

APPENDIX 1

Explanation of Intended Effect

NSW Department of Planning and Environment

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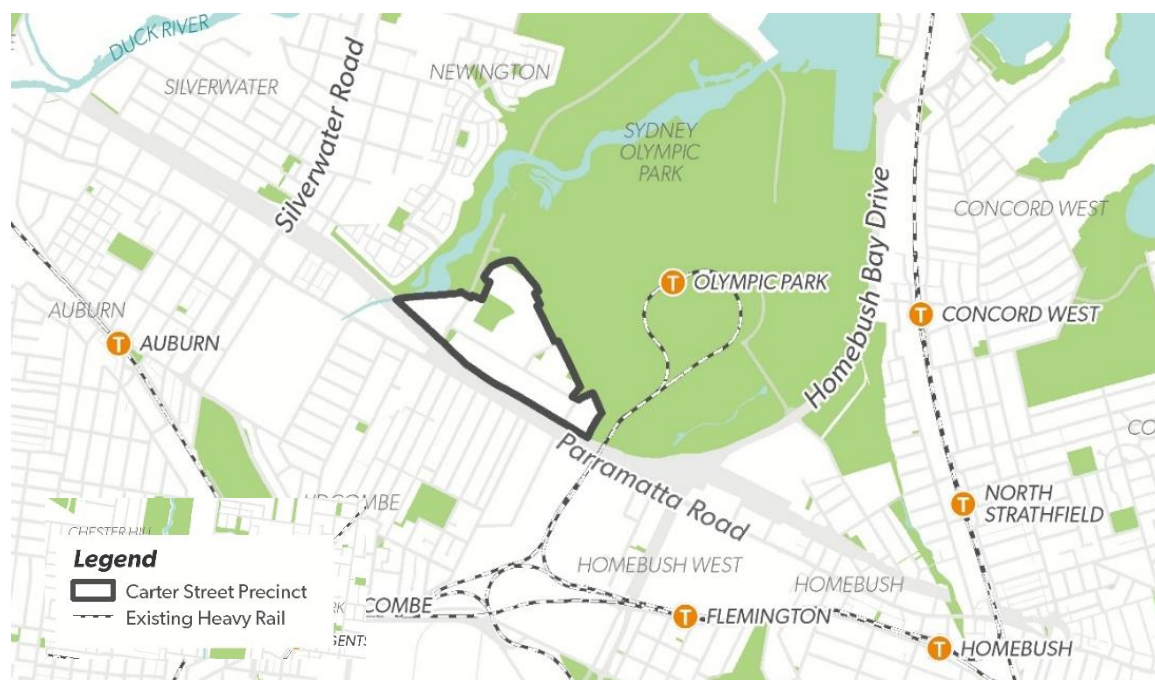
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Explanation of Intended Effect

Proposed amendments to Auburn Local Environmental Plan 2010 to affect the implementation of a draft revised Master Plan for the Carter Street Precinct.

A State Environmental Planning Policy (SEPP) is proposed to amend the *Auburn Local Environmental Plan 2010* (Auburn LEP 2010). The proposed SEPP will amend Auburn LEP 2010, including related maps. It will apply to land within the precinct known as Carter Street Precinct shown in **Figure 1**.

Figure 1: Carter Street Precinct Location



A draft revised Master Plan for the Precinct was prepared to inform the amendment to the Auburn LEP 2010. The proposed SEPP will amend Auburn LEP 2010 by making changes to land use zones, maximum heights of buildings and maximum floor space ratios. It will also identify acquisition authorities for the Carter Street Precinct (Precinct), introduce design excellence provisions and introduce additional permitted uses on certain land.

General objectives and intended outcomes

The primary objective of the proposed amendments is to update existing planning controls to respond to the revised Sydney Olympic Master Plan 2030, provide for better urban design outcomes and enable infrastructure initiatives announced by the NSW Government since it introduced existing planning controls in 2015. The intended outcome of the proposed SEPP is to amend Auburn LEP 2010 to give effect to the draft revised Master Plan.

In 2015, the NSW Government rezoned the Precinct for at least 5,500 new dwellings, a new village centre and a new primary school. This followed the Government's endorsement of the Precinct as an Urban Activation Precinct in 2013.

In July 2017, the Department released a Greater Parramatta Interim Land Use and Infrastructure Implementation Plan (Interim LUIMP) for the Greater Parramatta Growth Area. It incorporates the Precinct as part of the 'Sydney Olympic Park and Carter Street Precinct' and identifies various infrastructure initiatives to support the Precinct. These include a new westbound offramp from the M4 Motorway near Hill Road, a proposed route for Parramatta Light Rail (Stage 2) and a site for a new primary school.

