



Carter Street Precinct

Finalisation Report

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Executive Summary

This report along with supporting documents, outlines amendments to the *Auburn Local Environmental Plan 2010* (Auburn LEP) to rezone the Carter Street Precinct (the precinct), primarily for residential purposes. The revised Master Plan will deliver up to 700 additional homes, coupled with the delivery of new public benefits and mechanisms to improve public domain outcomes.

The amendments to the planning controls relocate the primary school within the site, provide land for road widening, reduce carparking rates, increase the height and FSR on certain land and introduce design excellence provisions. The revised planning controls are also supported by Voluntary Planning Agreements with key landowners to deliver public benefits required to support the precinct outcomes.

The new planning controls for Carter Street facilitate the Government's vision for the Central City by increasing opportunities for housing in close proximity to new public transport, delivering new infrastructure to support a growing population and delivering new public open space. The new planning controls give effect to the Central City District Plan.

The revised draft rezoning package, including an Explanation of Intended Effect, draft Auburn LEP maps and a draft Development Framework were publicly exhibited from 31 August 2020 to 28 September 2020. A total of thirty-eight (38) submissions were received including:

- 23 from the local community;
- 5 from landholders;
- 7 from NSW Government agencies and councils; and
- 3 from industry organisations.

The key issues raised in submissions include:

- the impact of the precinct on traffic, transport and car parking;
- the immediate need for a high school to service the precinct and surrounding areas;
- concern for potential amenity impacts on existing and future residents both within the precinct and surrounding areas;
- implementation concerns regarding the new planning controls relating to traffic and transport, car parking, built form, public domain, heritage, environmental, stormwater and sustainability controls; and
- requests for the provision of more social infrastructure.

A discussion of the key issues can be found in the later sections of this report and a summary of all submissions and the responses of the Department of Planning, Industry and Environment (the Department) can be found at **Appendix A**. As the Development Framework will be given statutory weight through the LEP, the document has been considered as a component of the LEP amendment.

The main changes to the LEP as a result of the exhibition are as follows:

- the requirement for zero visitor parking has been removed from the Incentives Clause. Amendments include a provision which will accommodate some flexibility while not exceeding the total quantum of permissible carparking;
- clarification on the definition of site area for the purpose of FSR calculations following dedication of land for a public purpose;
- clarification regarding the residential car parking rate for Site A;
- a new clause confirming the total gross floor area for certain land in Carter Street;

- An additional new clause has been inserted which enables the exclusion of up to 1,000m² of gross floor area used for the purposes of a community centre, when calculating the floor space ratio for buildings on the land to which the clause applies; and
- An exemption to the height of buildings for lift overrun and plant room for Site C, without exceeding the maximum height for habitable floors.

The main changes to the Development Framework as a result of the exhibition are as follows:

- Road, pedestrian and cycle connections – clarification provided on the intent behind the future potential connection east of Haslams Creek as well as various and minor updates to proposed pedestrian and cycle connections;
- Setbacks – removal of the 5 metre commercial setback requirement to the northern boundary of land adjoining the precinct square;
- Built form – provide more flexibility with respect to the form of towers within the precinct;
- Car parking – the addition of alternative car parking rates for Site A for when Sydney Metro West becomes operational; and
- Development near pipelines – clarification and further refinement of the development controls pertaining to development requirements and permitted uses near gas pipelines.

A detailed summary of key changes to the Auburn LEP 2010 and planning controls within the Development Framework is provided in **Section 4 and 5**.

1 Introduction

1.1 Overview

The Carter Street Precinct is located within the Central City District and is an urban renewal area adjacent to Sydney Olympic Park, first rezoned for mixed use development in 2015. The revised planning controls for Carter Street, supported by this amendment, facilitate the Government's vision for the Central City by increasing opportunities for housing near new public transport, delivering new infrastructure to support a growing population and providing improved public open space outcomes for the existing and future community.

The new planning controls will deliver up to 700 additional homes in the context of the improved public domain and connectivity outcomes that are embedded in the proposed amendments to Auburn LEP 2010. The rezoning:

- Allows for development uplift to facilitate additional homes within walking distance of the new Sydney Metro West station at Sydney Olympic Park;
- Supports a reduction in car parking rates from the 2015 controls to reduce demand on the road network and encourage a modal shift towards public transport, including use of the Metro, when implemented, and the potential Parramatta Light Rail Stage 2;
- Provides a total development capacity of up to 6,200 dwellings and maintains up to 12,000 square metres of retail floor space;
- Supports the delivery of several significant public benefits including land for the 1.88ha future school, the 3ha central open space and for the widening of Hill Road; and
- Includes a new Development Framework given statutory weight through a LEP clause which establishes the key urban design and public domain considerations for the precinct.

The draft Carter Street precinct rezoning package was exhibited from 31 August 2020 to 28 September 2020. Following public exhibition, the Department undertook an extensive review of issues raised in the submissions which has informed the finalisation of the documents.

The precinct has been rezoned under *State Environmental Planning Policy Amendment (Carter Street Precinct) 2020* to amend the Auburn LEP. This report documents the consultation process, summarises the issues raised in submissions and reports on how those issues have been addressed to finalise the rezoning.

1.2 The Planning Package

The planning package consists of several documents and plans, including:

- A SEPP Amendment to amend the Auburn LEP, which when published, will rezone part of the precinct, include site specific clauses relating to incentive height and floor space ratio, car parking, active street frontages, additional permitted uses, design excellence, implementation of the development framework and a concurrence clause for the potential Parramatta Light Rail (Stage 2) corridor; and
- Amendments to various maps under the Auburn LEP, to support the SEPP amendment and implement the new controls.

