

INNOVATIVE

ITEM NUMBER	17.2
SUBJECT	FOR APPROVAL: Draft Development Control Plan for the Telopea Precinct for Public Exhibition
REFERENCE	F2021/00521 - D07947043
REPORT OF	Team Leader Land Use Planning
PREVIOUS ITEMS	8.9 - Telopea Master Plan - Council - 13 Mar 2017 6:00pm 0.0 - Telopea Planned Precinct - Council - 11 Feb 2019 6.30pm 13.7 - Telopea Master Plan - Council - 18 Dec 2017 6.30pm

PURPOSE:

To seek Council's endorsement to place the draft Development Control Plan for the Telopea Precinct on public exhibition.

RECOMMENDATION

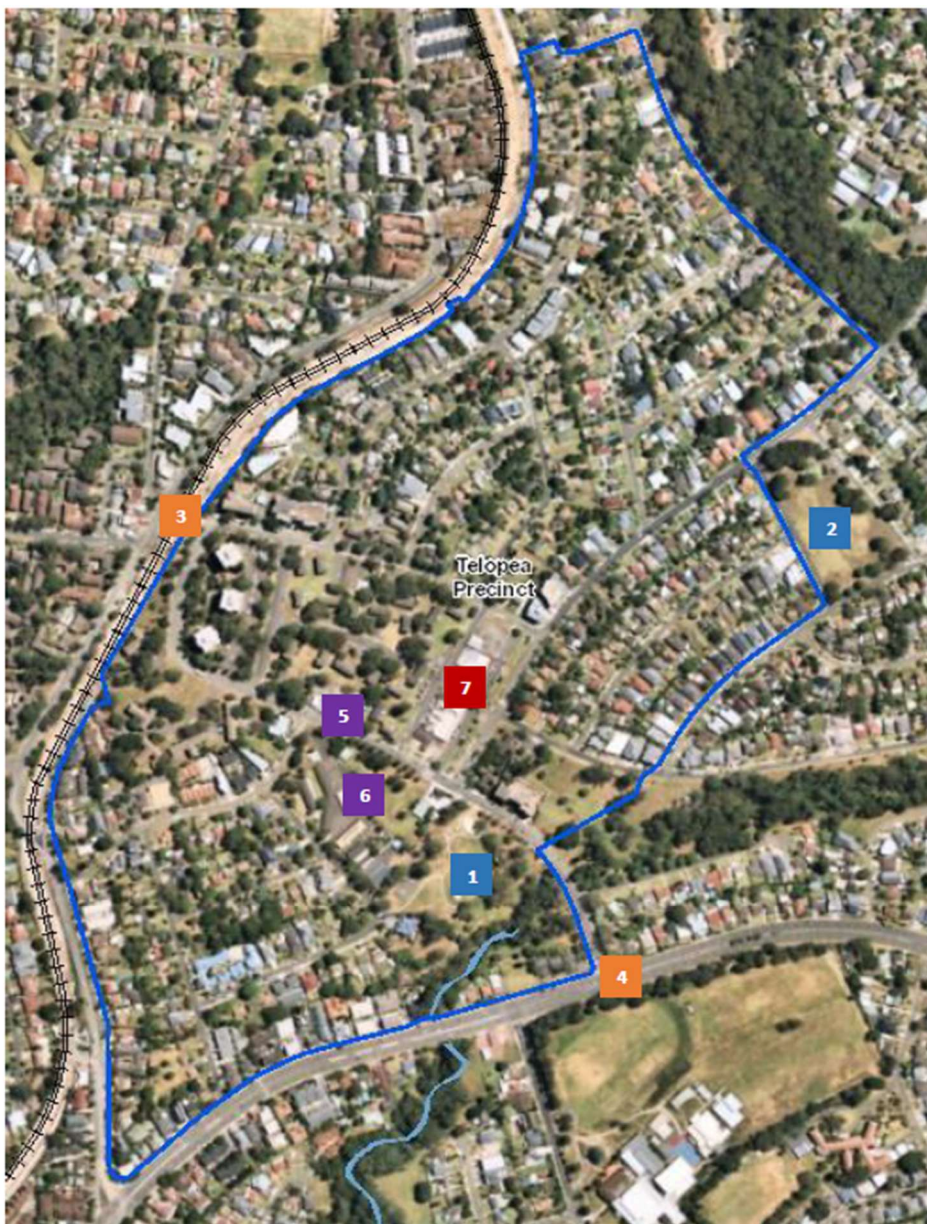
- (a) **That** Council endorse the Telopea Precinct draft Development Control Plan (DCP) provided at **Attachment 1** and the repeal of existing controls relating to Telopea in Section 4.1.11 of the Parramatta DCP 2011 for public exhibition purposes.
- (b) **That** the draft DCP be placed on public exhibition for a minimum period of 28 days and that Council undertakes the following engagement:
- i. Letters to property owners/occupiers and key stakeholders notifying them of the public exhibition;
 - ii. Exhibition of the draft DCP on Council's *Participate Parramatta* website;
 - iii. Notification of Draft DCP public exhibition in the local paper;
 - iv. Hard copies of the draft DCP available at Council's Customer Service Centre and Dundas, Epping and Parramatta Libraries; and
 - v. A series of four out of hours phone 'book a planner' sessions during the exhibition period.
- (c) **That** a report be prepared to Council on the outcome of the public exhibition period prior to the finalisation of the draft DCP.
- (d) **Further, that** Council authorise the Chief Executive Officer (CEO) to correct any minor anomalies of a non-policy and administrative nature relating to the draft DCP that may arise.

BACKGROUND

1. The Telopea Precinct (the Precinct) is located to the east of the former Telopea heavy-rail station and future Telopea Light Rail Stop, as shown in **Figure 1**.
2. The precinct has a total area of sixty-four (64) hectares of which forty-five (45) hectares is developable land in private or Land and Housing Corporation (LAHC) ownership. The precinct currently contains approximately 1,400

dwellings, of which approximately 640 are government-owned social housing dwellings, 152 are dwellings operated by community housing providers as affordable housing and approximately 570 dwellings are in private ownership. The Precinct contains a range of existing detached dwellings, duplexes, townhouses and some low scale residential flat buildings. The tallest buildings are three residential towers (9 storeys each), which are within LAHC ownership, along Sturt Street directly opposite Telopea Light Rail Stop.