The existing planning controls need to be amended to enable these infrastructure initiatives. Amending the planning controls provides the opportunity for other improvements including expanding the public open space, co-locating the proposed primary school to improve its accessibility to public open space and the local village centre, providing an improved response to the revised Sydney Olympic Park Master Plan 2030 and addressing land use and safety issues associated with a fuel and gas pipeline corridor that traverses the Precinct.

In March 2018, the Greater Sydney Commission released the Central City District Plan identifying the Precinct as part of the Greater Parramatta Growth Area. The Precinct is identified as part of an Urban Renewal Area under the Central City District Plan and directly adjoins Sydney Olympic Park which is identified as a Strategic Centre.

The draft revised Master Plan maintains the overall development capacity of at least 5,500 new dwellings and up to 12,000 square metres of retail floor space.

The Department of Planning and Environment prepared the draft revised Master Plan in collaboration with the City of Parramatta Council, the NSW Roads and Maritime Services, Parramatta Light Rail, Transport for New South Wales, Department of Education and the Sydney Olympic Park Authority.

Amendments to Land Zoning Map

Proposed amendments to the existing Land Zoning Map are described below. Most land within the Precinct will retain its existing land zoning. The existing Land Zoning Map and the proposed amended Land Zoning Map is shown at **Figure 2** and **Figure 3** respectively.

Relocation of primary school site

The draft revised Master Plan proposes relocating the proposed primary school site from its current location in the north of the Precinct, to its new location east of the central public open space. This is to improve the proposed school's relationship with the public open space and village centre.

To enable this, it is proposed to amend the Land Zoning Map to rezone the new primary school site from R4 High Density Residential to SP2 Infrastructure (School) and rezone the existing school site from SP2 Infrastructure (School) to R4 High Density Residential.

Expansion of central public open space

The draft revised Master Plan proposes to expand the proposed central public open space from 2.98 hectares to 3.4 hectares. To implement this, it is proposed to amend the Land Zoning Map to rezone the additional open space area from R4 High Density Residential to RE1 Public Recreation.

Light rail on Uhrig Road

In October 2017, the NSW Government announced the preferred route for Parramatta Light Rail (Stage 2). It includes an extension into the Precinct with a stop and terminus at Uhrig Road.

It is proposed to amend the Land Zoning Map to identify a hatched 'Public Transport Corridor' overlay along Uhrig Road. A new local provision will also be introduced in the Auburn LEP 2010 requiring development on land in or adjacent to the Public Transport Corridor to obtain concurrence from Transport for NSW.

An example clause is detailed below.

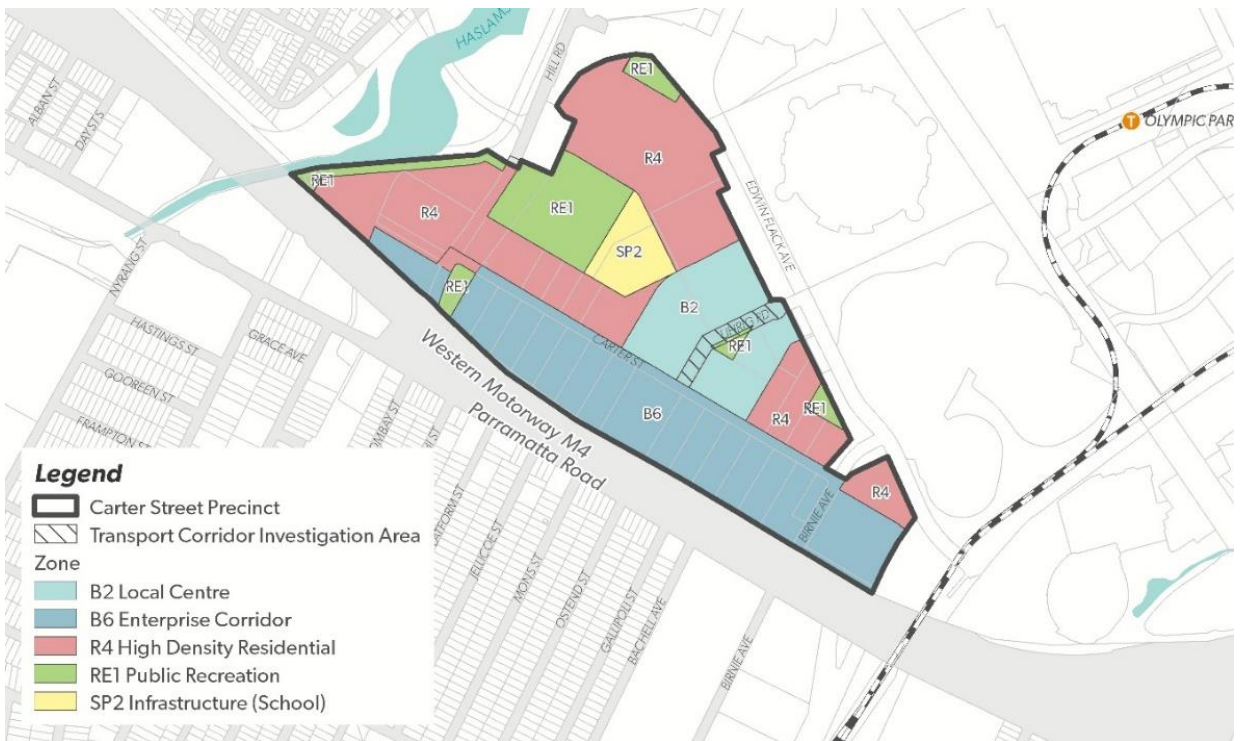
Clause 6.12 Development of land within or adjacent to public transport corridor