The SEPP amendment was derived from the revised Carter Street master plan, which was exhibited as part of the planning package. The key outcomes within the master plan have been translated into the written instrument, map amendments and the development framework. The final master plan is shown at **Figure 1** and the final Structure Plan is shown at **Figure 2**.



Legend

Carter Street Precinct

- | | |
|--|---|
| <p>1 A centrally located east west pedestrian spine that will link the Precinct to Newington and Sydney Olympic Park.</p> <p>2 A village centre with a fine-grain street network and active laneways.</p> <p>3 A proposed stop and terminus for the proposed Parramatta Light Rail (Stage 2) within the village centre</p> <p>4 A re-configured primary school site adjacent to the central public open space located on the east west spine in the core of the Precinct.</p> <p>5 Haslams Creek.</p> <p>6 Re-planning of the area west of Hill Road, with a clear visual link between the central public open space and the Haslams Creek Marker, and activation of Haslams Creek Foreshore</p> | <p>7 A future green link along the south side of Carter Street to facilitate active transport.</p> <p>8 An enlarged central public open space in the core of the Precinct, that includes potential multi-use sports fields.</p> <p>9 A new local pocket park in the south east of the Precinct with a focus on active recreation (subject to further land use safety investigations).</p> <p>10 A new local park adjoining Haslams Creek for passive recreation (subject to further land use safety investigations).</p> <p>11 A new pocket park in the north of the Precinct adjoining Sydney Olympic Park.</p> |
|--|---|

Figure 1 Carter Street Precinct Master Plan

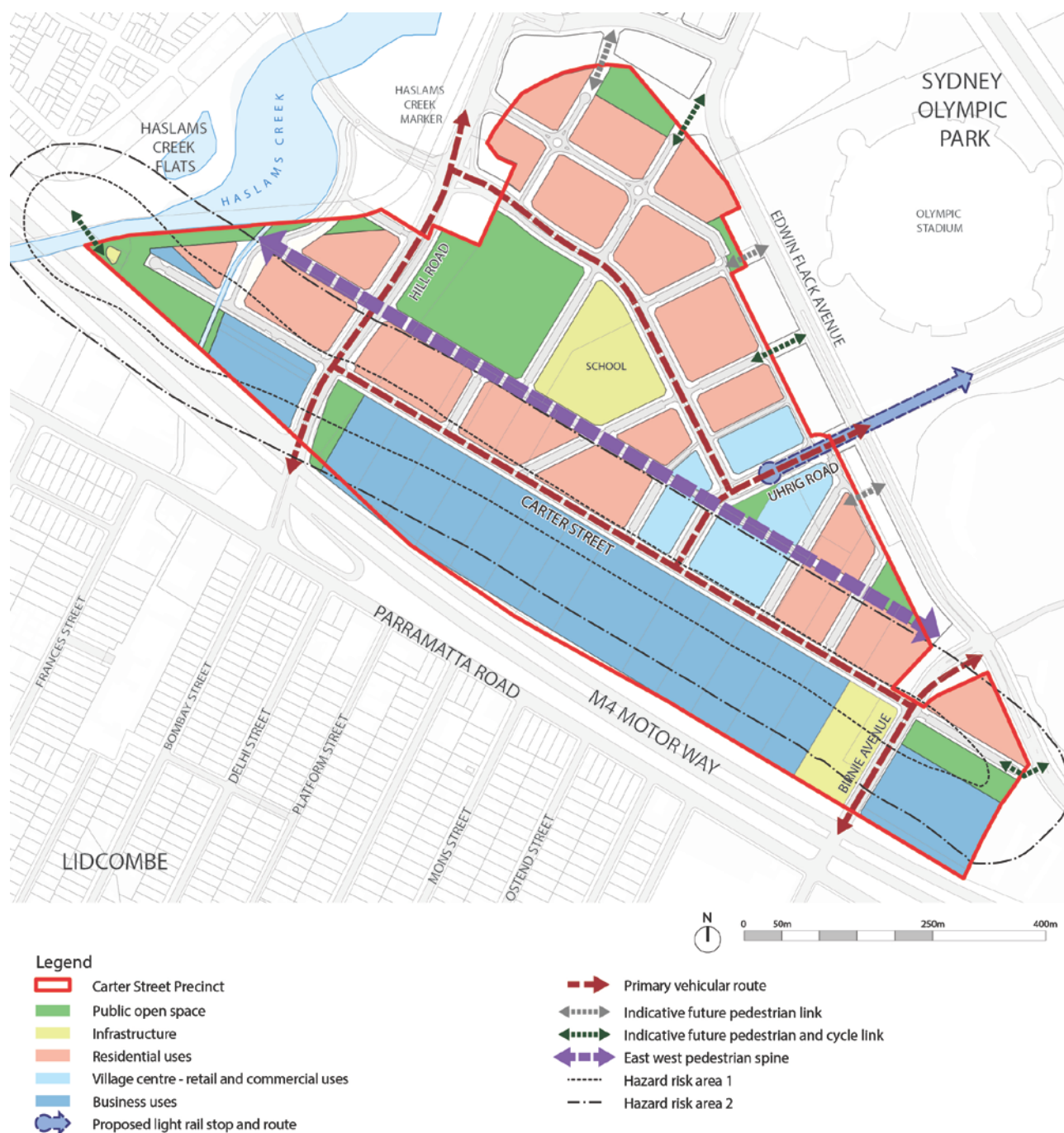


Figure 2 Carter Street Precinct Structure Plan

Development Framework

A new clause in the Auburn LEP 2010 requires the consent authority to have regard to the Development Framework when assessing development applications for land in the precinct. The controls in the Development Framework support the legislative controls provided in the Auburn LEP 2010 for Carter Street Precinct and supersedes the existing Carter Street Development Control Plan.

