



Planning

MAJOR PROJECT ASSESSMENT
Telopea Urban Renewal Project
Concept Plan Application MP 09_0170
Stage 1 - Shortland Precinct and part
of Moffatts Precinct

Director General's Environmental Assessment
Report
Section 75I of the *Environmental Planning and
Assessment Act 1979*

August 2010



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EXECUTIVE SUMMARY

This report is an assessment of a Concept Plan application seeking approval for the Telopea Urban Renewal Project and Stage 1 of the proposal, pursuant to Part 3A of the *Environmental Planning and Assessment Act 1979* (EP&A Act). The site has road frontages to Sturt Street, Moffatts Drive, Evans Street, The Parade, Figtree Avenue, Marshall Road, Shortland Street, Wade Street, Eyles Street and Polding Place.

The Concept Plan application seeks approval for up to 1900 dwellings including building envelopes and associated infrastructure and services. Project approval is also sought for Stage 1 of the proposal which comprises one 6 storey and one 5 storey residential flat building in Shortland Precinct and one 6 storey residential flat building in Moffatts Precinct.

The Capital Investment Value (CIV) of the proposal is **\$580 million** and **\$32.58 million** for Stage 1 of the proposal. The proposal would create **275** full time equivalent construction jobs and **50** full time equivalent operational jobs.

On 29 September 2009, the Deputy Director General, Development Assessment and Systems Performance, as delegate of the Minister, formed an opinion that the project is a Major Project under clause 13 of Schedule 1 of the MD SEPP, as it is a residential, retail or commercial development and has a CIV of greater than \$100 million. The Minister is the approval authority.

The site is zoned 2b residential and 2c residential under *Parramatta Local Environmental Plan 2001* and multi-unit housing is permissible in the zones; residential flat buildings are not permissible in the 2b residential zone, however, are permissible in the 2c residential zone; and high density housing is not permissible in either zone. The site is zoned R4 High Density Residential, B4 Mixed Use and RE2 Public Recreation under the *Draft Parramatta Local Environmental Plan 2010* and residential flat buildings are permissible in these zones.

The proposal was exhibited from 17 February 2010 to 2 April 2010. The Department received seven submissions from public authorities, one from Parramatta City Council and 10 public submissions. Key issues raised in the submissions included built form, contributions, density, staging, public domain, traffic, interface with the adjoining residential areas, community services and infrastructure.

On 4 June 2010, the proponent submitted a Preferred Project Report to address issues raised by the Department, other Government authorities and the public. The key modifications included minor reductions in the total gross floor area, a reduction in the height of the building envelope in Figtree Precinct situated between two private properties from 4 storeys to 3 storeys, and minor modifications to the articulation of the Stage 1 buildings.

The Department has assessed the merits of the proposal, and has found the key issues associated with the project include density, built form and urban design, environmental and residential amenity, transport and traffic impacts, developer contributions, social impacts, staging and ecologically sustainable development. The Department is satisfied that the impacts of the proposed development have been addressed via the Environmental Assessment, Preferred Project Report and Statement of Commitments, and can be adequately managed through the recommended modifications to the Concept Plan approval and conditions of the project approval.

The Department is also satisfied that the site is suitable for the proposed use. The proposal is consistent with strategic planning objectives, including the State Plan, as it would support the replacement of Housing NSW dwellings and the urban renewal of the Telopea area.

The proposal would also contribute toward the dwelling targets set in the Sydney Metropolitan Strategy and the draft West Central Subregional Strategy in an area earmarked for residential growth.

Accordingly, the Department considers the project is in the public interest and recommends that the Concept Plan be approved, subject to modifications, and that no further environmental assessment is required for Stage 1 of the proposal and that it be granted project approval, subject to conditions.

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1 BACKGROUND

1.1 THE SITE

1.1.1 Site inspection

The site was inspected by Departmental officers on 5 January 2010 and 1 July 2010.

1.1.2 Site location and description

The Telopea Urban Renewal Project (TURP) is located in Telopea and within the Parramatta Local Government Area (LGA). The subject site (see **Figure 1**) is owned by Housing NSW. The site has road frontages to Sturt Street, Moffatts Drive, Evans Street, The Parade, Figtree Avenue, Marshall Road, Shortland Street, Wade Street, Eyles Street and Polding Place and consists of ten precincts (see **Figure 1**). The property descriptions of each precinct are described in **Table 1**.



Figure 1 – Location of Concept Plan site precincts and Stage 1 sites

Table 1 – Concept Plan site precinct property descriptions

Precinct	Property Description
Shortland	Lot J DP 36743 and Lots 219A and 219B DP 36743
Moffatts	Lot 1724 DP 216673
Polding	Lots 5-7 DP 128229
Wade	Lots 1718-1719 DP 213180
Sturt and Eyles	Lots 1-2 DP 811709, Lots 1715-1716 DP 213180
Marshall	Lots 262-268 DP 36743
Figtree	Lots 280-285, 287, 288, 290-299 DP 36743
Parade	Lots 308-319 DP 36743
Evans	Lots 1-2 DP 596499

The site is located approximately 23 kilometres north-west of the Sydney Central Business District (CBD) and approximately 4.5 kilometres north-east of the Parramatta CBD. The Concept Plan site adjoins Telopea Railway Station and the entire site is within 600m walking distance from the Station.

Stage 1 of the project consists of development of the Shortland Precinct and part of Moffatts Precinct. Shortland Precinct is located in the north-west corner of the site. The part of the Moffatts Precinct proposed to be redeveloped is located in the south-east corner of the Concept Plan and fronts Sturt Street to the south (see **Figure 1**). The property descriptions of the Shortland and Moffatts Precincts are identified in **Table 1**.

1.1.3 Existing Site Features

Concept Plan

The site has an area of approximately 10.9 hectares comprising several housing street blocks and a network of streets. The existing development currently provides public housing for 538 public housing tenants in 531 dwellings consisting of:

- 150 high rise dwellings;
- 280 walk-up dwellings; and
- 101 cottages and villas.

The majority of the existing buildings are 3 storey apartment buildings, which will be demolished to accommodate the new residential dwellings. The 150 high rise dwellings accommodated in the three 9 storey apartment buildings, which are located within Wade Precinct, will be retained (see **Figure 2**).



Figure 2 – Three Sisters located in Wade Precinct to be retained

Stage 1

Shortland Precinct has a site area of 5,850m² which accommodates 34 dwellings in 2-3 storey residential flat buildings. The precinct is bounded by the Railway Line to the west, private residential dwellings to the north, Marshall Road to the east and Shortland and Sturt Streets to the south (see **Figure 3**).



Figure 3 – Shortland Precinct

Moffatts Precinct has an area of 14,030m² comprising 69 dwellings in a mix of cottages and 3 storey apartment buildings. The part of Moffatts Precinct proposed to be redeveloped as part of Stage 1 has an area of 2,542m² comprising a row of single storey cottages and part of an at-grade public housing car park. The site fronts Sturt Street to the south (see **Figure 4**).



Figure 4 – Stage 1 site in Moffatts Precinct

1.2 SURROUNDING DEVELOPMENT

Concept Plan

The site immediately adjoins Telopea Railway Station (see **Figure 1**). The site is in close proximity to two arterial roads: Kissing Point Road and Pennant Hills Road. Surrounding development consists of:

- low to medium density privately-owned housing adjoining the site to the north;
- low to medium density privately-owned housing adjoining the site to the east;
- low to medium density privately-owned housing, Dundas Library and Neighbourhood Centre, Telopea Public School, Waratah Montessori Pre-School, and public recreation parklands adjacent the site to the south;
- low to medium density privately-owned housing, Telopea Railway Station and Railway Line, and a 17 space at-grade commuter car park adjacent the site to the west; and
- two privately-owned properties, Telopea Christian Centre and Waratah Shopping Centre, are centrally located and are surrounded by the Concept Plan area, however, do not form part of the site.

Stage 1

Development surrounding Shortland Precinct consists of:

- low to medium density privately-owned housing adjoining the site to the north;
- medium to high density public housing adjoining the site to the east;
- medium to high density public housing adjoining the site to the south;
- Telopea Railway Station and Railway Line, and a 17 space at-grade commuter car park adjacent the site to the west.

Development surrounding the part of Moffatts Precinct proposed to be redeveloped as part of the Stage 1 consists of:

- communal open space and an at-grade car park adjoining the site to the north;
- medium to high density public housing adjoining the site to the east;
- public parklands adjacent the site to the south;
- medium to high density public housing and communal open space adjoining the site to the west.

1.3 STRATEGIC CONTEXT

1.3.1 NSW State Plan

The proposal is consistent with the relevant aims and objectives of the State Plan, including to:

- ensure a sufficient supply of housing;
- assist in the delivery of affordable housing;
- support a strong social housing sector; and
- redevelop and renew public housing stock.

1.3.2 Sydney Metropolitan Strategy

The Sydney Metropolitan Strategy, developed to support the continuing economic growth of Sydney and enhance its standing as a global city, places the Parramatta City Council area in the West Central Subregion. The strategy sets housing and employment targets for the subregion at 95,500 new dwellings in existing areas and 61,000 new jobs by the year 2031, which are further refined in the draft West Central Subregional Strategy. The proposal would therefore assist in contributing to dwelling targets for the West Central Subregion.

1.3.3 Draft West Central Subregional Strategy

The draft West Central Subregional Strategy identifies Telopea as a 'Small Village' and recognises the continuing role of Telopea in the future planning for the subregion through significant residential growth. The Subregional Strategy also targets the provision of an additional 21,000 dwellings for the Parramatta City Council area by 2031 and Telopea has been identified as an area where significant residential growth is expected to occur. The proposal would therefore assist in contributing to dwelling targets for the Parramatta LGA.

2 PROPOSED DEVELOPMENT

2.1 THE PROPOSED DEVELOPMENT

Approval is sought for the Concept Plan for the Telopea Urban Renewal Project and Project Approval for Stage 1 of the proposal.

The **Concept Plan** seeks approval for:

- Distribution of land uses for 'high density housing', 'residential flat buildings' and 'multi unit housing' (see Figure 5);
- 1,900 dwellings;
- 181,778m² of GFA across 10 precincts and 'building envelopes' (including height and floor space ratio);
- Landscaping, open space, and other necessary infrastructure.



Figure 5 – Precincts

Table 2 outlines key development data for the Concept Plan application.

Table 2: Concept Plan Key Development Figures

Concept Plan	Description			
Precinct	Land Use	GFA (m ²)	FSR	Height
Shortland	High density housing	9,648	1.7:1	5-6 storeys
Moffatts	High density housing	27,300	2.0:1	6 storeys
Polding	High density housing and residential flat buildings	34,500	1.7:1	6 storeys
Wade	High density housing and residential flat	21,000	1.7:1	6 storeys

Concept Plan	Description			
	buildings			
<i>Sturt</i>	High density housing	25,000	2.1:1	6 storeys
<i>Eyles</i>	High density housing	32,000	2.0:1	6 storeys
<i>Marshall</i>	High density housing	7,000	1.4:1	3-4 storeys
<i>Figtree</i>	High density housing and residential flat buildings	14,200	1.1:1	3-4 storeys
<i>Parade</i>	Residential flat buildings and multi unit housing	8,800	1.0:1	3-4 storeys
<i>Evans</i>	High density housing	2,300	1.5:1	4 storeys
Total GFA	181,778m ²			
CIV	\$580 million			
Construction Jobs	275			
Operational Jobs	50			

Project Approval is sought for **Stage 1** of the proposal comprising:

- Demolition of five buildings on Shortland precinct and removal of trees;
- Construction of two 6 storey buildings (see Figure 6) containing a total 103 units, car parking, bicycle parking, landscaping and other services in Shortland Precinct;
- Demolition of one building in the Moffatts precinct and removal of trees;
- Construction of a 7 storey building (see Figure 7) containing 49 apartments, car parking, bicycle parking, landscaping and other services in Moffatts Precinct; and
- Subdivision of Shortland Precinct.



Figure 6 – Stage 1 buildings in Shortland Precinct (Building A1 in foreground and Building A2 in background)



Figure 7 – Stage 1 building in Moffatts Precinct (Building J3)

Table 3 outlines key development data for Stage 1 of the proposal.

