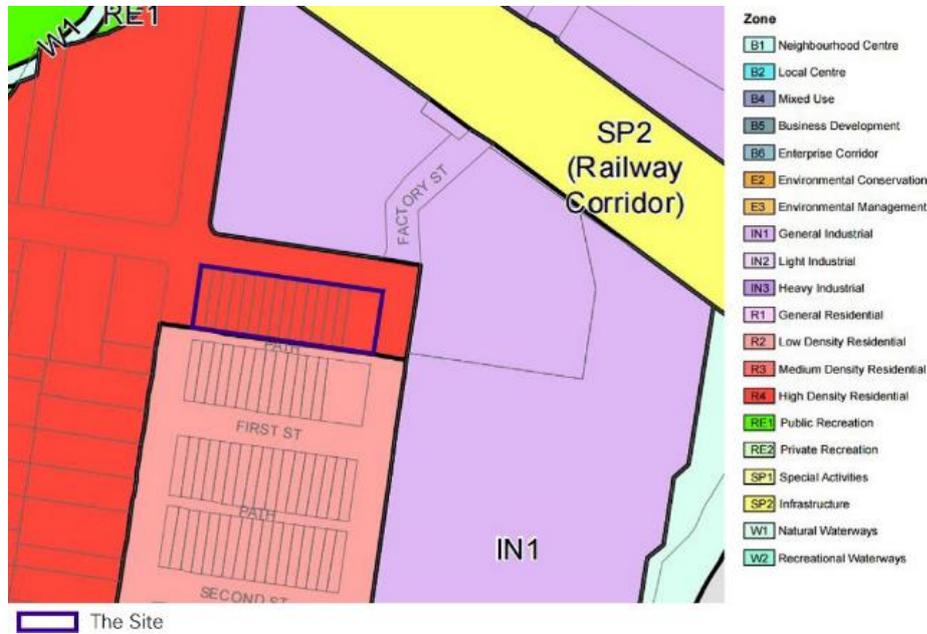


Figure 11: Parramatta LEP 2011 - Land Zoning Map

### Height of Building

The maximum permissible height for the Site is 14m as shown in Figure 12.



Figure 12: Parramatta LEP 2011 – Maximum Building Height Map

### Floor Space Ratio

The maximum floor space ratio for the Site is 1:1 as shown as **Figure 13**.



**Figure 13:** Parramatta LEP 2011 – Maximum Floor Space Ratio Map

### Heritage

No.10 William Street (Item I205) on the Site is listed as a heritage item as shown in **Figure 14**.



**Figure 14:** Parramatta LEP 2011 – Heritage Map

## Other relevant planning controls

### Parramatta Development Control Plan 2011

The *Parramatta Development Control Plan 2011 (Parramatta DCP 2011)* currently applies to the Site. The specific controls that are relevant to this planning proposal are listed as follows:

#### 3.1.2 Height Transition

- Where there is a common boundary between areas where a different height limit is specified, the top storey on the land with the higher height limit is to be stepped back to fit within a plane projected at a 45 degree angle from the floor below the topmost floor.

#### 3.3.2 Private and Communal Open Space

- C.7 A minimum of 10m<sup>2</sup> private open space per dwelling with minimum dimensions of 2.5 metres.
- C.8 A minimum of 10m<sup>2</sup> communal open space per dwelling with minimum dimensions of 2.5 metres.
- Table 3.1.3.7 Provide a deep soil zone of a minimum 30% of the Site, of which at least 50% is to be located at rear of site, with minimum dimensions of 4m x 4m.
- Table 3.1.3.7 Provide a landscaped area of minimum 40% of the Site (including deep soil zone).

#### Table 3.1.3.7 Setbacks

- Provide a front setback on the primary frontage of William Street of minimum 5 – 9 metres.
- Provide a secondary street frontage of minimum 3 – 5 metres.
- Provide a rear setback on the lane of a minimum 15% of length of site.
- C.4.1.6 C1 (f) For development in the R4 High Density Housing Zone, south of the railway line, setbacks apply to the first 4 storeys of development. Remaining storeys are to be set back an additional 3 metres. Balconies may encroach the upper level setback (levels 5 and 6 only) for a maximum depth of 1 metre.

#### 3.3.3 Visual and Acoustic Privacy

- C.10 The minimum separation between habitable rooms/ balconies is 12m.
- C.11 For loft dwellings facing rear lanes, the minimum separation between habitable rooms/balconies is 8m.
- C.12 The minimum separation between habitable rooms/balconies is 12m up to and including the third storey and 18m above the third storey.

#### 3.3.5 Solar Access and Cross Ventilation

- C.8 The minimum floor to ceiling height is 2.7m.
- C.9 80% of dwellings are to be naturally cross ventilated. (Note the ADG requirement is less than this and supersedes this requirement).
- C.10 Single aspect dwellings are limited in depth to 8m from a window.
- C.11 The maximum building depth is 18m, subject to showing that the building can provide acceptable amenity outcomes.

- 
- P.2 Adjoining properties are to receive a minimum of 3 hours sunlight in the primary living area, and in at least 50% of the private open space between 9am and 3pm on 21 June. Where existing development currently receives less sunlight than this requirement, this should not be unreasonably reduced.

#### 3.4.4 Safety and Security

- C.1 Buildings should contain multiple stair/ lift cores which limit the number of dwellings with access from the circulation core.
- C.2 Individual dwellings should be designed to overlook communal areas such as play areas, and gardens.
- C.4 Frontages of development should face other frontages rather than their backs or sides.
- C.5 Where developments have a car park or laneway for access to a car park, building layouts should provide some windows, lighting or secondary access doors that address the car park.
- C.6 Access from car parks to dwellings should be direct and safe for residents day and night.

#### 3.6.2 Parking and Vehicular Access

- C.21 Car parking spaces are to be located in a basement.

### Apartment Design Guide

Relevant Apartment Design Guide (ADG) controls to the Site include:

- 3.D.1 Communal open space to be 25% of the Site area with 50% of the principal usable open space to receive a minimum of 2 hours of direct sunlight in midwinter (9am – 3 pm).

#### 4A Solar and daylight access

- 4A-1.1 Living rooms and private open spaces of at least 70% of apartments in a building receive a minimum of 2 hours direct sunlight between 9 am and 3 pm at mid-winter in the Sydney Metropolitan Area and in the Newcastle and Wollongong local government areas.
- 4A-1.3 A maximum of 15% of apartments in a building receive no direct sunlight between 9 am and 3 pm at mid-winter.

#### 4B Natural Ventilation

- 4B-3.1 At least 60% of apartments are naturally cross ventilated in the first nine storeys of the building. Apartments at ten storeys or greater are deemed to be cross ventilated only if any enclosure of the balconies at these levels allows adequate natural ventilation and cannot be fully enclosed.
- 4B-3.2 Overall depth of a cross-over or cross-through apartment does not exceed 18m, measured glass line to glass line.

As per the recommendation made by the Cumberland Local Planning Panel at its 16 April 2019 meeting, the planning proposal seeks to amend the *Parramatta DCP 2011* controls to prohibit rooftop communal open space, specify the maximum of storeys, and ensure an appropriate transition in built form between the higher density development in the site and neighbouring low density dwellings.

## Part 1: Objectives or intended outcomes

The proposal seeks to facilitate the redevelopment of the site to build residential flat developments with basement parking on-site with the removal (demolition) of existing heritage item at 10 William Street.