3. Telopea is characterised by its steep topography, which falls from the ridgeline at the future light rail corridor to the south west. It also features established vegetation and canopy trees and is bounded by existing open and natural spaces, including Sturt and Acacia Parks, Ponds Creek Reserve and the Rapanea Forest. Key established points of interest include Telopea Public School, Waratah shops (at Evans Street) and Council’s Dundas Branch Library and Neighbourhood Centre at 21 Sturt Street. Refer **Figure 1** for locations.



- | | | |
|----------------------|--|-------------------------|
| 1 Sturt Part | 4 Kissing Point Road | 6 Telopea Public School |
| 2 Acacia Park | 5 Dundas Valley Library and Community Centre | 7 Waratah Shops |
| 3 Light Rail Station | | |

Figure 1: An aerial map of the precinct (outlined in blue) with key attributes labelled

4. Precinct planning for Telopea has been underway since 2015, with involvement from Council, LAHC and the (then) Department of Planning and Environment at various times. **Table 1** below summarises the timeframe and key milestones for planning for Telopea Precinct and **Attachment 2** provides a more detailed history.

Table 1: Summary of Planning History of Telopea

Timeframe	Planning Milestones
July 2015	<ul style="list-style-type: none"> Council and Land and Housing Corporation (LAHC) entered into a partnership to develop a Telopea Master Plan which aimed at setting the vision and outcomes for urban renewal of Telopea, including identifying improved local infrastructure.
13 March 2017	<ul style="list-style-type: none"> Council (under Administration) endorsed the Master Plan for the purpose of informing the future Telopea planning process.
Mid - Late 2017	<ul style="list-style-type: none"> The (then) Department of Planning and Environment declared Telopea a 'Priority Precinct' and subsequently exhibited the Telopea Precinct Proposal (Stage 1) and supporting technical studies in late 2017.
18 December 2017	<ul style="list-style-type: none"> Council endorsed a submission providing in principle support for Stage 1 of the Precinct Proposal (Stage 1) but underscored that: <ol style="list-style-type: none"> Further analysis was required given proposed density controls were set to the upper limit; A development control plan (DCP) was not yet resolved; and Local infrastructure requirements and a new development contributions plan and were not yet resolved.
19 December 2018	<ul style="list-style-type: none"> The NSW Government introduced new planning controls (via an amendment to the Parramatta LEP 2011) for the Telopea precinct which have the potential to realise the delivery of 4,500 new homes (10,000 residents) and a new retail precinct. The rezoning resulted in amendments to the planning controls including changes to land use zoning, density (floor space ratio) and height of buildings (detailed below). The rezoning did not include a DCP or contributions framework.
December 2019	<ul style="list-style-type: none"> Frasers Property and Hume Housing were announced as LAHC's development partner for the redevelopment of the majority of LAHC owned properties within the Telopea Precinct.
18 December 2021	<ul style="list-style-type: none"> Amendments made to the SEPP (State and Regional Development) 2011 that allowed development (>\$100m) on or behalf of LAHC to be deemed 'State Significant Development'.
12 February 2021	<ul style="list-style-type: none"> Council was notified by the Department of Planning, Industry and Environment (DPIE) that LAHC intends to lodge a Concept Plan and Stage 1A (detailed development) for the Telopea Estate Redevelopment.

5. As summarised in **Table 1** above, the current planning controls contained in the *Parramatta Local Environmental Plan* (PLEP) 2011 are as a result of the 2018 rezoning. Generally the highest density (floor space ratio (FSR)) and height of buildings are located adjacent to the Light Rail station and within the Core area – allowing shop top housing or residential flat buildings in the corridor between the light rail stop and the existing shops. ranging from 22 storeys, at the light rail station down to 1 to 2 storey multi-unit dwellings at the edges of the precinct. The precinct's floor space ratio and height of buildings maps are provided below in **Figures 2 and 3** respectively.