Table 3: Stage 1 Key Development Figures

Stage 1	Description		
Building	A1	A2	J3
Land Use	High density housing	High density housing	High density housing
Precinct	Shortland	Shortland	Moffatts
Units	46	57	49
Site Area	5,611m ²		2,452 m ²
GFA	4,336 m ²	5,206 m ²	4,565 m ²
FSR	1.7:1		1.9:1
Building Footprint	784 m ²	1,115 m ²	1,103 m ²
Site Coverage	33.8%		45%
Height	6 storeys	6 storeys	7 storeys
Car parking	5 (all accessible)	13 (11 accessible)	9 (8 accessible)
Communal Open Space	1,642 m ²		831 m ²
Deep Soil Planting	2,295 m ²		1,004 m ²
Maximum Height	6 storeys		
Total GFA	14,107 m ²		
CIV	\$32.58 million		

A copy of the Environmental Assessment is included at **Appendix B**.

2.2 PREFERRED PROJECT REPORT

The proponent's Preferred Project Report (PPR) was submitted on 4 June 2010.

Minor amendments made to the **Concept Plan** include:

- A decrease in the height of the building envelope between No. 2 Figtree and No. 8 Figtree in Figtree Precinct from 4 storeys to 3 storeys;
- A minor reduction in the GFA of Buildings A1 and A2 in Shortland Precinct by 106m², Building J3 in Moffatts Precinct by 79m² and the building envelope between No. 2 Figtree and No. 8 Figtree in Figtree Precinct by 485m²; and
- A minor decrease of 670m² in the overall Gross Floor Area across the 10 precincts from 182,448m² to 181,778m².

Amendments to **Stage 1** include:

- Minor decrease in the GFA of Shortland Precinct and part Moffatts Precinct by a total 185m²;
- Minor decrease in the parapet RL of Building A1 and A2 on Shortland Precinct and Building J3 on part Moffatts Precinct;
- Minor modifications to the articulation of Building A1, A2 and J3.

A copy of the PPR is at **Appendix C**.

3 STATUTORY CONTEXT

3.1 MAJOR PROJECT DECLARATION

On 29 September 2009, the Deputy Director General, Development Assessment and Systems Performance, as delegate of the Minister, formed an opinion that the project is a Major Project under clause 13 of Schedule 1 of the MD SEPP, as it is a residential, retail or commercial development and has a CIV of greater than \$100 million. Pursuant to clause 75M of the EP&A Act, the Deputy Director General authorised the lodgement of a Concept Plan application. The Minister is the approval authority.

3.2 PERMISSIBILITY

The site is zoned 2(b) Residential and 2(c) Residential under Parramatta Local Environment Plan 2001 (PLEP 2001) and residential flat buildings and high density residential components of the development are not permissible in the 2(b) zone and high density residential components of the development are not permissible in the 2(c) zone. However, Council's draft Parramatta Local Environmental Plan 2010 (draft PLEP 2010) zones the site 'R4 - High Density Residential', 'B4 - Mixed Use' and 'RE2 - Public Recreation'. The proposed uses would be defined as residential flat buildings and are generally permissible within these zones except in RE2 - Public Recreation'. However, the RE2 zone only applies to a small parcel of land forming the eastern edge of the Shortland Precinct which has been designed to accommodate private landscaped areas in Stage 1 of the proposal.

Sections 75R and 75O(3) under Part 3A of the EP&A Act provides that the Minister can grant approval for the Concept Plan for a project that would be prohibited under an environmental planning instrument provided the site is not located in an area of environmentally sensitive land or sensitive coastal locations. Accordingly, as the site is not located in environmentally sensitive land or sensitive coastal locations, the Minister can grant approval for the Concept Plan.

3.3 DIRECTOR GENERAL'S ENVIRONMENTAL ASSESSMENT REQUIREMENTS (DGRs)

On 14 November 2009, the Executive Director, Major Projects Assessment, as delegate of the Director General, issued DGRs pursuant to section 75F of the EP&A Act. The DGRs require the following key issues to be addressed:

- built form;
- urban design/public domain;
- staging;
- environmental and residential amenity;
- transport and accessibility impacts (construction and operational)
- social impacts;
- ecologically sustainable development (ESD);
- contributions;
- consultation;
- drainage;
- groundwater; and
- noise and vibration impacts.

The DGRs are in **Appendix A**.

3.4 OBJECTS OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

The Minister's consideration and determination of a Concept Plan and any project under Part 3A must be consistent with the relevant provisions of the EP&A Act, including the objects set out in Section 5 of the EP&A Act.

The objects of the EP&A Act in section 5 are as follows:

(a) *to encourage:*

- (i) *the proper management, development and conservation of natural and artificial resources, including agricultural land, natural areas, forests, minerals, water, cities, towns and villages for the purpose of promoting the social and economic welfare of the community and a better environment,*
- (ii) *the promotion and co-ordination of the orderly and economic use and development of land,*
- (iii) *the protection, provision and co-ordination of communication and utility services,*

- (iv) the provision of land for public purposes,
- (v) the provision and co-ordination of community services and facilities, and
- (vi) the protection of the environment, including the protection and conservation of native animals and plants, including threatened species, populations and ecological communities, and their habitats, and
- (vii) ecologically sustainable development, and
- (viii) the provision and maintenance of affordable housing, and
- (b) to promote the sharing of the responsibility for environmental planning between the different levels of government in the State, and
- (c) to provide increased opportunity for public involvement and participation in environmental planning and assessment.

The Department has considered the objects of the EP&A Act and considers that the application is consistent with the relevant objects. The assessment of the application in relation to these relevant objects is provided in Section 5.

The EP&A Act adopts the definition of Ecologically Sustainable Development (ESD) found in the Protection of the Environment Administration Act 1991. Section 6(2) of that Act states that ESD "requires the effective integration of economic and environmental considerations in decision-making processes" and that ESD "can be achieved through" the implementation of the principles and programs including the precautionary principle, the principle of inter-generational equity, the principle of conservation of biological diversity and ecological integrity, and the principle of improved valuation, pricing and incentive mechanisms. In applying the precautionary principle, public decisions should be guided by careful evaluation to avoid, wherever practicable, serious or irreversible damage to the environment and an assessment of the risk-weighted consequences of various options.

The Department has fully considered the objects of the EP&A Act, including the encouragement of ESD, in its assessment of the application. A detailed assessment of ESD issues is contained at Section 5.8 of this report. On the basis of this assessment, the Department is satisfied that the proposal encourages ESD, in accordance with the objects of the EP&A Act.

3.5 SECTION 75I(2) OF THE EP&A ACT

Section 75I(2) of the EP&A Act and clause 8B of the Environmental Planning and Assessment Regulation 2000 provides that the Director General is to address a number of requirements in the Director General's Report. These matters and the Department's response are set out as follows:

Table 4 - Section 75I(2) requirements for Director General's Report

Section 75I(2) criteria	Response
Copy of the proponent's environmental assessment and any preferred project report	The proponent's EA is located at Appendix B on the assessment file (attached).
Any advice provided by public authorities on the project	All advice provided by public authorities on the project for the Minister's consideration is set out in Section 4 of this report.
Copy of any report of the Planning Assessment Commission in respect of the project	The project was not referred to the Planning Assessment Commission.
Copy of or reference to the provisions of any State Environmental Planning Policy that substantially govern the carrying out of the project	Each relevant SEPP that substantially governs the carrying out of the project is identified in Section 3.6.
Except in the case of a critical infrastructure project – a copy of or reference to the provisions of any environmental planning instrument that would (but for this Part) substantially govern the carrying out of the project and that have been taken into consideration in the environmental assessment of the project under this Division	An assessment of the development relative to the prevailing environmental planning instrument is provided in Section 3.6 of this report.

Any environmental assessment undertaken by the Director General or other matter the Director General considers appropriate.	The environmental assessment of the Concept Plan and Stage 1 of the project is this report in its entirety.
A statement relating to compliance with the environmental assessment requirements under this Division with respect to the project.	The Department is satisfied that the environmental assessment requirements have been complied with.
Clause 8B criteria	Response
An assessment of the environmental impact of the project	An assessment of the environmental impact of the proposal is discussed in Section 5 of this report.
Any aspect of the public interest that the Director General considers relevant to the project	The public interest is discussed in Section 5 of this report.
The suitability of the site for the project	The proposed uses are permitted in the proposed high density zone in the draft PLEP 2010 and based on the Department's assessment of key issues, it is considered the site is suitable for the project.
Copies of submissions received by the Director-General in connection with public consultation under section 75H or a summary of the issues raised in those submissions.	A summary of the issues raised in the submissions is provided in Section 4 of this report.

3.6 ENVIRONMENTAL PLANNING INSTRUMENTS (EPIs)

3.6.1 Application of EPIs to Part 3A projects

To satisfy the requirements of section 75I(2)(d) and (e) of the EP&A Act, this report includes references to the provisions of the EPIs that govern the carrying out of the project and have been taken into consideration in the environmental assessment of the Concept Plan and Stage 1 of the project. The primary instruments guiding the assessment of the proposal are:

- State Environmental Planning Policy (Major Development) 2005;
- State Environmental Planning Policy (Infrastructure) 2007;
- State Environmental Planning Policy No. 55 – Remediation of Land;
- State Environmental Planning Policy No 65 - Design Quality of Residential Flat Development;
- State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004;
- Parramatta Local Environmental Plan 2001; and
- Draft Parramatta Local Environmental Plan 2010.

The Department has considered the proposal against the objectives and aims of these instruments, and is satisfied that the proposed project, subject to the implementation of the recommended conditions of approval, is generally consistent with the provisions of these instruments.

3.6.2 State Environmental Planning Policy (Major Development) 2005

As discussed in section 3.1 of this report, the Major Development SEPP applies to the site. Clause 13 of Schedule 1 of the Major Development SEPP specifies that development for the purpose of residential, commercial and retail with a CIV of more than \$100 million is a Part 3A project. The CIV for the proposed Concept Plan is estimated at \$580 million.

On 29 September 2009, the Deputy Director General, Development Assessment and Systems Performance, as delegate of the Minister, formed the opinion that the project is a major project under clause 13 of Schedule 1 of the MD SEPP, as it is a residential, retail or commercial development and has a CIV of greater than \$100 million and authorised the submission of a Concept Plan for the proposal. The Minister is the approval authority.

3.6.3 State Environmental Planning Policy (Infrastructure) 2007

The Infrastructure SEPP aims to facilitate the effective delivery of infrastructure across the State. Division 17 – Traffic Generating Development also applies to this proposal and therefore

the Concept Plan was referred to the RTA for review and comment. RTA's comments are discussed in Section 4 of this report.

3.6.4 State Environmental Planning Policy No. 55 – Remediation of Land

State Environmental Planning Policy No. 55 – Remediation of Land (SEPP 55) requires a consent authority to consider whether the land is contaminated, and if so, whether the land will be remediated before the land is used for the intended purpose. A Phase 1 Environmental Site Assessment reveals that the site can be made suitable for the intended use, as required by clause 7 of SEPP 55.

3.6.5 State Environmental Planning Policy No 65—Design Quality of Residential Flat Development

State Environmental Planning Policy No 65—Design Quality of Residential Flat Development (SEPP 65) seeks to improve the design quality of residential flat development through the application of a series of 10 design principles. A Design Verification Statement has been provided by Turner + Associates stating that the subject development has been designed having respect to the design quality principles. An assessment against the 10 design principles is provided below.

Table 5 – Assessment of proposal against SEPP 65 design principles

Key Principles of SEPP 65	Department Response
Principle 1: Context	The site is located in a residential area, and is identified as a small village with potential for residential growth. The site is located in close proximity to public transport and is suitable for higher density development on the site.
Principle 2: Scale	The scale of the proposal is appropriate for the site as it will support urban renewal of the village and provides an appropriate transition in height from south to north.
Principle 3: Built Form	The built form of Stage 1 is appropriate for the site, the buildings incorporate an adequate level of articulation and modulation to contribute to the character of the area and provides greater distinction between the private and public domain. The built form of other future buildings will need to be addressed in future applications.
Principle 4: Density	The density of the overall development of the site is relatively high, which is appropriate given the identification of the area in strategic planning documents for residential growth and the planned urban renewal.
Principle 5: Resource, Energy and Water Efficiency	Utilising a site well serviced by infrastructure and providing additional housing in proximity to transport links is an efficient use of resources. The general location and orientation of the Stage 1 buildings maximises sunlight, daylight and ventilation to reduce reliance on artificial heating and cooling. The Stage 1 buildings achieve water efficiency and energy efficiency targets. Future buildings in the Concept Plan will be subject to water and energy efficiency requirements
Principle 6: Landscape	The proposal would provide approximately 40% of the site as private landscaped areas and 10% as public landscaped areas.
Principle 7: Amenity	The Concept Plan seeks to optimise amenity in terms of solar access, ventilation, views and outlook, private open space and access to public open space. The detailed design of the buildings at future application stages would address amenity impacts on surrounding residents. Shortland buildings of Stage 1 would have minimal impacts on the amenity of surrounding residents. The Moffatts building would have adverse privacy and amenity impacts to future residents of the building and adjacent residents given the proposed building is situated approximately 3, 5 and 7 metres from the three adjacent buildings (to be demolished for future stages). Therefore, the Department has recommended that the adjacent residential buildings be demolished within two years of commencement of building works as the Proponent has not committed to a timeframe for demolition of the adjacent buildings and delivery of future stages of the Moffatts Precinct (refer to Section 5.3.1).