The purpose of the Development Framework is to:

- identify the vision, structure plan and development principles;

- set out the planning, design and environmental objectives and controls against which the consent authority will assess development applications;
- ensure orderly and efficient development outcomes that are environmentally sustainable; and
- promote a high-quality urban design outcome.

Infrastructure Contributions

There is an existing Satisfactory Arrangements Clause in the Auburn LEP that was put in place when the precinct was rezoned in 2015. Since that time Voluntary Planning Agreements (VPAs) have been used to ensure delivery of regional infrastructure. It is proposed to maintain the satisfactory arrangements clause as there is an identified need for regional infrastructure to support growth within Greater Parramatta and Olympic Peninsula (GPOP), as outlined in the Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan (July 2017).

In order to secure public benefits associated with the revised master plan, it was necessary to renegotiate an existing VPA with two landowners within the precinct to not only enable delivery of State infrastructure, but also facilitate early delivery of the local infrastructure required to support the precinct. These VPA's secure land for the school site and central public open space, the widening of Hill Road and dedicated space for a community facility, along with a monetary contribution towards regional infrastructure.

In relation to the provision of local infrastructure, the Carter Street Precinct Development Contributions Plan 2016 will continue to apply to the precinct. The City of Parramatta is responsible for updating the contributions plan to ensure that relevant local contributions are allocated to deliver local infrastructure within the precinct. Council is proposing to undertake a review of its contributions plan which will further support the delivery of precinct outcomes and public benefits.

1.3 Precinct Background

The Carter Street Precinct (the precinct) was rezoned in November 2015 to enable approximately 5,500 dwellings, a new village centre, a site for a new primary school and new public open space. The precinct is transitioning from an industrial area to high density residential and mixed uses.

In 2018, the Department undertook a review of the existing planning controls for the Precinct. The review considered:

- a potential Westbound offramp from the M4 Motorway and subsequent future Hill Road upgrade;
- a potential Parramatta Light Rail Stage 2 (PLR Stage 2), including a stop and terminus in the village centre of the precinct;
- relocation of the school site and revised open space configuration;
- a broad scale review of the precinct in the context of the Sydney Olympic Park Master Plan 2030 (2018 review); and
- a review of existing urban design and development controls to provide for improved public domain and built form outcomes and to complement the Sydney Olympic Park Master Plan 2030 (2018 Review).

The Department also undertook detailed urban design and built form studies to enhance the public domain and built form outcomes across the precinct, and a Land Use Safety Study (LUSS) to provide enhanced land use and planning controls to respond to gas and fuel pipelines traversing the precinct.

The master plan was subsequently revised, including updated planning controls providing for a new high-quality village centre, including proposed light rail, better located primary school, more

open space, more integrated pathways and cycleways, a widened Hill Road and better design standards across the precinct.

The 2018 draft Master Plan and planning controls for the Carter Street Precinct were exhibited from September to October 2018 but was not finalised as there was a need to secure delivery of the additional public benefits identified in the master plan. A summary of the submissions received during the 2018 exhibition is provided at **Appendix B**.

Subsequent to the 2018 exhibition, the Sydney Metro West (Metro) was announced. This new underground railway will connect Greater Parramatta and the Sydney CBD providing a new Metro station and mass transit options for the Sydney Olympic Park and adjoining Carter Street Precinct.

As a result of the announcement of Sydney Metro West and the need to reconsider how public benefits within the precinct could be delivered, while still supporting the underlying vision and principles in the master plan, the Department then further revised the Carter Street Precinct Master Plan. The Department exhibited the revised proposal in August and September 2020.

2 Exhibition Details

2.1 Exhibition and Submissions Period

The draft rezoning package was exhibited from 31 August 2020 to 28 September 2020. All submissions received by the Department have been considered in the summary of submissions report at **Appendix A**. A total of 38 submissions were received.

2.2 Exhibited Materials

The following documentation was publicly exhibited as part of the draft rezoning package:

- An Explanation of Intended Effect;
- Draft LEP maps; and
- Draft Development Framework.

The draft rezoning package was available on the Department's website www.planning.nsw.gov.au

2.3 Public Notice

A notice was placed in the Auburn Review advising of the details of the public exhibition as well as advising of the exhibition of an associated Voluntary Planning Agreement.

2.4 Notification to Landowners

The Department sent notification letters to approximately 4,300 landowners and residents within the precinct and surrounding areas within the Newington, Lidcombe and Sydney Olympic Park areas at the start of the exhibition period.

2.5 Notification of Key Stakeholders

The Department sent notification letters by email to key stakeholders advising of the exhibition including the City of Parramatta and Cumberland councils, State Government agencies, relevant service providers, pipeline operators and industry groups.

2.6 Community Engagement

The community engagement for the exhibition was carried out virtually due to COVID 19 restrictions. The Department also undertook the following activities during exhibition:

- Sent five Electronic Direct Mails (EDM) throughout the exhibition campaign for residents who were registered in a database from the previous exhibition in 2018;
- Completed 18 one-to-one virtual 'talk to a planner' sessions; and
- Maintained a dedicated precinct webpage on the Department's website which included all exhibition documents, community brochure (including translation into two primary community languages) and frequently asked questions.

3 Submissions Summary

3.1 Submissions received

A total of 38 submissions were received in response to exhibition. All submissions received are listed and summarised at **Appendix A** along with the Department's response. A summary of submissions grouped into stakeholder groups is provided at **Table 1**.

