



PLANNING PROPOSAL

2 O'Connell Street, Parramatta

Planning Proposal drafts

Proponent versions:

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1.	Think Planners	February 2017

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INTRODUCTION

This planning proposal seeks to amend the *Parramatta Local Environmental Plan (PLEP) 2011* to modify the maximum building height and floor space ratio (FSR) controls that apply to land at 2 O'Connell Street, Parramatta (legally described as SP201716); consistent with the broader Parramatta CBD Planning proposal.

These amendments are sought with the intent to erect a mixed use development comprising a podium comprising commercial uses and two residential towers above.

This planning proposal has been prepared in accordance with Section 55 of the *Environmental Planning and Assessment Act 1979* and the Department of Planning and Environment's:

- 'A Guide to Preparing Local Environment Plans' (August 2016), and
- 'A Guide to Preparing Planning Proposals' (August 2016).

Description of the site and surrounds

The subject site is located at 2 O'Connell Street, Parramatta (also known as St John's Terrace, 5 Aird Street). The legal description of the site is SP 20716.

The site area is 3,283 square metres (sqm) and contains a two and three storey commercial building occupied by a number of (strata subdivided) office suites. It has frontages to O'Connell Street (West), Aird Street (North) and Campbell Street (South) and experiences a substantial fall from south to north. The site is highlighted in Figure 1 below.

The site is located towards the western edge of the CBD within the B4 Mixed Use Zone which is characterized by a mixture of residential and commercial uses. Surrounding development consists of:

- Westfield shopping complex to the north and further east
- A newly constructed residential tower to the east
- The heritage listed St John's cemetery to the west

The figures below illustrate existing development at the site and the surrounds.

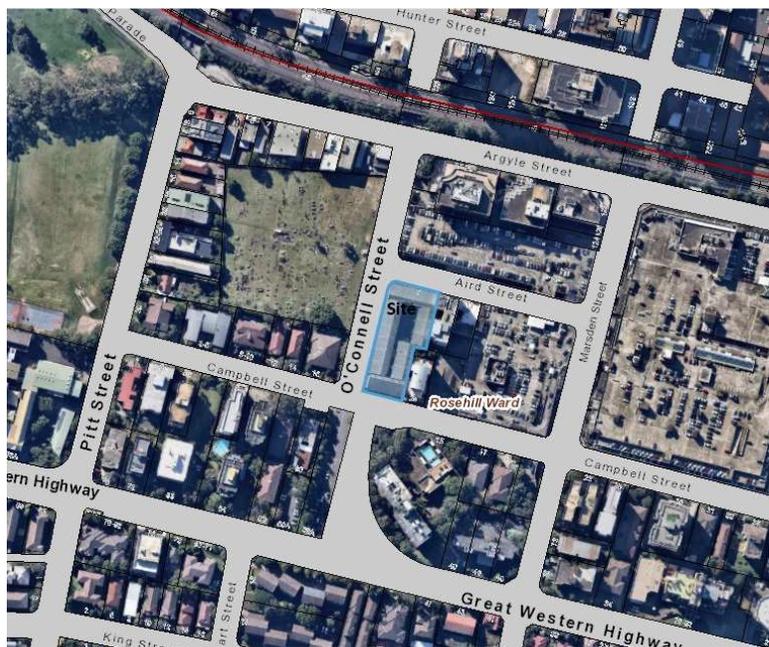


Figure 1: Location map



Figure 2: The site viewed from the corner of O'Connell and Aird Streets



Figure 3: The site viewed from Aird Street facing West with St John's Cemetery in the background



Figure 4: The site viewed from the corner of O'Connell and Campbell Street



Figure 5: Adjacent development to the south



Figure 6: Westfield Aird Street multi-deck car park and Beaurepairs Service Centre at the ground floor



Figure 7: St John's Cemetery and other medium/high density developments along Campbell Street in the background

Existing planning controls

Pursuant to Parramatta Local Environmental Plan 2011 (PLEP 2011):

- The site is Zoned B4 Mixed Use
- Has a maximum building height of 36m and maximum Floor Space Ratio (FSR) 4.2:1
- The site is not identified as an item of local heritage significance, however is in close proximity to the State listed St John's Cemetery
- Is subject of additional local provisions under Part 7 given the sites location within the Parramatta city centre
- Identified as Class 5 Acid Sulfate Soils.

Further, the site is not identified as being flood-prone, as it is located outside of the 20-year and 100-year Average Recurrence Interval (ARI) events, and is also outside of the Probable Maximum Flood (PMF) event.

Refer Part 4.1 of this report for maps illustrating the current planning controls that apply to the site.

PART 1 – OBJECTIVES OR INTENDED OUTCOMES

The objective of this planning proposal is to enable the redevelopment of land at 2'O Connell Street, Parramatta (SP 20716) to facilitate a high density mixed use development in accordance with the site's B4 Mixed Use zoning.

To facilitate the site's redevelopment, it is proposed the *Parramatta Local Environmental Plan 2011* (PLEP) is proposed to be amended to:

- Allow a maximum building height of 217m and a maximum FSR of 15:1
- Include an additional site specific clause requiring a mandatory 1:1 of commercial floor space.
- Include an additional site specific clause allowing the consent authority to grant consent to an additional FSR of 1.2:1 of non residential floor space in addition to the 15:1 FSR.
- Include maximum car parking rates in accordance with the Parramatta CBD Strategic Transport Study and resolution of Council on 10 April 2017.

It is anticipated that the amendment of these controls will facilitate an increase in housing supply and employment generating floor space in the Parramatta CBD.

PART 2 – EXPLANATION OF PROVISIONS

In order to achieve the desired objective, the following amendments to *PLEP 2011* would need to be made:

- 1) Amend the maximum building height in the **Height of Buildings Map** (Sheet HOB_010) to 217m. Refer to Figure 16 in Part 4 of this planning proposal.
- 2) Amend the maximum FSR in the **Floor Space Ratio Map** (Sheet FSR_010) to 14.5:1. Refer to Figure 17 in Part 4 of this planning proposal.
- 3) Amend the **Special Area Provision Map** (Sheet CL1_010) to identify the site. Refer to Figure 18 in Part 4 of this planning proposal.
- 4) Insert a new Clause in Part 7 to include site specific provisions as follows:
 - a) Requirement to demonstrate appropriate transition to any heritage items or conservation areas
 - b) Requirement for minimum 1:1 commercial floor space within the development
 - c) Provision outlining that 14.5:1 FSR is inclusive of Design Excellence bonus
 - d) Provision outlining an additional 0.5:1 FSR achievable, provided that high-performing buildings standards are met (bringing FSR total to 15:1).
 - e) Provision outlining an additional 1.2:1 FSR achievable for non-residential floor space, with this additional 1.2:1 FSR being excluded from the overall FSR of 15:1.
 - f) Provision outlining that the high-performing buildings incentive floor space and additional 1.2:1 non-residential floor space are not subject to any additional Design Excellence bonus
 - g) Maximum parking rates, in line with the resolution of City of Parramatta Council on 10 April 2017 with regards to parking rates in the CBD Planning Proposal.

Refer to **Appendix 1** for an example of a potential draft site specific provision.

2.1 Other relevant matters

2.1.1 Voluntary Planning Agreement

It is expected that a Voluntary Planning Agreement (VPA) will be negotiated as part of planning proposal process. On 10 April 2017, Council endorsed rates of \$150/sqm for Phase 1 value sharing and \$375/sqm for Phase 2 value sharing. This is the basis, upon which, Council officers will seek to negotiate a VPA. On the basis of 19,041sqm the planning proposal could result in a contribution of \$2,856,210.00.

2.1.2 Draft DCP

A site specific Development Control Plan (DCP) will be prepared addressing design elements such as street wall setbacks and inter-building separation. The draft DCP following endorsement from Council will be exhibited alongside the planning proposal and VPA. The DCP will also inform any future design competition brief for the site based on this planning proposal.

PART 3 – JUSTIFICATION

This part describes the reasons for the proposed outcomes and development standards in the planning proposal.

3.1 Section A - Need for the planning proposal

This section establishes the need for a planning proposal in achieving the key outcome and objectives. The set questions address the strategic origins of the proposal and whether amending the LEP is the best mechanism to achieve the aims on the proposal.

3.1.1 Is the Planning Proposal a result of any study or report?

The planning proposal is a result of an application from the landowner seeking to increase the density of development permitted on the site. The planning proposal was amended to reflect the Parramatta CBD Planning Strategy (the Strategy) and the Parramatta CBD Planning Proposal (CBD PP).

Council adopted the Parramatta CBD Planning Strategy at its meeting of 27 April 2015. The Strategy is the outcome of a study which reviewed the current planning framework and also a significant program of consultation with stakeholders and the community. The Strategy sets the vision for the growth of the Parramatta CBD. Council has subsequently prepared a planning proposal which has been informed by workshops and Council resolutions.

The CBD PP was adopted by Council on 11 April 2016 and submitted to the Department of Planning and Environment. The CBD PP seeks a potential increase in height and FSR for sites within the Parramatta CBD subject to the provision of community infrastructure. While the Department is yet to issue a Gateway determination, the CBD PP is Council's most recently adopted position on density increases in the Parramatta CBD.