- (1) Consent must not be granted to development in the area marked 'A' on the Land Zoning Map without the concurrence of Transport for NSW.*
- (2) In determining whether to provide concurrence, Transport for NSW is to take into account the likely effect of the development on:
 - (a) The practicability and cost of carrying out public transport projects on the land in the future, and*
 - (b) Without limiting (a), the structural integrity or safety of, or ability to operate, public transport projects on the land in the future, and*
 - (c) Without limiting paragraph (a), the land acquisition costs and the costs of construction, operation or maintenance of public transport projects on land in the future.**

Figure 2: Existing Land Zoning Map



Figure 3: Proposed Land Zoning Map



Amendments to Height of Building Map

The existing Height of Building Map is shown in **Figure 4**. It is proposed to make various amendments to maximum building heights shown in the proposed Height of Buildings Map in **Figure 5**, affecting most land within the Precinct.

Proposed revised built form typology

It is proposed to amend the maximum building heights to encourage a perimeter block typology with slender towers on corner blocks in favour of uniform blocks, provide greater height variation across the Precinct, reduce overshadowing, improve views and reduce bulk to provide a more human scale on streets. It will also allow a transition from the taller buildings at Sydney Olympic Park.

Along the Precinct's northern and eastern edges, it is proposed to increase maximum building heights – to locate height closer to the village centre and potential light rail stop and terminus at Uhrig Road. Along Uhrig Road, it is proposed to reduce maximum building heights to reduce bulk and provide a more human scale at the local village centre. Along the northern edge of Carter Street, it is proposed to increase maximum building heights to locate height so it will not overshadow residential areas.

Along the western side of Hill Road, it is proposed to increase the maximum building height along Hill Road and reduce the maximum building height opposite the Haslams Creek foreshore. This will provide a 'gateway' to the Precinct and reduce bulk along the foreshore.

No change to building heights is proposed to employment lands to the south of Carter Street, along the Precinct's southern edge.

Proposed relocation of school site and expansion of central public open space

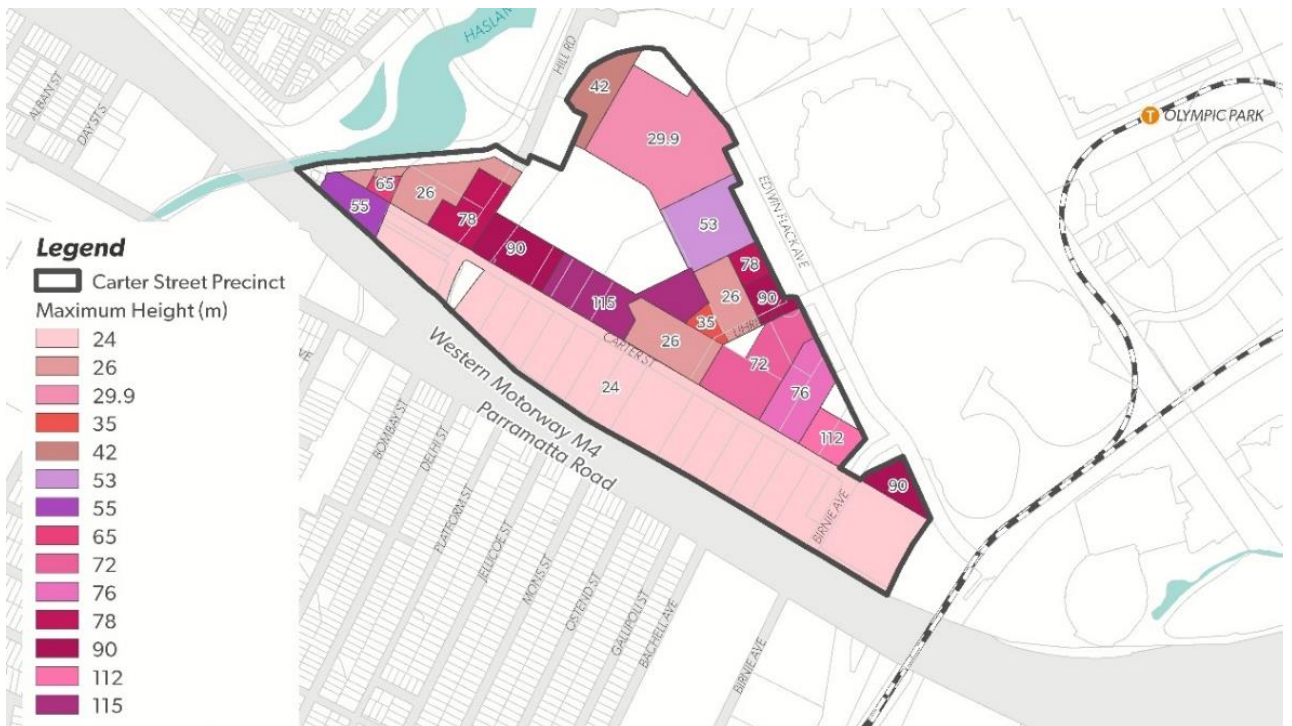
It is also proposed to amend the Height of Buildings Map to reflect the proposed relocation of the school site and proposed expansion of the central public open space. The existing Height of Buildings Map does not show a maximum building height for the existing school site or the existing extent of the central public open space.