Table 1 Summary of submissions

Submission author	Number of submissions
Local community	23
Landholders	5
NSW Government agencies and councils	7
Industry organisations	3
Total	38

Copies of the submissions received are available on the Department's website.

3.2 Issues raised in submissions

All submissions received were reviewed by Department staff and have been considered in the final Carter Street Planning Package. The Department also consulted with the City of Parramatta and other State agencies to gain further clarification where required.

The key issues raised in the submissions include:

- the proposed building height and density in the precinct;
- the impact of the precinct on traffic, transport and car parking including access to the M4 and traffic management during special events;
- the immediate need for a high school to service the precinct and surrounding areas;
- concern for potential amenity impacts on existing and future residents both within the precinct and surrounding areas;
- proposed refinement of planning controls affecting particular landholdings as well as refinement of controls relating to traffic and transport, car parking, built form, public domain, heritage, environmental, stormwater and sustainability controls;
- the provision of more social infrastructure including public open space; and
- the provision of more local infrastructure.

The following sections of this report provides details of changes that have been made to the planning package post-exhibition as a result of submissions received, or where it is considered that further justification is required in the consideration of key issues. It is recognised that while all submissions have been taken into account, not all submissions have resulted in changes to the planning package. This has been further discussed and justified in the summary of submissions at **Appendix A**.

4 Consideration of issues

4.1 Traffic and Parking

Issue

Submissions from the community raised concern about increased traffic volumes and congestion on the existing local road network as a result of the proposal. Concerns were also raised in relation to:

- Existing traffic congestion in the area and the impact of the future development in the precinct on traffic issues in the wider area, including increased traffic through Newington as a result of M4 westbound offramp and Hill Road upgrade. Support for the widening of Hill Road was also noted.
- Proposed road widths being too narrow for larger vehicles.
- Further clarification sought on the intended future circulation of traffic through the precinct.

Response

Major public transport infrastructure projects, such as the Sydney Metro West will alleviate some of the existing network pressures in this area, and coupled with a reduction of car parking, will encourage a modal shift to public transport.

The proposed Hill Road upgrade, which is being designed and delivered by Transport for NSW (TfNSW), will help ease congestion in the precinct and assist in accommodating the existing development and planned growth in Carter Street. Land required to facilitate this road widening is being delivered through a new VPA with the affected landowner.

The Department acknowledges that the upgrade of Hill Road will result in access constraints for the land west of Hill Road. The future detailed design of the new north-south corridor connecting John Ian Wing Parade along the Haslams Creek foreshore will provide improved access for 4 – 12 Hill Road connection, however will need to be subject to detailed discussions between the landowner, City of Parramatta Council (CoP), TfNSW and Sydney Olympic Park Authority (SOPA). Accordingly, this north-south corridor along Haslams Creek to John Ian Wing Parade has been identified on the Precinct Structure Plan for future detailed investigation.

The Department has further considered the proposed road widths provided along Hill Road, the Green Spine Road and Carter Street in the Development Framework, noting that this was updated following the 2018 exhibition. The planning controls outline the hierarchy of streets provided and their intended character, including traffic movements and are considered appropriate.

Issues

CoP raised the following concerns regarding traffic and transport across the precinct:

- The reduction in visitor parking as part of the Incentives Clause;
- Requested a review of multiple road cross-sections across the precinct; and
- Assurance that the Hill Road upgrade would be fully funded by the NSW Government and provide for upgrades associated with the intersection of Hill Road and John Ian Wing Parade, together with pedestrian crossings where appropriate.

Response

The Department has consulted TfNSW and CoP, both prior to and following exhibition, to develop parking rates for certain land within the precinct linked to incentive FSR and Height of Building clauses. The incentives clause has been amended to remove the zero provision for visitor car

parking and provide further clarification allowing for the reallocation of residential parking spaces within a development to visitor parking if required.

The Development Framework provides a clear street hierarchy and detailed cross sections that sets out intended traffic movements across the precinct. The Department has worked with CoP since 2018 to refine the road cross-sections in the Development Framework. This included amending the on street parking to the northern side of Carter Street to mitigate potential issues for large left turning vehicles eastbound and southbound, as well as relocating light poles to between footpaths and cycle paths to retain drainage arrangements.

Issue

The need for more car parking within the precinct was highlighted in some community submissions, including the need for more car parking around the proposed light rail stop and parking for essential services, such as delivery and trade vehicles. Some submissions also requested additional on-street car parking provision during major events at Sydney Olympic Park and the introduction of a parking scheme in surrounding areas such as Newington.

Response

The proposed changes to Auburn LEP 2010 and the Development Framework provide for enhanced pedestrian and cycling connections across the precinct to encourage residents and visitors to walk and cycle safely and alleviate the demand for more on-street and off-street car parking. The Development Framework also provides for enhanced connections to Sydney Olympic Park to allow future residents to walk or cycle to major events in place of car trips, further reducing demands for car parking during major events.

The road cross sections in the Development Framework have been reviewed to ensure that sufficient space can be provided for on-street car parking by all vehicle types in accordance with Australian Standards, noting that on-street parking will be usually controlled by Council and by SOPA during major events. Restrictions on parking are put in place during major events to ensure the efficient management of roads and congestion and encourage a mode shift to public transport use.

Issue

The proposed reduction of car parking on certain sites within walking distance of the Sydney Metro West station at Sydney Olympic Park was generally supported by landowners. Some landowners have requested the removal of the zero visitor parking provision from the proposed incentives clause, to enable some visitor parking to be accommodated within residential developments and reduce demand for on street parking in the surrounding area. This has also been supported by City of Parramatta Council, who raised concerns for impacts on the surrounding street network during special events, as well as social impacts on residents associated with reduced visitation.