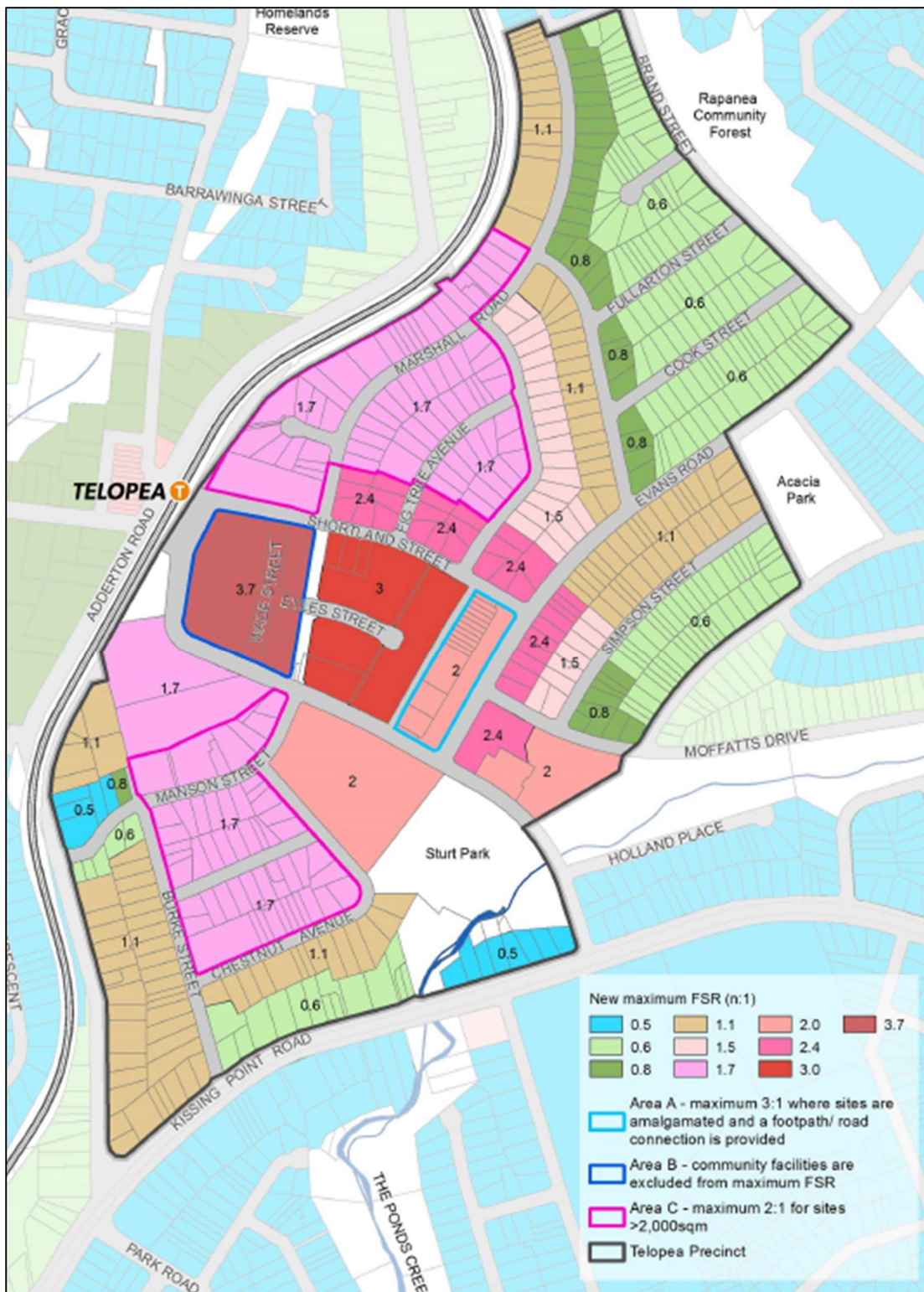


Figure 2: Telopea Precinct – Summary Maximum Floor Space Ratio Map

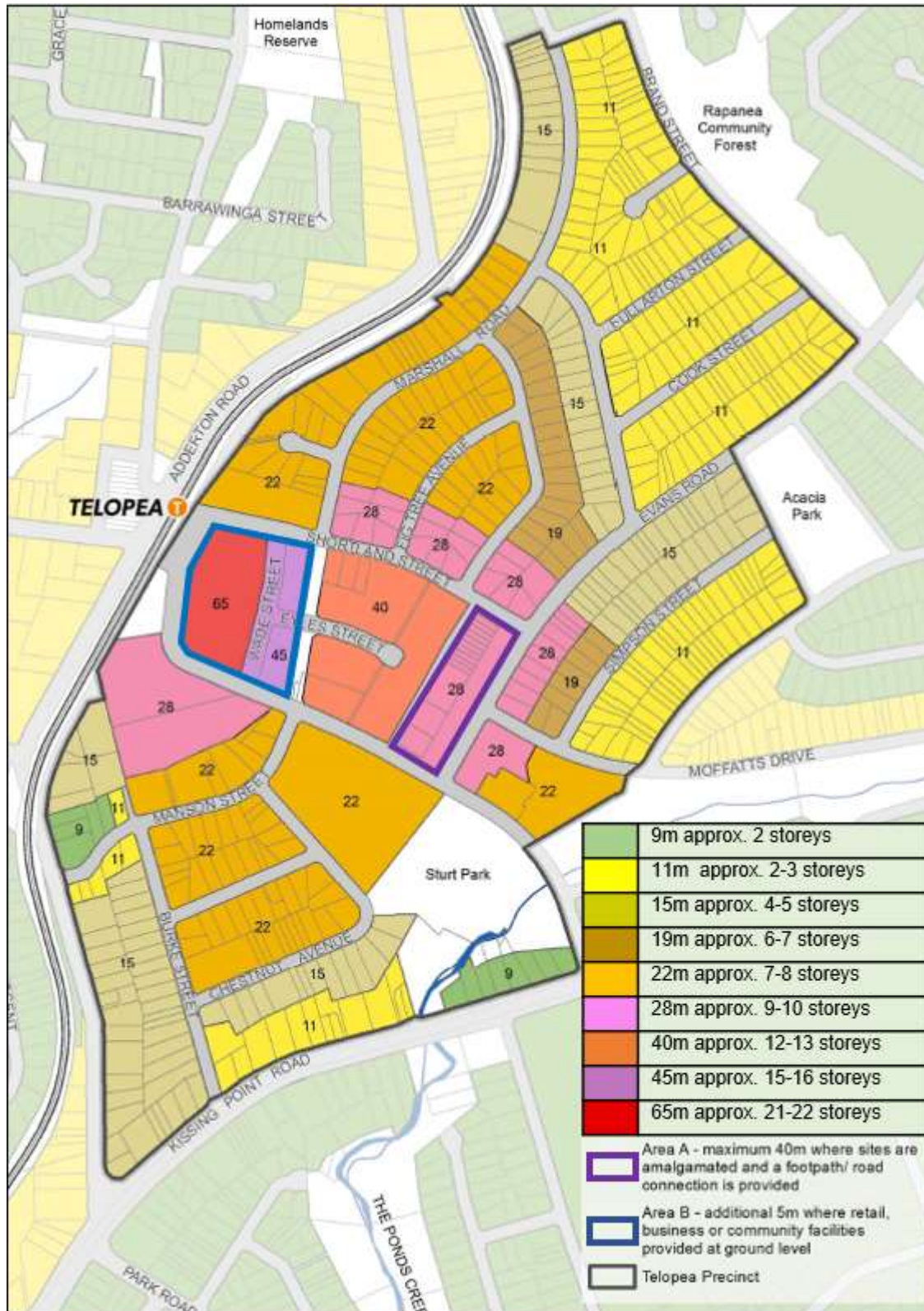


Figure 3: Telopea Precinct – Summary Maximum Height of Buildings Map

6. The planning controls also allow for incentive FSR and height of building controls in order to incentivise site amalgamation or the provision of community facilities. **Figures 2 and 3** show the respective Areas and incentives as follows:
 - a) Area A (refer height and FSR map): An additional 1:1 FSR (totaling 3:1) and 12 metres of building height (totaling 40 metres) can be achieved when all sites within Area A are amalgamated and a footpath/road connection is provided.