3.1.2 Is the Planning Proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

A planning proposal seeking to amend *PLEP 2011* is the most effective way of providing certainty for Council, the local community and the landowner. The existing height and FSR standards do not permit the density envisaged in the CBD PP nor do the existing controls respond to the emerging CBD character of Parramatta.

3.2 Section B – Relationship to strategic planning framework

This section assesses the relevance of the Planning Proposal to the priorities, directions and actions outlined in key local and state strategic planning policy documents.

3.2.1 Is the planning proposal consistent with the objectives and actions of the applicable regional, sub-regional or district plan or strategy (including any exhibited draft plans or strategies)?

A Plan for Growing Sydney

On 14 December 2014, the NSW Government released 'A Plan for Growing Sydney' which outlines actions to achieve the Government's vision for Sydney which is a 'strong global city and a great place to live'.

Parramatta local government area is part of the West Central Subregion. A Plan for Growing Sydney identifies the following directions, actions and priorities for Parramatta and the West Central Subregion that are relevant to this site and planning proposal:

1.2 Grow Greater Parramatta – Sydney's Second CBD

- Grow Parramatta as Sydney's second CBD by connecting and integrating Parramatta CBD, Westmead, Parramatta North, Rydalmere and Camellia

1.3 Establish a New Priority Growth Area – Greater Parramatta To The Olympic Peninsula

- Deliver priority revitalisation precincts

1.7 Grow Strategic Centres – providing more jobs closer to home

- Invest in strategic centres across Sydney to grow jobs and housing and create vibrant hubs of activity

2.1 Accelerate housing supply across Sydney

- Accelerate housing supply and local housing choices
- Accelerate new housing in designated infill areas (established urban areas) through the priority precincts and UrbanGrowth NSW programs

2.2 Accelerate urban renewal across Sydney – providing homes closer to jobs

- Use the Greater Sydney Commission to support Council-led urban infill projects
- Undertake urban renewal in transport corridors which are being transformed by investment, and around strategic centres

2.3 Improve housing choice to suit different needs and lifestyles

- Require local housing strategies to plan for a range of housing types

West Central Subregion

- Accelerate housing supply, choice and affordability and build great places to live
- Provide capacity for additional mixed use development in Parramatta CBD and surrounding precincts including offices and retail in Parramatta CBD, arts and culture in Parramatta and housing in all precincts

The proposal is consistent with the actions and objectives of 'A Plan for Growing Sydney' as the proposal will:

- Enable the development of residential dwellings and non-residential uses that will contribute towards dwelling and employment targets on a site located within the Parramatta City Centre. Approximately 455 units with a range of unit types are proposed to promote housing supply and choice
- Provide approximately 7,222sqm of commercial floor space that will support Council's vision of the growing Parramatta CBD with a commercial core nurtured by mixed use developments on the periphery as stipulated by the zoning maps in *PLEP 2011* and the Parramatta CBD Planning Proposal
- Have good access to public transport (within 500 metres of the Parramatta Railway Station/Bus Interchange), employment and educational opportunities, and public open space such as Ollie Web Reserve and Parramatta Park.

Towards Our Greater Sydney 2056

In November 2016, the Greater Sydney Commission released *Towards Our Greater Sydney 2056 (TOGS)*, a draft amendment to *A Plan for Growing Sydney*, for public exhibition. TOGS aligns with the district plans, released on the same date. Both TOGS and the district plans were on exhibition until March 2017.

The vision for the future of Sydney as identified in TOGS is for decentralisation with centres supported by public transport. TOGS introduces the concept of three cities: The Eastern City; the Central City; and the Western City. Parramatta CBD is identified as the Central City and is anticipated to cater for the greatest area of growth over the next decade.

This planning proposal is in keeping with the vision of TOGS by providing employment and housing opportunities in close proximity to public transport in the Central City.

TOGS identifies the integration of the economy, social needs and the environment to move Sydney forward. The district plans provide further detail as to how a productive Sydney, a liveable Sydney and a sustainable Sydney will be achieved. A response to the relevant district plan is outlined below.

Greater Parramatta to the Olympic Peninsula (GPOP) Vision

In October 2016, prior to the release of the draft district plans, the Greater Sydney Commission released a Visioning document for the Greater Parramatta to the Olympic Peninsula (GPOP) area. GPOP is a centrepiece of the Greater Sydney Commission's draft District Plan for the West Central District, within which the bulk of GPOP is located.

The vision for GPOP is: *"Our 2036 vision: GPOP will be Greater Sydney's true centre – the connected, unifying heart"*.

It is focused on driving 12 directions to deliver the GPOP Vision. The document also notes that the GPOP area is the subject of several land use planning activities which are to progress alongside, and consistent with, the developing GPOP Vision, such as the GPOP Land Use and Infrastructure Strategy, Department of Planning and Environment.

The site is located within the Parramatta CBD Westmead Health and Education Super Precinct The planning proposal is consistent with the vision and directions of GPOP Vision as it will:

- Deliver additional housing and employment within Parramatta CBD that will revitalise the city centre and support the commercial core,
- Provide a mix of housing (studios and 1 – 3+ bedroom units) to suit individual household needs, preferences and budgets,
- Respect the heritage values of items within the vicinity of the site (Refer Section 3.3.2 of this report),
- Facilitate the development of a high quality and well-designed mixed use development through a design competition process,
- Redevelop a site that has good access to public transport, jobs, services, recreational, educational and other opportunities, and
- Negotiate 5% to 10% of new floor space for affordable housing in line with Council’s affordable housing policy.

Draft West Central District Plan

The Draft West Central District Plan was released for exhibition by the Greater Sydney Commission from November 2016 to March 2017, and is yet to be finalised.

This district is now known as the Central City District as determined by the Minister on the 22 September 2017.

An assessment of the proposal against the relevant priorities and actions outlined in the draft District Plan is addressed below.

A Productive City

Productivity priorities	Productivity actions
<p>Overarching priorities</p> <ul style="list-style-type: none"> • Driving the growth of the Central City • Planning for job target ranges for strategic and district centres • Improving access to a greater number of jobs and centres within 30 minutes <p>Specific priorities</p> <ul style="list-style-type: none"> • P1: Integrate transport and land use planning • P3: Manage growth and change in strategic and district centres and, as relevant, local centres • P4: Plan for a growing and vibrant Parramatta City • P8: Prioritise the provision of retail floor space in centres 	<p>Action P1: Collaborate to create, own and deliver GPOP</p>

Action P1 identifies the CBD PP as one of the key land use activities that is consistent with the developing the GPOP vision. The objective of CBD PP is to:

- Drive population and employment growth in the Parramatta CBD,
- Provide for an expanded and more intense commercial core to strengthen and facilitate the role of Parramatta as a dual CBD, and
- Support the CBD as a vibrant centre by surrounding the core with higher density mixed use.

The proposal aligns with the Parramatta CBD PP, and is consistent with the productivity priorities and actions of the draft district plan in that it will:

- Support the continuing development of the Parramatta CBD by contributing to housing and employment targets with approximately 7,222sqm of non-residential floor space and 455 residential units,
- Provide employment and housing opportunities in proximity to Parramatta Railway Station/Bus Interchange, retail and commercial opportunities and open space,
- Manage car parking through the implementation of maximum car parking rates,
- Provide a range of dwelling types to meet the different needs, preferences and budgets of the community,
- Provide retail opportunities at the ground floor to meet the future retail and service needs of the community,
- Respect the heritage values of items within the vicinity of the site (Refer Section 3.3.2 of this report),
- Ensure the provision of retail space through a specific clause which requires a minimum of 1:1 of the floor space to be reserved for commercial/retail floor space, and
- Enhance the urban amenity of the centre, through:
 - The requirement to demonstrate design excellence through a competitive Design Excellence Process
 - Contribute to local and regional infrastructure upgrades to support the growth of the city centre.

A Liveable City

Priorities	Actions
<p>Overarching priorities</p> <ul style="list-style-type: none"> • Improve housing choice • Improve housing diversity and affordability • Create great places • Foster cohesive communities • Respond to people’s need for services <p>Specific priorities</p> <ul style="list-style-type: none"> • LP1: Deliver West Central’s five-year housing targets • LP2: Deliver housing diversity • LP3: Implement the Affordable Rental Housing Target • LP5: Facilitate the development of safe and healthy places • LP6: Facilitate enhanced walking and cycling connections • LP7: Conserve heritage and unique local characteristics 	<ul style="list-style-type: none"> • LA3: Councils to increase housing capacity across the District • L9: Coordinate infrastructure planning and delivery for growing communities • AL11: Provide design led planning to support high quality urban design

The Planning Proposal is generally consistent with the liveability priorities and actions of the draft district plan.

The residential component of the site will contribute an estimated 455 units to meet the West Central District’s five and 20-year housing targets. The site is located in area ideal for higher

density living, with the site within walking distance to public transport, retail and commercial areas, park and recreation facilities, schools and other community facilities.