In order to balance the proposed uplift on the site and maximise public benefit the proponent offered to enter into negotiations with Council for a planning agreement consistent with council's planning agreements policy to provide local infrastructure improvements such as public domain/open space improvements within the Granville Town Centre and surrounds. The proponent's proposed letter of offer is **Attachment 10**.

The other key objectives of the planning proposal are to:

- Ensure the scale and mass of the site's proposed development transitions appropriately to the low-density area to the south; and
- Ensure that the proposed height and FSR promotes an urban design-built form outcome that is contextually appropriate and delivers good amenity outcomes for residents of the proposed site and its nearby neighbours.

## Part 2: Explanation of provisions

The intended outcome is proposed to be achieved via the following amendments to the *Parramatta Local Environmental Plan 2011*:

- Increase the existing Floor Space Ratio control from **1:1** to **1.7:1**;
- Increase the existing Height of Buildings from **14m** to **16m**;
- **Remove existing heritage item I205 (10 William Street) from Schedule 5** of the above LEP.

A summary of the evolution of the planning proposal controls for the site is provided below as additional information:

**Table 2 – Summary of Past and Proposed Planning Controls for site**

<i>PLEP 2011</i> Development Standards	Existing Planning Controls ( <i>Parramatta LEP 2011</i> )	Planning Proposal (Cumberland Sept 2016)	Revised Planning Proposal (Oct 2018)	Recommended Planning Controls (Panel meeting of 16 April 2019 and Council Meeting of 4 Sept 2019)
Zoning	R4 High Density Residential	R4 High Density Residential	R4 High Density Residential	<b>R4 High Density Residential</b>
FSR	1:1	1.7:1	1.7:1	<b>1.7:1</b>
Maximum Height of Buildings (HoB)	14m	19.2m	20m	<b>16m</b>
Heritage	10 William Street (Lot 27 DP 2371) is listed as a Heritage item I205 in Schedule 5 of the <i>Parramatta LEP 2011</i>	Remove (demolish) 10 William Street from Schedule 5 of the <i>Parramatta LEP 2011</i>	Remove (demolish) 10 William Street from Schedule 5 of the <i>PLEP 2011</i>	<b>Remove (demolish) 10 William Street from Schedule 5 of the <i>PLEP 2011</i></b>

***Proposed concept development***

The revised proposal request submitted in October 2018 provided an indicative concept scheme with a FSR of 1.7:1, a maximum building height of 20m, and the removal (i.e. demolition) of the heritage item at 10 William Street, Granville. The concept scheme, however, was non-compliant with the *Parramatta DCP 2011* and the ADG. This is discussed further below.

For purposes of Gateway exhibition the concept scheme has been further revised to include site 2 details in addition to site 1 (**Attachment 2**) to address gateway conditions.

***Additional information or supporting studies***

The following additional studies were also provided to support the proposal:

- Heritage Impact Statement prepared by Archnex Designs (**Attachment 11**).
- Peer Heritage Review prepared by Heritage 21/Rappoport (**Attachment 12**).
- Traffic and Parking Assessment Report by Varga Traffic Planning (**Attachment 13**).

***Planning agreement offer and draft site specific DCP***

A planning agreement was also negotiated with the proponent as resolved by Council Post Gateway. The proponent's letter of offer, draft VPA prepared along with site- specific DCP will be exhibited along with this proposal.

## Part 3: Justification

### SECTION A – Need for the planning proposal

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

The proposal was initiated as a result of a request made by PTI Architects Pty Ltd on behalf of the owner, Sid Arida.

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

As the increase in the FSR and height is more than 5% as permitted through *Clause 4.6 Exceptions to Development Standards* of the *Parramatta LEP 2011*, the best means of achieving the objectives or intended outcomes is through a planning proposal.

The planning proposal differs to the planning proposal request submitted by the proponent as the concept scheme provided by the proponent demonstrated inconsistencies with the *Parramatta DCP 2011* and the ADG. Please see FSR study commissioned by Council at **Attachment 4** for further details.

**Table 3 – Proposed Planning Controls included in the revised PP Request and Planning Proposal**

Control	Revised PP Request	Planning Proposal
FSR	1.7:1	1.7:1
Building height	20m	16m
Heritage	Remove heritage item I205 from Schedule 5 of the <i>Parramatta LEP 2011</i> .	Remove heritage item I205 from Schedule 5 of the <i>Parramatta LEP 2011</i> .

### Section B – Relationship to strategic framework

**Q3.** *Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy?*

The proposal is consistent with the relevant actions and provisions of the following state government strategic planning policies:

- *Greater Sydney Region Plan – A Metropolis of Three Cities*
- *Central City District Plan*

#### ***Greater Sydney Region Plan – A Metropolis of Three Cities***

The Greater Sydney Commission's *Greater Sydney Region Plan – A Metropolis of Three Cities* is built on a vision of three cities (to 2056) where most residents live within 30 minutes

of their jobs, services and great places. Cumberland is within the Central River City. The plan seeks to achieve the vision by aligning land use, transport and infrastructure outcomes for Greater Sydney concurrently with *Future Transport 2056* (Transport for NSW) and *State Infrastructure Strategy* (Infrastructure NSW). The Plan identifies objectives and actions under 10 directions for the Metropolis, under the following four key themes:

**Table 4 – Ten directions of the Greater Sydney Region Plan.**

Themes	Directions
Infrastructure and collaboration	1. A city supported by infrastructure 2. A collaborative city
Liveability	3. A city for people 4. Housing the city 5. A city of great places
Productivity	6. A well-connected city 7. Jobs and skills for the city
Sustainability	8. A city in its landscape 9. An efficient city 10. A resilient city

The proposal is consistent with the following directions:

*Direction 1: A city supported by infrastructure*

The planning proposal supports increased 30-minute access to a metropolitan centre/cluster as it is located in walking distance to the Clyde Railway Station.

*Direction 4: Housing the city*

The planning proposal provides additional housing capacity in Granville, contributing to the supply and range of housing in the area.

*Direction 6: A well-connected city*

The planning proposal supports this direction by placing new housing within 30 minutes by public transport of a metropolitan centre/ cluster and a strategic centre.

**Central City District Plan**

The *Central City District Plan* (Greater Sydney Commission, March 2018) outlines planning priorities and actions to support the *Greater Sydney Region Plan*, under the same set of themes and directions. Part 3.8 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) requires planning authorities to give effect to the District Plan in preparing or considering planning proposals.

The planning proposal is consistent with the following key planning priorities and actions.

*C1. Planning for a city supported by infrastructure*

The planning proposal maximises the utility of existing infrastructure assets such as the Clyde Railway Station.

*C5. Providing housing supply, choice and affordability, with access to jobs, services and public transport*

The planning proposal provides for additional dwellings (approximately 46 apartments) in close proximity to a large range of employment and services near to Parramatta CBD. The planning proposal is located 150 metres from Clyde Railway Station and is also in walking distance to the following bus routes:

- S2 Sefton to Granville (Servicing Chester Hill)
- M91 Hurstville to Parramatta (Servicing Padstow, Bankstown and Chester Hill)
- 906 Parramatta to Fairfield (Servicing Granville and Guildford)

*C6. Creating and renewing great places and local centres, and respecting the District's heritage*

The planning proposal facilitates redevelopment of an existing urban site, presenting opportunities for renewal and social interaction.