- b) Area B (refer height and FSR map): Community facilities are to be excluded from the calculation of FSR on sites in Area B and an additional 5 metres of building height (totaling a split of 70 metres and 50 metres) if retail, business or community facilities are provided on the ground floor.
 - c) Area C (refer FSR map): An additional 0.3:1 (totaling 2:1) can be achieved if sites within Area C are amalgamated to a minimum size of 2,000 square metres.
7. Clause 6.12 of the Parramatta LEP 2011 sets out design excellence provisions with the Telopea Precinct, development must demonstrate how it meets design excellence criteria. Furthermore, development higher than 55 metres or with a capital value of over \$100m must hold an architectural design competition.
 8. The rezoning of Telopea also included the insertion of two clauses into the Parramatta LEP 2011 that were not previously exhibited by the Department. The clauses are summarised as follows:
 - Clause 6.18: Development consent cannot be granted for sites within the Telopea Precinct until a DCP has been developed for the precinct that addresses the criteria contained within the clause. Note that this clause allows for minor development, such as dwelling houses, dual occupancies and secondary dwellings to proceed ahead of a precinct DCP being prepared.
 - Clause 8.1: Development consent cannot be granted for residential development within the Telopea Precinct unless the Secretary of the NSW Department of Planning, Industry and Environment certifies that satisfactory arrangements have been made to contribute to the provision of State infrastructure.
 9. Since the release of the new planning controls, Council Officers have worked with LAHC in the preparation of the new precinct DCP that responds to the new planning controls and that seek to align the future development of the precinct with the endorsed Telopea Master Plan.

Voluntary Planning Agreement

10. In December 2019, Frasers Property and Hume Housing were announced as LAHC's development partner for the Telopea Precinct. Telopea is a part of the Communities Plus Program under which LAHC engages private sector developers and community housing providers to design, fund and build social, affordable and private housing. As each development is completed, new social housing properties are handed over to LAHC.
11. In June 2020, Frasers submitted to Council its first letter of offer to enter into a Planning Agreement. The offer included the delivery of community infrastructure and several other works-in-kind. Council Officers support elements of the offer in-principle. However, there are significant revisions which need to be made. A future report will be considered by Council in relation to the Planning Agreement.

State Significant Development Application

12. On 18 December 2020, an amendment was made to the State Environmental Planning Policy (State and Regional Development) 2011 that allowed

development on or behalf of LAHC to be deemed 'State Significant Development' if it has a capital investment value over \$100 million. This means that the Department of Planning, Industry and Environment (DPIE) is the consent authority for any Development Applications which meet this criteria.

13. On 12 February 2021, Council was notified by DPIE that LAHC has requested a Secretary's Environmental Assessment Requirements (SEARs) for a Concept Plan and Stage 1A (detailed development) for the Telopea Estate Redevelopment. A SEARs lists out the documents needed to accompany a State Significant Development (SSD) Application, and signifies the commencement of the SSD process. SEARs was issued on 9 April 2021 to the applicant by DPIE.
14. The Concept Proposal by LAHC includes the following:
 - a) A mixed-use development of approx. 4,700 dwellings, including 1,000 social, affordable and market dwellings;
 - b) 7,000sqm retail precinct with a new supermarket, food and beverage, specialty retail & a childcare facility;
 - c) Proposed combined library and community centre;
 - d) Proposed combined Church, Residential Aged Care Facility and Independent living unit's facility;
 - e) Delivery of new public open space, including a new light rail plaza and hill top park, Elyes pedestrian link; and
 - f) Road and intersection upgrades & cycle way upgrades.

The Concept Proposal relates refer to the dark red area shown in **Figure 4** below.

15. The detailed proposal for Stage 1A of the redevelopment applies to the following:
 - a) Residential flat buildings up to ten storeys in height containing a total of 452 apartments on Lot C9;
 - b) a new public park;
 - c) a new road crossing of the light rail corridor; and
 - d) a new plaza adjacent to Telopea Station.

The detailed proposal relates to the light red show at **Figure 4** below.

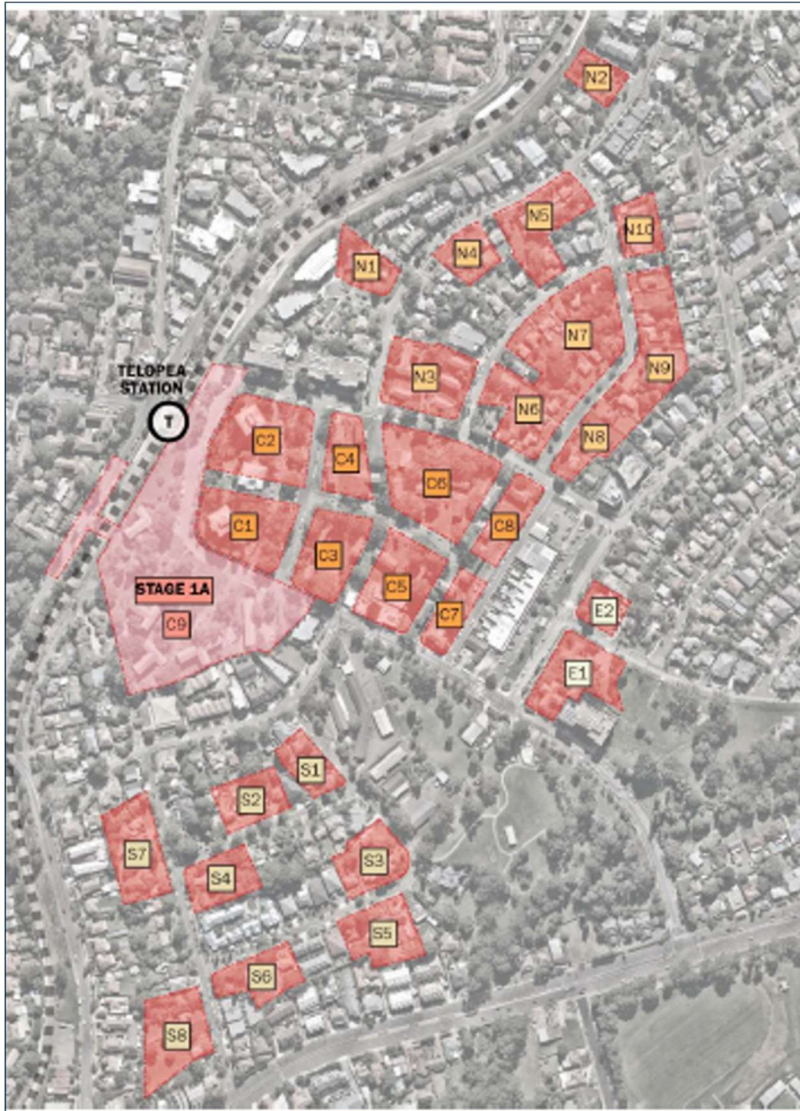


Figure 4: Land application of the Concept Application and Stage 1 Detailed Application (source Scoping Report for SSD Application, LAHC 2021)