The proposal will also aim to enhance the urban amenity of the centre, through:

- Undertaking of a competitive Design Excellence Process
- Contributions to local and regional infrastructure upgrades. This will include public domain improvements and the provision of entertainment and events spaces. Collectively, this will facilitate the development of an accessible, safe, healthy and inclusive city.

Further, Liveability Priority 3 seeks a target of 5% to 10% of new floor space for affordable housing to be applied at the rezoning stage so that it can factored into the development equation. This will be negotiated in accordance with Council’s affordable housing policy.

A Sustainable City

Priorities	Actions
<p>Overreaching priorities</p> <ul style="list-style-type: none"> • Enhancing the West Central District in its landscape • Protect and conserve the values of the Parramatta River and Sydney Harbour • Enhance access to the Parramatta River and Sydney Harbour foreshore and waterways • Delivering Sydney’s Green Grid • Align strategic planning to the vision for the Green Grid • Creating an efficient West Central District planning for a resilient West Central District • Mitigate the urban heat island effect urban heat <p>Specific priorities</p> <ul style="list-style-type: none"> • SP2: Protect and conserve the values of the Parramatta River and Sydney Harbour • SP3: Enhance access to the Parramatta River and Sydney Harbour foreshore and waterways • SP5: Align strategic planning to the vision for the Green Grid 	<ul style="list-style-type: none"> • AS11: Support the development of initiatives for a sustainable low carbon future • AS13: Incorporate the mitigation of the urban heat island effect into planning for urban renewal projects and Priority Growth Areas

The Planning Proposal is consistent with the sustainability priorities and actions of the draft district plan.

The planning proposal includes provisions that provide for a bonus FSR subject to certain requirements relating to Ecologically Sustainable Development (ESD) being met. The objective of these provisions is to encourage high performing building design that minimises the consumption of energy and water and provides increased amenity to occupants over the long term.

Infrastructure contributions will contribute to the protection and enhancement of the Parramatta River Foreshore, which forms part of Sydney’s metropolitan Green Grid and which has been identified as a priority project in the draft district plan.

Draft Regional Plans

On 22 October 2017, the Greater Sydney Commission released the Draft Greater Sydney Region Plan and draft Central City District Plan. The plans were on released for public exhibition between 22 October and the 15 December 2017. At the time this Planning Proposal was originally prepared these strategic plans had not been released. An assessment of the planning proposal against these draft plans has been provided for completeness.

Draft Greater Sydney Region Plan

The Draft Greater Sydney Region Plan is built on a vision where the people of Greater Sydney live within 30 minutes of their jobs, education and health facilities, services and great places.

The vision seeks to meet the needs of a growing and changing population by transforming greater Sydney into a metropolis of three cities — the Western Parkland City, the Central River City and the Eastern Harbour City.

The purpose of the draft Plan is to:

- Set a 40-year vision (up to 2056) and establish a 20-year plan to manage growth and change for Greater Sydney in the context of economic, social and environmental matters
- Inform district and local plans and the assessment of planning proposals
- Assist infrastructure agencies to plan and deliver for growth and change and to align their infrastructure plans to place-based outcomes
- Inform the private sector of the vision for Greater Sydney and infrastructure investments required to manage growth.

The plan is guided by 10 overarching directions relating to infrastructure and collaboration, productivity, liveability and sustainability with metrics and objectives associated with each.

The City of Parramatta is located within the Central City District.

Revised draft Central City District Plan

The draft Central City District Plan District Plan is a 20-year plan to manage growth in the context of economic, social and environmental matters to achieve the 40-year vision of Greater Sydney. It is a guide for implementing the Draft Greater Sydney Region Plan at a district level and is a bridge between regional and local planning.

The plan sets out planning priorities and actions for the development of central city district.

An assessment of the planning proposal against the relevant directions, objectives, priorities and actions of the Draft Greater Sydney Region Plan and draft Central City District Plan is set out below.

Liveability

Draft Greater Sydney Region Plan		Revised draft Central City District Plan	
Directions	Objectives	Priorities	Actions
1. A city for people Celebrating diversity and putting people at	1. Services and infrastructure meet communities’ changing needs 2. Communities are healthy, resilient and	C3 - Providing services and social infrastructure to meet people’s changing needs	8. Deliver social infrastructure to reflect the needs of the community now and in the future.

Draft Greater Sydney Region Plan		Revised draft Central City District Plan	
Directions	Objectives	Priorities	Actions
the heart of planning	<p>socially connected</p> <p>3. Greater Sydney's communities are culturally rich with diverse neighbourhoods</p>		
2. Housing the city Giving people housing choices	<p>10. Greater housing supply</p> <p>11. Housing is more diverse and affordable</p>	C5 - Providing housing supply, choice and affordability, with access to jobs and services	No specific actions.
3. A city of great places Designing places for people	<p>12. Great places that bring people together</p> <p>13. Environmental heritage is conserved and enhanced</p>	C6 - Creating and renewing great places and local centres, and respecting the District's heritage	<p>17. Deliver great places by:</p> <ul style="list-style-type: none"> a. prioritising a people-friendly public realm and open spaces as a central organising design principle b. recognising and balancing the dual function of streets as places for people and movement c. providing fine grain urban form, high amenity and walkability d. integrating social infrastructure to support social connections and provide a community hub e. encouraging contemporary interpretation of heritage where possible f. using a place-based and collaborative approach throughout planning, design, development and management. <p>18. Conserve and enhance environmental heritage by:</p> <ul style="list-style-type: none"> a. engaging with the community early in the planning process to understand Aboriginal, European and natural heritage values b. conserving and interpreting Aboriginal, European and natural heritage to foster distinctive local places. <p>19. Use place-based planning to support the role of centres as a focus for connected neighbourhoods.</p> <p>20. In Collaboration Areas, Priority Precincts and planning for centres:</p> <ul style="list-style-type: none"> a. investigate opportunities for precinct-based provision of

Draft Greater Sydney Region Plan		Revised draft Central City District Plan	
Directions	Objectives	Priorities	Actions
			adaptable car parking and infrastructure in lieu of private provision of car parking b. ensure parking availability takes into account the level of access by public transport consider the capacity for places to change and evolve, and accommodate diverse activities over time.

This Planning Proposal is consistent with the objectives of the draft Sydney Region Outline Plan and the priorities and actions of the draft Central City District Plan.

The proposal will provide:

- An estimated 455 units contributing to housing targets and diversity for the district
- Contributions towards community infrastructure such as community facilities, cycleways and environmental and recreational facilities, and
- Maximum car parking rates that aim to reduce car usage, encourage public transport patronage, walking and cycling.

The proposal will facilitate the development of a well-designed building that will contribute to renewal of periphery of the CBD, through:

- The preparation of site specific development controls to support this Planning Proposal and design competition process, and
- Contributions to local infrastructure upgrades.

3.2.2 Is the planning proposal consistent with a council’s local strategy or other local strategic plan?

The following strategic planning documents are relevant to the planning proposal.

Parramatta 2038 Community Strategic Plan

Parramatta 2038 is a long term Community Strategic Plan for the City of Parramatta and links to the long-term future of Sydney. The plan formalises several big and transformational ideas for the City and the region. Of relevance is the growth of Parramatta CBD.

The planning proposal is considered to meet the strategy and key objectives identified in the plan by allowing for an appropriate mix of residential and non-residential uses located in a centre with public transport, shops and community facilities in close proximity. The proposal will activate the street and improve the walkability of the city centre with retail on the ground floor. The development will also allow for the concentration of housing around transport nodes and contribute towards dwelling targets for NSW.

Parramatta CBD Planning Proposal

The CBD PP was adopted by Council on 11 April 2016. The CBD PP is the outcome of detailed technical studies which reviewed the current planning framework. The CBD PP seeks controls responding to the vision for the growth of the Parramatta CBD as Australia’s next great city. The CBD PP identifies a need for significant growth in the Parramatta City Centre to which this planning proposal responds.

In line with the Strategy, Council subsequently prepared the Parramatta CBD Planning Proposal (CBD PP), which was informed by Councillor workshops held throughout 2015 as well as various Council resolutions. Council adopted the CBD PP on 11 April 2016. In general terms, the CBD PP seeks to increase heights and FSR’s in the Parramatta CBD, subject to the provision of community infrastructure and other requirements. The CBD PP remains Council’s most recently endorsed policy position on density increases in the Parramatta CBD. Council is currently awaiting a Gateway Determination on the CBD PP from the Department of Planning and Environment.