*C9. Delivering integrated land use and transport planning and a 30-minute city*

The planning proposal supports this priority by placing housing in a location less than 30 minutes by public transport from Parramatta CBD.

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

**Cumberland Community Strategic Plan 2017-2027**

The Cumberland Community Strategic Plan 2017- 2027 was adopted by Cumberland Council in June 2017 and is a 10-year plan for the future growth and development of Cumberland. Based on extensive community engagement, this plan identifies six strategic goals for Cumberland, being:

- Strategic Goal 1 – A great place to live
- Strategic Goal 2 – A safe accessible community
- Strategic Goal 3 – A clean and green community
- Strategic Goal 4 – A strong local economy
- Strategic Goal 5 – A resilient built environment
- Strategic Goal 6 – Transparent and accountable leadership

This Planning Proposal is broadly consistent with Goal 5 in that it will:

- facilitate the renewal of an urban site;
- provide residential development in close proximity to the Clyde Railway Station; and
- provide for increased and a greater range of housing types.

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

An assessment of the Planning Proposal against State Environmental Planning Policies (SEPPs) and deemed SEPPs is provided in **Appendices 1** and **2** respectively. **Table 5** below lists the relevant SEPPs and deemed SEPPs only.

**Table 5 – Consistency with Relevant SEPPs and deemed SEPPs**

No.	Title	Summary	Application	Remarks
64	<b>Advertising and Signage</b>	Aims to regulate signage (but not content) and ensure signage is compatible with desired amenity and visual character of the area.	<b>Applies to State</b>	To be considered at the Development Application (DA) stage, if required.
65	<b>Design Quality of Residential Flat Development</b>	Aims to improve the design qualities of residential flat building development in New South Wales.	<b>Applies to State, except Kosciusko SEPP area</b>	Compliance requirements considered at a higher level during the assessment of the planning proposal. Detailed compliance with the SEPP to be demonstrated at the time of making a DA for the site's development.
70	<b>Affordable Housing (Revised Schemes)</b>	Identifies a need for affordable housing, describes the kinds of households for which affordable housing may be provided, and makes a requirement with respect to the imposition of conditions relating to the provision of affordable housing.	<b>Applies to State.</b>	To be considered at DA stage, if required.
	<b>Affordable Rental Housing 2009</b>	Aims to provide a consistent planning regime for the provision of affordable rental housing and facilitate the effective delivery of affordable housing	<b>Applies to State</b>	To be considered at DA stage, if required.
	<b>Building Sustainability Index: BASIX 2004</b>	Aims to ensure consistency in the implementation of the BASIX scheme throughout the State	<b>Applies to State</b>	To be considered at the DA stage, if required.

No.	Title	Summary	Application	Remarks
	<b>Concurrences 2018</b>	Provides for the Planning Secretary to act in place of a person whose concurrence to development is required should they fail to inform a consent authority of the decision concerning concurrence within the time allowed for doing so.	<b>Applies to State</b>	To be considered at the DA stage, if required.
	<b>Exempt and Complying Development Codes 2008</b>	Aims to provide streamlined assessment process for development that complies with specified development standards.	<b>Applies to State</b>	To be considered at the DA stage, if required.
	<b>Housing for Seniors or People with a Disability 2004</b>	Aims to encourage the provision of housing to meet the needs of seniors or people with a disability.	<b>Applies to State</b>	To be considered at the DA stage, if required.
	<b>Infrastructure 2007</b>	Aims to facilitate the effective delivery of infrastructure across the State. Specifies exempt and complying development controls to apply to the range of development types listed in the SEPP.	<b>Applies to State</b>	To be considered at the DA stage, if required.
	<b>Miscellaneous Consent Provisions 2007</b>	Aims to provide erection of temporary structures permissible with consent across the State	<b>Applies to State</b>	The planning proposal does not involve erection of temporary structures. To be considered at DA stage, if required.
	<b>Vegetation in Non-Rural Areas 2017</b>	Aims to protect the biodiversity values of trees and other vegetation in non-rural areas of the State, and to preserve the amenity of non-rural areas of the State through the preservation of trees and other vegetation.	<b>Applies to various local government areas in the State.</b>	The number of trees on the Site is not substantial. Any proposed removal will be assessed at DA stage.

No.	Title	Summary	Application	Remarks
	<b>Sydney Harbour Catchment 2005</b>	Aims to establish a balance between promoting a prosperous working harbour, maintaining a healthy and sustainable waterway environment and promoting recreational access to the foreshore and waterways. It establishes planning principles and controls for the catchment as a whole.	<b>Applies to the area of Sydney Harbour, including Parramatta River and its tributaries and the Lane Cove River.</b>  Applies to some land within the Cumberland LGA.	The water quality of the catchment would be ensured through storm water controls in the <i>Parramatta DCP 2011</i> .

**Q6. Is the planning proposal consistent with applicable Ministerial Directions (s.9.1)**

A full checklist analysis of the proposal’s consistency with the Ministerial Directions is provided at **Appendix 3. Table 6** below lists the relevant directions only.

Direction	Applicability / Consistency
<b>2. Environment and Heritage</b>	
2.3 Heritage Conservation	<b>Consistent</b>  The site to which the planning proposal applies includes a heritage item at 10 William Street, which is currently protected under the <i>Parramatta LEP 2011</i> .  The planning proposal proposes that this heritage item be demolished. Independent heritage advice received by Council recommends that the proposed demolition of 10 William Street may occur. This is discussed further under <i>Q.8 Other likely environmental effects</i> .
<b>3. Housing, Infrastructure and Urban Development</b>	
3.1 Residential Zones	<b>Consistent</b>  The planning proposal proposes the redevelopment of an urban block in the Granville area, reducing consumption of land for housing and associated development on the urban fringe. It will also increase the number of housing and range of housing types.

Direction	Applicability / Consistency
	<p>Due to the location of the site to which the planning proposal applies, the proposed development makes efficient use of transport infrastructure such as Clyde Railway Station and existing bus services.</p> <p>The recommended FSR and height ensures the planning proposal can meet good design requirements of the Apartment Design Guide and the <i>Parramatta DCP 2011</i>. Further design requirements will be considered in more detail at the DA stage.</p>
3.3 Home Occupations	<p><b>Consistent</b></p> <p>Home occupations not included as part of the planning proposal and will be considered, if required, at the DA stage.</p>
<b>4. Hazard and Risk</b>	
4.1 Acid Sulfate Soils	<p><b>Inconsistent</b></p> <p>This Planning Proposal is considered to be inconsistent with this direction as an acid sulfate soils study, required when an intensification of land uses is proposed, has not been prepared. This inconsistency is considered to be of minor significance given that:</p> <ul style="list-style-type: none"> <li>• The site to which the planning proposal applies is subject to a Class 5 Acid Sulfate Soils classification; and</li> <li>• The matter will be further considered at DA stage under clause 6.1 of the <i>Parramatta LEP 2011</i>.</li> </ul>
4.3 Flood Prone Land	<p><b>Not applicable</b></p> <p>The site to which the proposal applies is not known to be flood affected.</p>
<b>5. Regional Planning</b>	
5.10 Implementation of Regional Plans	<p><b>Consistent</b></p> <p>The planning proposal is consistent with the <i>Greater Sydney Region Plan</i>. This is discussed in the main body of the report in Q3. <i>Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy?</i></p>

Direction	Applicability / Consistency
<p><b>7. Metropolitan Planning</b></p>	
<p>7.1 Implementation of A Plan for Growing Sydney</p>	<p><b>Consistent</b></p> <p><i>A Metropolis of Three Cities – The Greater Sydney Region Plan has replaced A Plan for Growing Sydney. The planning proposal is consistent with The Greater Sydney Region Plan as discussed in the main body of the report in Q3. Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy?</i></p>

### SECTION C – Environmental, social and economic impact

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

The Site is not known to include any such species, populations or ecological communities or their habitats. The land is already zoned for urban purposes and is located within a well-established urbanised area of Granville. The Site consists of minimal vegetation (tree cover). These matters can, if required, be addressed further at the DA stage.