16. The application applies to LAHC owned land, Council’s pathways, roads and 21 Sturt St (Dundas Library site) and Telopea Christian Church (16 Shortland St). However, at the time of writing this report LAHC had not indicated if it is seeking land owners consent or using its power under the Housing Act 2001 to compulsorily acquire Council’s land.
17. Legal advice obtained by Council officers offers that in relation to the lodgment of the SSD Application which pertains to Council’s land that:
 - a. LAHC are a statutory body under the Housing Act 2001 and a ‘public authority’ under the relevant roads and planning legislation; and
 - b. Development applications usually require land owner’s consent, but Landowner’s Consent is not required for development applications made by a “public authority” under clause 49(2) *Environmental Planning and Assessment Regulation 2000*).
18. Furthermore, the legal advice in relation to LAHC powers to acquire / purchase Council owned land is that:
 - a) LAHC has compulsory acquisition powers (section 22 *Housing Act 2001*), including “to acquire land for present or future residential development and public purposes” and the land acquired does not

- need to be used for “public purposes” and can be developed by others or sold to others by LAHC; and
- b) Acquisition process is governed by the *Land Acquisition (Just Terms Compensation) Act 1991*.
19. Council Officers have asked LAHC to clarify their intentions (and relevant legal mechanism) through both the VPA and SSD process for Council owned land. It is noted that Council may still object or make submission in relation to the SSD Application and Council may object to compensation offered in the event of compulsory acquisition.
20. It is expected that the Environmental Impact Assessment (EIS) will be lodged with DPIE by Frasers and LAHC in May / June 2021 and shortly thereafter will be placed on public exhibition. It is at this time Council will have the opportunity to put in a formal submission to the DPIE.
21. The LAHC Frasers proposal deviates from the outcomes envisioned under the Telopea Master Plan, most notably the following discrepancies:
- The pedestrianisation of Eyles Street between Wade Street and close to Benaud Lane and the creation of a pedestrian spine from Benaud Place to Sturt Street, which includes new public parks and a retail plaza;
 - Introduction of a new street called ‘Wade Lane’, which was not envisaged by the Master Plan;
 - Introduction of ‘New Marshall Street’ with its route different from that envisaged by the Master Plan.
 - Items a), b) and c) above would require the closure and use of Council’s public roads;
 - The location of the new community centre and library between the new Wade Lane and New Marshall Street (just north of the existing Council facility) and associated use of 21 Sturt Street (Council land) as part of the LAHC/Frasers development; and
 - A new neighbourhood park at Polding Place of approximately 2,500sqm.

Refer **Figures 5 and 6** which indicates key differences between the Telopea Master Plan and LAHC / Frasers proposal.

22. Furthermore, it is anticipated that LAHC and Frasers will avail of the FSR bonuses available under the State Environmental Planning Policies - Affordable Rental Housing (SEPP ARH) and Seniors Living. In particular SEPP ARH may be applied across the LAHC owned land, regardless of the tenure or type of housing that is being delivered. Therefore allowing on any individual sites up to 20% or 0.5:1 additional FSR above what is permitted under the PELP 2011. The implications are as follows:
- Additional ‘unplanned’ ‘bonus dwellings’ on LAHC land of between 900-1,000 dwellings (this is based on Council Officer estimates and it is expected that when the EIS is lodged as part of the SSD Application, this will clarify additional dwellings numbers).
 - Impact of additional FSR on built form, e.g. reduced setbacks and/or additional height.