Response

The incentives clause has been further refined to remove the zero visitor parking provision from the incentives clause and include a revised provision to accommodate some flexibility and enable redistribution of residential parking allocations, while ensuring that the maximum carparking rate permitted under the Development Framework is not exceeded.

For land known as Site A as identified on the Clause Application Map, the current maximum residential car parking rate has been clarified in the Auburn LEP. For this land, the Development Framework has also been updated to include reduced maximum car parking rates for when Sydney Metro West becomes operational.

Issue

Multiple landowner submissions also sought additional flexibility for how car parking is provided in developments, whether above ground or underground, to respond to site conditions.

Response

The Department has revised the Development Framework to provide flexibility in how car parking can be provided on constrained sites, such as those subject to a high water table. The Development Framework has been amended to clarify that a maximum of four storeys of above-ground car parking or to the maximum street wall height (whichever is the lesser), may be provided across the precinct. The planning controls also require car parking to be sleeved and frontages activated to optimise the amenity within the precinct.

Issue

In its submission SOPA raised issues relating to the proposed local road network extension east of Haslams Creek within SOPA land, however it provides in principle support for the activation of the foreshore.

Response

Although the road extension east of Haslams Creek is not currently supported or funded, this layout is the preferred planning outcome to allow for consistent activated interfaces, together with road and active transport connectivity for this part of the Precinct.

As the Development Framework is required to be considered in the assessment of development applications, and subject to future detailed design and further negotiation with Council and SOPA, it is considered appropriate to retain these potential connections in the Development Framework. The layout, nature and design of future connections in this location will need to be further explored in future planning and design. CoP have confirmed that they will continue to collaborate with SOPA on the best mechanism for securing access for this portion of the site as development applications are considered.

4.2 Public and active transport

Issue

Some submissions requested more public transport in the precinct and surrounding area to respond to existing capacity constraints. Additional active transport links to Lidcombe Station and along Parramatta Road were also requested. Some submissions also supported provision of a light rail stop and sought clarification of the future alignment and location for the proposed Parramatta Light Rail (Stage 2).

Response

The Sydney Metro West has been confirmed, with a proposed station within Sydney Olympic Park. Parramatta Light Rail stage 2 has not been confirmed, however, provision has been made within the precinct for a future station and terminus. These public transport projects will alleviate some of the existing travel demand in the area and provide for better integration of the precinct and Sydney Olympic Park into the broader rail network.

The Development Framework also provides for enhanced pedestrian and cycling connections across the precinct. The planning controls identify an east-west regional cycling connection along Carter Street across the precinct and into the surrounding cycling network. The NSW Government has allocated \$5 million through the Precinct Support Scheme towards cycling improvements within the precinct to connect to the surrounding regional cycling network.

Issue

In its submission, CoP outlined the following concerns in relation to active and public transport across the precinct:

- Recommended an alternative regional cycling bridge crossing at Pondage Creek in place of the proposed Haslams Creek crossing between John Ian Wing Parade and the M4 Motorway.
- Sought clarification that the proposed Parramatta Light Rail (Stage 2) will be catenary free along Uhrig Road and requested that the final master plan drawings be refined to reflect this.
- Recommended an increased area of the public open space adjacent to the Parramatta Light Rail (Stage 2) stop and terminus on Uhrig Road to enhance urban design outcomes adjacent to the light rail stop.

Response

The Department notes CoP's support for the pedestrian and cycling connections across the precinct and supports the request to remove the second bridge across Haslams Creek in the northern part of the precinct. However, the alternative location, while supported in principle, is located significantly north of the precinct within Sydney Olympic Park and is not recommended for inclusion within the revised master plan. The Department has provided this recommendation to SOPA for consideration in future Sydney Olympic Park Master Plan 2030 review and will continue to work with CoP and SOPA on the alternate crossing.

The drawings provided within the Development Framework for Parramatta Light Rail (Stage 2) are indicative and subject to further detailed design and planning, along with an investment decision on the scope of the proposed infrastructure. It is premature in the context of the planning package for Carter Street to further pre-empt any decision on light rail, however, note that it is appropriate to future proof this land and that further design work would be required to support any future transport infrastructure.

4.3 Schools

Issue

Some submissions expressed a need for an additional high school to be provided within the precinct, as well as Sydney Olympic Park.

Response

A new primary school site will be provided within the precinct. The Department has successfully negotiated with landowners to relocate the school site to a more central location within the precinct, adjacent to the central open space and village centre. The VPA negotiated in 2015 required that the land for this school be dedicated by 2026. The new VPA for this site secures early delivery of the primary school site by 2023 to meet demand.

The Department of Education is undertaking planning work including development of a master plan and concept design for a new high school in the Sydney Olympic Park area. A site has been identified at Wentworth Point on Burroway Road adjacent to the Wentworth Point Public School.

4.4 Height, density and visual impact

Issue

The Department of Education submission supports the Carter Street Master Plan and requests that the additional height and FSR controls not result in any additional overshadowing impacts to the proposed new school.

Response

The Department has secured the relocation of the school site to a more central location within the precinct, adjacent to the central open space and village centre.

Assessment of any potential overshadowing impacts across the school site as result of future development adjacent to the school will need to be undertaken as part of a detailed assessment at the development application stage, noting that detailed testing has been undertaken to ensure that impacts are mitigated and compliance with SEPP 65 can be achieved.

Issue

Some submissions received from the community raised concern that the proposed heights and density will result in overdevelopment of the precinct. Some submissions also raised concerns that the future height of buildings would overshadow public spaces within the precinct and result in visual impacts on the surrounding areas.