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

#### Heritage

The Statement of Heritage Impact prepared by Archnex (**Attachment 11**) and peer review by Heritage 21 (**Attachment 12**) recommended that removal (i.e. demolition) of the heritage item was reasonable due to its extensive modification and its low contribution towards the heritage setting of the wider area generally. This advice was contradictory to the recommendation of the City of Parramatta Council’s heritage officer and Cumberland Council’s consultant heritage advisor (Form Architects, **Attachment 14**), who noted that the heritage item retains a sufficient degree of integrity and that the heritage item should be retained and adapted for reuse as part of the proposed development. (refer to Cumberland IHAP meeting report and minutes of 13 September 2017 in **Attachment D** for details).

Council subsequently engaged consultants to undertake an independent assessment and review the proponent’s heritage impact statement and peer review. This assessment concluded that the proposed demolition of 10 William Street could occur (See **Attachment 3** for the heritage advice provided). The advice stated the following:

- While the cottage is the only remaining item of the group of three (both 6 and 8 William Street have been compromised with the demolition of the original cottages and replacement with new dwellings on both sides), it is an ordinary example of a weatherboard cottage. Retention and conservation works including adaptive reuse or restoration would increase its aesthetic value as an item, but would not significantly

add to its contribution to the wider streetscape, where as an example of historic values, it is quite isolated.

- Two other groups of weatherboard cottages at 115-119 and 170-178 William Street are in intact condition, and each group is cohesive in its contribution to the streetscape, providing better examples of interpretation of the residential context of the area. Therefore, the retention of the cottage at 10 William Street, which is the only remaining house of the original group of three cottages, does not represent an intact group of cottages as in the case of the other two groups, nor provide enough evidence for interpretation of the former group.

10 William Street has also been identified in the Cumberland Heritage Study currently being undertaken by Council as one of the properties no longer meeting the NSW heritage criteria for assessing heritage significance. Council endorsed the exclusion of this heritage item on 4 September 2019 from Schedule 5 of the new Cumberland Local Environmental Plan (**Attachment 8**). The NSW Office of Environment and Heritage will also subsequently be alerted to the delisting.

The proponent will be required to undertake the following, prior to any demolition approval (if allowed):

- Prepare an archival recording of the cottage at 10 William Street as per the NSW OEH Guideline *How to prepare archival records of heritage items*;
- Organise for an interpretation strategy to be prepared by a qualified heritage consultant for the group of three cottages at 6, 8 and 10 William Street, and for this strategy to be integrated into any proposed development in accordance with *The Burra Charter: The Australia ICOMOS Charter for Places of Cultural Significance 2013*, and the NSW OEH documents, namely *Interpreting Heritage Places and Items Guidelines 2005*, and the *Heritage Interpretation Policy 2005*. The interpretation strategy should also integrate the reuse of any salvaged material; and
- Organise for a qualified heritage consultant to prepare a list of items and materials to be salvaged. Any material identified for salvaging should be photographed, tagged and catalogued by a heritage consultant and stored until reused in a secure, weather-proof location. The location of the storage should be ascertained by the proponent in consultation with Cumberland Council.

### **Flooding, Water and Energy Use**

The Site is not flood affected. Water and energy use would be considered under BASIX and at the DA stage.

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

The proposed development facilitated by the planning proposal will result in positive social and economic effects for the local area.

### **Social Impacts**

The planning proposal is expected to have a positive social effect, particularly in its redevelopment of an underutilised urban block in close proximity to existing infrastructure and services such as Clyde Railway Station and existing bus services. It will also provide a mix of dwelling types, increasing the amount and range of housing types available in the Granville area.

The potential overshadowing impacts of the planning proposal on the residential dwellings to the south (along First Street) will be addressed through the preparation of site-specific development controls that ensure an appropriate transition in built form (this is discussed further below).

### **Economic Impacts**

The planning proposal will provide housing in a well serviced location and will encourage further amalgamation of properties to facilitate the redevelopment of an underutilised street block. This will result in better alignment of development with its high-density residential zoning, promoting growth of a modest scale in close proximity to a train station and employment in Granville and in Greater Parramatta.

### **Q10. Has the planning proposal adequately addressed any other planning matters?**

#### **Land Use Planning**

The Site is located 150m from Clyde Railway Station, and about 500-600 metres from Granville Railway Station and the Granville shopping area located along Mary Street and South Street.

It is located in the Granville Town Centre, which accommodates educational facilities such as Granville TAFE campus, Granville Boys High, and Granville Public School. Community and recreational facilities such as the Granville Medical Centre, Granville Swimming Centre, Granville Multicultural Community Centre and public open space is located in close proximity to the Site.

Situated 4km from Parramatta CBD, the Site is therefore well positioned for increased density in order to locate housing with access to employment opportunities.

The proposed zoning of the Site is to remain as *R4 High Density Residential*. The proposal for an increase in FSR and maximum height of buildings is discussed below.

#### **FSR and Height of Building Assessment**

An FSR of 1:1 and a maximum building height of 14m applies across the Site. The proponent's revised planning proposal request and concept scheme submitted to Council on 16 October 2018 proposes an FSR of 1.7:1 and a height of 20m (five storeys) across the Site.

In order to determine an appropriate FSR and maximum height of building for the Site, Council engaged a consultant to prepare a FSR study to develop a preferred urban design built form outcome that is contextually appropriate and delivers good amenity outcomes for residents of the proposed development and its neighbours, particularly the dwellings located to the south (along First street).

The study outlined compliance issues with the built form provided for Site 1 in the planning proposal request, some of which are of relevance at the planning proposal stage. This includes inadequate deep soil and non-compliance with the rear setback, upper level setback and ADG separation requirements on the eastern boundary. For a complete list of all non-compliance, please see page 9 of the FSR study (**Attachment 4**).

The study tested a height of 16m to determine the most appropriate FSR for Site 1 and 2 whilst ensuring compliance with the *Parramatta DCP 2011* and the ADG, and recommended that communal open space not be placed on the roof (as proposed by the proponent) due to the lift needing to extend up 3 metres to provide roof access. It was recommended that the communal open space be provided at ground level as the Site has sufficient width and area to achieve this. This will also be more sympathetic with the existing residential context that has rear yards.

The FSR study also undertook overshadowing analysis and demonstrated that a compliant ADG and DCP option would ensure that there is no additional overshadowing impact to 11 and 13 First Street after 1pm, which is an improvement to the planning proposal request.

The study concluded that an FSR of 1.7:1 and a height of 16.2m will deliver good amenity outcomes for the residents of the buildings and its neighbours, particularly the properties to the south.