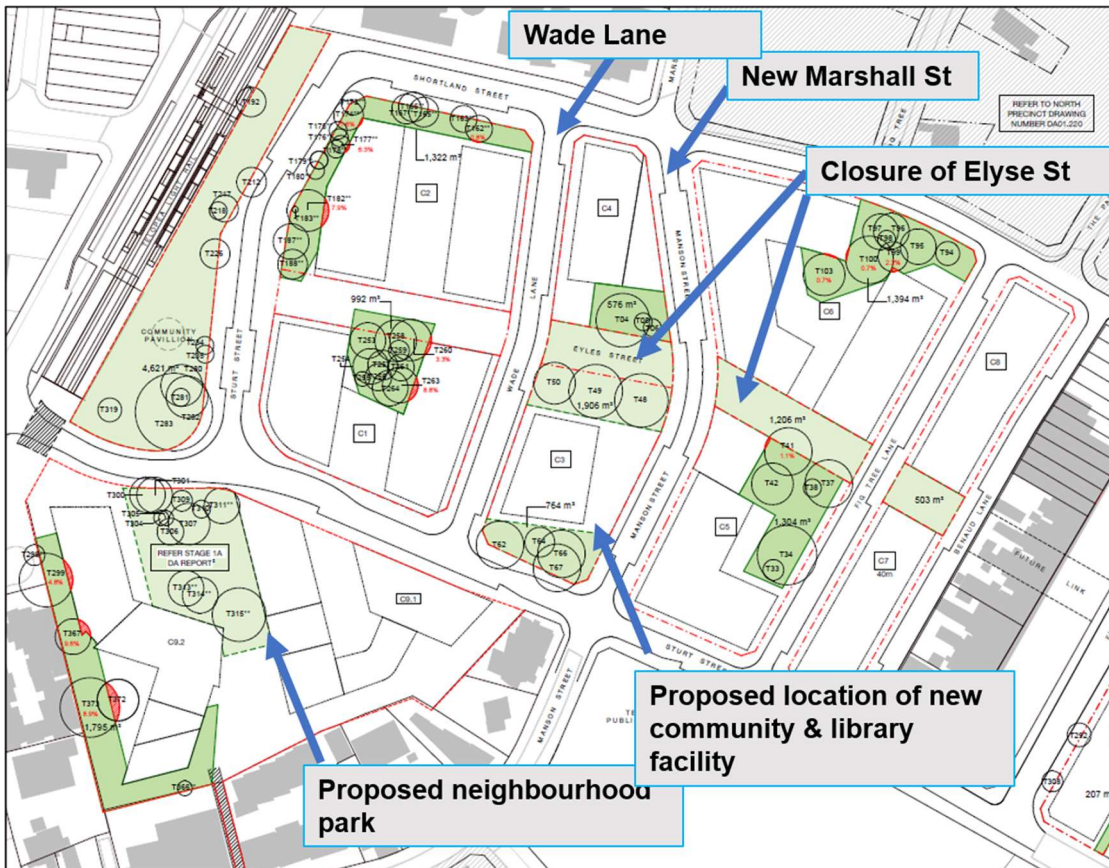


Figure 5: Extract from ‘Request for SEARS Concept Drawings’ (LAHC/Frasers), accessed from DPIE Major Project website – February 2021. Blue markings indicate areas of difference between Figure 6 below (Council Officers).

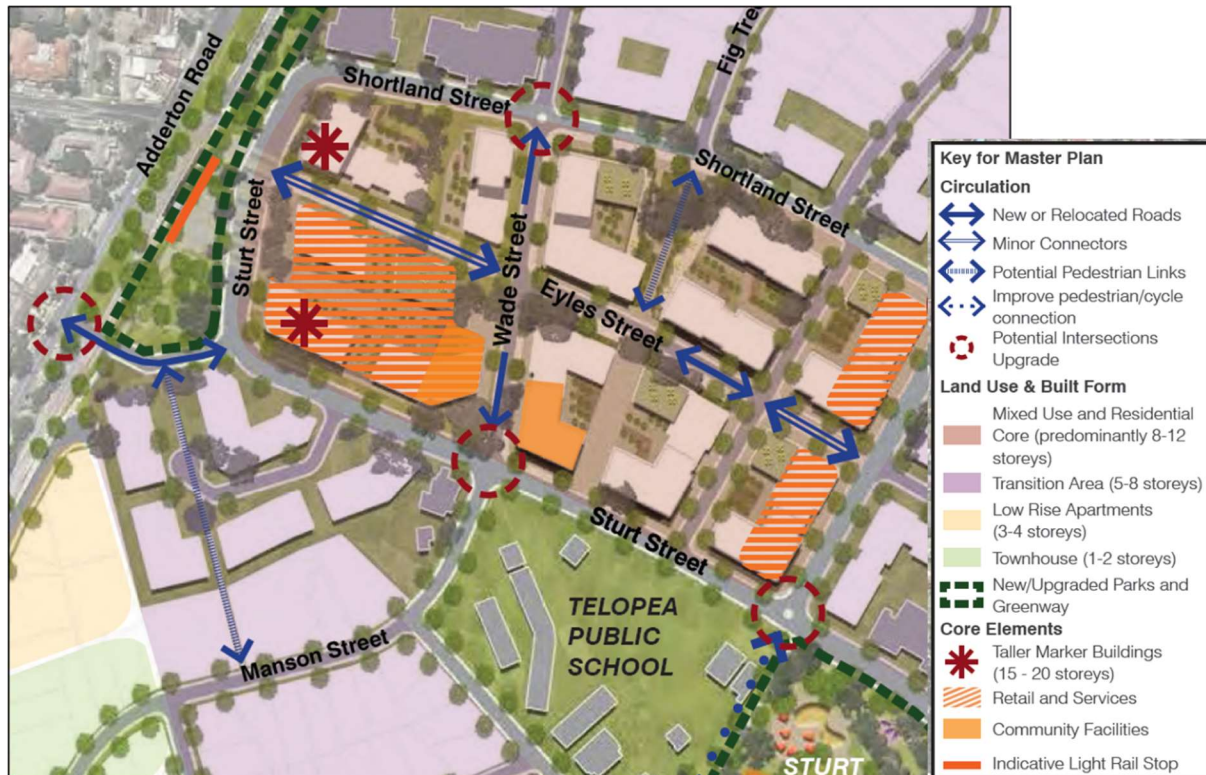


Figure 6: Extract from the Telopea Master Plan 2017 (LAHC/City of Parramatta Council)

23. In light of the ongoing negotiations in relation to the VPA and that the State Significant Development (SSD) is in early stages of the process, Council Officers recommend that the Draft DCP largely reflect Council’s endorsed Telopea Master Plan. The draft DCP (and future final DCP) may be used as a

supporting guide for Council's future formal responses in relation to the VPA and SSD. It is noted that this would not preclude Council from supporting the LAHC and Frasers proposal in the future, if Council wishes to do so.

DRAFT DEVELOPMENT CONTROL PLAN

24. The draft Telopea Precinct DCP (refer **Attachment 1**) has been developed using a collaborative approach between various Council Departments. It has been subject to numerous revisions in order to reach the current version. The draft DCP is largely reflective of Telopea Master Plan and aims to support the planning controls for the Telopea Precinct contained within the Parramatta LEP 2011.
25. It is noted that under Clause 6.18 the finalisation of a DCP for Telopea will ensure that development applications for residential flat buildings and the like can be determined. These will principally relate to private applicants (as LAHC have chosen the State Significant Development pathway as described above). Clause 6.18 of the Parramatta LEP 2011 also sets out the criteria that should be addressed in the Draft DCP, and this is summarised in **Attachment 3**.
26. Currently Section 4.1.11 Towns and Neighbourhood Centres of the Parramatta Development Control Plan 2011 contains existing controls relating to Telopea Precinct which in were put in place in 2011. This was four years prior to the commencement of the Telopea Master Plan process and the subsequent Priority Precinct and rezoning process carried out by the (then) Department of Planning and Environment. These DCP provisions are no longer reflective of the current planning controls in the Parramatta LEP 2011 for the Telopea Precinct. As such is it recommended that these controls be repealed if the Telopea Precinct DCP is adopted by Council.
27. The following provides an overview of the contents of the Draft DCP.