Under the CBD PP, the following key planning controls are identified for the site at 2 O’Connell Street:

- Zoning: The current B4 Mixed Use zoning is retained
- Height of Buildings: The “Base” HOB control for this site retains the current planning control of 36m, while there is no “Incentive” HOB control assigned to this site. This is consistent with the general policy direction of the CBD Planning Proposal, which is that – for most sites in the CBD – there are no Incentive height controls, with maximum building heights instead being effectively controlled by sun access planes and aviation operational parameters.
- FSR: The total maximum FSR achievable for this site under the CBD PP is 15:1, comprising the following:
 - The “Base” FSR control for this site is 4.2:1 in the draft CBD PP maps also noted is that the CBD PP requires the provision of 1:1 commercial floor space in this area of the B4 zone.
 - The Incentive FSR control for this site is 10:1. Under the CBD PP, Incentive FSR controls are achievable provided that an appropriate contribution to Community Infrastructure is made (discussed further in this report).
 - 15% bonus of the Incentive FSR (i.e. 1.5:1 in this case), provided that a Design Excellence process has been undertaken in accordance with the PLEP 2011.
 - An additional 0.5:1 FSR is achievable, provided that High Performing Building standards are met.
 - This site is also identified as an Opportunity Site, meaning that an additional 3:1 FSR is potentially available, provided that a number of criteria are met (including that certain site area, Incentive, Design Excellence and High Performing Buildings requirements are met, and that a further contribution to Community Infrastructure is made).

A summary of the proposed controls for the site in line with the CBD PP are detailed below.

Height

The CBD PP proposes that no maximum height limit (incentive height) apply to the majority of land within the CBD subject to the delivery of community infrastructure.

While the CBD PP removes maximum HOB for most sites in the CBD (including this site), previous Gateway Determinations received for site-specific CBD planning proposals required insertion of a numeric HOB control. Accordingly, it was recommended that a numeric HOB control that corresponds to the reference design for the site be included in this planning proposal.

Council endorsed position is that a maximum building height of 217m is proposed for the site.

Floor Space Ratio (FSR)

Under the CBD PP the majority of sites in the CBD are identified on the new Incentive Floor Space Ratio Map as 10:1, with additional floorspace bonuses on certain sites up to 15:1.

The planning proposal has been amended to apply an FSR of 15:1 (in line with CBD Planning Proposal) with a mandatory 1:1 FSR of commercial floor space provided (also in line with CBD planning proposal).

0.5:1 of this 15:1 FSR is also an incentive for achieving high-performing building standards relating to water and energy; because of this, the FSR map is proposed to be amended to 14.5:1. This is consistent with the CBD Planning Proposal.

The 14.5:1 FSR is inclusive of a 15% Design Excellence Bonus.

Further, the planning proposal includes a site specific clause that allows the consent authority to approve an additional 1.2:1 non-residential floor space above the 15:1 FSR. This is consistent with the CBD Planning Proposal, in that the CBD PP allows additional commercial floorspace beyond the minimum 1:1 requirement to be exempted from FSR controls.

Therefore, a total FSR of 16.2:1 is possible on the site, subject to Design Excellence Competition.

Non-residential floor space

A local clause is proposed in the CBD PP that requires a minimum 1:1 FSR of commercial floor space to be provided as part of a mixed use development on certain sites zoned B4 Mixed Use.

The policy objective of this control is to contribute employment generating floor space consistent with Parramatta's role as a key employment centre in western Sydney. The current market conditions have seen the majority of B4 zoned sites obtain approvals for and be developed for almost entirely residential purposes with nominal ground floor retail uses.

The planning proposal also seeks to provide an additional 1.2:1 commercial floor space located in the podium in addition to the 1:1 required under the CBD planning proposal. This additional 1.2:1 floor space will not be counted towards the maximum FSR of the site.

Site specific clause

As the CBD PP has yet to receive a Gateway Determination, a site specific clause has been included in this planning proposal to:

- Ensure appropriate transition to Heritage items and conservation areas
- Provide for a minimum 1:1 commercial floor space,
- Ensure 14.5:1 FSR is inclusive of Design Excellence bonus
- Allow an additional 0.5:1 FSR provided that high-performing building standards are met (bringing total to 15:1)

- Encourage additional 1.2:1 non-residential floor space beyond 15:1 FSR
- Clarify that high-performing buildings incentive FSR and additional 1.2:1 non-residential FSR are not subject to additional Design Excellence bonus, and
- ensure parking is provided in accordance with Council’s parking rates consistent with the CBD Planning Proposal.

3.2.3 Is the planning proposal consistent with the applicable State Environmental Planning Policies?

An assessment of the planning proposal against the applicable State Environmental Planning Policies (SEPPs) relevant to the site is detailed in the table below (Table 1).

Table 1 – Assessment of consistency of the planning proposal with relevant SEPPs

State Environmental Planning Policies (SEPPs)	Assessment of consistency
SEPP No 55 Remediation of Land	
Provides state-wide planning controls for the remediation of contaminated land. Clause 6 of the policy states that land must not be rezoned unless contamination has been considered and, where relevant, land has been appropriately remediated.	Not relevant to proposed amendment. The proposal does not involve the rezoning or change of use of the land. Accordingly, the contamination issues will be addressed at the DA stage.
SEPP 64 Advertising and signage	
Provides a consistent approach to the management of outdoor advertising so that adverse impacts on the amenity of the built and natural environment are avoided.	Not relevant to proposed amendment. May be relevant to future DAs.
SEPP No 65 Design Quality of Residential Flat Development	
Raises the design quality of residential apartment development across the state through the application of a series of design principles and guidelines.	Consistent. The built form presented in the reference designs have satisfactorily demonstrated that the site is able to accommodate the FSR being sought and indicates that a resulting development would be capable of complying with the Apartment Design Guideline (ADG). As part of the Design Excellence process compliance with the ADG requirements will be required in the future DA approval.
SEPP (BASIX) 2004	
Operates in conjunction with provision of the EP&A regulation to encourage sustainable residential development (BASIX scheme). The SEPP ensures consistency in the implementation of BASIX throughout the State by overriding competing provisions in other environmental planning instruments and development control plans, which would otherwise add to, subtract from or modify any obligations arising under the BASIX scheme.	Consistent. Detailed compliance with SEPP (BASIX) for residential component will be demonstrated at the time of making a development application for the site facilitated by this planning proposal.
SEPP (Exempt and Complying Development Codes) 2008	
Seeks to provide for exempt and complying development in certain local government areas that have not provided for those types of development through a local environmental plan.	Consistent. May apply to future development of the site.
SEPP (Infrastructure) 2007	
Aims to facilitate the effective delivery of infrastructure across the State along with providing for consultation with	Consistent. To be addressed as part of future DA for the site.

State Environmental Planning Policies (SEPPs)	Assessment of consistency
<p>relevant public authorities during the assessment process. The SEPP supports greater flexibility in the location of infrastructure and service facilities along with improved regulatory certainty and efficiency.</p> <p>In particular, Traffic generating development (clause 104) requires that a proposal for an apartment or residential flat building with 300 or more dwellings is required to be referred to the Roads and Maritime Services.</p>	
<p>State Environmental Planning Policy (State and Regional Development) 2011</p>	
<p>Applies to development with a Capital Investment Value (CIV) of over \$20 Million, the proposal is defined for the purposes of this SEPP as "Regional Development".</p> <p>The consent authority for regional development will be the Sydney West Planning Panel.</p>	<p>Consistent. Should the planning proposal proceed, it is likely that any future DA would have a CIV value of >\$20 million and be determined by the Sydney West Planning Panel.</p>
<p>Regional Environmental Plan (REP) Sydney Harbour Catchment 2005 (deemed SEPP)</p>	
<p>The Plan covers the area of Sydney Harbour, including the Parramatta River and its tributaries and the Lane Cove River. The plan aims to establish a balance between promoting a prosperous working harbour, maintaining a healthy and sustainable waterway environment and promoting recreational access to the foreshore and waterways. It establishes planning principles and controls for the catchment as a whole.</p> <p>The SREP includes a range of matters for consideration by consent authorities assessing development within the Foreshores and Waterways Area of the Plan. These are aimed at ensuring better and consistent development decisions and include such issues as ecological and scenic quality, built form and design, maintenance of views, public access and recreation and working harbour uses. The REP includes provisions relating to heritage conservation and wetlands protection and provides planning controls for strategic foreshore sites.</p>	<p>Consistent. The whole of the Parramatta is covered by the REP. Any matters for consideration will be addressed as part of any future DA.</p>

3.2.4 Is the planning proposal consistent with applicable Ministerial Directions (s.117 directions)

In accordance with Clause 117(2) of the *EP&A Act 1979* the Minister issues directions for the relevant planning authorities to follow when preparing planning proposals for new LEPs.

An assessment against the Ministerial Directions applicable to the subject planning proposal is detailed in the table below.