### **Urban Design**

The FSR study highlighted the inconsistencies of the revised planning proposal request and revised concept scheme submitted by the proponent in October 2018. Issues that are of relevance at the planning proposal stage are listed as follows:

- Overall height including lift overruns is 20m.
- 45-degree upper level setback not met.
- Inadequate deep soil zone for tree planting as car park extends under communal open space.
- Rear setback is non-compliant with the *Parramatta DCP 2011*.
- Does not meet ADG separation requirements on eastern boundary.

To address these issues, a number of site specific development controls are proposed to be inserted on page 4.1-43 of the *Parramatta DCP 2011* to prohibit rooftop communal open space, specify the maximum number of storeys, and ensure an appropriate transition in built form between the higher density development on the site and neighbouring low density dwellings.

### **Traffic and Site Access**

The proponent submitted a *Traffic and Parking Assessment Report (Traffic Report)* (**Attachment 13**) prepared by Varga Traffic Planning Consultants on 9 December 2015. It should be noted that the report undertook an assessment for the Site (Sites 1 and 2) with a proposed dwelling yield of 63 apartments for Site 1 and 45 apartments for Site 2. The above is much higher than what is now being proposed which is 46 apartments for Site 1 and 32 apartments for Site 2 which is 28% less for the site. Since the dwelling yield has been considerably reduced from when the report was prepared, the findings of the report is still considered to be adequate for the planning proposal.

Although the car parking and vehicular access arrangements will be designed during the DA stage in accordance with Council's requirements as well as relevant standards and guidelines, the Traffic Report undertakes the follows:

- Assesses the traffic implications of the planning proposal in terms of road network capacity; and
- Assesses the adequacy and suitability of the quantity of off-street parking provided on the Site.

Calculations of the additional projected traffic flow due to the planning proposal was evaluated using SIDRA analysis. The analysis indicated that Level of Service 'B' at the William Street, Clyde Street and Memorial Drive intersection is expected to continue to operate at the same level of service. The impact of traffic generated by the additional density of the planning proposal is therefore considered to be relatively minor.

The number of car parking spaces and access into the Site will be further assessed at the DA stage.

## **SECTION D – State and Commonwealth interests**

### ***Q11. Is there adequate public infrastructure for the planning proposal?***

The Site is located in an established urban area and is currently serviced with sewer, water, power supply and telecommunications. Any Site redevelopment would seek to access these existing utilities. This matter, including any required amplifications, will be a matter for consideration and technical investigation at the DA stage.

The Site has good public transport access and is bounded on three sides by Williams Street, Factory Street and Clyde Street, and by a rear lane to the south. Detailed traffic and access requirements will be assessed at the DA stage.

### ***Q12. What are the views of State and Commonwealth Public Authorities consulted in accordance with the Gateway Determination, and have they resulted in any variations to the planning proposal?***

Consultation with relevant State and Commonwealth Public Authorities will be undertaken as directed by a favourable Gateway Determination from the Department of Planning, Industry and Environment.

## **Part 4: Mapping**

Figures 15 – 17 show the proposed maps for maximum building height, maximum floor space ratio, and for heritage.



**Figure 15:** Proposed amendment to the *Parramatta LEP 2011* – Maximum Building Height Map



**Figure 16:** Proposed maximum Floor Space Ratio Map (1.7:1)



**Figure 17:** Proposed Heritage Map (removal of existing heritage item from 10 William Street property)

## Part 5: Community Consultation

The planning proposal was publically exhibited (pre-gateway exhibition) between 10 April 2017 to 12 May 2017. It included:

- Notification of the public exhibition on Council's website;
- Exhibition of proposal and all supporting documentation at Council's Service Centres in Auburn and Merrylands and libraries at Auburn, Merrylands, and (Granville or Guildford);
- Notification and exhibition of the proposal and all supporting documentation on a dedicated page under have your say on Council's website, and;
- Notification by mail of the public exhibition to adjoining and nearby landowners located from the proposal site.

In response to the preliminary exhibition, Council received seven submissions, consisting of two individual submissions and five identical form letters. Key issues raised in submissions included concerns about overshadowing, overlooking, potential loss of privacy, noise, loss of property value, traffic congestion and parking. These submission issues were outlined in the 13 September 2017 report to the Cumberland Independent Hearing and Assessment Panel meeting (**Attachment D**).

The post- gateway consultation for this proposal will be carried out in a similar manner to exhibit the proposal in accordance with the issued Gateway Determination.

## Part 6: Project Timeline

The proposal's updated project timeline is as follows:

Milestone	Date
Gateway Determination	January 2020
Post Gateway exhibition of PP along with draft VPA and draft DCP	11 Dec 2020 – 2 Feb 2021
Consult with public agencies as required	Dec 2020 - Feb 2021
Report to Council following exhibition for adoption of proposal	March 2021
Consult with Parliamentary Counsel to prepare legal instrument and LEP Maps	April 2021
LEP amendment notification	April/May 2021

### 3 Conclusion

This Planning Proposal explains and justifies proposed changes to *Parramatta LEP 2011*. The proposal is likely to result in positive social and economic outcomes, consistent with the strategic directions and priorities outlined in the *Greater Sydney Region Plan*, *Central City District Plan* and *Cumberland 2030: Our Strategic Planning Statement*.

The proposal is also consistent with and will help to redevelop the site and contribute to local infrastructure improvements and upgrades within the Granville Town Centre.

# Appendix 1: Consistency of Proposal with State Environmental Planning Policies

No.	Title	Summary	Application	Remarks
1	<b>Development Standards</b>	Aims to provide flexibility in the application of planning controls where strict compliance of development standards would be unreasonable, unnecessary or hinder the attainment of specified objectives of the Act.	<b>Does not apply to Cumberland LGA</b> SEPP repealed by <i>Auburn LEP 2010</i> , <i>Holroyd LEP 2013</i> and <i>Parramatta LEP 2011</i> (clause 1.9).	
19	<b>Bushland in Urban Areas</b>	Aims to protect bushland within urban areas. Specific attention to bushland, remnant and endangered vegetation and bushland zoned or reserved for public open space.	<b>Applies to State</b>	The planning proposal is not affected by this SEPP.
21	<b>Caravan Parks</b>	Aims to facilitate the proper management and development of land used for caravan parks catering to the provision of accommodation to short and long term residents.	<b>Applies to State, except land to which SEPP (Western Sydney Parklands) applies</b>	The planning proposal is not affected by this SEPP.
33	<b>Hazardous and Offensive Development</b>	Aims to provide additional support and requirements for hazardous and offensive development	<b>Applies to State</b>	The planning proposal is not development for a potentially hazardous industry or potential offensive industry.
36	<b>Manufactured Home Estates</b>	Aims to facilitate the establishment of manufactured home estates as a contemporary form of residential housing.	<b>Does not apply to the Cumberland LGA</b> Applies to land outside the Sydney Region.	