Response

Detailed urban design studies have informed the revised built form controls to minimise overshadowing of streets and public open spaces and enable improved amenity across the precinct. It is considered that there is an appropriate framework in place to ensure visual impact can be considered through the controls in the Development Framework, a requirement to comply with SEPP -Design Quality of Residential Flat Buildings, and the new provisions requiring design excellence.

Issue

Site-specific matters were raised by a landowner who sought flexibility in the application of the maximum building height standards to provide for lift overruns, roof top plant and equipment on Site C up to 150 metres. This was requested due to the need for significantly larger lift overruns and plant rooms that are required to support a tall building and provide an adequate level of service and amenity for future residents.

Response

A key premise of the amended heights within the precinct was that they would be consistent with the maximum height of buildings within SOPA, at 45 storeys, which has been translated to a maximum height of building of 144m. Site C is the only site within Carter Street that has been identified as capable of being developed to 144m as it is situated close to the new metro station and is within the town centre. The Department is supportive of communal, accessible and landscaped rooftops across the precinct, however, discourages roof top plant and equipment where these can lead to poor urban design outcomes. Increasing the maximum building height to 150m is not supported as this could lead to additional habitable floors being incorporated into the development.

A post-exhibition change has introduced a new clause which allows the maximum height of buildings to be exceeded by a maximum of 4.5m for lift overruns and roof plant. This will only occur on a small portion of the site for the tallest tower and will be subject to demonstration of

design excellence. No additional floor space or residential floors above 144metres will be made permissible.

4.5 Open space

Issues

Some submissions received outlined support for more open space, parks and sports facilities and enhanced connection to Haslams Creek. One landowner has raised concern that there is inadequate funding allowance within Councils Contributions Plan to facilitate the acquisition of the proposed RE1 land along this corridor. Council raised concerns that there is a deficit of open space in the precinct.

Response

The Department has provided for enhanced connectivity to open spaces across the precinct including a connection to and activation of the Haslams Creek foreshore. It is noted, however, that this zoning is not proposed to be amended or altered as a result of the master plan review and the RE1 zoning has been in place since 2015 when the precinct was rezoned. There is an opportunity for Council to review its local contributions plan to ensure an adequate local contributions framework is in place to support the precinct outcomes.

Where changes have been made to the open space network that results in a potential additional acquisition burden on Council, such as the central open space, the State VPA has been negotiated to mitigate these impacts. Further, the negotiation of the State VPA has ensured early and certain dedication of the land for the central open space and community facility within the precinct.

Issues

The City of Parramatta raised the following concerns regarding public open space across the precinct:

- Clarification that there will be no net loss of open space as a result of the revised master plan;
- Clarification of the capacity of the central public open space to provide a full-size standard cricket field or two standard soccer fields and district level playground facility with high accessibility, shade and facilities;
- Concerns relating to the dedication, embellishment and ongoing management of the north west corner of the central public open space and some pocket parks in the precinct identified on land within Sydney Olympic Park;
- Request to increase the Haslams Creek foreshore width (RE1 zone) from 20m to 40m in accordance with the Office of Water's Guidelines for Riparian Corridors on Waterfront Land;
- Concerns regarding funding for embellishment of the public open space areas; and
- Recommendation that a road, lane or public pathway be provided between all public parks and adjoining residential properties to ensure a clear delineation between the public and private realm and to maximise public access and permeability.

Response

There will be no net loss of public open space under the final Carter Street Master Plan, which includes a 3.03 ha area of open space adjacent to the relocated school site. The central public open space is sufficient in area to accommodate the sports fields, playground and other facilities outlined by the CoP in its submission.

The Department recognises that CoP will need to work closely with SOPA on the dedication, maintenance and management of open spaces identified in both SOPA landholdings and the precinct. The Department will be the acquisition authority for the north western corner of the central

open space and will transfer this land for open space purposes to CoP as part of the John Ian Wing and Hill Road upgrade project.

CoP will need to update the Carter Street Development Contributions Plans to provide for embellishment of open space where required.

No further changes in the Development Framework have been made to the Haslams Creek foreshore as future development within 40m of the creek will be subject to consideration of the *Water Management Act 2000* providing opportunity for an appropriate design response to be addressed at detailed design stage and in collaboration with relevant NSW Government agencies.

The Department supports the recommendation to include lanes or public pathways between parks and adjoining residential areas to clearly delineate the public and private realm and has updated the Development Framework planning controls and public domain strategy accordingly.

4.6 Calculation of Floor Space Ratio

Issues

A landowner submission sought clarification on mechanisms to ensure the site area of local roads, to be dedicated or acquired by government authorities, is included in the site area calculation for the purposes of calculating FSR, particularly once the land has been dedicated.

A Gross Floor Area (GFA) exemption for the purposes of calculating FSR, to offset the provision and dedication of local infrastructure, was also sought in another landowner submission.

Response

A new clause has been included in the Auburn LEP, which ensures that the road area will form part of the developable area of the site for the purposes of calculating the FSR on relevant sites, this was foreshadowed in the exhibited EIE. A new clause has also been included in the Auburn LEP which confirms the total gross floor area for development on land known as Site A which is also identified on the Clause Application Map.

The request for a GFA exemption is supported to offset the loss of GFA as a result of the dedication of the community facility. The additional GFA can be incorporated into the detailed design and will be subject to further assessment at development application stage.

4.7 Through-site links

Issues

Landowner submissions varied in their response to through-site links provisions in the Development Framework. Some submissions sought refinement and clarification of the through-site link controls. Other submissions requested removal of through-site links, stating that they are not viable for business operation, result in security and safety concerns and impact the provision of aboveground car parking.