Principle 8: Safety and Security	In general, the concept design allows for good passive surveillance of the road networks, and public and private open space areas on the site. The proposal seeks to better define public and private spaces to improve safety and increase sense of ownership. The proposal also provides active edges.
Principle 9: Social Dimensions and Housing Affordability	<p>The Concept Plan includes 531 social units, which equates to 28% of the total number of units proposed.</p> <p>A mix of 1-bed and 2-bed apartment types is proposed to address public housing requirements. A future environmental assessment requirement requesting the Proponent to demonstrate a mix of apartment types for the private component is recommended to encourage a diverse social mix within the area and to sustain a vibrant community.</p> <p>The site's close proximity to public transport, community services, employment opportunities ensure an appropriate location for public and affordable housing.</p>
Principle 10: Aesthetics	The specific detail of the majority of buildings proposed within the Concept Plan will be assessed as part of future applications. Stage 1 of the proposal has been designed to represent as individual residential buildings whilst providing continuity through the site by utilising a similar palette of colours and materials.

The proposal is therefore considered to meet the principles of SEPP 65, except Principle 7 relating to amenity, given the adverse privacy and amenity impacts for future residents of Building J3 and residents in the three adjacent buildings which are located 3, 5 and 7 metres from Building J3 (see Section 5.3.1). The proposal has also been assessed against the best practice design controls of the Residential Flat Design Code (RFDC). Further discussion of these controls can be found in the built form, urban design and environmental and residential amenity sections of this report (see Sections 5.2 and 5.3 of this report).

3.6.6 State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004

State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 (BASIX SEPP) established a scheme to encourage sustainable residential development across New South Wales. The current targets of BASIX for Residential Flat Buildings commenced on 1 July 2006.

BASIX SEPP requires all new residential dwellings in NSW to meet the specified sustainability targets of a 20% reduction in energy use and 40% reduction in potable water.

The proponent has submitted a BASIX certificate for the Stage 1 buildings. The Certificate indicates that the buildings would satisfactorily meet the thermal performance requirements of BASIX and will meet the BASIX targets with a minimum 43% water efficiency rating and a minimum 39% energy efficient rating.

3.6.7 Parramatta Local Environmental Plan 2001

Parramatta Local Environmental Plan 2001 (PLEP) is the principal statutory planning instrument applying to the site. Under the provisions of PLEP the site is zoned 2b residential and 2c residential. The proposal is not consistent with the objectives of the zones. The proposal is not permissible with consent in the zones.

Multi unit housing (being three or more dwellings on the same parcel of land where each dwelling has an individual entrance and direct private access to private open space at natural ground level for the exclusive use of the occupants of the dwelling) is permissible with consent in the 2b zone and multi unit housing and residential flat buildings (being a building containing three or more dwellings) are permissible in the 2c zone. High density housing is not permissible in either zone (being a building containing three or more dwellings which is four or more storeys in height).

The development standards prescribed by PLEP 2001 are outlined in Table 6.

Table 6 – PLEP Development Standards

	Maximum Height	Maximum FSR
Multi unit housing	2 storeys	0.6:1
Residential flat buildings	3 storeys	0.8:1
High density housing	6 storeys	1.5:1

The proposal consists of a mix of residential flat buildings and high density housing in the 2b zone and high density housing in the 2c zone. Therefore, the proposal does not comply with the development standards in the PLEP 2001.

3.6.8 Draft Parramatta Local Environmental Plan 2010

The *Draft Parramatta Local Environmental Plan 2010* (draft PLEP 2010) is the Standard Instrument that has been prepared for the Parramatta LGA and was recently exhibited. Council is currently reviewing submissions received and considering changes as appropriate.

The site is zoned 'R4 - High Density Residential', 'B4 – Mixed Use' and 'RE2 – Public Recreation' under the draft PLEP 2010. The proposed uses would be defined as residential flat buildings and are permissible within these zones except in 'RE2 – Public Recreation'. However, the RE2 zone only applies to a small parcel of land forming the eastern edge of the Shortland Precinct which has been designed to accommodate private landscaped areas in Stage 1 of the proposal. The draft PLEP 2010 prescribes the following development standards for the site:

Table 7 – draft PLEP 2010 Development Standards

Precinct	Maximum Height	Proposed Height	Maximum FSR	Proposed FSR
Shortland	14 metres	5-6 storeys	-	1.7:1
Moffatts	19-21 metres	6 storeys	-	2.0:1
Polding	19 metres	6 storeys	-	1.7:1
Wade	19 metres	6 storeys	-	1.7:1
Eyles	19 metres	6 storeys	-	2.0:1
Sturt	19 metres	6 storeys	-	2.1:1
Marshall	14 metres	3-4 storeys	-	1.4:1
Figtree	11-14 metres	3-4 storeys	0.8:1	1.1:1
Parade	11-14 metres	3-4 storeys	0.8:1 – 1.1:1	1.0:1
Evans	15 metres	4 storeys	2.0:1	2.0:1

The proposal generally complies with the above controls except for the FSR in Figtree and Parade Precincts and the height in Shortland and Moffatts Precinct. As the Precincts are seeking height controls in number of storeys, it is considered that the proposed envelopes generally comply with the objectives of the height controls, as a 6 storey building can be accommodated within a 19 metre height limit, 4 storey building within a 14 or 15 metre height limit and a 3 storey building within an 11 metre height limit.

4 CONSULTATION

4.1 PUBLIC EXHIBITION

Under section 75H(3) of the EP&A Act, the Director General is required to make the Environmental Assessment (EA) of a project publicly available for at least 30 days.

After accepting the EA for the project, the Department:

- Made it publicly available from 17 February 2010 to 2 April 2010:
 - on the Department's website; and
 - at the Department's Information Centre, Parramatta City Council offices, and Dundas Valley Library.
- Notified landowners in the vicinity of the site about the exhibition period by letter;
- Notified Parramatta City Council and relevant State agencies by letter; and
- Advertised the exhibition in the Sydney Morning Herald, Daily Telegraph and Parramatta Advertiser.

4.2 SUBMISSIONS RECEIVED ON ENVIRONMENTAL ASSESSMENT

In response to public exhibition and notification of the application, the Department received a total of 18 submissions comprising:

- 8 from public authorities; and
- 10 from the community, including one petition with 35 signatures.

A summary of the issues raised in the submissions is provided below and copies of the submissions are included in **Appendix D**. The Department's consideration of these issues is contained in Section 5 of this report.

4.2.1 Parramatta City Council

Council is supportive of the rejuvenation of the Telopea Area, however, identified the following issues:

Concept Plan

- proposed building heights varying from 3 to 6 storeys are contrary to existing Parramatta LEP 2001, which allows for varying building heights of 2 to 3 storeys;
- land use / building type is generally consistent with the draft zonings proposed under draft PLEP 2010 which was recently exhibited;
- exceeds the FSR of the draft PLEP 2010 and does not provide a suitable transition to the surrounding low density residential areas to the east;
- heights of Figtree, Parade and Evans Precincts are too high, especially in areas close to the interface with lower density zones;
- the waiving of contributions for the re-accommodated existing Housing NSW tenants is not supported;
- public facilities are minimal and should be provided to coincide with first stage of development. A new community centre and library, scout hall, communal public spaces and public open space are required. The preferred approach would be to enter into a Voluntary Planning Agreement;
- the properties at 2 and 8 Figtree Avenue will be isolated. 26 Figtree Avenue would also have limited development potential as a result of the proposal and provisions in the draft PLEP 2010;
- footpaths should be provided along surrounding streets within the precincts;
- the Parramatta Bike Plan and potential cycleway should be considered;
- on-site parking should be provided in accordance with Parramatta Development Control Plan 2005 (DCP 2005) for residential development plus bicycle facilities. Parking provisions should also comply with Housing NSW requirements. Proposed disabled parking does not comply with AS 2890.6-2009;

- further investigations should be carried out at the intersections of the precincts to determine the impact of traffic within the surrounding road network;
- a macro traffic study of the entire Concept Plan site should be undertaken to determine the accumulated impact of proposed development;
- additional on-site parking should be created to avoid on-street parking; and
- consideration should be given to any surrounding dwellings which may have heritage value.

Stage 1

- the design of the roof of Building A1 is visually intrusive and bulky and should be redesigned;
- the façade of Building A2 needs refinement to address scale, appearance and amenity;
- building J3 needs to be redesigned to improve the public domain; and
- the number of proposed car parking spaces is insufficient and would result in an increase in on-street parking.

Comment

The Department has considered Council's comments and addressed them in Section 5 of this report including consistency with Council's controls, land uses, FSR, height, contributions, isolated properties in Figtree Avenue, traffic impacts of the Concept Plan, and car parking provisions. The Department has also recommended that the Transport Management and Accessibility Plan (TMAP), which would need to address pedestrian and bicycle network issues, be prepared and submitted prior to the first future application. The Department has also recommended that any future application for development in Polding Precinct be accompanied by a Heritage Impact Assessment given the potential impacts on the heritage item to the south of the site.

4.2.2 Roads and Traffic Authority (RTA)

The RTA raised no objection to the proposal, however, identified that they were unable to undertake a detailed assessment of the proposal as the traffic assessment had not been undertaken for the overall Concept Plan. RTA requested an assessment of the traffic impacts of the Concept Plan and an opportunity to review prior to determination of the proposal.

Comment

The Department noted RTA's comments and forwarded them a copy of the PPR which included a supplementary report to the Transport and Accessibility Report submitted with the EA. RTA's comments regarding the additional information is at Section 4.3.2 of this report.

4.2.3 NSW Transport

NSW Transport raised no objection to the proposal, however, provided the following comments:

- connectivity of facilities for walking and cycling need to be improved to increase accessibility to services such as bus stops and train station. The proposal should integrate with existing areas outside of the precinct, including connecting to wider bicycle networks;
- further demand for increased pedestrian and cycling access should be addressed;
- justification of how current public transport services can service the proposed number of new residents;
- a detailed analysis of how the project will contribute to achieving relevant targets for Parramatta (provision of bus services and connection to surrounding employment centres) as per the revised NSW State Plan shall be undertaken; and
- a Construction Management Plan shall be prepared to mitigate any impacts on public transport, walking and cycling accessibility and safety during construction.

Comment

The Department has considered NSW Transport's comments and addressed them in Section 5 of this report, including public transport accessibility and capacity. The Department has also recommended that the TMAP, which would need to address pedestrian and bicycle network issues, and public transport capacity, be prepared and submitted prior to the first future

application. The Department has also recommended a condition be imposed on any project approval for Stage 1 to provide a Construction Management Plan.

4.2.4 Department of Education and Training (DET)

DET raised no objection to the proposal, however, advised that the redevelopment site is located within the Telopea Public School and Marsden High School Catchments. DET also advised that the proposal would potentially result in approximately 280 additional government primary school students and 230 secondary school students and that these enrolments can be accommodated within the existing school facilities.

Comment

The Department notes educational facilities in the area can accommodate the increased densities proposed in the Concept Plan.

4.2.5 Department of Environment, Climate Change and Water (DECCW)

DECCW raised no objection to the proposal, however, requested the following be included in any approval:

- commitment that a comprehensive Sediment and Erosion Control Plan be developed and implemented in accordance with the guideline 'Managing Urban Stormwater – Soils and Construction, Volume 2D road construction';
- requirement that all noise generating activities for all phases of the construction of development need to be assessed and managed consistent with the "Interim Construction Noise Guideline";
- requirement that impacts of flooding on the development be considered in accordance with the State Government's Flood Prone Land Policy;
- requirement for the submission of a detailed site Floodplain Management Study to avoid future prohibitive costs if compulsory remediation works are required;
- a condition for Shortland Precinct to provide detail on bicycle parking for Buildings A1 and A2;
- condition requiring bicycle parking and provision of personal bicycle lockers or cages within the project areas;
- condition requiring installation of shared or separated bike paths, possibly delivered in partnership with Parramatta City Council under the Council's Parramatta Bike Plan 2009;
- condition requiring improvements to pedestrian connections and pathways as part of future Project Applications, in order to implement proposed specific 'green travel plan'; and
- condition requiring accommodation of a car share scheme and designated parking space/s.