Table 2 – Assessment of consistency of the planning proposal with applicable Ministerial Directions

Section	Comment	Consistent
1. Employment and Resources		
Direction 1.1 – Business and Industrial Zones	<p>The planning proposal will maintain the existing B4 Mixed Use zone which allows for a mix of residential and non-residential uses.</p> <p>The proposal will support the mixed use character of the area and the nearby commercial core, by providing commercial uses and increasing the residential population thereby delivering homes close to employment.</p>	Yes
2. Environment and Heritage		
2.3 – Heritage Conservation	<p>The site is not listed as a heritage item or located within a heritage conservation area under the Parramatta LEP 2011. The site is not identified as having an Aboriginal or archaeological significance in the Parramatta DCP 2011 or Council’s GIS data records.</p> <p>The site is, however, within proximity to the state heritage listed St John’s Anglican Cemetery at 1 O’Connell Street (legal described as Lot 5, DP 1023282) referenced Item #00049 in the PLEP 2011 (Refer 4.1 of this report for an excerpt of the heritage map).</p> <p>Council’s heritage officer has reviewed the proposal and advised that while the planning proposal would facilitate development of a scale dramatically different to that currently on site, its lateral separation from and absence of overshadowing impact on St John’s cemetery will not unacceptably impact upon the heritage values of this State listed site. This was informed by a detailed study prepared by Urbis as part of the CBD PP.</p> <p>Refer Section 3.3.23.3.2 of this report for further detail.</p>	Yes
3. Housing, Infrastructure and Urban Development		
Direction 3.1 - Residential Zones	<p>The planning proposal is consistent with the objectives of this direction in that it will:</p> <ul style="list-style-type: none"> • Increase residential densities and housing choice in a location that is close to public transport, shops, employment and recreational opportunities • Provide for a high density development through the application of appropriate height and FSR controls • Be of high quality design facilitated through a design competition process • Provide a mix of housing including studios, one, two and three bedroom apartments • Make more efficient use of existing infrastructure and services through urban consolidation. 	Yes
Direction 3.4 - Integrating Land Use and Transport	<p>Increasing the density of development within the walking catchment of transport nodes, namely the Parramatta Railway Station and Bus Interchange as well as implementing maximum car parking rates will support the viability of existing and proposed public transport services and reduce dependence on cars.</p>	Yes

Section	Comment	Consistent
Direction 3.5 – Development near Licensed Aerodromes	Bankstown Airport is subject to the <i>Federal Airports Act 1996</i> and the Airports (Protection of Airspace) Regulations 1996. Airspace above the Parramatta CBD is affected by operational requirements for this airport. A building that penetrates the Obstacle Limitation Surface (OLS) requires approval under that legislation, via the Commonwealth Department of Infrastructure and Regional Development. If the planning proposal is to proceed, it is expected that consultation with the Department of Infrastructure and Regional Development will be required.	Yes
4. Hazard and Risk		
Direction 4.1 - Acid Sulfate Soils	With the exception of several small blocks, the majority of Parramatta City Centre (including the site) is affected by Class 4 or Class 5 Acid Sulfate soils. Despite this constraint, Parramatta has accommodated medium to high density development throughout the CBD. This application for a planning proposal acknowledges that the site is affected by Class 5 Acid Sulfate Soils. An Acid Sulfate Soils Management Plan may be required to support any future DA in accordance with the existing provisions of PLEP 2011. (Refer Section 4.1 of this report for except of acid sulfate soils map)	Yes
Direction 4.3 - Flood Prone Land	The site is not identified as being flood-prone, as it is located outside of the 20- and 100-year Average Recurrence Interval (ARI) events, and is also outside of the Probable Maximum Flood (PMF) event. (Refer Section 4.1 of this report for except of flood map)	Yes
6. Local Plan Making		
Direction 6.1 - Approval and Referral Requirements	The Planning Proposal does not introduce any provisions that require any additional concurrence, consultation or referral requirements.	Yes
Direction 6.3 - Site Specific Provisions	This planning proposal proposes the addition of a site specific provision to be applied to the site that would: <ul style="list-style-type: none"> o Ensure appropriate transition to Heritage items and conservation areas o Provide for a minimum 1:1 commercial floor space, o Ensure 14.5:1 FSR is inclusive of Design Excellence bonus o Allow an additional 0.5:1 FSR provided that high-performing building standards are met (bringing total to 15:1) o Encourage additional 1.2:1 non-residential floor space o Clarify that high-performing buildings incentive FSR and additional 1.2:1 non-residential FSR are not subject to additional Design Excellence bonus, and o ensure parking is provided in accordance with Council's parking rates consistent with the CBD Planning Proposal. <p>The clause requiring a minimum of 1:1 of commercial floor space aims to ensure there is sufficient facilities and businesses to support the incoming resident population. The additional floor space not to be included as FSR seeks to further encourage non-residential development in the B4 zone.</p> <p>The Urban Design Report submitted demonstrates a design option that included 2.2:1 commercial floor space. A site specific clause ensures a minimum 1:1 commercial floor space with an additional 1.2:1 not included as part of FSR in accordance with Council's latest position.</p> <p>In relation to the maximum parking rates provision, a site specific provision would ensure that should the redevelopment of the site under the proposed controls commence prior to the gazettal of the CBD PP the maximum parking rates as endorsed by Council on 10 April 2017 will be consistent with the future CBD controls.</p> <p>This planning proposal is consistent with this Direction. Refer to Appendix 1 for an example of a potential draft site specific provision.</p>	Yes

Section	Comment	Consistent
7. Metropolitan Planning		
7.1 Implementation of A Plan for Growing Sydney	As detailed in Section 3.2.1 of this report, the planning proposal is consistent with the directions, actions and priorities of a Plan For Growing Sydney.	Yes
7.5 Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	The proposal with is consistent with the actions in the Interim Land Use and infrastructure Plan in that the proposal: <ul style="list-style-type: none"> • Is in line with the Parramatta CBD proposal • Will contribute towards dwelling and employment targets within the Parramatta City Centre • Assist in the funding of infrastructure. 	Yes

3.3 Section C – Environmental, social and economic impact

This section considers the potential environmental, social and economic impacts which may result from the Planning Proposal.

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

The site is located within a highly modified urban environment and it is very unlikely to contain critical habitat or threatened species, populations or ecological communities, or their habitats.

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

The main potential environmental impacts to be examined in detail with any future development proposal for the site are:

- Heritage,
- Urban Design and Built Form, and
- Transport and Accessibility.

Heritage

The site is not listed as a heritage item or located within a heritage conservation area under the PLEP 2011. The site is not identified as having an Aboriginal or archaeological significance in the Parramatta DCP 2011 or Council’s GIS data records.

The site is however, within proximity to the state heritage listed St John’s Anglican Cemetery at 1 O’Connell Street (legal described as Lot 5, DP 1023282) referenced as Item #00049 in the PLEP 2011 (Refer Section 4.1 of this report).

A Heritage study was prepared by NBR Architecture in support of the proposal. The study concluded that the proposed development is compatible with the wider setting of the heritage item and that the form of development is an appropriate one to define the western edge of the Parramatta CBD.

Key recommendations included:

- The significant vista along Airds Street to the central path of the cemetery will remain unaltered and should be reinforced in any final design proposal for the sites on either side of that street
- Adequate provision for street tree planting along the eastern side of O'Connell Street should form part of any final design resolution to re-establish a more landscaped setting for the Cemetery.

Refer to Heritage Study included at **Appendix 2**.

Council's heritage officer has reviewed the proposal and advised that while the planning proposal would facilitate development of a scale dramatically different to that currently on site, its lateral separation from and absence of overshadowing impact on St John's cemetery will not unacceptably impact upon the heritage values of this State listed site.

It is noted that this planning proposal has been considered in view of the CBD Planning Proposal framework, which establishes a 15:1 FSR (including an Opportunity Site bonus of 3:1 FSR) and no height control for this site. This is consistent with other B4 Mixed Use sites of sufficient size that are situated in this area of the CBD. These controls have been developed through an extensive planning process, and included a heritage study by consultants Urbis which considered the impact of proposed FSR controls on Heritage items within the CBD context. In light of the Council-endorsed policy position on Opportunity Sites, and this site's position within a relatively dense urban context, it is considered that the visual impacts on the nearby heritage item can be appropriately addressed during the Design Excellence and Development Application processes for this site. A provision requiring that development demonstrate appropriate transition to Heritage items and conservation areas is proposed; this is consistent with the CBD Planning Proposal for this site.

Urban Design and Built Form

The planning proposal is accompanied by an Urban Design Report and two reference design drawings prepared by project Tourism International Architecture P/L and is included at **Appendix 3**.

The reference designs include Council's preferred scheme and an alternate reference design. The alternate reference design includes a 3.5m wide setback along the O'Connell Street frontage of the site for potential road widening reservation identified by identified by the Roads & Maritime Service (RMS) and Transport for New South Wales (TfNSW) as part of the strategic transport planning for the CBD Planning Proposal.

Both designs reflect Council's resolution. The Urban Design Report includes descriptions and plans of the site, an overview of the existing planning controls and an analysis of the site context.

The reference designs provide a concept for 66 storey and 11 storey mixed-use buildings on the site that include the following features:

- 3-4-storey podium containing retail and commercial uses;

- 1 x 61-storey residential tower above podium containing an indicative total of 427 units (total 65 storeys) and 1 x 7 storey residential tower above podium containing an indicative total of 28 units (total 11 storeys);
- Separate entrances & lobby spaces for commercial/community and residential uses; and
- Basement car parking - area schedules indicate 537 car parking spaces over 6 levels.

Refer Figure 8 below for an illustration of the proposed development.

The reference designs, however still contain several matters that require further detailed design resolution. These include issues such as:

- The quality of communal open space provided;
- Street wall setbacks;
- Intersection of under-croft with vehicle entry points and basement entry gradients;
- Provision for successful street tree provision;
- Quality of active street edges due to terrain; and
- Relationship to 24 Campbell Street and materiality).