No.	Title	Summary	Application	Remarks
44	<b>Koala Habitat Protection</b>	Aims to encourage proper conservation and management of areas of natural vegetation that provide habitat for koalas	<b>Does not apply to Cumberland LGA</b> Former Auburn LGA parts, former Parramatta LGA parts of the Woodville Ward, and former Holroyd LGA parts that are now located within Cumberland are not listed in Schedule 1 of the SEPP.	
47	<b>Moore Park Showground</b>	Aims to enable redevelopment of Moore Park Showground consistent with its status as being of State and regional planning importance.	<b>Does not apply to the Cumberland LGA</b>	
50	<b>Canal Estate Development</b>	Prohibits canal estate development	<b>Applies to State, except Penrith Lakes</b>	The planning proposal is not affected by this SEPP.
55	<b>Remediation of Land</b>	Provides a State wide planning approach for the remediation of contaminated land.	<b>Applies to State</b>	The planning proposal is not affected by this SEPP as the potential for contamination of the site is low.
64	<b>Advertising and Signage</b>	Aims to regulate signage (but not content) and ensure signage is compatible with desired amenity and visual character of the area.	<b>Applies to State</b>	To be considered at the Development Application (DA) stage, if required.

No.	Title	Summary	Application	Remarks
65	<b>Design Quality of Residential Flat Development</b>	Aims to improve the design qualities of residential flat building development in New South Wales.	<b>Applies to State, except Kosciusko SEPP area</b>	Compliance requirements considered at a higher level during the assessment of the planning proposal. Detailed compliance with the SEPP to be demonstrated at the time of making a DA for the site's development.
70	<b>Affordable Housing (Revised Schemes)</b>	Identifies a need for affordable housing, describes the kinds of households for which affordable housing may be provided, and makes a requirement with respect to the imposition of conditions relating to the provision of affordable housing.	<b>Applies to State</b>	Affordable housing (or contributions towards this) will be negotiated as part of a planning agreement.
	<b>Aboriginal Land 2019</b>	Aims to provide for development delivery plans for areas of land owned by Local Aboriginal Land Councils to be considered when development applications are considered, and to declare specified development carried out on land owned by Local Aboriginal Land Councils to be regionally significant development.	<b>Does not apply to the Cumberland LGA</b>	The planning proposal is not affected by this SEPP.
	<b>Affordable Rental Housing 2009</b>	Aims to provide a consistent planning regime for the provision of affordable rental housing and facilitate the effective delivery of affordable housing	<b>Applies to State</b>	To be considered at DA stage, if required.

No.	Title	Summary	Application	Remarks
	<b>Building Sustainability Index: BASIX 2004</b>	Aims to ensure consistency in the implementation of the BASIX scheme throughout the State	<b>Applies to State</b>	To be considered at the DA stage, if required.
	<b>Coastal Management 2018</b>	Aims to promote an integrated and co-ordinated approach to land use planning in the coastal zone in a manner consistent with the objects of the Coastal Management Act 2016, including the management objectives for each coastal management area.	<b>Applies to land within the coastal zone</b>	The planning proposal is not affected by this SEPP.
	<b>Concurrences 2018</b>	Provides for the Planning Secretary to act in place of a person whose concurrence to development is required should they fail to inform a consent authority of the decision concerning concurrence within the time allowed for doing so.	<b>Applies to State</b>	To be considered at the DA stage, if required.
	<b>Educational Establishments and Child Care Facilities 2017</b>	Aims to facilitate the effective delivery of educational establishments and early education and care facilities across the State.	<b>Applies to State</b>	The planning proposal is not affected by this SEPP.
	<b>Exempt and Complying Development Codes 2008</b>	Aims to provide streamlined assessment process for development that complies with specified development standards.	<b>Applies to State</b>	To be considered at the DA stage, if required.
	<b>Gosford City Centre 2018</b>	Aims to promote the economic and social revitalisation of Gosford City Centre.	<b>Does not apply to Cumberland LGA</b>	
	<b>Housing for Seniors or People with a Disability 2004</b>	Aims to encourage the provision of housing to meet the needs of seniors or people with a disability.	<b>Applies to State</b>	To be considered at the DA stage, if required.

No.	Title	Summary	Application	Remarks
	<b>Infrastructure 2007</b>	Aims to facilitate the effective delivery of infrastructure across the State. Specifies exempt and complying development controls to apply to the range of development types listed in the SEPP.	<b>Applies to State</b>	To be considered at the DA stage, if required.
	<b>Kosciuszko National Park – Alpine Resorts 2007</b>	Aims to protect and enhance the natural environment of the alpine resorts area.	<b>Does not apply to Cumberland LGA</b> Applies only to specified land within Kosciuszko National Park, Kosciuszko Road and Alpine Way.	
	<b>Kurnell Peninsula 1989</b>	Aims to provide for the proper management and development of mineral, petroleum and extractive material resources	<b>Does not apply to Cumberland LGA</b> Applies to the land within Sutherland Shire known as Kurnell Peninsula. Excludes some land under SSLEP 2006.	
	<b>Mining, Petroleum Production and Extractive Industries 2007</b>	Aims to provide for the proper management and development of mineral, petroleum and extractive material resources	<b>Applies to State</b>	The planning proposal is not affected by this SEPP.
	<b>Miscellaneous Consent Provisions 2007</b>	Aims to provide erection of temporary structures permissible with consent across the State	<b>Applies to State</b>	The planning proposal does not involve erection of temporary structures. To be considered at DA stage, if required.
	<b>Penrith Lakes Scheme 1989</b>	Aims to provide a development control process that ensures that environmental and technical matters are considered in the implementation of the Penrith Lakes Scheme.	<b>Does not apply to the Cumberland LGA</b>	

No.	Title	Summary	Application	Remarks
	<b>Primary Production and Rural Development 2019</b>	Aims to facilitate the orderly economic use and development of lands for primary production.	<b>Does not apply to the Cumberland LGA</b>	
	<b>State and Regional Development 2011</b>	Aims to identify State significant development and State significant infrastructure. Also to confer functions on joint regional planning panels to determine development applications.	<b>Applies to State</b>	The planning proposal is not affected by this SEPP.
	<b>State Significant Precincts 2005</b>	Aims to facilitate the development or protection of important urban, coastal and regional sites of economic, environmental or social significance to the State. Also to facilitate service delivery outcomes for a range of public services.	<b>Applies to State</b>	The planning proposal site is not located within a State Significant Precinct.
	<b>Sydney Drinking Water Catchment 2011</b>	Aims to provide for healthy water catchments that will deliver high quality water while permitting development that is compatible with that goal.	<b>Does not apply to Cumberland LGA</b> Applies to land within the Sydney drinking water catchment.	
	<b>Sydney Region Growth Centres 2006</b>	Aims to co-ordinate the release of land for development in the North West and South West Growth Centres.	<b>Does not apply to Cumberland LGA</b> Applies to all land in a 'growth centre' (North West Growth Centre or the South West Growth Centre)	

No.	Title	Summary	Application	Remarks
	<b>Three Ports 2013</b>	Aims to provide consistent planning regime for the development and delivery of infrastructure on land in Port Botany, Port Kembla and Port Newcastle.	<b>Does not apply to Cumberland LGA</b> Applies to the land within Botany City Council in the area known as Port Botany. It also applies to land within Wollongong City Council in an area known as Port Kembla and land within New Castle City Council in an area known as Port Newcastle.	
	<b>Urban Renewal 2010</b>	Aims to facilitate the orderly and economic development and redevelopment of sites in and around urban renewal precincts	<b>Applies to Cumberland LGA</b> Applies to land within a potential precinct – land identified as a potential urban renewal precinct. This includes Redfern-Waterloo, Granville and Newcastle.	The planning proposal is not affected by this SEPP.
	<b>Vegetation in Non-Rural Areas 2017</b>	Aims to protect the biodiversity values of trees and other vegetation in non-rural areas of the State, and to preserve the amenity of non-rural areas of the State through the preservation of trees and other vegetation.	<b>Applies to various local government areas in the State</b>	The number of trees on the Site is not substantial. Any proposed removal will be assessed at DA stage.
	<b>Western Sydney Employment Area 2009</b>	Aims to promote economic development and the creation of employment in the Western Sydney Employment Area by providing for development	<b>Applies to Cumberland LGA</b> Applies to Greystanes Northern Employment Lands.	The planning proposal is not affected by this SEPP.