Comment

The Department has considered DECCW's comments. The Department considers that the majority of the site is not flood affected, however, has recommended a Floodplain Management Study be prepared and submitted prior to any subsequent application. Buildings in Shortland Precinct of Stage 1 will not be flood affected and Building J3 in Moffatts has been designed to meet the minimum clearances required above the 1 in 100 year flood levels. The Department has also recommended appropriate conditions on any Project Approval for Stage 1 to address construction management and sediment and erosion during construction and operation. The Department has also recommended that the TMAP, which would need to address pedestrian and bicycle network issues, be prepared and submitted prior to the first future application.

4.2.6 RailCorp

RailCorp raised no objection to the proposal, however, advised that the potential effects of the development on the proposed Parramatta Rail Link West (PRL West) also needs to be taken into account in the environmental assessment. RailCorp also requested that the following conditions to be imposed on any approval:

- adequate drainage from the development due to sites location near the rail corridor;
- prepare report on the Electrolysis risk to the development from stray currents;
- amended acoustic report to consider future rail line duplication as part of future construction of PRL West;

- assessment of design measures to consider rail noise and vibration based on future duplication and intensification of rail operations;
- acoustic assessment to be submitted to Council prior to issue of Construction Certificate to demonstrate compliance with Department's document 'Development Near Rail Corridors and Busy Roads – Interim Guidelines.
- plan showing all craneage and other aerial operations to be submitted to RailCorp prior to issue of Construction Certificate and compliance with RailCorp requirements;
- no rock anchors into the rail corridor; and
- potential effects of the development on PRL West and proposed measures to avoid / minimise potential effects need to be addressed.

Comment

The Department has considered RailCorp's comments and addressed the potential noise and vibration impacts in Section 5 of this report and incorporated its recommended conditions in the Stage 1 Project Approval.

4.2.7 Sydney Water

Sydney Water raised no objection to the proposal, however, advised that they previously provided the Proponent with its requirements which are still valid and that the Proponent will require a Section 73 Compliance Certificate for all future development on site.

The Proponent has committed to utilising water sensitive urban design measures and providing the necessary drainage and stormwater infrastructure works in their Statement of Commitments.

Comment

The Department notes Sydney Water's requirement and has recommended appropriate conditions be imposed in the Project Approval of Stage 1.

4.2.8 Integral Energy

Integral Energy raised no objection to the proposal, however, advised that:

- multiple underground high voltage cables will need to be installed to the site from one of Integral Energy's Zone Substations;
- multiple substation sites need to be installed at suitable locations so that low voltage supplies can service the new dwellings; and
- Integral Energy will further assess Shortland and Moffatts precincts when an 'Application for Connection of Load' is submitted by the Proponent.

Comment

The Department has considered Integral Energy's comments and has recommended appropriate conditions be imposed on any Project Approval of Stage 1.

4.2.9 Community submissions

A total of 10 submissions were received from the community. 9 of these submissions were objections, while none expressed support for the proposal. Key issues raised included:

- inappropriate zoning given the site is not supported by adequate public transport and infrastructure, and should be subject to further community consultation;
- insufficient retail services to service new residents;
- insufficient infrastructure, including schools, transport, parks and public services (police) to accommodate increased residential population;
- increase in socially disadvantaged population may potentially affect safety and security within the locality which already experiences anti-social activity;
- multi-storey developments adjoining single storey residential development is an inappropriate transition with surrounding development and would result in adverse amenity impacts on the single storey developments, including privacy, views, solar access, and noise impacts;
- inadequate road network to support existing traffic and buses and will result in increased congestion and poor access and circulation without improvements to the road network.

Further assessment of the entire road network required to identify traffic management measure to improve traffic circulation;

- cumulative impacts from traffic generation from redevelopment in Carlingford needs to be considered;
- road widening of Shortland Street required to accommodate future traffic and buses and extension of Winter Street to Sturt Street to improve traffic flow;
- additional off-street parking required to attract private ownership and to avoid on-street parking and potential traffic safety risks;
- improvements to train service and public transport infrastructure required to accommodate new residents;
- improvements to pedestrian network and accessibility of the footpaths;
- inconsistency with Council's LEP 2001 and views of local residents regarding future housing and development of the locality;
- height and size of proposed building should be restricted to a maximum of three storeys;
- greater percentage of privately owned dwellings required to ensure a new housing ghetto is not formed;
- greater need to monitor and maintain community facilities;
- insufficient housing mix to attract stable families;
- insufficient level of community consultation;
- insufficient detail on plans; and
- insufficient assessment of social and cultural history of the site and potential impacts on heritage items.

Comment

The Department has considered the communities comments and addressed them in Section 5 of this report.

4.3 SUBMISSIONS RECEIVED ON PREFERRED PROJECT REPORT (PPR)

The Department forwarded the PPR to Council, NSW Transport and RTA for comment, all of which made submissions.

A summary of the issues raised in the submissions is provided below and a copy of submissions included in **Appendix E**. These issues are addressed in Section 5 of this report.

4.3.1 Parramatta City Council

Council supported the renewal of Telopea proposal and raised the following issues:

- the upfront payment of developer contributions of 25% for the private component does not provide clarity on how it relates to future applications and the cost is unclear as there are no details regarding which components will be private. The timing of payment will also not take into consideration increases in cost over time;
- the payment of developer contributions in accordance with Council's s94A plan would contribute to works in Council's s94A plan and not specifically improvements in the Telopea renewal precinct. Subsequently, Council maintains that a Voluntary Planning Agreement or Deed of Agreement would be the most appropriate approach and should coincide with the first Stage of the project as the timing for when the private development will occur is not certain;
- the building envelopes are inconsistent with draft PLEP 2010;
- urban design issues regarding the Stage 1 buildings including pedestrian connectivity, detail regarding public domain works, the bulk and scale of Building A1 as a result of the design of the roof, blank walls and reduction in the sizes of private balconies;
- inadequate car parking provisions for public housing component;
- inadequate consideration of utility and infrastructure works required for the Concept Plan;
- insufficient community consultation; and
- location of public and private housing components.

Comment

The Department has considered Council's comments and addressed them in Section 5 of this report. Council also provided a number of draft conditions for any Project Approval of Stage 1 regarding delivery of footpaths, construction and traffic management requirements, and rectification of any damage to public infrastructure. The Department has recommended these conditions be included in the Stage 1 Project Approval.

4.3.2 Roads and Traffic Authority (RTA)

The Proponent provided in the PPR an addendum to the traffic report that was submitted with the EA which assessed the impacts of the Concept Plan. The RTA provided the following comments:

- a TMAP shall be prepared prior to the lodgement of any future application and this should be reflected in a modified Statement of Commitments;
- the Proponent should commit to undertake any works required as an outcome of the TMAP or provide appropriate funding for any works;
- the mode split target to be adopted in the TMAP needs to be developed in agreement with RTA, NSW Transport and other stakeholders;
- car parking should be minimised to achieve mode split targets in the TMAP;
- car parking provisions of Stage 1 are considered low and impacts on local road amenity needs to be considered; and
- further investigation of the impacts on Kissing Point Road/Adderton Road and Kissing Point Road/Park Road intersections should be undertaken.

Comment

The Department has considered the RTA's comments and agree with the RTA's requirements regarding the TMAP and further consideration of traffic impacts. The Department has recommended appropriate modifications to the Concept Plan and future environmental assessment requirements to ensure these studies are undertaken prior to future applications for the site. The RTA also provided a number of recommended conditions regarding construction and operational aspects of Stage 1, including stormwater discharge, detailed design of car parking areas and driveways, and demolition and construction traffic management plan. The Department has included these in the recommended Project Approval of Stage 1 where appropriate.

4.3.2 NSW Transport

NSW Transport has reviewed the PPR, and raised no issue with the addendum to the traffic report which considers the impacts of the Concept Plan, and supports the commitment to provide a TMAP. However, NSW Transport recommends that the TMAP be prepared and implemented at the beginning of the process to ensure sustainable outcomes are integrated into future applications. The Pedestrian Access and Mobility Plan and Green Travel Plan should also be provided at an early stage in the process.

Comment

The Department has considered NSW Transport's comments and agree with NSW Transport that these plans should be provided at an early stage to ensure any sustainable and active transport measures are adopted for all future applications. The Department has recommended appropriate modifications to the Concept Plan and future environmental assessment requirements to ensure these issues are addressed in the TMAP and are undertaken prior to future development on the site.

5 ASSESSMENT

The Director General's Requirements and following key issues were considered in the Department's assessment of the EA:

- density;
- built form and urban design;
- environmental and residential amenity;
- transport and traffic impacts;
- developer contributions;
- social impacts;
- staging; and
- ecologically sustainable development.

5.1 DENSITY

5.1.1 Site Suitability

The proposal intends to increase the density of the site from 531 dwellings to up to 1,900 dwellings. The site is currently zoned 2b residential and 2c residential and only allows medium density housing to be developed on the site consisting of multi-unit housing and residential flat buildings. Medium density housing in the form of 3 storey residential flat buildings and multi-unit villas/cottages are already provided on the site, as well as 9 storey high density housing and single detached dwellings. To provide an increase in density, the Proponent is seeking approval for land uses and building envelopes that are currently not permissible in the zones, and would result in significant increases to the permissible height and floor space ratio's that apply to the site.

The increased density is sought to optimise use of the existing infrastructure, foster urban renewal of the area, achieve new housing targets for the Parramatta LGA and provide a more sustainable community by promoting a social mix via introducing private ownership throughout the site. The proposal would also regenerate and redevelop approximately 380 ageing Housing NSW dwellings, which is identified as an objective of the State Plan. The Proponent has identified that the site is appropriate for higher densities to meet the aims of the state and local planning policy regarding the provision of social housing, and increasing densities in close proximity to public transport, services and employment.

The site is situated in an accessible location, with good access to public transport options. The site adjoins Telopea Railway Station and the site surrounds Waratah Shopping Centre, which provides local services such as a supermarket, small retail and food outlets. The entire site is located within 600m of the Telopea Railway Station and Waratah Shopping Centre. Located adjacent to the site are also community facilities including the Neighbourhood Centre, Telopea Public School, Sturt Street Reserve, Waratah Montessori Pre-School and the Dundas Library.

Telopea is identified as a 'Small Village' in Sydney's Metropolitan Strategy and has been identified as a centre where significant residential growth is expected to occur. The site benefits from easy access to villages and centres in the local region, including:

- Carlingford 'Village' located approximately 1.4km from the site which offers a greater variety of services and facilities;
- Parramatta, a 'Regional City' comprising a full range of business, government, retail, cultural, entertainment and recreational activities is located approximately 4.5km to the south west of the site; and
- Westmead 'Specialised Centre' is located approximately 5km from the site, which provides key employment opportunities in health and health related teaching and expected to diversify into research and development employment opportunities also as the Centre expands.

In addition to the strategic objectives outlined in the Draft West Central Subregional Strategy which identifies the site for potential residential growth, Council's draft PLEP 2010 also identifies zoning and height controls that are generally consistent with the building envelopes sought in the Concept Plan. The site was identified as an area for potential housing growth in Council's Residential Development Strategy and the majority of the site was subsequently zoned as 'R4 -

High Density Residential' zone under the PLEP 2010. A small portion of the site has been zoned 'B4 – Mixed Use' given its proximity to the existing Waratah Shopping Centre and opportunities for growth.

Council raised no objection to the proposed land uses (building types) as they are generally consistent with those in Council's draft PLEP 2010. Furthermore, new development occurring in the vicinity of the site is to provide medium density dwellings, including three storey multi-unit housing (see Figure 8). This redevelopment is also consistent with the vision for the area as the zoning proposed under Council's draft PLEP 2010 for the site and adjoining area promotes high and medium density housing.



Figure 8 – Multi-unit housing on Marshall Road

The Department considers the higher density proposed for the site is appropriate given its location, high level of accessibility, contribution to urban renewal and consistency with key local and State strategic planning policies which identifies the site as an area for residential growth.