Broadly, the reference designs have satisfactorily demonstrated that the site is able to accommodate the FSR being sought and indicates that a resulting development would be capable of complying with the ADG.

To ensure the final concept also responds to the context of the site and meets criteria for Opportunity Site FSR, a site-specific DCP will be prepared to clearly address compliance with the ADG and any other relevant criteria such as:

- Appropriate street frontage heights,
- Setbacks, and
- Solar and natural ventilation requirements.

The DCP will inform any future design competition brief for the site based on this planning proposal. As such, it is expected that the above issues will be addressed through the Design Excellence and DA process.

As the level of certainty over the need for the road widening is unlikely to be resolved in the short term it is envisaged that both options will be advanced (in a DCP and any future design competition brief) until such time as this issue is resolved. This will allow the proposal to progress in the shorter term yet still provide options depending on the ultimate resolution of this issue.

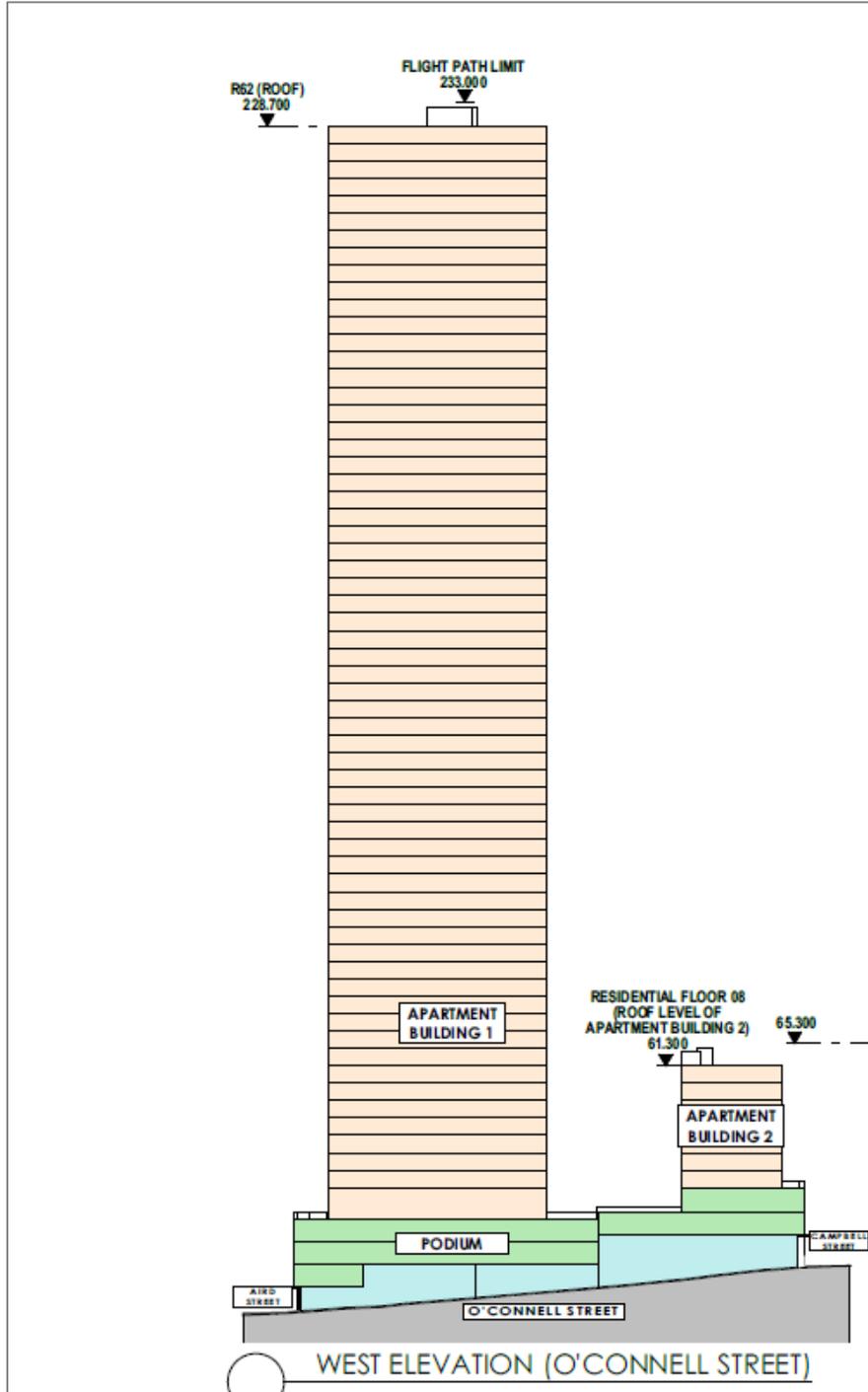


Figure 8: Reference design West Elevation – Council's preferred scheme

Transport and Accessibility

Council’s traffic and transport team initially reviewed the planning proposal and advised that due to the status of the CBD Planning Proposal and uncompleted detailed traffic modelling that the maximum total parking provision on any site subject to a planning proposal within the CBD should be the same as if the development for the site was at an FSR of 10:1.

Since that referral was undertaken (February 2017), Council’s resolved (10 April 2017) to endorse the Strategic Transport Study for the Parramatta CBD and include reduced parking rates in the CBD Planning proposal, pending results of the forthcoming mesoscopic study.

This resolution was in part to allow site-specific planning proposals to proceed ahead of the mesoscopic modelling. Council’s traffic and transport team have advised that they agree with the approach of applying the recently resolved rates to this planning proposal.

A site-specific clause to be included within PLEP 2011 (refer to **Appendix 1**). This will apply the following parking rates to the site:

Residential development

Type of Apartment	Spaces/unit
3-bedroom	1 space/unit
2-bedroom	0.7 spaces/unit
1-bedroom	0.3 spaces/unit
Studio	0.1 spaces/unit

Commercial development (If the FSR > 3.5:1)

$$M = (G * A) / (50 * T)$$

where:

M = maximum number of parking spaces;

G = GFA of all office/business premises in the building (m²);

A = Site Area (m²);

T = Total GFA of all buildings on the site (m²)

The current preferred reference design indicates a total of 455 apartments; the unit mix and resulting maximum residential parking spaces under the Council-resolved rates are described in the table below.

Residential component

Type of Apartment	Spaces/unit	Units indicated in reference design	Total
3-bedroom	1 space/unit	122	122
2-bedroom	.7 spaces/unit	258	180.6
1-bedroom	.3 spaces/unit	75	22.5
		TOTAL	325

The current reference design indicates 7,297m² of commercial floor space. Applying the above formula to the current reference design yields a maximum of 5 car parking spaces for the commercial uses, as follows:

$$M = (G * A) / (50 * T)$$

$$M = (7297 * 3283) / (50 * 48,864)$$

$$M = 23956051 / 2443200$$

$$M = 9.8 \text{ (round to 10)}$$

The total number of 335 car parking spaces indicated above (325 + 10 = 335) is well below the number (537) indicated on the detailed area schedule for the reference design. It is proposed that a site-specific clause be applied to the site that can ensure compliance with the above maximum parking rates, as previously resolved by Council, as shown in the draft clause included as part of the Planning Proposal.

Please note: the above estimated maximum car parking rates apply to the current reference design, and would likely be altered during subsequent design competition and development application processes. However, the numbers above can be taken as an indication of the scale of the quantum of car parking that would be expected to result at this site. Determining the final number of approved car parking spaces is a matter for the development application stage.

3.3.3 How has the planning proposal adequately addressed any social and economic effects?

There is adequate justification for this planning proposal, which will facilitate an increase in density of housing and employment.

The commercial components of the development will contribute to the creation of employment and job opportunities in the Parramatta CBD.

The dominant residential use will deliver a range of housing options located in close proximity to public transport, recreation, employment and community facilities.

3.4 Section D – State and Commonwealth Interests

3.4.1 Is there adequate public infrastructure for the planning proposal?

The site has good access to public transport being within 500 metres of the Parramatta Railway Station/Bus Interchange.

Contributions towards additional public infrastructure to cater for the incoming population will be facilitated through the VPA process, s94 contributions and State Infrastructure Contribution (SIC) currently being developed for the GOP area.

3.4.2 What are the views of State and Commonwealth public authorities consulted in accordance with the gateway determination?

To be advised following the issuing of the gateway determination by the Department of Planning and Environment.

However, it is expected that consultation will be required with the following State and Commonwealth agencies:

- Department of Infrastructure and Regional Development
- Endeavour Energy
- NSW Office of Environment and Heritage
- Sydney Water
- Transport for NSW and Roads and Maritime Services.

PART 4 – MAPPING

This section contains the mapping for this planning proposal in accordance with the DP&E’s guidelines on LEPs and Planning Proposals.

4.1 Existing controls

This section contains map extracts from *PLEP 2011* which illustrate the current controls applying to the site.