It is proposed to remove the maximum building height for the new school site and increase the maximum building height for the existing school site. For the proposed additional area of public open space, it is proposed to remove the maximum building height.

Figure 4: Existing Height of Building Map



Figure 5: Proposed Height of Building Map



Amendments to Floor Space Ratio Map

Proposed revised built form strategy

It is proposed to amend the Floor Space Ratio Map to redistribute floor space within development sites so floor space can be accommodated within the proposed changes to the Height of Buildings Map described above.

While it is proposed to redistribute floor space within development sites, it is not proposed to provide any landowner with any net increase in floor space.

The existing and proposed amended Floor Space Ratio Map is shown at **Figure 6** and **Figure 7** respectively.

Proposed relocation of school and expanded central public open space

It is also proposed to amend the Floor Space Ratio Map to reflect the proposed relocation of the school site and expansion of the central public open space.

The existing Floor Space Ratio Map does not show a maximum floor space ratio for the existing school site or existing extent of the central public open space.

For the new school site, it is proposed to remove the maximum floor space ratio. For the existing school site, it is proposed to show a maximum floor space ratio.

It is proposed to remove the maximum floor space ratio on the land proposed to be used to expand the central public open space.

Figure 6: Existing Floor Space Ratio

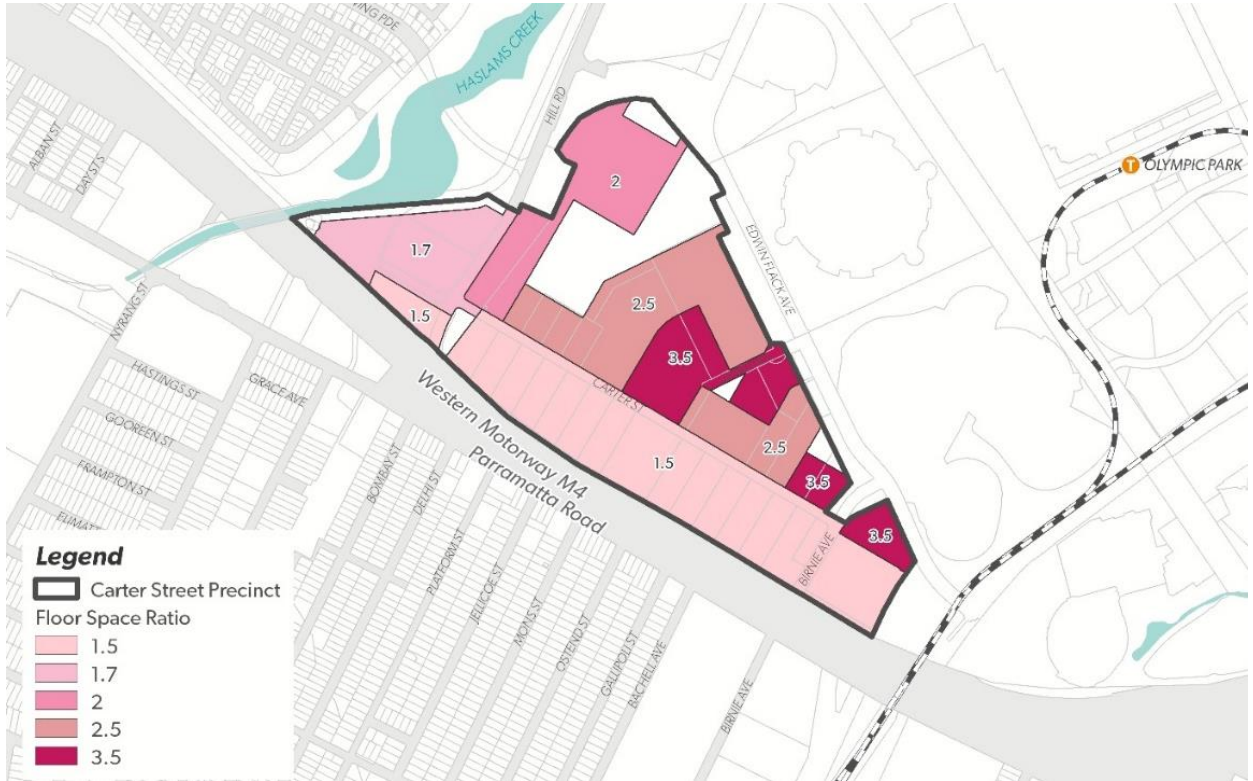
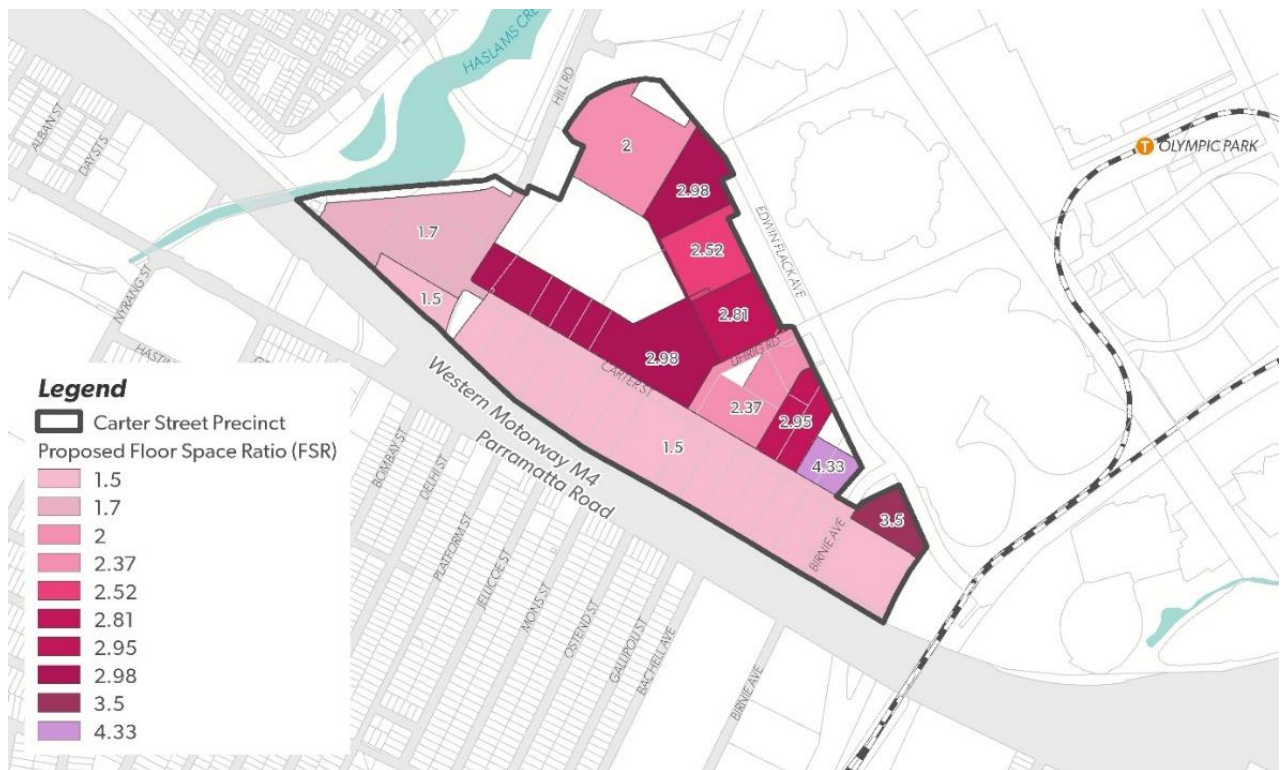


Figure 7: Proposed Floor Space Ratio



Amendments to Land Reservation Acquisition Map

Hill Road upgrade

The existing Land Reservation Acquisition map (**Figure 8**) identifies an area of land reserved for acquisition along the eastern side of Hill Road. This is based on the previous upgrade design. The relevant acquisition authority is Roads and Maritime Services.