5.1.2 Floor Space Ratio (FSR)

The Proponent seeks a maximum FSR for the site of 1.7:1. The FSR that is currently applicable to the site under PLEP 2001 varies from 0.6:1 to 0.8:1. The proposal seeks to vary the prescribed FSR for the site.

The draft PLEP 2010 does not prescribe a FSR for the majority of the Concept Plan site except for the northern allotments of the site which adjoin privately owned development. Council has indicated that the FSR's sought have significant departures from the FSR's in the Council's draft PLEP 2010 and does not allow for an appropriate transition to adjoining low density residential areas. The permissible FSR, draft FSR control and proposed FSR are provided in Table 8.

Table 8 – FSR Controls

Precinct	PLEP 2001	Draft PLEP 2010	Concept Plan
Shortland	0.8:1	-	1.7:1
Moffatts	0.8:1	-	2.0:1
Polding	0.8:1	-	1.7:1
Wade	0.8:1	-	1.7:1
Eyles	0.8:1	-	2.0:1
Sturt	0.8:1	-	2.1:1
Marshall	0.8:1	-	1.4:1
Figtree	0.6:1	0.8:1	1.1:1
Parade	0.6:1	0.8:1 – 1.1:1	1.0:1
Evans	0.6:1	2.0:1	2.0:1

The proposal does not comply with the current FSR controls, however, is generally consistent with the draft FSR controls except for minor variations in Figtree and Parade Precincts. The total FSR sought is 1.7:1 which is considered reasonable to achieve medium to high density development. The Proponent has also concluded that there would be no significant environmental impacts as a result of the additional floor space proposed.

The Department considers that the proposed FSR's are acceptable as they are generally consistent with those prescribed in Council's draft PLEP 2010 and would not result in any adverse amenity impacts (see Section 5.3 of this report).

The proposed FSR for Stage 1 of the proposal is 1.7:1 for the Shortland Precinct and 2.0:1 for the relevant part of Moffatts Precinct. These exceed the current PLEP 2001 controls, however, no FSR control applies to the sites in Council's draft PLEP 2010. The Department considers that as a FSR of 2.0:1 is applicable to Evans Precinct, which has height restrictions of 15 metres compared to Shortland and Moffatts, which have height restrictions of 14 metres and 19 metres, respectively, the proposed FSR's are comparable. Given the desire for increased density and residential growth, the increased FSR is reasonable provided an appropriate built form is achieved, there are no adverse amenity impacts and there are appropriate supporting services.

5.2 BUILT FORM AND URBAN DESIGN

5.2.1 Height

Concept Plan

The proposed height varies across the Precincts with higher building envelopes of 6 storeys sought towards the centre of the site between Teloopa Railway Station and Waratah Shopping Centre and lower heights of 3 to 4 storeys for precincts that adjoin existing low-medium scale development to the north. The existing height varies across the site from single storey villas/cottages to 3 storey residential flat buildings to 9 storey high density housing.

The height controls prescribed under the PLEP 2001 for the site varies from 2 to 3 storeys. The Proponent is proposing building heights ranging from 6 storeys for the southern and central Precincts, stepping down to 4 storeys and 3 storeys for the north-eastern Precincts of the site, which adjoins existing low scale development (see Figure 9). These heights do not comply with those permitted under the PLEP 2001.



Figure 9 – Proposed heights and surrounding heights

The draft PLEP 2010 permits varied building heights from 11 metres to 21 metres (see Table 9). The heights sought in the Concept Plan are generally consistent with the prescribed heights in the draft PLEP 2010 with the exception of Shortland Precinct where proposed heights of 5 and 6 storeys exceed the prescribed height limit of 14 metres (approximately 4 storeys).

Table 9 – Height Controls

Precinct	Existing	PLEP 2001	Draft PLEP 2010*	Concept Plan
Shortland	2-3 storeys	3 storeys	14 metres (approx 4 storeys)	5-6 storeys
Moffatts	1-3 storeys	3 storeys	19-21 metres (approx 5-6 storeys)	6 storeys
Polding	1-3 storeys	3 storeys	19 metres (approx 5-6 storeys)	6 storeys
Wade	9 storeys	3 storeys	19 metres (approx 5-6 storeys)	6 storeys
Eyles	2-3 storeys	3 storeys	19 metres (approx 5-6 storeys)	6 storeys
Sturt	3 storeys	3 storeys	19 metres (approx 5-6 storeys)	6 storeys
Marshall	2-3 storeys	3 storeys	14 metres (approx 4 storeys)	4 storeys
Figtree	1 storeys	2 storeys	11-14 metres (approx 3-4 storeys)	3-4 storeys
Parade	1 storeys	2 storeys	11-14 metres (approx 3-4 storeys)	3-4 storeys
Evans	1 storeys	2 storeys	15 metres (approx 4 storeys)	4 storeys

* Approx storeys derived from draft Parramatta Development Control Plan 2010 (DCP 2010)

The Proponent has provided the following justification for the heights sought:

- the proposed heights are broadly consistent with the objectives for the heights of buildings contained within the draft PLEP 2010;
- the tallest buildings are located towards the centre of the site, locating the bulk and mass of development along a corridor from the train station to the local shops, surrounded by lower building heights, to allow for a transition of scale; and
- the minor departures from the draft controls would not result in any significant adverse environmental impacts.

Council identified the heights within Shortland Precinct as an issue as they exceed those prescribed in Council's draft PLEP 2010 and were not considered to provide an appropriate transition between the site and the adjoining development. Council also identified the proposed heights of the Figtree, Parade and Evan Precincts as requiring further consideration given that they will interface with lower density zones as proposed in Council's draft PLEP 2010.

The PPR provided improvements to the built form relationship between the proposal and the private properties, which are isolated within the Concept Plan area but do not form part of the Concept Plan site. This was achieved by reducing the height of the building envelope situated between the two properties by one storey in the Figtree Precinct to 3 storeys (see Figures 11 and 12).



Figure 11 – Figtree Precinct in EA (as exhibited)



Figure 12 – Figtree Precinct in PPR

The Department is generally supportive of the increased building heights as they are required to:

- support the increased development intensity required to assist in urban renewal of the site;
- provide additional housing to meet regional targets; and
- diversify the housing and social mix in the area.

The building heights exceeding those permitted under the PLEP 2001 is considered reasonable given the increased heights are generally consistent with those in the draft PLEP 2010. The Department considers that a suitable transition of building height occurs between the higher densities in the Concept Plan and the adjoining lower residential densities, and amenity to these private properties can be maintained with adoption of best practice design principles in future detailed design stages for future applications. The proposed heights provide an appropriate and gradual transition from 6 storeys to 4 storeys and to 3 storeys, which adjoins privately owned surrounding residential development, which is 1 to 2 storeys.

Stage 1

The heights of Stage 1 of the project are 20.3 metres (Building A1) and 23.2 metres (Building A2) in the Shortland Precinct, and 21.8 metres (Building J3) in the Moffatts Precinct. Stage 1 does not comply with the prescribed 14 metre height limit in the draft PLEP 2010 for Shortland Precinct and the 19 metre height limit in the draft PLEP 2010 for Moffatts Precinct. The primary reason for non-compliance in the Moffatts Precinct is due to the sloping nature of the site which varies from approximately RL31.5 to RL28.72. Council raised no issue with the height of the Building J3 in Moffatts Precinct.

The Department considers the building heights sought in Shortland Precinct are acceptable as the Precinct provides an appropriate transition between the lower scale private residential development to the north of one and two storey and the existing 9 storey high density housing to the south. The adjoining residential properties to the north also have the potential to be developed up to 11 metres in accordance with the high density zoning and proposed height limit of 11 metres in the draft PLEP 2010. Building A2 is 6 storey building. Subsequently, it does not comply with the 5 storey height limit sought in the Concept Plan. However, as Building A2 provides a stepped form and would have acceptable amenity impacts (see Section 5.3), the Department considers the height acceptable and has therefore recommended that the Concept Plan be modified to prescribe a maximum height of 6 storeys for the whole of Shortland Precinct.

The Department considers the exceedance of 2.8 metres for Moffatts Precinct is acceptable as a 19 metre height limit would generally accommodate a six storey building, however, due to the sloping nature of the site, Building J3 does not comply. The Department considers the minimal exceedance acceptable as the height exceedance would have no adverse impacts on the surrounding environment. Any reduction to provide compliance with the draft numerical controls would not result in any significant benefit as it would have little effect on the perceived height, bulk and scale of the building given a height of 6 storeys is sought for the remainder of the Precinct. Building J3 is a 7 storey building. Subsequently, it does not comply with the 6 storey height limit sought in the Concept Plan. However, as the additional storey of Building J3 comprises the basement level extending above natural ground level due to the slope of the site, the Department considers the height acceptable and has therefore recommended that the Concept Plan be modified to prescribe a maximum height of 7 storeys for the Stage 1 part of the Moffatts Precinct.

5.2.2 Bulk and Scale

The bulk and scale on the site will significantly increase as a result of this proposal. The increase in bulk and scale would be generally consistent with the draft PLEP 2010 which seeks to apply a high density residential zoning for the site. To manage the bulk and scale across the site the Concept Plan seeks approval for heights and FSR's which would otherwise be managed by the permissible heights and FSR's under the draft PLEP 2010. As only indicative footprints have been provided, except for Stage 1 of the proposal, the potential internal amenity issues for

the Precincts and for future dwellings would need to be addressed in future applications for all Precincts.

The height and FSR controls for the Concept Plan, discussed in the previous sections, are generally consistent with those identified in draft PLEP 2010. Where there are inconsistencies, the Department considers the variations to be acceptable given an appropriate transition has been provided across the Concept Plan site. The Department also notes that the surrounding sites have also been identified for high density residential housing, and whilst low scale development may exist in some areas, these could potentially be developed for medium-higher density developments under the draft PLEP 2010.

The Department considers the bulk and scale acceptable for each Precinct. Appropriate mitigation measures would be recommended where required for individual buildings at future application stages. Further information is provided in Table 10.

Table 10 – Bulk and scale of the Precincts

Precinct	Proposal	Department Consideration
Shortland	5 and 6 storeys and FSR 1.7:1	Acceptable, given the existing bulk and scale comprises medium density buildings (3 storeys) and the proposal provides: <ul style="list-style-type: none"> a suitable transition between the existing single and two storey properties to the north and the existing 9 storey residential buildings in Wade Precinct to the south; a suitable transition from west to east, by establishing the 6 storey building adjacent to the Railway Line and a stepped 6 storey building adjoining the Marshall Precinct (seeking heights up to 4 storeys); and appropriate separations to surrounding residential areas to ensure the bulk and scale of these two buildings do not have any adverse amenity impacts (refer to Section 5.3).
Moffatts	6 storeys and FSR 2.0:1	Acceptable, given it adjoins roads and open space and existing bulk and scale comprises medium density (up to 3 storeys). Building J3 of Stage 1 would potentially have adverse construction impacts and amenity impacts. The Department has recommended appropriate conditions to mitigate and manage visual and acoustic privacy issues (see Section 5.3).
Polding	6 storeys and FSR 1.7:1	Acceptable, as the existing bulk and scale comprises medium density (up to 3 storeys), subject to careful consideration of overshadowing impacts to residential to the south in future applications.
Wade	6 storeys and FSR 1.7:1	Acceptable given a reduction in bulk and scale compared with the existing bulk and scale of 9 storeys (to be retained) in the Precinct.
Eyles	6 storeys and FSR 2.0:1	Acceptable, given the greatest bulk and scale is being sought in the centralised Precincts and existing buildings are 3 storeys.
Sturt	6 storeys and FSR 2.1:1	
Marshall	4 storeys and FSR 1.4:1	Acceptable, given increase in height by one storey.
Figtree	3 and 4 storeys and FSR 1.1:1	Acceptable, given the 3 storey height limit sought for the majority of the Precinct is consistent with recently constructed development to the east of the Precinct. The larger building envelope sought in the Precinct (4 storeys) is acceptable as it is located at the southern end of the Precinct which would provide an appropriate transition to the 6 storey Precincts. The PPR also reduced the height and GFA of the building envelope situated between two privately owned properties from 4 storeys to 3 storeys and by approximately 485m ² , to provide an improved interface and to address Council concerns.
Parade	3 and 4 storeys and FSR 1.0:1	Acceptable, given consistent with multi-unit building types approved on Marshall Road adjoining low scale residential dwellings. Also, similar to the Figtree Precinct, the 4 storey component provides a transition to the 6 storey Precincts and Waratah Shopping Centre where heights of 14 metres are prescribed in the draft PLEP 2010.
Evans	4 storeys and FSR 2.0:1	Acceptable, given the site is located in close proximity to the shops and a bus stop.