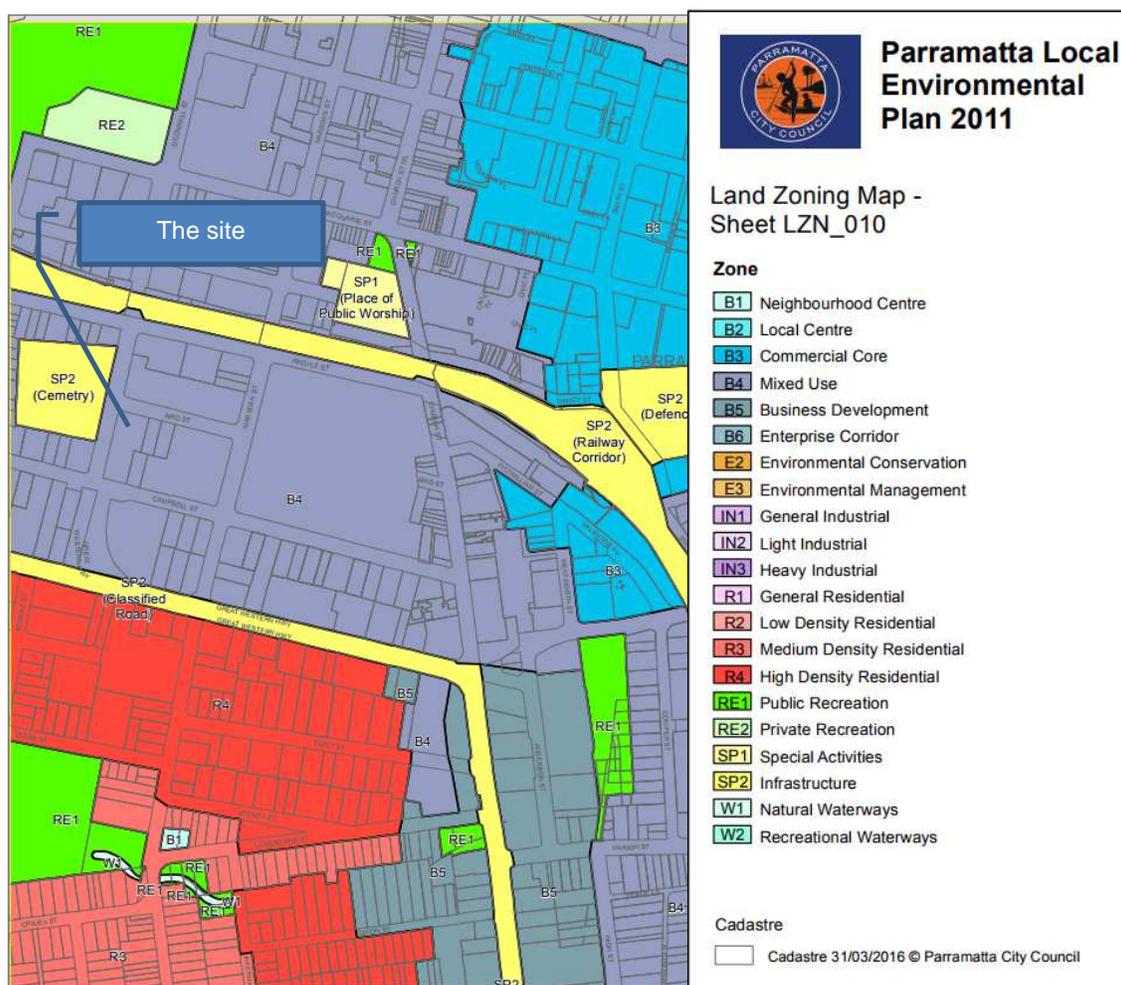


Figure 9 – Existing zoning extracted from the *PLEP 2011* Land Zoning Maps

Figure 9 above illustrates the existing B4 Mixed Use zone over the site. There is no proposed change to the zone.

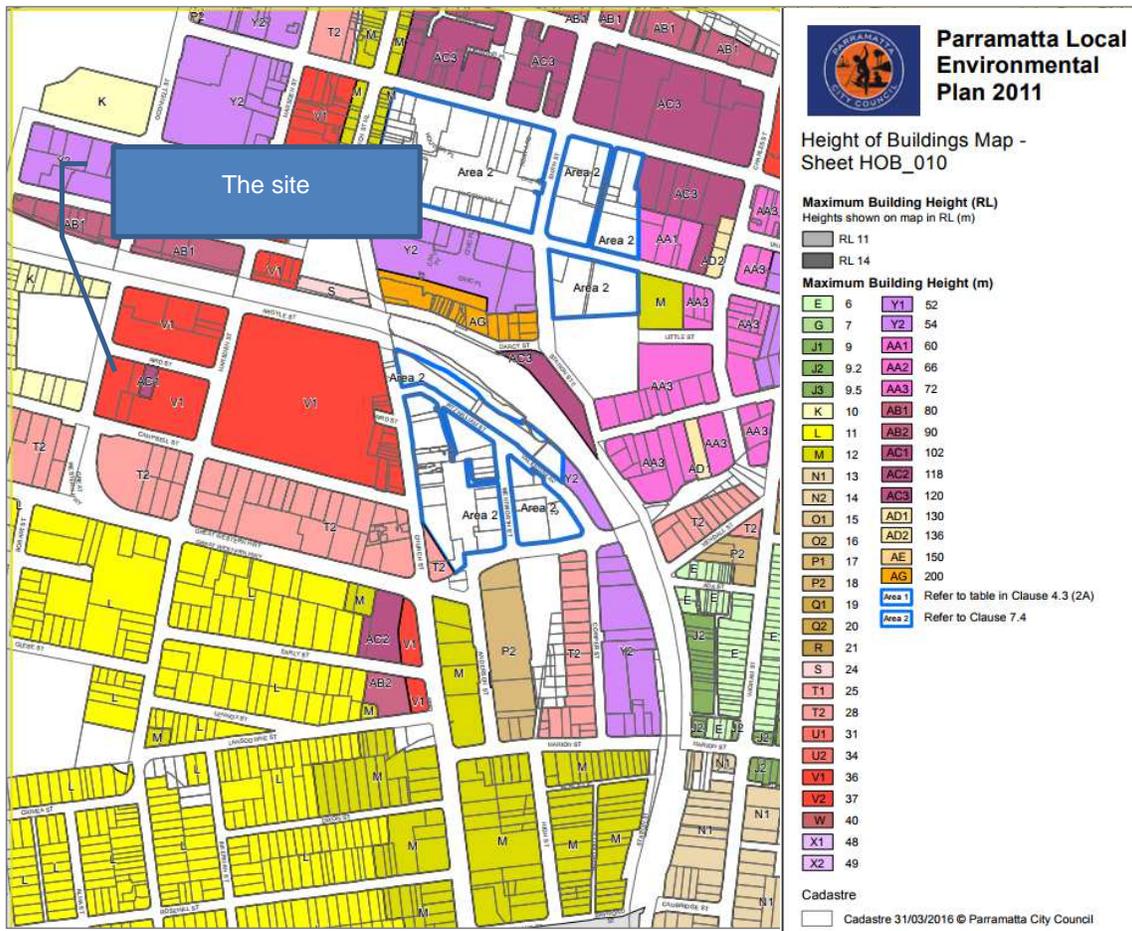


Figure 10 – Existing building heights extracted from the PLEP 2011 Height of Buildings Maps
Figure 10, above illustrates the existing 36m metre height restriction which applies to the site.



Figure 11 – Existing floor space ratio extracted from the PLEP 2011 Floor Space Ratio Map
 Figure 11, above illustrates the existing FSR of 4.2:1 which applies to the site.