Response

The Department has undertaken further review of the approach to 'through-site links' across the precinct. The controls in the Development Framework have been amended to be performance based and identifies key blocks for consideration of through-site links to provide increased permeability, together with clarification of the design principles for through-site links. This will allow a design led process to determine the best location and design of through-site links that meet the design principles and intent within the Development Framework.

4.8 Secondary Active Street Frontages

Issue

A landowner has raised concern about secondary active street frontages as mapped in the Development Framework. This is because some secondary active street frontages have already been delivered as non-active frontages (i.e. residential frontages have been provided in these locations under earlier development consents).

Response

The intent of the Development Framework is to guide development and accommodate changes over time. When non-residential uses are delivered through future changes of use, uses such as outdoor dining and associated spill out uses will activate frontages within the street setback zone. The current approach to secondary active street frontages includes additional uses such as food and drink premises together with ground floor retail within the R4 High Density Residential zone to activate frontages such as those adjacent to public open space.

Removal of these active interface elements would take away the opportunity to deliver people orientated streets and enhanced passive surveillance, particularly to public open space edges. Removal of the Secondary Active Street Frontages from the Development Framework is not supported.

4.9 Gas Pipeline

Issue

A request for clarification was received about the ability to locate “residential development” on land in Hazard Risk Area 1 (HRA1) as illustrated in the Development Framework, which does not include habitable areas such as footpaths, driveway access, awnings and car parking as well as a request for a sensitive land uses definition in the Development Framework.

It was also requested that amendments are made to the Development Framework to confirm when a risk assessment is required and to be triggered by a “population increase” or significant change to the assumed building heights and layout and not applicable to all developments.

A submission also raised concerns with hotel and motel accommodation not being allowed in the Hazard Risk Area 2 where residential land uses are allowed.

Response

Structures ancillary to residential development not used for habitable purposes may potentially be located in HRA1 however this should be confirmed through the preparation of the risk assessment.

The Development Framework has been amended to require a risk assessment be undertaken in accordance with Hazardous Industry Planning Advisory Paper No 6 – Hazard Analysis, except for development that would not increase on-site population. This amendment will ensure that a risk assessment is not required for minor works (i.e signage, commercial fit-outs etc).

The Development Framework has also been updated to remove ‘Tourist’ and ‘Visitor Accommodation’ land uses from not being permitted in Hazard Risk Area 2. This ensures consistency with land uses which are currently permissible in this zone, such as ‘Residential Accommodation’.

4.10 Sustainability

Issues

CoP raised the following matters relating to sustainability across the precinct:

- Request to include requirements for buildings to exceed the minimum BASIX targets;
- Request for further increases to NABERS targets and the revised controls to clarify whether the star rating applies to the base building or whole building rating;
- Request for the NABERS requirement to include executing a commitment agreement with the Environment, Energy and Science Group of the Department prior to development consent being granted. This is to ensure adequate risk management of the design to deliver the NABERS commitment, which can only be fully demonstrated post-occupancy;
- Support for the requirement for grey water and request for additional controls that require the provision and connection to the district water scheme and mandate the requirement for all buildings to be connected to the Water Reclamation and Management Scheme (WRAMS) requiring dual piping in buildings;
- Requested inclusion of provisions requiring the installation of, or maximising opportunities for, onsite renewable energy generation strategies;
- Request for planning controls for car share programs and electric vehicle (EV) technology; and
- Request for additional controls for wind mitigation across the precinct as a means of managing any potential impacts resulting from tower developments.

Response

The desire to enhance the sustainability provisions across the precinct is supported. Many of CoP's recommended changes requested in its submission have been included in the final Development Framework as follows:

- NABERS targets for commercial buildings, hotels and shopping centres have been incorporated into the final Development Framework;
- End of trip facilities provisions within the Development Framework retained;
- Provisions for development to consider electronic vehicle charging and renewable energy proposals included in the Development Framework; and
- New wind mitigation controls included in the Development Framework.

Further increase to the NABERS and /or BASIX ratings is not deemed to be appropriate given the project history, previous expectations and lack of detailed feasibility to justify the amendment at this time.

Sydney Water has advised that there is no regional grey water scheme in place in the precinct. However, the controls in the Development Framework require dual reticulation systems and additional controls require the use of grey water based on local availability.

Council is able to work with landowners during the design excellence process to ensure sustainability and design, as required by the new design excellence provisions are appropriately incorporated into the development.

4.11 State Voluntary Planning Agreements

Issues

Council provided comments in its submission on a revised State VPA negotiated with AYMCI (AYMCI VPA) and the Deed of Variation to the Meriton VPA (Meriton VPA Amendment), both

which seek to secure supporting infrastructure in the precinct. A summary of the key issues raised are provided as follows:

- Council is not named explicitly as the Minister's nominee to be the recipient of the 3ha of open space under the VPA with AYMCI and for the community centre or village plaza land under the Meriton VPA;
- Request for confirmation that the work specified for the land to be fit for purpose prior to the transfer of the 3ha of open space to Council will be undertaken under the VPA with AYMCI;
- No separate financial security is proposed for the community centre works; and
- Scope refinement is necessary for both the community centre works and village plaza works under the Meriton VPA, noting that these may be addressed under a community centre works agreement and open space works agreement as drafted in the VPA.

Response

Under the AYMCI VPA and the Meriton VPA Amendment, the public open space, community centre and village plaza land (and associated works) must be dedicated to the Minister for Planning or the Minister's nominee.

The Department has agreed with AYMCI and Meriton to explicitly name Council as the Minister's nominee with respect to the dedication of these community infrastructure items.

Both agreements provide that the developer must remediate the relevant land and provide Site Audit Statements certifying any land dedication is suitable for its intended use.