5.3 ENVIRONMENTAL AND RESIDENTIAL AMENITY

5.3.1 Amenity

The Residential Flat Design Code (RFDC) and design quality principles of SEPP 65 aim to ensure adequate environmental and residential amenity can be achieved in new residential flat buildings. The RFDC sets out a number of 'rules of thumb' which provide prescriptive standards for residential flat development that would ensure the development complies with the intent of the SEPP 65.

Concept Plan

As only indicative building footprints have been provided for the Concept Plan, setbacks, layouts and separation have not been clearly identified. The Proponent has indicated that the indicative built form can generally meet the intent of SEPP 65 and the guidelines in the RFDC. Detailed design would need to be addressed at future application stages. A full assessment would be undertaken for future applications. The Department has therefore identified compliance with SEPP 65 and the RFDC as a future environmental assessment requirement for future applications as the indicative building footprints do not form part of the approval.

Stage 1

The Proponent has provided a SEPP 65 and RFDC assessment for Stage 1 of the proposal and the assessment concluded that visual privacy and adequate amenity can be achieved for Stage 1 sites. The Stage 1 sites have been assessed against the RFDC and DCP 2005 setback requirements. Outlined in Table 11 is an assessment of the Stage 1 sites against the key controls in the RFDC and the DCP 2005. The controls in DCP 2005 are consistent with those in Parramatta's draft DCP 2010.

Table 11: Compliance with RFDC and DCP 2005 requirements

RFDC Requirement		A1	A2	J3	
Building Depth		Maximum 10-18 m	29.5 m	17-20.5 m	12- 25.5 m
Separation	Up to 12 metres	12 m between habitable rooms / balconies	18 m	8.6 m	3 m (temporary) 13 m (long term)
	Up to 25 metres	18 m between habitable rooms / balconies	18 m	8.6 m	3 m (temporary) 13 m (long term)
Minimum size		1 bed: 50 m ²	63 m ²	63 m ²	63 m ²
		2 bed: 70 m ²	82 m ²	80 m ²	78 m ²
Floor to ceiling		2.7 m	3.0 m	3.0 m	3.0 m
Max units per core area		8	8	6	5
Cross-ventilated units		60%	60.6%	60.6%	81.6%
DCP 2005 Requirement			Shortland	Moffatts	
Minimum Frontage		24 m	72 m	63 m	57 m
Front		5-9 m	5 m	5 m	6 m
Side		4.5 m	12 m	3 m	4.5
Rear		15%	7.5 m (16% - site depth 46m)	9 m (23% - site depth 40m)	10 m (24% - site depth 42m)

The proposal for the Stage 1 sites has demonstrated general compliance with the intent of SEPP 65 and the associated RFDC except for building depth, separation and solar access (discussed in Section 5.3.2). The Proponent has stated that the building depth of Building A1 does not meet RFDC standards, however, appropriate amenity can be achieved as 6 out of 8 units per floor are dual aspect and cross-ventilated. The Department considers the non-compliance with the guidelines acceptable as the Proponent has demonstrated that natural ventilation can be generally achieved for a high percentage of dwellings with dual aspect and cross ventilation, and a large setback to the north is provided which ensures adequate solar access could be achieved. The building depths of Building A2 and J3 are marginally higher than the recommended depth, however, generally complies with the intent of the RFDC as they have also demonstrated that a high percentage of dwellings can achieve natural ventilation and receive adequate solar access.

Building A1 meets the minimum building separation requirements, while Buildings A2 and J3 do not. The Proponent's justification for the non-compliance of minimum separation between Building A2 and the residential building to the north is that the retention of significant vegetation between the sites would minimise privacy impacts and Building A2 would face secondary windows on the side of the dwelling to the north. The minimum separation required for Levels 1 to 3 would be 12 metres and 18 metres for Level 4 and 5. The Department considers the non-compliance acceptable as the components that primarily extend into the recommended minimum separation on Levels 1 to 3 are two sets of balconies on the north-eastern properties and privacy impacts will be mitigated through retention of the existing vegetation. Accordingly, the Department considers the separation as acceptable as minimal adverse impacts are expected to result from the reduced separation.

Building J3 will temporarily be situated in close proximity to a number of existing dwellings to be demolished to accommodate future stages (5 metres to Building 1, 7 metres to Building 2 and 3 metres to Building 3 in Figure 13). The Proponent has identified that Building J3 will primarily face secondary elevations that have few windows and therefore would have minimal overlooking and privacy impacts. Also, to address privacy impacts on the north-western dwellings within Building J3, a second balcony has been provided to the dwelling to minimise direct views into the bedrooms of these units. The Proponent has also indicated that it would erect acoustic barriers/hoardings around the site to address construction impacts.

The Department considers that the location of Building J3 and proximity to surrounding existing residential flat buildings would not result in an adequate level of amenity for existing and future residents. However, the Proponent has indicated that this would be a short term impact and that they would endeavour to relocate tenants within 10 metres of the building within 2 years of commencement of construction works. The Proponent has also indicated that they would endeavour to lodge applications for the future surrounding buildings to replace 2 Evans Road and 13 Sturt Street prior to occupation of Building J3. As the site is subject to large scale urban renewal, the Department accepts that there would be short term impacts. However, as there is no certainty regarding the construction of these future buildings, the Department has therefore recommended the existing tenants of the adjoining buildings (Buildings 1, 2 and 3) be relocated and these buildings be demolished no later than 2 years after the commencement of construction of Building J3 or as otherwise agreed to by the Director General. Furthermore, the Department has recommended that the Proponent provide a detailed strategy to identify mitigation measures proposed to improve the amenity outcomes for existing and future residents prior to occupation of Building J3.

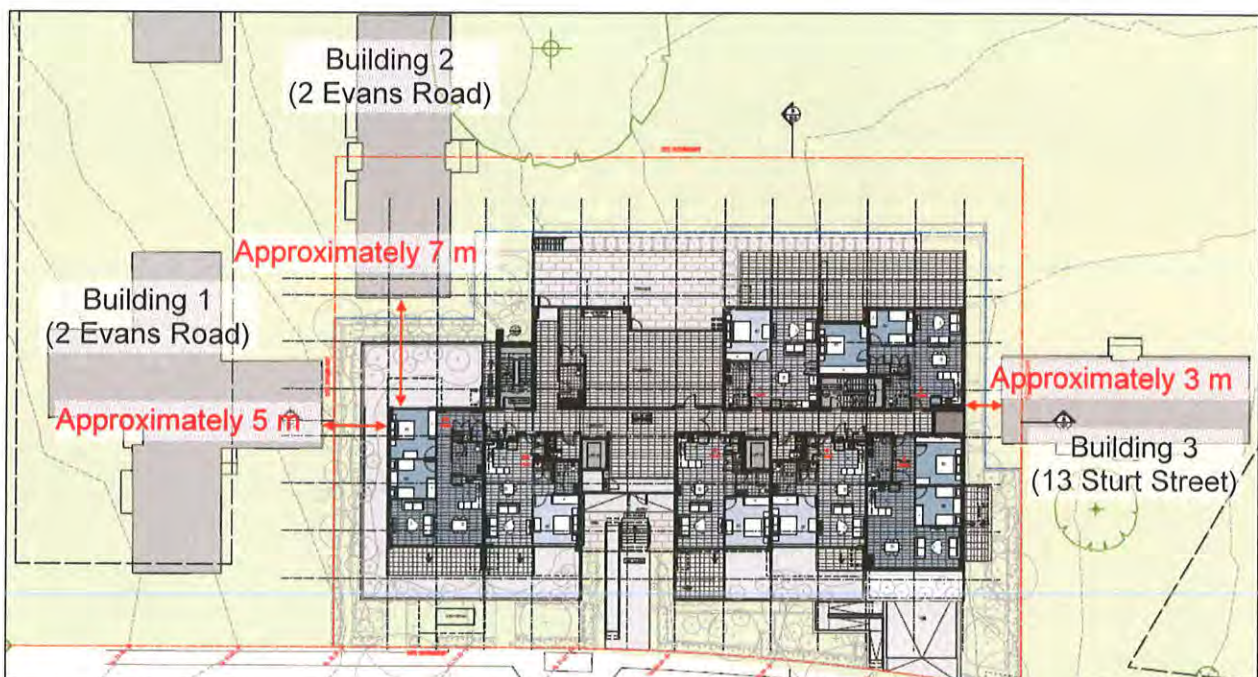


Figure 13 – Buildings surrounding Building J3 in Moffatts Precinct

In the long term, a minimum 13 metre separation could be provided between Building J3 and the future buildings to the east and west as shown in the indicative footprints of the Concept Plan. The Department has recommended that future applications, including for the buildings to the east and west of Building J3, would need to demonstrate that no adverse amenity impacts would result and that they can meet the principles of SEPP 65 and standards in the RFDC.

The Stage 1 buildings generally comply with the DCP 2005 in terms of minimum site frontage, front, side and rear setbacks. The only setback that does not comply is side setbacks for Building A2. The Department considers the minimal side setback is acceptable as a building separation between Buildings A1 and A2 of approximately 18 metres is provided, therefore, no adverse privacy issues or amenity issues would arise.

The Department has considered the architect's design verification statement and the Proponent's SEPP 65 assessment and generally accepts that the built form, density and amenity of the Shortland Precinct buildings are acceptable and have been designed in accordance with SEPP 65 design principles and the RFDC. The Department considers that adverse amenity impacts to existing residents adjoining Building J3 and future residents of Building J3 would result. The Department has therefore recommended that the Proponent provide a detailed strategy to minimise any adverse amenity impacts in the short term and that the existing tenants of the adjoining buildings (Buildings 1, 2 and 3) be relocated and these buildings be demolished no later than 2 years after the commencement of construction of Building J3, or as otherwise agreed to by the Director General, having considered the effectiveness of the ongoing mitigation measures recommended by the Department to improve amenity outcomes for existing and future residents.

5.3.2 Solar Access and Overshadowing Concept Plan

The potential overshadowing impacts on properties adjoining the Concept Plan was considered by the Proponent in the PPR in response to issues raised by the Department. The overshadowing of the Concept Plan would potentially have the most significant impacts on residents to the south of the Polding Precinct. Other properties surrounding the development to be affected are 2 and 8 Figtree Avenue (the isolated private properties surrounded by the Concept Plan site), 23 Shortland Street and 9 The Parade which are located to the south of the 4 storey building envelope in the Parade Precinct. The remainder of the adjoining properties are not expected to experience overshadowing from the proposal during the winter solstice based on the indicative building footprints and therefore would receive a minimum 3 hours of solar access during the winter solstice to living rooms and private open spaces.

The key impacts based on the indicative footprints would be:

- the majority of properties adjoining the Polding Precinct would still receive a minimum of 3 hours of sunlight during the winter solstice, whilst two properties would only receive a minimum 2.5 hours. Whilst this is acceptable in dense urban areas the impacts can be further reduced in detailed design stages for future applications to maintain a minimum 3 hours during the winter solstice;
- the living rooms of 2 and 8 Figtree Avenue would only maintain 2 hours of solar access, while the open space area would experience solar access from 9 am to 3 pm during the winter solstice; and
- there would be additional overshadowing after 2 pm on 23 Shortland Street and 9 The Parade. These properties would still be able to maintain a minimum 3 hours of solar access during the winter solstice.

Accordingly, based on the indicative building footprints, the surrounding residential areas would still be able to maintain a minimum 2 hours of solar access to living rooms and private open space areas during the winter solstice. However, as the building footprints would most likely be modified during detailed design stages, the Department recommends that future applications

address overshadowing impacts on adjoining properties to ensure overshadowing impacts are minimised.

The RFDC recommends that in dense urban areas a minimum of 2 hours of sunlight could be provided between 9 am and 3 pm during the winter solstice to the living rooms and private open spaces areas for 70% of apartments. As the Concept Plan only provides indicative building footprints and does not provide floor plans, a full assessment cannot be undertaken at this stage and would need to be addressed in future applications. The Department has recommended that solar access to future dwellings be a key future assessment requirement.

Stage 1

The Stage 1 buildings in Shortland Precinct would have minimal overshadowing impacts on the surrounding residential properties (see Figures 14-17). Two residential flat buildings in Shortland Street would be affected by the development after 2 pm and therefore a minimum 3 hours of sunlight is maintained during the winter solstice.