The draft revised Master Plan proposes changes to the design of Hill Road to accommodate changes to the design of the M4 Motorway westbound offramp to Hill Road. To accommodate the new design, it is proposed to amend the Land Reservation Acquisition Map to reflect the extent of the new road design by reducing the acquisition footprint.

It is also proposed to amend clause 5.1 of Auburn LEP 2010 to identify Roads and Maritime Services as the relevant acquisition authority for land zoned R4 High Density Residential and marked 'Classified Road' and land zoned RE1 Public Recreation and marked 'Classified Road'.

Relocation of primary school site

The existing primary school site is identified for acquisition in the relevant Land Reservation Acquisition Map (**Figure 8**). The relevant acquisition authority is the Department of Education. It is proposed to amend the Land Reservation Acquisition Map to relocate the land reservation area to reflect the new primary school site location by relocating the land reservation area from the northern side of the proposed central public open space to the eastern side of the central public open space.

Expansion of central public open space

The existing central public open space is identified for acquisition in the Land Reservation Acquisition Map (**Figure 8**). The relevant acquisition authority is Council. It is proposed to amend the map to include the additional public open space area within the land reservation area.

The proposed Land Reservation Acquisition Map is shown in **Figure 9**.

Figure 8: Existing Land Reservation Acquisition Map

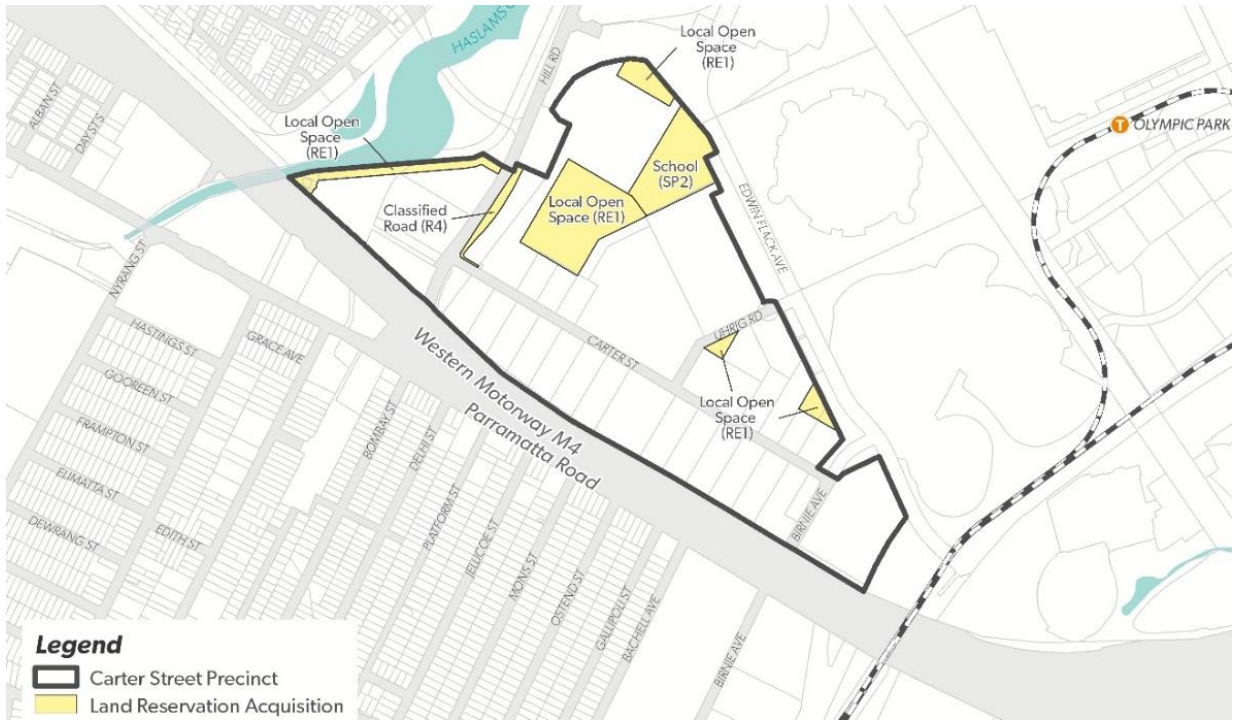
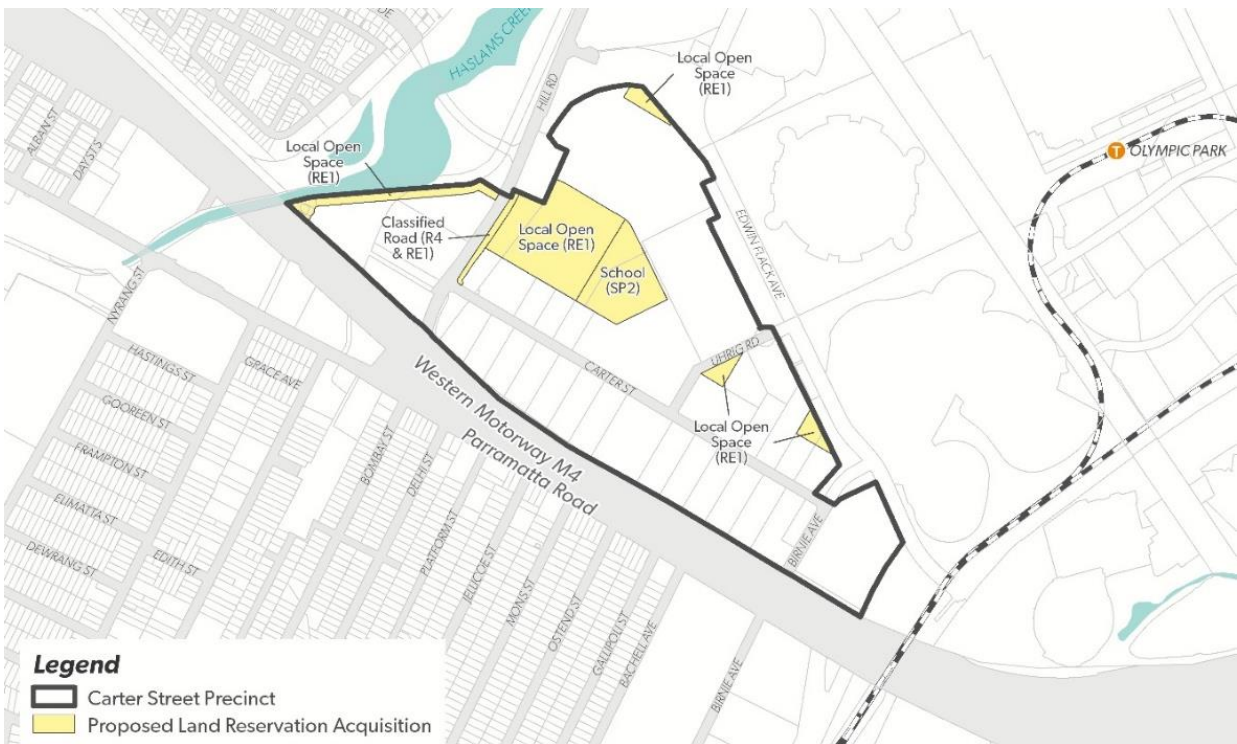