It is not considered that separate financial security is warranted for the community centre as the Meriton VPA Amendment allows for a restriction on Occupation Certificate on the units being constructed above the community centre should Meriton fail to deliver its obligations with respect to this item.

Council will have an opportunity to refine the scope for the community centre works and the village plaza works as Meriton is required to enter into subsequent works agreements with Council under the Meriton VPA Amendment.

5 Post-exhibition amendments to the rezoning package

This section details the key changes to the Auburn LEP and planning controls following the 2020 revised draft Master Plan public exhibition.

5.1 Auburn LEP written instrument

- the requirement for zero visitor parking has been removed from the Incentives Clause. Amendments include a provision which will accommodate some flexibility while not exceeding the total quantum of permissible carparking;
- clarification on the definition of site area for the purpose of FSR calculations following dedication of land for a public purpose;
- clarification regarding the residential car parking rate for Site A;
- a new clause confirming the total gross floor area for certain land in Carter Street;
- An additional new clause has been inserted which enables the exclusion of up to 1,000m² of gross floor area used for the purposes of a community centre, when calculating the floor space ratio for buildings on the land to which the clause applies; and
- An exemption to the height of buildings for lift overrun and plant room for Site C, without exceeding the maximum height for habitable floors.

The above-mentioned amendments do not result in any subsequent changes to the exhibited LEP mapping.

5.2 Development framework

- **Road, pedestrian and cycle connections** – clarify the intent behind the future potential connection east of Haslams Creek as well as various and minor updates to proposed pedestrian and cycle connections to reflect requirements of SOPA and, TfNSW and CoP;
- **Road cross-sections** – refinement of cross-sections to reflect requirements of CoP, including reconfigured car parking along Carter Street and repositioning of light poles within the planted verge between the footpath and cyclepath;
- **Setbacks** – removal of the 5 metre commercial setback requirement to the northern boundary of land adjoining the precinct square. Removal of this setback does not impact on the design intent for the square to deliver highly activated frontages and allows for outdoor dining;
- **Built form** – provide more flexibility with respect to the form of towers within the precinct. This includes limiting preference to free standing towers to commercial buildings in the centre of the precinct and enabling more flexibility with respect to the form of towers elsewhere in the precinct;
- **Car parking** – the addition of alternative car parking rates for Site A for when Sydney Metro West becomes operational; and
- **Development near pipelines** – refinement of the development controls, including removal of ‘Tourist’ and ‘Visitor Accommodation’ within Hazard Risk Area 2. This will reflect consistency of land uses which are currently permitted in this zone (i.e. residential). Clarification is also provided for when a Hazard Analysis is required (i.e. for development which that would result in an increase in onsite population).

6 Consistency with other Instruments, Acts and Policies

This section outlines the strategic planning framework that has informed the Department's review of the Precinct's existing planning controls within the wider strategic context of Sydney and Greater Parramatta.

6.1 Greater Sydney Region Plan and Central City District Plan

The Greater Sydney Region Plan (Region Plan) sets the planning framework for the five districts which make up the Greater Sydney Region. It establishes a 40-year vision to 2056 for Greater Sydney to be a metropolis of three cities, enabling most people in Greater Sydney to commute to their nearest city within 30 minutes.

The Region Plan supports the GPOP Collaboration Area, which the Precinct forms part of, as an integral part of the vision of a metropolis of three cities. It acknowledges that Sydney Olympic Park will continue to serve as a lifestyle 'super precinct' and that areas surrounding Sydney Olympic Park will need to 'inspire a lifestyle of wellbeing, healthy activity and celebration in a unique setting that attracts allied and like-minded business'.

The Central City District Plan (District Plan) provides a guide for implementing the Greater Sydney Region Plan at a district level and acts as a bridge between regional and local planning. The District Plan establish planning priorities and actions to guide planning in the precinct.

It is considered that the planning package gives effect to the Central City District Plan by improving liveability and public domain outcomes, putting in place mechanisms for the early delivery of schools and public open space to support the future population and advocating for transit orientated development in close proximity to Sydney Metro West

6.2 Section 9.1 Ministerial Directions

The SEPP Amendment is not strictly required to comply with the Ministerial Directions however an assessment of consistency with the relevant directions issued by the Minister under Section 9.1 of the Environmental Planning and Assessment Act 1979 was undertaken as part of the original rezoning in 2015. It is not considered that any further assessment is required, with the exception of the following:

Greater Parramatta Interim Land Use and Infrastructure Implementation Plan

The Greater Parramatta Interim Land Use and Infrastructure Implementation Plan (LUIIP) is given statutory weight through a Ministerial section 9.1 Direction. The purpose of the LUIIP is to develop a land use framework to guide future redevelopment of the Greater Parramatta Growth Area and identify and plan for infrastructure needed to unlock its potential. The growth area is divided into twelve precincts, with the Carter Street Precinct forming part of the Sydney Olympic Park Lifestyle Super Precinct.

As outlined in the Interim LUIIP there is a need for additional regional infrastructure to support growth within Greater Parramatta and Olympic Peninsula. The LUIIP identifies various infrastructure initiatives for the precinct that have been incorporated as part of the Carter Street Master Plan, including:

- Hill Road widening, including a new intersection at John Ian Wing Parade and Hill Road
- Intersection upgrades along Carter Street, at Hill Road and Birnie Avenue
- Provision for a potential stop associated with the Parramatta Light Rail (Stage 2)
- New cycleway and site for a future primary school.

These and other initiatives are proposed to be delivered through a Voluntary Planning Agreement and a Satisfactory Arrangements Clause. It is considered that the planning package is consistent with the Interim LUIP.