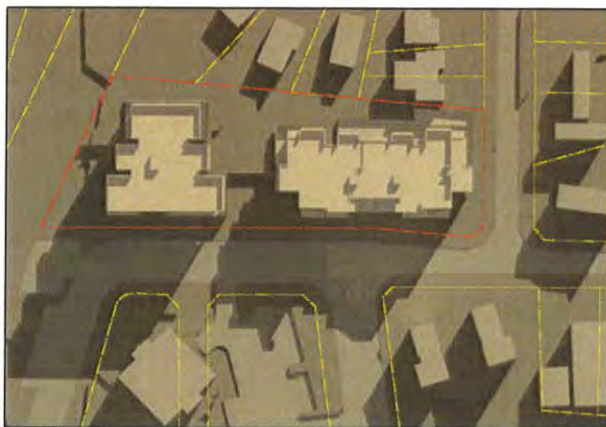


Figure 14 – Shortland Shadow Diagram Winter Solstice 9 am



Figure 15 – Shortland Shadow Diagram Winter Solstice 12 Midday



Figure 16 – Shortland Shadow Diagram Winter Solstice 2 pm



Figure 17 – Shortland Shadow Diagram Winter Solstice 3 pm

Building J3 in Moffatts Precinct would have overshadowing impacts on the residential flat building in close proximity to the east (13 Sturt Street, to be demolished to accommodate future development envisaged under the Concept Plan) from approximately 12 midday (see Figures 18-20). The properties in the residential flat building would still maintain a minimum 3 hours of sunlight between 9 am and 3 pm during the winter solstice.



Figure 18 – Moffatts Shadow Diagram Winter Solstice 9 am



Figure 19 – Moffatts Shadow Diagram Winter Solstice 12 Middy



Figure 20 – Moffatts Shadow Diagram Winter Solstice 3 pm

The Department is satisfied that solar access to surrounding residential properties will not be unreasonably affected as the main living areas/private open space areas of all dwellings affected by the proposal would maintain a minimum of 3 hours of direct sunlight between 9 am and 3 pm during the winter solstice, as recommended in the RFDC.

The Proponent's assessment for Stage 1 indicates that 64% of open spaces and 60% of living rooms in the Shortland Precinct buildings will achieve 3 hours of solar access during the winter solstice. The proponent's assessment indicates that 65% of open spaces and living rooms in Building J3 will receive 3 hours of solar access during the winter solstice. These do not comply with the 70% required in the RFDC. The Proponent's justification is that due to the provision of additional south facing properties to provide safety benefits from greater passive surveillance to the south, broader amenity outcomes for the Concept Plan have been achieved.

The Department is satisfied that the SEPP 65 intent to optimise solar access has been achieved for the Stage 1 of the proposal and the Stage 1 proposal would not have adverse impacts on the solar access of surrounding properties.

5.3.3 Privacy Concept Plan

Visual privacy for surrounding properties is not considered to be unreasonably affected due to the orientation of the buildings and provision of adequate setbacks and landscaping treatments. The existing development located on the site also demonstrates that medium to high density

housing can be provided without adversely impacting the privacy of surrounding areas. The higher density components of the proposal would be supported by buffers (the local roads) and the outer Precincts of the Concept Plan proposal. The Precincts that adjoin the surrounding development are seeking lower heights and less intensive dwelling types to ensure fewer privacy issues.

Given the slope of the site and existing development, it is not envisaged that the views of existing dwellings in the vicinity will be affected by the proposal. However, the views from the existing high density housing (to be retained) may be partially affected by the proposal. The Department considers that with appropriate positioning and separations, impacts would be minimised given its location at the top of the slope. Further consideration of this issue would need to be undertaken at future application stages.

Stage 1

The Stage 1 buildings in Shortland Precinct would not have any adverse privacy impacts as the Shortland Precinct enjoys adequate buffers on all boundaries except to the north where private properties adjoin the Precinct. The properties to the north are well shielded by existing mature trees to be retained and a minimum separation ranging from 9 metres to 22 metres is provided. Sliding shutters have also been incorporated into the treatment of the north facing windows to reduce overlooking of the existing houses to the north.

The Stage 1 building in Moffatts Precinct would potentially have adverse privacy impacts on adjacent properties prior to the future demolition of these residential flat buildings as only one building within the Precinct is being demolished to accommodate Building J3. The surrounding buildings are proposed to be retained until future stages of Moffatts Precinct are approved in accordance with the Concept Plan. The Proponent has stated that to address the short term privacy impacts Building J3 is orientated to minimise the effects. The Proponent has also indicated that acoustic barriers/hoardings will be erected to address construction impacts and privacy screens installed on existing windows facing Building J3.

The Department considers that the location of Building J3 in proximity to the existing buildings does not result in adequate privacy for the existing and future residents. The Department accepts that there would be short term impacts given the large scale urban renewal being targeted across the site. To mitigate these short term impacts the Department has recommended that the Proponent provide a detailed mitigation strategy to demonstrate how adverse impacts will be managed and mitigated. To ensure that there are no long term impacts, the Department recommends that the existing tenants of the adjoining buildings (Building 1, 2 and 3 - see Figure 13) be relocated and the buildings be demolished no later than 2 years after the commencement of construction of Building J3.

5.3.4 Noise and Vibration Impacts

The Proponent provided a revised Concept Plan and Project Specific Application Acoustic Report with the PPR in response to issues regarding rail noise and vibration impacts. The revised report concluded that the proposal can comply with noise and vibration objectives. However, the assessment found that potential treatments, including upgraded glazing and screening in Polding Precinct, may be required to mitigate rail traffic noise. The Department considers adequate acoustic privacy can be maintained for existing and future residents and recommends that any future applications in the Polding Precinct provide a detailed acoustic and vibration assessment to identify whether impacts from the Railway require acoustic treatments in the design of the buildings.

5.3.5 Landscaping and Open Space

The site is situated in an area comprising established residential apartment buildings, villas, semi-detached and detached housing. The existing residential development on the site has generous front setbacks and communal open spaces that are connected to public open spaces which contribute to the character of the area. The Proponent has identified that part of the

proposal is to provide greater distinction between private and public open spaces to achieve a greater level of safety and security and sense of ownership.

Concept Plan

The RFDC recommends 25-30% communal open space is provided to residential flat buildings and the DCP 2005 requires 40% of the site to be landscaped area. The Proponent has committed to providing up to 40% of the total site for communal open space and landscaping. In addition, the Proponent has provided a commitment that 10% of the site will be dedicated as public open space, including reservation of Polding Park as public open space and the potential for provision of a community garden.

The Department considers that these provisions are appropriate for the site and future applications would need to demonstrate consistency with these commitments. The Department also considers that future applications for areas to be developed adjoining public open space shall illustrate the relationship between the private and public domain. The Department has also recommended that detailed public domain improvements for the entire site be provided prior to any future application to ensure a consistent approach is achieved across the site and there is certainty on this issue given the future sites will be developed for both public and private purposes.

Stage 1

In regards to Stage 1 of the proposal, the Proponent has provided landscape plans for these sites. The landscape plans demonstrate that approximately 41% of the Shortland Precinct and the Moffatts building site will accommodate deep soil planting, which meets the recommended minimum 25% in the RFDC and 40% in the DCP 2005.

In regards to private open space, the RFDC requires that a minimum of 25m² of private open space be provided for each ground floor apartment with a preferred minimum depth or length of 4 metres. The Proponent has demonstrated that this has been achieved for all ground floor properties in Stage 1 of the proposal. The minimum depth prescribed for balconies in the RFDC is 2 metres, which has been achieved in all the primary balconies for the Stage 1 buildings.

The Department considers appropriate levels of public, communal and private open space have been incorporated into the Concept Plan and Stage 1 of the proposal.

5.4 TRANSPORT AND TRAFFIC IMPACTS

5.4.1 Traffic Impacts

The proposed increase in density sought in the Concept Plan would result in increased traffic generation. A traffic consultant was engaged by the Proponent to initially examine the potential traffic impacts on the surrounding street network resulting from the construction of Stage 1 of the proposal. A Response to Submissions Report was submitted with the PPR, which considered the broader traffic impacts of the Concept Plan, in response to concerns being raised by the Department, the public and government agencies.

The report identified that the Concept Plan would generate 420 additional vehicle trips per hour and that the road network would be able to accommodate this additional traffic generation and no upgrades would be necessary, however, this should be monitored with future applications. The additional traffic would be spread throughout the area and was identified as having acceptable impacts on traffic efficiency and the Level of Service (LoS) of the local intersections during peak periods. The changes to LoS that would result are generally acceptable, including:

- Adderton Rd/ Masson St intersection – from LoS A & B to LoS A & C (am peak);
- Kissing Point Rd/ Sturt St intersection – from LoS A to LoS B (pm peak);
- Kissing Point Rd/ Adderton Rd intersection – from LoS A to LoS B (pm peak); and
- Kissing Point Rd/ Park Rd intersection – from LoS B to LoS C (pm peak).

However, intersections linking with the arterial road network (Pennant Hills Road and Kissing Point Road) are close to capacity in peak hours. Accordingly, the Proponent has committed to

undertaking further investigations to determine how the expected traffic generated from the proposal would impact these major intersections.

The RTA has also requested the preparation of a TMAP, which the Proponent's traffic consultant acknowledged would be required for a development of this scale. The Proponent's traffic consultant identified that the TMAP needs to be prepared for the site at a later stage when the Metropolitan Transport Plan is taking effect and when further design detail is available and approval is sought for 50% of the proposal. The Proponent has committed to providing a TMAP when seeking development approval for 50% of the site. The RTA in their response to the PPR and Statement of Commitments has requested that the TMAP be prepared prior to any future application and that any necessary works are implemented. The Department agrees with the RTA that the TMAP is required at the early stage of the renewal process to ensure that any works or strategies required are adopted in all future applications. The Department has recommended that the Concept Plan be modified to ensure that the TMAP is prepared prior to any future application and any ensuing works are incorporated into the relevant future applications.

The Proponent has also proposed to provide a number of Local Area Traffic Management measures as part of the Concept Plan proposal. The Department considers that these measures are appropriate and should be detailed in the TMAP to be prepared for the site and also addressed in the Staging Plan that the Department has recommended to be provided prior to any future application.

In regards to Stage 1 of the proposal, the Transport and Accessibility Report, submitted with the EA, found that the additional traffic generated from Stage 1 of the proposal would be approximately 15 vehicle trips per hour. The Report concluded that this would have negligible impacts on the traffic efficiency in the surrounding area. Accordingly, no measures are required for the first stage of development. RTA and Council raised no issues with the traffic generation of the first stage of development, and the Department is satisfied Stage 1 will have minimal impacts on the operation of the surrounding road network. The Proponent's traffic consultant indicated that construction traffic and parking can be accommodated on-site and site deliveries managed from the kerb. The Department has recommended that a detailed Construction Management Plan be prepared that identifies construction traffic management measures developed in consultation with Council, including location of work zones, number and frequency of vehicles and construction vehicle routes.

5.4.2 Parking

The Proponent has not specified total car parking spaces for the proposal. The Proponent has indicated that the car parking spaces would be provided for each building in accordance with Housing NSW Design Requirements for public housing components and car parking for private components would be provided in accordance with DCP 2005.

Stage 1 of the proposal seeks approval for the provision of the following car parking spaces, which are provided in accordance with Housing NSW Design Requirements:

- Building A1 – 8 car parking spaces (including 1 service space and 5 accessible spaces) to be provided in at-grade car parks accessible off Shortland Street to the east and west of the building;
- Building A2 – 9 car parking spaces (all accessible) to be provided in one level of basement car parking accessible from Marshall Road; and
- Building J3 – 8 car parking spaces (all accessible) to be provided in one level of basement car parking accessible from Sturt Street.

Housing NSW Design Requirements adopt lower rates of car parking than DCP 2005 as outlined in Table 12.

Table 12 – Off-street Car Parking Controls

	HOUSING NSW		DCP 2005
	Within 400m of shopping centre and good public transport	Between 400m and 800m from shopping centre and good public transport	
1 bedroom	1 space per 10 dwellings	1 space per 5 dwellings	1 space per dwelling
2 bedroom	1 space per 5 dwellings	1 space per 2 dwellings	1 space per dwelling
3 bedroom	1 space per 2 dwellings	1 space per dwelling	1 space per 0.83 dwellings
Visitor Parking	-	-	1 space per 4 dwellings

The Proponent has indicated that this approach is in response to lower car usage of its clients and the need to deliver more affordable housing. Council and RTA identified that the low provision of car parking for Stage 1 and any future public housing may have adverse impacts on the local road amenity. The Proponent has indicated that the lower rate is suitable for the site as there is a lower rate of car usage in the Teloopa area and the car parking provision complies with Housing NSW Design Requirements.