Figure 9: Proposed Land Reservation Acquisition Map



Amendments to Priority Precincts Map

It is proposed to amend the Priority Precincts Map to reword the title from 'Priority Precincts Map' to 'Special Precincts Map' and rename 'Carter Street Priority Precinct' to 'Carter Street Precinct'.

It is also proposed to amend Clause 6.8 to reword references from the 'Carter Street Priority Precinct' to 'Carter Street Precinct' and from 'Priority Precinct Map (Carter Street Priority Precinct land)' to 'Special Precinct Map'.

Clause 6.8 requires applicants to demonstrate that satisfactory arrangements are in place for the provision of designated State public infrastructure prior to approval being granted for subdivision or development for residential accommodation or commercial purposes on certain land in the Carter Street Precinct.

Amendments to Part 6 – Additional local provisions

Design excellence

It is proposed to insert a new site-specific clause in Part 6 – Additional local provisions requiring certain development within the Precinct to demonstrate design excellence. The clause will apply to all land within the Precinct. It will apply to development involving the erection of a new building or external alterations to an existing building if the new or existing building has a height of 42 metres or more or a capital value of \$100 million or more.

In deciding whether to grant development consent to the development application, the consent authority is to take into account the results of the architectural design competition. An architectural design competition involves the commissioning of architectural firms to prepare design concepts for the site. These will then be judged by a design competition jury who will determine whether the design concepts achieve design excellence and which presents the best design response. This assessment will be undertaken against a range of criteria.

A building demonstrating design excellence may have a building height that exceeds the maximum height shown for the land on the Height of Buildings Map by an amount, to be determined by the consent authority, of up to 10% of the amount shown on the Map.

An example clause is detailed below.