No.	Title	Summary	Application	Remarks
	<b>Western Sydney Parklands 2009</b>	Aims to ensure the Western Sydney Parkland can be developed as urban parkland to serve the Western Sydney Region.	<b>Applies to Cumberland LGA</b> Applies to land within Blacktown, Fairfield, Liverpool LGAs and a small part of former Holroyd LGA now located within Cumberland LGA.	The planning proposal is not affected by this SEPP.

## Appendix 2: Deemed SEPPs (Regional Environmental Plans)

No	Title	Summary	Application	
<b>Sydney Regional Environmental Plans</b>				
8	<b>Central Coast Plateau Areas</b>	Aims to implement the State's urban consolidation policy.	<b>Does not apply to Cumberland LGA</b> Applies to nominated land in the NSW Central Coast.	
9	<b>Extractive Industry No. 2 1995</b>	Aims to facilitate development of extractive industries in proximity to the population of the Sydney Metropolitan Area.	<b>Applies to the Cumberland LGA</b> Applies to LGAs listed in Schedule 4 (includes former Parramatta and Holroyd LGAs).	The planning proposal is not affected by this SEPP.
16	<b>Walsh Bay</b>	Aims to regulate the use and development of the Walsh Bay area.	<b>Does not apply to Cumberland LGA</b> Applies to land within the City of Sydney and within Sydney Harbour.	
20	<b>Hawkesbury-Nepean River (No 2-1997)</b>	Aims to protect the Hawkesbury-Nepean River System.	<b>Does not apply to Cumberland LGA</b> Applies to certain LGAs within the Greater Metropolitan Region.	

No	Title	Summary	Application	
24	<b>Homebush Bay Area</b>	Aims to encourage the co-ordinated and environmentally sensitive development of the Homebush Bay area	<p><b>Does not apply to the Cumberland LGA</b></p> <p>Applies to rest of the former Auburn LGA which is now located within City of Parramatta – refer to the <i>State Environmental Planning Policy (Major Development) Amendment (Sydney Olympic Park) 2009 Land Application Map</i>.</p>	
26	<b>City West</b>	Aims to promote the orderly and economic use and development of land within City West.	<p><b>Does not apply to the Cumberland LGA</b></p> <p>Applies to land shown as City West area (Pymont and Ultimo)</p>	
30	<b>St Marys</b>	Aims to support the redevelopment of St Marys by providing a framework for sustainable development.	<p><b>Does not apply to the Cumberland LGA</b></p> <p>Applies to specified land within the Blacktown and Penrith LGAs</p>	
33	<b>Cooks Cove</b>	Establishes the zoning and development controls for the Cooks Cove site.	<p><b>Does not apply to the Cumberland LGA</b></p> <p>Applies to specified land at Cooks Cove within the suburb of Arncliffe.</p>	
	<b>Sydney Harbour Catchment 2005</b>	Aims to establish a balance between promoting a prosperous working harbour, maintaining a healthy and sustainable waterway environment and promoting recreational access to the foreshore and waterways. It establishes planning principles and controls for the catchment as a whole.	<p><b>Applies to the area of Sydney Harbour, including Parramatta River and its tributaries and the Lane Cove River</b></p> <p>Applies to some land within the Cumberland LGA.</p>	The water quality of the catchment would be ensured through storm water controls in the <i>Parramatta DCP 2011</i> .
<b>Greater Metropolitan Regional Environmental Plan</b>				

No	Title	Summary	Application	
2	<b>George River Catchment</b>	Aims to maintain and improve the water quality and river flows of the Georges River and its tributaries and ensure that development is managed in a manner that is in keeping with the national, State, regional and local significance of the Catchment.	<b>Applies to various regions in the Greater Metropolitan Area and includes parts of the Cumberland LGA</b>	The water quality of the catchment would be ensured through storm water controls in the <i>Parramatta DCP 2011</i> .

## Appendix 3: Section 9.1 Ministerial Directions

Direction		Applicability / Consistency
<b>1. Employment and Resources</b>		
1.1	Business and Industrial Zones	<b>Not applicable</b> The planning proposal does not affect land within an existing or proposed business or industrial zone (including the alteration of any existing business or industrial zone boundary).
1.2	Rural Zones	<b>Not applicable</b> The planning proposal does not affect land within an existing or proposed rural zone (including the alteration of any existing rural zone boundary).
1.3	Mining, Petroleum Production and Extractive Industries	<b>Not applicable</b>
1.4	Oyster Aquaculture	<b>Not applicable</b>
1.5	Rural Lands	<b>Not applicable</b>
<b>2. Environment and Heritage</b>		
2.1	Environment Protection Zones	<b>Not applicable</b> The site to which the planning proposal applies does not consist of any environmentally sensitive areas.
2.2	Coastal Management	<b>Not applicable</b> The site to which the planning proposal applies is not within the coastal zone, as defined under the <i>Coastal Management</i>

Direction	Applicability / Consistency
	<i>Act 2016, and as identified by the State Environmental Planning Policy (Coastal Management) 2018.</i>
2.3 Heritage Conservation	<p><b>Consistent</b></p> <p>The site to which the planning proposal applies includes a heritage item at 10 William Street, which is currently protected under the <i>Parramatta LEP 2011</i> (Item name: William Street Cottages Group).</p> <p>The planning proposal proposes, however, that this heritage item be demolished. Independent heritage advice received by Council recommends that the proposed demolition of 10 William Street may occur. This is discussed further under <i>Q.8 Other likely environmental effects</i>.</p>
2.4 Recreation Vehicle Areas	<p><b>Not applicable</b></p> <p>The planning proposal does not enable land to be developed for the purpose of a recreation vehicle area.</p>
2.5 Application of E2 and E3 Zones and Environmental Overlays in Far North Coast LEPs	<b>Not applicable</b>
<b>3. Housing, Infrastructure and Urban Development</b>	
3.1 Residential Zones	<p><b>Consistent</b></p> <p>The planning proposal proposes the redevelopment of an urban block in the Granville area, reducing consumption of land for housing and associated urban development on the urban fringe. It will also increase the number of housing and range of housing types.</p> <p>Due to the location of the site to which the planning proposal applies, the proposed development makes efficient use of transport infrastructure such as Clyde Railway Station and existing bus services.</p> <p>The recommended FSR and height ensures the planning proposal can meet good design requirements of the Apartment Design Guide and the <i>Parramatta DCP 2011</i>. Further design requirements will be considered in more detail at the DA stage.</p>