The Proponent's traffic consultant reviewed the car parking utilisation of the Moffatts Precinct, to determine what rates would be suitable for Stage 1 of the proposal. The review found that the Precinct has an existing car parking provision of 1 space per 1.8 dwellings. However, the car parking was utilised at a rate of approximately 1 space per 5 dwellings which is generally consistent with the NSW Housing rates and demonstrates that a higher rate would result in an oversupply of car parking as currently evident in the Moffatts Precinct. Furthermore, while the proposed rate of approximately 1 space per 6.6 dwellings is marginally lower than the current practice of 1 space per 5 dwellings, the Department notes that State objectives are to minimise car parking and achieve a higher mode share of sustainable transport (public and active transport). Accordingly, the Department considers that the provision of off-street car parking for Stage 1 is consistent with State objectives and the minimalist approach to car parking, which is supported by NSW Transport.

Council raised no objection to the DCP 2005 rate being applied to private housing components, however, the RTA has requested that off-street parking be limited to achieve an agreed mode split target. The Department therefore considers that the car parking rates for the Concept Plan should be addressed in future applications in accordance with the outcomes of any future TMAP and its agreed mode share target.

5.4.3 Public Transport

The Department identified public transport as an issue. The Proponent has indicated that the area is well-served by public transport with a bus network that provides adequate bus services to the Teloopa Precinct with buses stopping frequently at Teloopa Station and along the surrounding streets. NSW Transport identified that the site is well serviced by bus services with the key service operating every 10-15mins during peak travel times and linking Teloopa with Parramatta, Eastwood, Macquarie Park and Chatswood. Whilst the train services are infrequent and do not provide a direct train service to the Sydney Central Business District, the 513 bus service also connects Teloopa with West Ryde and Meadowbank which has direct train and ferry services to the City, respectively. The train line also has the capacity for increased service provision, which any increased population would support. The delivery of the approved PRL West would also improve the train services to Teloopa.

The TMAP that the Proponent has committed to and that the Department has required to be provided prior to any future applications would need to identify how an increase mode share to public transport can be achieved and initiatives that need to be undertaken to support an increased public transport mode share. The Department considers adequate public transport capacity exists to support Stage 1 of the proposal and the TMAP will identify if any additional public transport initiatives or measures would need to be implemented to support the future stages. Any future application would need to consider the outcomes of the TMAP and

demonstrate that adequate public transport services are available to support future applications and are consistent with the mode share targets in the TMAP.

5.5 DEVELOPER CONTRIBUTIONS

The Proponent seeks to have developer contributions on public housing components waived and that private components are calculated in accordance with Council's relevant developer contributions plan. The Proponent has also committed to providing a portion of this payment for the private components as an up front payment to offset the temporary increase in residents while future stages are still in the design and approval phases.

The Proponent's justification for waiving the requirement to pay developer contributions for the public housing components of the proposal is based on:

- the provision of public housing dwellings replacing existing public housing dwellings that are no longer viable, therefore there is no net increase except in the short term;
- the provision of enhanced streetscape through upgrades to roads, footpaths, and ancillary infrastructure;
- the provision of open space to benefit residents;
- Housing NSW remaining a committed stakeholder for the life of the building; and,
- the Minister previously waiving Section 94 Contributions for other Housing NSW developments on the basis of the provision of substantial public benefit.

Council has stated in its response to the PPR that whilst it is receptive to waiving the requirement for the public housing component that replaces existing dwellings, it believes the most appropriate structure for levying developer contributions is via a Voluntary Planning Agreement (VPA) or Deed of Agreement as there is no commitment or certainty with the current proposal. Council also indicated that as there is little information regarding staging of the development, there is no certainty regarding the payment of the contributions for the private components which could result in a permanent increase in public housing residents and no contributions. Council has also identified that any contributions levied under Council's Section 94A plan would not be directed into improvements for the area, even though they are investigating developing a community hub in the area.

The Department has considered the views of both parties and considers that no contributions should apply to the public housing components, in accordance with the principles of the Minister's s94E direction, which seeks to waive developer contribution requirements for affordable housing. Furthermore, as the housing is replacing existing housing, there would be minimal increases to demand on local services and infrastructure. The public housing component also provides a significant public benefit to the broader community through the provision of a key community function and service.

Accordingly, the Department agrees that the Proponent's request to waive contributions for the public housing component is reasonable in this case. It is considered that the provision of public housing units in this location equates to a substantial public benefit for those households on low incomes and eligible for public housing. To offset the temporary increase in public residents as a result of development preceding demolition for subsequent stages, the Proponent has offered an upfront payment of 25% of the total developer contributions for the private components. The Department considers this upfront payment as appropriate to allow the infrastructure works to be provided at the initial stages of renewal. The Department notes Council's concerns that the funds levied would not be directed back into the area, however, as Council has identified the area for higher density development, the Department consider that any appropriate community services and infrastructure to support this development should be programmed into the relevant works program for Council to reflect the residential growth envisaged for the Telopea area. The Proponent has also committed to investigating and consulting with Council to determine an appropriate location for medical facilities, potentially in the Moffatts Precinct, which is situated opposite the Shopping Centre and was identified as B4 Mixed Use zone in Council's draft PLEP 2010.

The Department also considers it appropriate that contributions be levied for the private housing components based on Council's relevant s94A plan. In regards to the 25% up front payment, the Department considers that a Staging Plan is required to better understand when the contributions would be likely to be paid and how it will be managed as different formations of the private and public components would influence the calculation of the 25%. The management of how the payments would be offset against future applications is also unclear. Accordingly, the Department has required the Proponent to provide a Staging Plan prior to any future application for works on this site to provide greater certainty and a clear timeframe for the allocation of housing and therefore contributions payable.

5.6 SOCIAL IMPACTS

The proposal will deliver a number of important social and economic benefits, including:

- **Housing** – the new development will provide:
 - renewal and revitalisation of Housing NSW dwellings, a key community asset;
 - increased housing within proximity to public transport, community facilities, employment, educational, commercial and retail centres;
 - a range of housing types that responds to the social mix of the area; and
 - public (approximately 28%) and private (approximately 72%) housing to diversify the social mix;
- **Public Open Space** – the provision of dedicated and formal open space areas that will be made available to the public will be a direct benefit to the community;
- **Jobs** – 275 full time equivalent jobs will be created during the construction phase of the development, as well as 50 full time equivalent on-going operational jobs;
- **Urban Renewal** – promote urban renewal of an area with ageing dwellings that are no longer suitable for Housing NSW requirements and improved infrastructure, including roads and footpaths.

The Department considers that to achieve urban renewal of the area and attract diverse household types to provide a vibrant and stable community, a range of housing options need to be available to attract a mix of households. Whilst only 1 and 2 bedroom households are provided for Stage 1 of the proposal and may be satisfactory for public housing, housing choice is required for the private housing components. Therefore, the Department has recommended that the Proponent address dwelling mix in future applications and meet Parramatta DCP 2005, or the applicable DCP requirements.

The proposed development will support the urban renewal of the Telopea area, which will have positive social and economic impacts on the community as outlined above. The Department has recommended that a community consultative committee be developed to ensure that future stages of the development actively engage and involve the community, given the minimal details regarding staging and delivery to date. The Proponent has also indicated that they would continue to consult with Council to explore incorporating community and local centre uses for retail, personal and professional and community purposes to serve the proposed and neighbouring population in the location in the Evans Precinct and Moffatts Precinct where it fronts Evans Road. This is consistent with the proposed zoning and would be an appropriate location given it adjoins the existing retail shops.

5.7 STAGING

Project delivery is a key matter of public interest, for the local community and also the community at large. As the Concept Plan proposes to develop public housing components as the first stage of development and relies on market demand for the private components, Council and the community have identified that certainty of the development and delivery of the private component as an issue. The Department considers that greater certainty and planning is required, especially as it relates to the Proponent's commitment to pay a portion of the developer contributions up front for the private components and has therefore recommended that the Proponent provide a Staging Plan prior to any future application.

5.8 ECOLOGICALLY SUSTAINABLE DEVELOPMENT (ESD)

The proposal is located within an urban footprint on a previously developed and disturbed site and will not result in loss of any threatened or vulnerable species, populations, communities or significant habitats. The site is also unlikely to be impacted by changes in sea level rising resulting from climate change.

A BASIX assessment was submitted with the EA and ESD report with the PPR for Stage 1 of the proposal and outlines how Stage 1 complies with the requirements of BASIX and has incorporated ecologically sustainable design features in the buildings including:

- adoption of natural ventilation where possible;
- provision of gas boosted solar hot water;
- provision of photovoltaic cells to provide energy;
- provision of sliding louvres to north facing properties to minimise solar penetration and glare;
- provision of water efficient fixtures;
- harvesting of rainwater for landscaping and laundries;
- use of low embodied energy and recycled/reused materials; and
- provision of bicycle storage to promote sustainable transport options.

The proposal has adopted best practice energy and water conservation measures in terms of the installation of water efficient fittings and equipment, optimisation of the use of the site's northerly orientation, maximisation of cross-ventilation, and minimisation of the width of the building to allow daylight penetration and installation of energy efficient lighting and other electrical fittings. The Stage 1 buildings achieve thermal performance, energy efficient and water efficient ratings as follows:

Table 13 – BASIX Performance Targets

BASIX Requirement	BASIX Target	A1	A2	J3
Thermal Performance	Satisfactory	Satisfactory	Satisfactory	Satisfactory
Water Rating	40%	44%	44%	43%
Energy Rating	20%	41%	40%	39%

The Department is satisfied that the proposal adequately incorporates ESD principles into the design of the housing and any future applications would need to address BASIX requirements.

6 CONCLUSION

The Department has reviewed the EA and duly considered advice from public authorities as well as issues raised in public submissions in accordance with Section 75I(2) of the EP&A Act. All the relevant environmental issues associated with the proposal have been extensively assessed. The key issues included density, built form and urban design, environmental and residential amenity including overshadowing, transport and traffic impacts, developer contributions, social impacts, staging and ecologically sustainable development.

The Department has determined that the Concept Plan provides an appropriate density and built form parameters given the access to infrastructure and services. The Department considers the Stage 1 proposal is well designed and is considered appropriate and compatible with the envisaged built form and character for the area.

The proposal is consistent with the strategic objectives for the area, being consistent with the State Plan, Sydney Metropolitan Strategy, the draft West Central Subregional Strategy and the draft Parramatta Local Environmental Plan 2010, and would provide significant public benefits to the broader community through urban renewal of the Telopea area.

The Department is of the view that the Proponent has adequately addressed the Director General's Environmental Assessment Requirements and satisfactorily mitigated the potential environmental impacts associated with the proposal. The recommended modifications, conditions and implementation of the measures detailed in the Proponent's EA and appendices, PPR and appendices and Statement of Commitments seek to maintain the amenity of the local area, and adequately mitigate the environmental impacts of the proposal.

The project would also attract over \$580 million worth of capital investment, provide up to 1900 dwellings and create 50 full time operational jobs and 275 construction jobs.

The Department is therefore satisfied that the site is suitable for the proposed development and that the impacts of the proposal can be suitably mitigated and/or managed to ensure a satisfactory level of environmental performance, pursuant to section 75J and section 75O of the EP&A Act. Accordingly, the Department recommends that the Concept Plan be approved, subject to modifications, and that no further environmental assessment is required for Stage 1 of the proposal and that it be granted project approval, subject to conditions.

7 RECOMMENDATION

It is recommended that the Deputy Director General:

- a) **Consider** the findings and recommendations of this report;
- b) **Approve** the Concept Plan, subject to modifications, under section 75O(1) of the EP&A Act, having considered all relevant matters in accordance with (a) above;
- c) **Approve** the Stage 1, subject to conditions, under section 75J(1) of the EP&A Act, having considered all relevant matters in accordance with (a) above; and
- d) **Sign** the attached Concept Plan Instrument of Approval (**TAG A**); and
- e) **Sign** the attached Instrument of Approval for Stage 1 (**TAG B**).



25/8/10

Daniel Cavallo
A/Director
Government Land and Social Projects



25.8.10

Chris Wilson
Executive Director
Major Projects Assessment



29/8/10

Richard Pearson
Deputy Director General
Development Assessment & Systems Performance