Scope and Primary DCP Objectives

28. The Draft DCP relates to the Telopea Precinct, which is shown in **Figure 8**. The area which will contain the tallest and densest buildings and retail areas is know as The Core and is shown in blue line outline.
29. The draft DCP is underpinned by the outcomes of the Telopea Master Plan and responds to the planning controls contained in the Parramatta LEP 2011. Key objectives of the Draft DCP are to ensure that future development:
 - a) Creates a vibrant, cohesive and safe mixed-use precinct which delivers shared civic spaces, community facilities and services and retail facilities.
 - b) Has the potential to deliver new open spaces, public domain, pedestrian links and streets which provides amenity and aids in navigating the topography of the precinct.
 - c) Includes buildings that respond to the topography, landscape and solar access, and improve safety and connectivity.
 - d) Promotes the reduction of water and energy consumption, reduces impact on urban heat and improves pedestrian comfort;

- e) Maximises opportunities for future planting of trees and retention of existing significant trees within the public and private domain.



Figure 5: Telopea precinct – Application area of Draft DCP

Council owned land

- 30. Council owned land within Telopea is at 21 Sturt Street (the current Dundas Community Centre and Library) and the land between the existing Waratah Shops and the formed section of Evans Road (also known as Benaud Place). These are shown in shaded blue at **Figure 5**.
- 31. The Draft DCP recognises that as part of the transformation of the Telopea Precinct, that a new community centre and library will be required to meet the community needs in the medium to long term. The Draft DCP acknowledges that Council will investigate the future of 21 Sturt Street, this includes the option of building new community facilities on the current site and the potential relocation of community facilities to alternative sites.

32. In relation to the Council owned-land between the existing Waratah Shops and the formed section of Evans Road (also known as Benaud Place), the Draft DCP details that Council would consider the potential to consolidate with adjoining private land owners as part of a future mixed use or residential development (only if the road reserve is no longer required to provide access to adjoining privately owned sites). Should the Council land be consolidated, then any subsequent development should retain an area of adjacent green space or public domain to complement the development. As described in paragraph 6(a) above, this aims to complement the density and height incentive controls for amalgamation of this land and Waratah Shops in the Parramatta LEP 2011.

Traffic and Transport

33. The Draft DCP recognises that although the precinct will have improved and reliable public transport when the Parramatta Light Rail opens in 2023, Telopea is a suburban centre and will require adequate off street car parking. As such residential accommodation car parking rates are set in line with the Roads and Maritime Services' *Guide to Traffic Generating Developments* (2002) for Metropolitan Subregional Centres. It is noted that the State Environmental Planning Policy Affordable Rental Housing (SEPP ARH) determines car parking rates for social and affordable housing.
34. In relation to active transport, requirements are to provide bicycle parking and the identification of new off road and shared cycleways and new cycle and pedestrian links within the precinct.
35. Future proofing for electric vehicle charging within buildings is also included in the Draft DCP. These draft controls aim to ensure that apartment unit owners/occupiers and or body corporates can both technically and affordably accommodate electric vehicle charging infrastructure in the future. It is noted that although similar draft controls for electric vehicles have been endorsed for the Draft Melrose Park North DCP, this is the first precinct based DCP comprising multiple-landowners (as opposed to a single developer) to include these draft controls.

Built Form – The Core

36. The Draft DCP recognises that the built form and land use typology (mixed use development) differs within the Core Area and requires specific design objectives, principles and controls (noting that this area will largely be informed by the SSD Application). Key design principles and controls for The Core include:
- a) Requirements for the lodgment of a Concept Application prior to or concurrently with any detailed development application and associated information required to be submitted for this area;
 - b) Considerations for the potential redevelopment of Waratah Shops, including amalgamation of lots (including Council owned land), solar access, consolidated vehicular access, and public access through to Elyse Street;
 - c) Controls relating to setbacks from the street, tower setbacks and breaks in buildings to ensure high density built form interacts well with the public domain; and

- d) Controls relating to basements, retaining walls and apartments that may be built below street level, which ensure that new development responds to the topography of the site and maximises solar access.

Built Form – The Precinct

37. The Draft DCP objectives, design principles and controls relate to residential flat buildings of between 5 storeys and 9 storeys. Key controls relate to:
 - a. Provision of 4 to 6 metres front setback controls and minimum 10 metres or 15% of site length (whichever is greater), rear setback controls with basements largely contained within the building footprint to ensure developments maximise deep soil and landscape areas (including retention of trees) in the front and rear setbacks.
 - b. Allowing consistent breaks in buildings and provision of through site links to form opportunities for solar access, views across the Dundas Valley and provide a comfortable neighbourhood environment; and
 - c. Provisions relating to the response of the building to the topography, including car parking basement structure design above ground, vehicular crossings, retaining walls, landscaping.

Public Domain

38. The key objective of the Draft DCP is to provide quality public domain and open spaces which provide universal access and connections across the Precinct. Design principles and controls relate to the submission of Public Domain Plans with DAs and design requirements for public spaces, including any publicly accessible spaces (but not in Council's ownership) and the Arrival Plaza.

Tree Protection and Enhancement

39. Telopea is characterised by mature trees and it is the objective of the Draft DCP to maintain this natural amenity and preserve and enhance the tree canopy within Telopea. Specific controls are in place to ensure that new developments are designed to minimize the removal of existing protected mature trees. Where removal of a tree may provide built form, heritage or public domain outcomes removal may be accepted, however replacement trees shall be incorporated to Council's specifications.

Natural Environment and Heritage

40. The Draft DCP includes controls which ensure new development must consider minimising the impact on the heritage and archaeological significance of the listed items in Telopea. This includes the State heritage site, known as Redstone, Acacia Park, which is listed as an archaeological site under the Parramatta LEP 2011, and the Rapanea Community Forest which is listed as a local heritage item under the Parramatta LEP 2011.

Sustainability

41. The Draft DCP requires that new development install a dual reticulation system, that is dual piping, to support the immediate or future connection to a recycled water network. The purpose is to ensure that future change-over to an alternative water supply can be achieved without significant civil or building work, disruption or cost.