Direction	Applicability / Consistency
3.2 Caravan Parks and Manufactured Home Estates	<b>Not applicable</b>
3.3 Home Occupations	<b>Consistent</b> Home occupations not included as part of the planning proposal and will be considered, if required, at the DA stage.
3.4 Integrating Land Use and Transport	<b>Not applicable</b> The planning proposal does not create, alter or remove a zone or a provision relating to urban land, including land zoned for residential, business, industrial, village or tourist purposes as the zoning proposed in the planning proposal is the same as the existing zoning.
3.5 Development Near Regulated Airports and Defence Airfields	<b>Not applicable</b>
3.6 Shooting Ranges	<b>Not applicable</b> The planning proposal does not affect, create, alter or remove a zone or a provision relating to land adjacent to and/ or adjoining an existing shooting range.
3.7 Reduction in non-hosted short-term rental accommodation period	<b>Not applicable</b> Only applies to Byron Shire Council.
<b>4. Hazard and Risk</b>	
4.1 Acid Sulfate Soils	<b>Inconsistent</b> This Planning Proposal is considered to be inconsistent with this direction as an acid sulfate soils study, required when an intensification of land uses is proposed, has not been prepared. This inconsistency is considered to be of minor significance given that: <ul style="list-style-type: none"> <li>• The site to which the planning proposal applies is subject to a Class 5 Acid Sulfate Soils classification; and</li> <li>• The matter will be further considered at DA stage under clause 6.1 of the <i>Parramatta LEP 2011</i>.</li> </ul>
4.2 Mine Subsidence and Unstable Land	<b>Not applicable</b> The site to which the planning proposal applies is not within a mine subsidence district, nor has it been identified as unstable in a study, strategy or other assessment.
4.3 Flood Prone Land	<b>Not applicable</b>

Direction	Applicability / Consistency
	The site to which the proposal applies is not known to be flood affected.
4.4 Planning for Bushfire Protection	<b>Not applicable</b> The site to which the planning proposal applies does not adjoin bushland, nor is it known to be adversely affected by bushfire hazards.
<b>5. Regional Planning</b>	
5.1 Implementation of Regional Strategies	<b>Not applicable</b> The South Coast Regional Strategy (excluding land in the Shoalhaven LGA) and the Sydney–Canberra Corridor Regional Strategy do not apply to land enabled for development by the planning proposal.
5.2 Sydney Drinking Water Catchments	<b>Not applicable</b> This direction only applies to selected local government areas.
5.3 Farmland of State and Regional Significance on the NSW Far North Coast	<b>Not applicable</b> This direction only applies to selected local government areas.
5.4 Commercial and Retail Development along the Pacific Highway, North Coast	<b>Not applicable</b> This direction only applies to selected council areas on the North Coast that the Pacific Highway traverses, being those council areas between Port Stephens Shire Council and Tweed Shire Council, inclusive.
5.9 North West Rail Link Corridor Strategy	<b>Not applicable</b> This direction only applies to Hornsby Shire Council, The Hills Shire Council and Blacktown City Council.
5.10 Implementation of Regional Plans	<b>Consistent</b> The planning proposal is consistent with the <i>Greater Sydney Region Plan</i> . This is discussed in the main body of the report in Q3. <i>Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy?</i>
5.11 Development of Aboriginal Land Council Land	<b>Not applicable</b> This direction does not apply to the Cumberland LGA.

Direction	Applicability / Consistency
<b>6. Local Plan Making</b>	
6.1 Approval and Referral Requirements	<p><b>Not applicable</b></p> <p>The planning proposal does not contain any provisions that require the concurrence, consultation or referral of development applications to a Minister or public authority, nor nominate any development as 'designated development'.</p>
6.2 Reserving Land for Public Purposes	<p><b>Not applicable</b></p> <p>The planning proposal does not create, alter or reduce existing zonings or reservations of land for public purposes.</p>
6.3 Site Specific Provisions	<p><b>Not applicable</b></p> <p>No new site-specific clauses are being proposed to be introduced to the <i>Parramatta LEP 2011</i>.</p>
<b>7. Metropolitan Planning</b>	
7.1 Implementation of A Plan for Growing Sydney	<p><b>Consistent</b></p> <p><i>A Metropolis of Three Cities – The Greater Sydney Region Plan</i> has replaced <i>A Plan for Growing Sydney</i>. The planning proposal is consistent with The Greater Sydney Region Plan as discussed in the main body of the report in Q3. <i>Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy?</i></p>
7.2 Implementation of Greater Macarthur Land Release Investigation	<p><b>Not applicable</b></p> <p>This direction only applies to Campbelltown City Council and Wollondilly Shire Council.</p>
7.3 Parramatta Road Corridor Urban Transformation Strategy	<p><b>Not applicable</b></p> <p>The site to which the planning proposal applies is not situated within land affected by the <i>Parramatta Road Corridor Urban Transformation Strategy</i>.</p>
7.4 Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan	<p><b>Not applicable</b></p> <p>This direction only applies to Blacktown City Council, The Hills Shire Council and Hawkesbury City Council.</p>
7.5 Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	<p><b>Not applicable</b></p> <p>The site to which the planning proposal applies is not situated within the Greater Parramatta Priority Growth Area.</p>

Direction	Applicability / Consistency
7.6 Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	<b>Not applicable</b> This direction only applies to Wollondilly Shire Council.
7.7 Implementation of Glenfield to Macarthur Urban Renewal Corridor	<b>Not applicable</b> This direction only applies to Campbelltown City Council.
7.8 Implementation of Western Sydney Aerotropolis Interim Land Use and Infrastructure Implementation Plan	<b>Not applicable</b> This direction only applies to Liverpool City Council, Penrith City Council, Blue Mountains City Council, Blacktown City Council, Camden Council, Campbelltown City Council, Fairfield City Council and Wollondilly Shire Council.
7.9 Implementation of Bayside West Precincts 2036 Plan	<b>Not applicable</b> This direction only applies to the Bayside local government area.
7.10 Implementation of Planning Principles for the Cooks Cove Precinct	<b>Not applicable</b> This direction only applies to selected land in the Bayside local government area.

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# Attachments

## Planning Proposal supporting documentation

1. Revised planning proposal request (prepared by Ethos Urban) and submitted to Council on 16 October 2018.
2. Revised concept scheme showing sites 1 and 2 (prepared by PTI Architects) and submitted to Council on October 2020.
3. Heritage advice provided by Extent Heritage on 4 December 2018.
4. FSR study prepared by Design Inc. for Council on 27 February 2019.
5. Cumberland Local Planning Panel Report of 16 April 2019
6. Minutes of the Cumberland Local Planning Panel of 16 April 2019
7. Council Report and Minutes of 7 Aug 2019 Heritage Committee consideration on removal of 10 William Street, heritage item
8. Council report and minutes of 4 September 2019 where council resolved to prepare a planning proposal and seek a Gateway Determination
9. Gateway Determination
10. Proponent's letter of offer
11. Heritage Impact Statement prepared by Archnex Designs (proponent)
12. Peer Heritage Review prepared by Heritage 21/Rappoport.
13. Original Traffic and Parking Assessment Report (Varga Traffic Planning) – 9 Dec 2015.
14. Preliminary heritage advice to Cumberland City Council by Form Architects

## Additional information on Council's website (Have your say) page with regards to Original proposal requests for site

- A. Original planning proposal request report by JBA (Note: Revised version of this report was not provided with the revised planning proposal concept scheme in September 2016).
- B. Original planning proposal request concept scheme submitted to Cumberland Council in December 2015.
- C. Revised planning proposal request concept scheme submitted to Cumberland Council in September 2016.
- D. Cumberland IHAP Report and Recommendations of 13 September 2017.