6.13 Design excellence

1. *The objective of this clause is to ensure that development exhibits design excellence that contributes to the natural, cultural, visual and built character values of the Carter Street Precinct.*
2. *This clause applies to development involving the erection of a new building or external alterations to an existing building on land identified as 'Carter Street Precinct' on the Special Precinct Map.*
3. *Development consent must not be granted for development to which this clause applies unless the consent authority considers that the development exhibits design excellence.*
4. *In considering whether the development exhibits design excellence, the consent authority must have regard to the following matters:*
 - a. *whether a high standard of architectural design, materials and detailing appropriate to the building type and location will be achieved,*
 - b. *whether the form and external appearance of the development will improve the quality and amenity of the public domain,*

- c. *whether the development detrimentally impacts on view corridors,*
 - d. *whether the development detrimentally impacts on any land protected by solar access controls established in the Carter Street Precinct Development Control Plan,*
 - e. *the requirements of the Carter Street Precinct Development Control Plan,*
 - f. *how the development addresses the following matters:*
 - i. *the suitability of the land for development,*
 - ii. *existing and proposed uses and use mix,*
 - iii. *heritage issues and streetscape constraints,*
 - iv. *the relationship of the development with other development (existing or proposed) on the same site or on neighbouring sites in terms of separation, setbacks, amenity and urban form,*
 - v. *bulk, massing and modulation of buildings,*
 - vi. *street frontage heights,*
 - vii. *environmental impacts such as sustainable design, overshadowing, wind and reflectivity,*
 - viii. *the achievement of the principles of ecologically sustainable development,*
 - ix. *pedestrian, cycle, vehicular and service access, circulation and requirements,*
 - x. *the impact on, and any proposed improvements to, the public domain.*
5. *Development consent must not be granted to the following development to which this clause applies unless an architectural design competition that is consistent with the Design Excellence Guidelines has been held in relation to the proposed development:*
- a. *development in respect of a building that is, or will be, higher than 42 metres above ground level (existing), or*
 - b. *development having a capital value of more than \$100,000,000.*
6. *Subclause (5) does not apply if the Council certifies in writing that the development is one for which an architectural design competition is not required.*
7. *A building demonstrating design excellence may have a building height that exceeds the maximum height shown for the land on the Height of Buildings Map by an amount, to be determined by the consent authority, of up to 10% of the amount shown on the map.*
8. *In deciding whether to grant development consent to the development application, the consent authority is to take into account the results of the architectural design competition.*
9. *In this clause:*
- a. **architectural design competition** *means a competitive process conducted in accordance with the Design Excellence Guidelines.*
 - b. **Design Excellence Guidelines** *means the Design Excellence Guidelines issued by the Secretary, as amended from time to time.*
 - c. **Carter Street Precinct Development Control Plan** *means the Carter Street Precinct Development Control Plan, as adopted.*

Amendments to Schedule 1 Additional Permitted Uses

It is proposed to amend Schedule 1 Additional Permitted Uses of Auburn LEP 2010 to allow additional non-residential uses for the site at No.2 Hill Road, Lidcombe (Lot 5, DP 1081374 and Lot 1, DP 747776). This site is located in the western corner of the Precinct, between Haslams Creek, M4 Motorway and Hill Road.

Under the existing Land Zoning Map the site is zoned R4 High Density Residential. It is not proposed to change this zoning. However, it is proposed to amend the Carter Street Precinct Development Control Plan 2016 to insert new land use safety requirements to address identified land use safety issues from a fuel and gas pipeline that traverses the Precinct's southern part. Under the proposed controls, residential floor space must not be located within a mapped land use safety area unless the applicant can demonstrate the proposed development meets relevant land use safety criteria.

It is proposed to amend Schedule 1 of Auburn LEP 2010 to identify additional permitted non-residential uses at the site to increase opportunities for non-residential floor space to be located on the site in the event an applicant cannot demonstrate proposed residential floor space will meet relevant land use safety criteria.

It is proposed to amend Schedule 1 to identify the following uses as permitted uses on the site:

- bulky goods premises
- business premises
- entertainment facilities
- food and drink premises
- function centres
- garden centres
- hardware and building supplies
- information and education facilities
- kiosks
- landscaping material supplies
- markets
- neighbourhood shops
- office premises
- passenger transport facilities
- plant nurseries
- recreation facilities (indoor)
- registered clubs
- retail premises
- self-storage units
- timber yards
- vehicle sales or hire premises
- warehouse or distribution centres.

Consideration may be given to include controls in the State Environmental Planning Policy and Auburn Local Environmental Plan 2010 that are similar to the controls proposed in the Carter Street Precinct Development Control Plan 2016 to address the identified land use safety issues.