42. The Draft DCP requirement for dual piping is similar to what will be achieved within the Parramatta CBD and is underpinned by a letter of support from Sydney Water which notes that they “expect to manage most of GPOP’s water locally via a new integrated water and resource recovery facility to be built in the Camellia industrial precinct. Noting that “this facility and network have been identified as priority infrastructure for the next five to ten years in the Government’s draft ‘*A City Supported by Infrastructure Place-based Infrastructure Compact Pilot*’ (November 2019).”
43. The Draft DCP includes a series of urban heat controls relating to reflectivity of building roofs, podiums and facades are included and aim to reduce and remove heat from the urban environment. The controls provide that through use of building materials, glazing, orientation, shading, awnings and greening that the impact on the ambient heat in the environment can be greatly reduced. It is noted that although similar draft controls for urban heat have applied in the Draft Melrose Park North DCP and for design competitions and development applications within the Parramatta CBD, this is the first precinct based DCP comprising multiple-landowners (as opposed to a single developer) to include these draft controls.
44. The Draft DCP includes controls relating to water sensitive urban design and stormwater treatment targets, in line with recently adopted DCPs and SOPA guidelines, in order to increase water quality that may impact local parks and waterways.

CONSULTATION & TIMING

Stakeholder Consultation

45. The following stakeholder consultation has been undertaken in relation to this matter:

Date	Stakeholder	Stakeholder Comment	Council Officer Response	Responsibility
Early 2019 to present.	Land and Housing Corporation, Frasers & internal sections of Council	Various comments in relation to finalising the draft DCP	Extensive consultation has been undertaken to date with internal sections of Council and LAHC and Frasers (since early 2020) in order to progress the draft DCP. This includes numerous meetings and detailed correspondence between parties. The draft DCP	City Planning

Date	Stakeholder	Stakeholder Comment	Council Officer Response	Responsibility
			does not represent the fully agreed position between Council officers and LAHC and Frasers proponent for the purposes of seeking Council endorsement, as the LAHC/Frasers proposal represents a deviation from the Council endorsed Telopea Master Plan.	

Councillor Consultation

46. The following Councillor consultation has been undertaken in relation to this matter:

Date	Councillor	Councillor Comment	Council Officer Response	Responsibility
16 September 2020	All	Council Officers to Finalise Draft DCP and Report to Council for endorsement and to continue with analysis of VPA Offer and prepare further briefing for Councillors.	Draft DCP for consideration as part of this Council report. VPA discussions ongoing and future briefings to be scheduled.	City Planning and Design & Property Development Group
24 February 2021	All	Councillors asked questions in relation to community infrastructure, traffic and transport works, upgrades to public domain and further consultation with Ward Councilors.	Comments from Councillors were integrated into Council Officer response to Draft SEARs and circulated to the Councillors via briefing note on 5 March 2021. Further Ward Councillor briefing was undertaken on 30 March 2021.	City Planning

Date	Councillor	Councillor Comment	Council Officer Response	Responsibility
5 March 2021	All		Comments on Draft SEARS circulated via Briefing Note	City Planning
30 March 2021	Epping & Dundas Ward	Councillors raised issues in relation to the future of Council owned land, timeframe for the delivery of community infrastructure, and recognise importance of DCP in accepting private land owners DAs. Councillors request update in 4-6 weeks of this meeting.	Comments are largely relevant to ongoing VPA discussions. Future briefings will be scheduled.	City Planning and Design & Property Development Group

LEGAL IMPLICATIONS FOR COUNCIL

47. Allowing the Draft DCP to be placed on exhibition will go some way to satisfying Cause 6.18 of the Parramatta LEP 2011 which only allows development consent to be granted for sites within the Telopea Precinct when a DCP is in place. However DAs cannot be determined until the DCP is formally endorsed and Clause 6.18 is fully satisfied.
48. The State Significant Development Application has legal implications for the use of Council roads and land (as detailed in paragraphs 17 to 19 above) and will be subject to further clarification from LAHC and any subsequent legal advice which will be provided to Council at a future date in relation to this matter.

DRAFT DEVELOPMENT CONTRIBUTIONS PLAN

49. On 30 November 2020, Council endorsed a new Draft Development Contributions (Outside Parramatta CBD) Plan to be placed on public exhibition. Subsequently the draft Plan has been placed on public exhibition between 17 March 2021 and 16 April 2021.
50. The Draft Contributions Plan applies to development within the Telopea Precinct, and the works schedule identifies the infrastructure needed to support the growth in the Telopea Precinct. The infrastructure needs are based on the Telopea Master Plan, as well as Council's strategic documents such as the Community Infrastructure Plan.

FINANCIAL IMPLICATIONS FOR COUNCIL

51. The financial implications for Council associated with this report include the costs of placing the plans on public exhibition. These costs are funded from the City Planning budget.
52. The decision being made by Council to endorse the draft Development Control Plan for exhibition will have no direct impact on the budget.
53. As described above, it is acknowledged that a Planning Agreement Letter of Offer has been submitted and is being assessed by Council Officers. At the time the Planning Agreement is executed (post exhibition) Council can then plan to incorporate the infrastructure and other Planning Agreement deliverables into Council budget and asset management strategies.

	FY 20/21	FY 21/22	FY 22/23	FY 23/24
Operating Result				
External Costs				
Internal Costs				
Depreciation				
Other				
Total Operating Result				
Funding Source				
CAPEX				
CAPEX				
External				
Internal				
Other				
Total CAPEX				
Funding Source				

NEXT STEPS

54. If endorsed, the draft DCP will be placed on public exhibition for a minimum of 28 days in accordance with statutory timeframes.
55. Following public exhibition, submissions will be considered by Council Officers and a summary of the submissions will be reported to Council. If the submissions result in major amendments to the draft DCP, Council may be required to re-exhibit the draft DCP. If the amendments are minor in nature, the final DCP will be reported to Council for finalisation and will amend Section 4 of the Parramatta Development Control Plan 2011.

Bianca Lewis
Team Leader Land Use Planning

Robert Cologna
Acting Group Manager, City Planning

Paul Perrett
Chief Financial Officer

David Birds
Acting Executive Director, City Planning & Design

Brett Newman
Chief Executive Officer

ATTACHMENTS:

- | | | |
|----------|---|----------|
| 1 | Draft Development Control Plan Telopea Precinct | 41 Pages |
| 2 | Planning History Telopea Precinct | 8 Pages |
| 3 | Draft DCP addressing Clause 6.18(3) PLEP 2011 | 1 Page |

REFERENCE MATERIAL