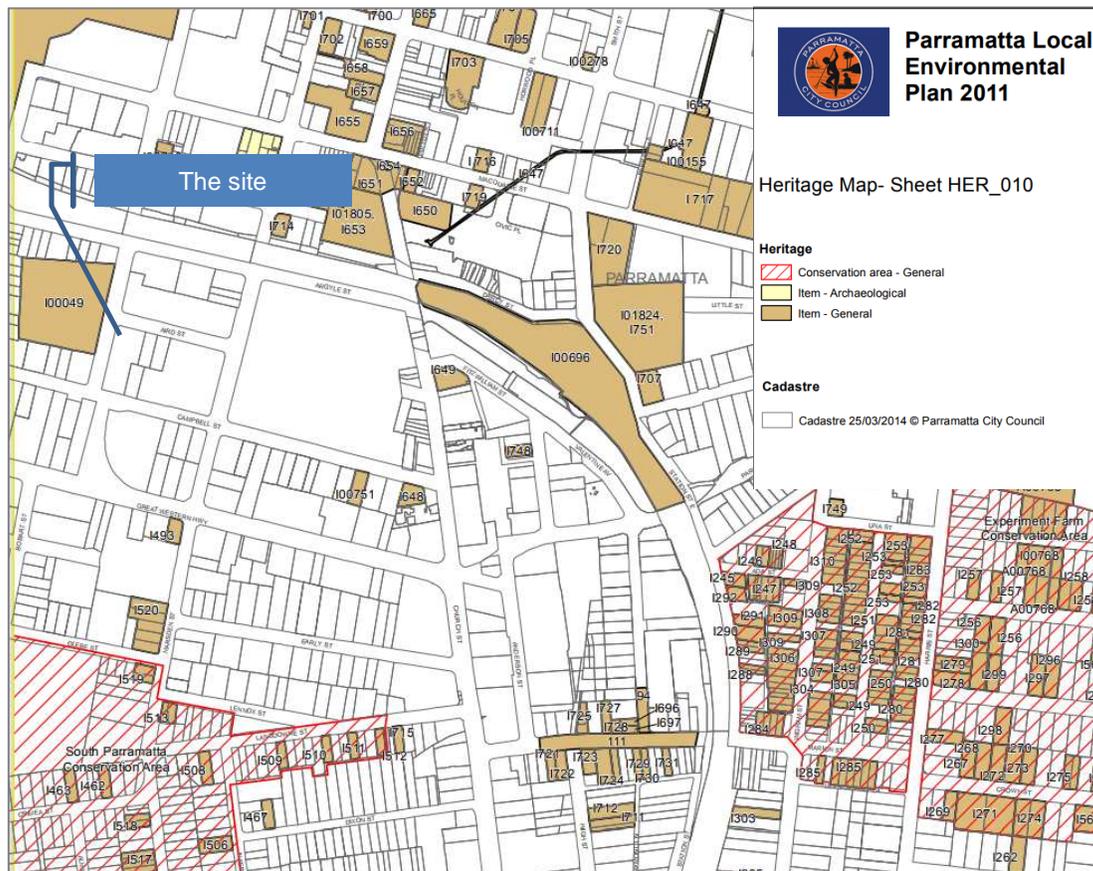


Figure 12 – Existing heritage items extracted from the PLEP 2011 Heritage Maps
 Figure 12 above illustrates the heritage items in the locality.

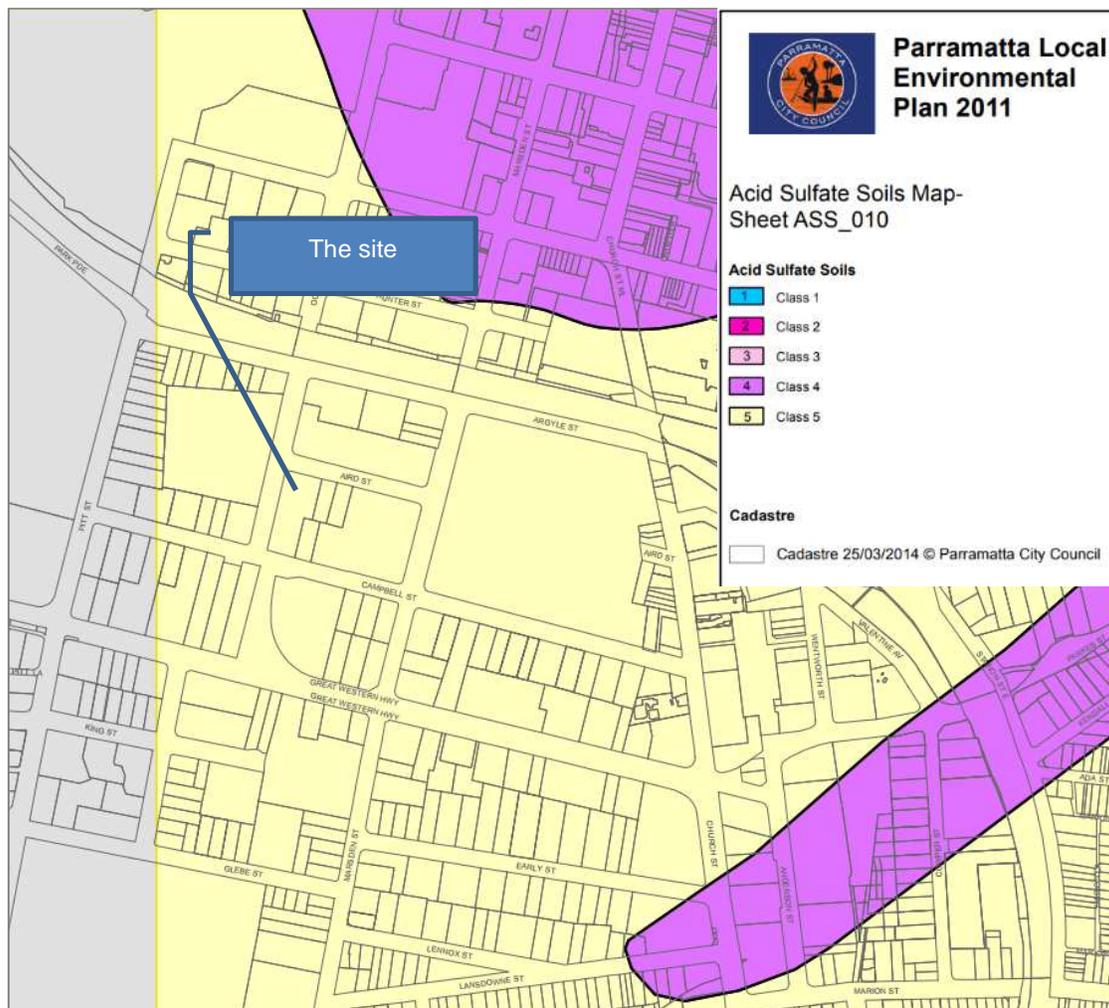


Figure 13 – Existing acid sulfate soils extant extracted from the *PLEP 2011* Acid Sulfate Soils Map

Figure 13 above illustrates the site is identified as Class 5 Acid Sulfate Soils.

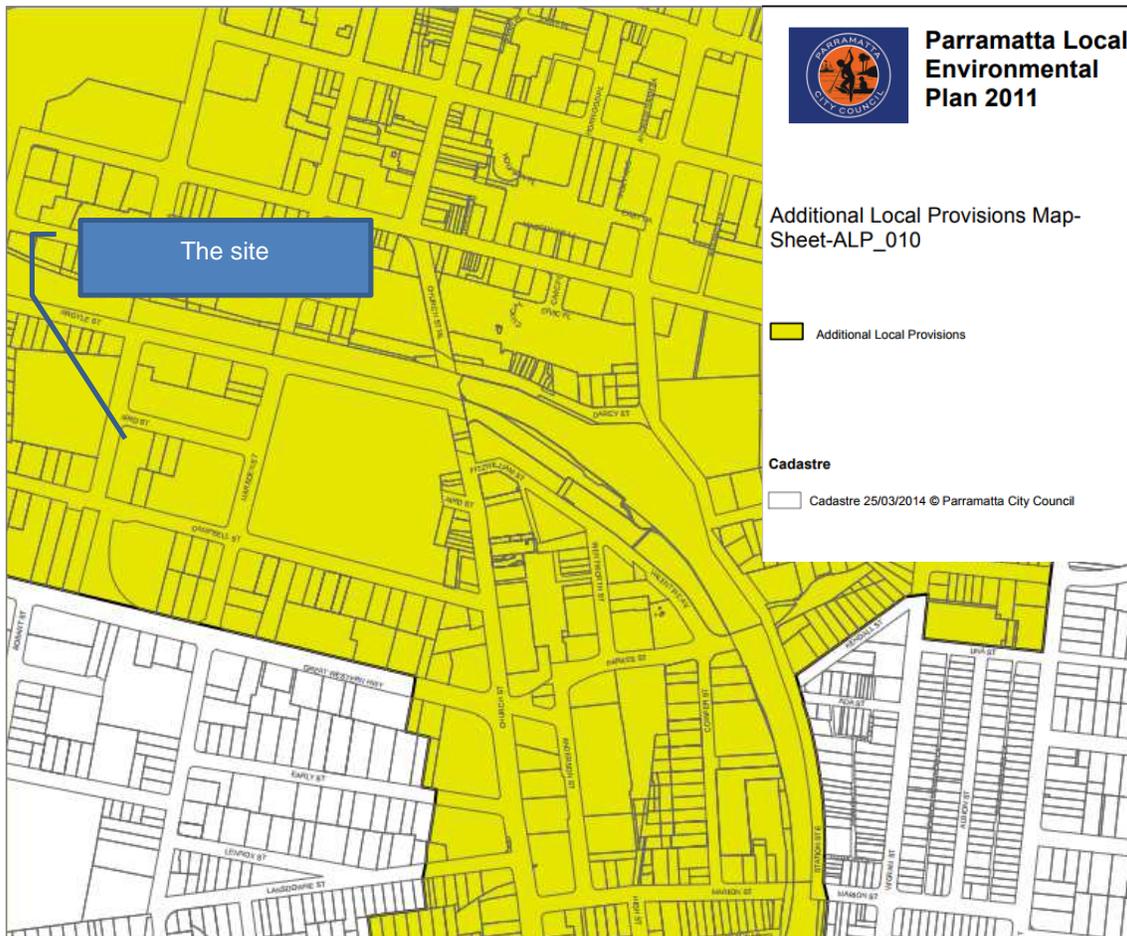


Figure 14 – Additional local provisions map from the *PLEP 2011* Additional Local Provisions Ma

Figure 14 above illustrates the site is subject of additional local provisions.

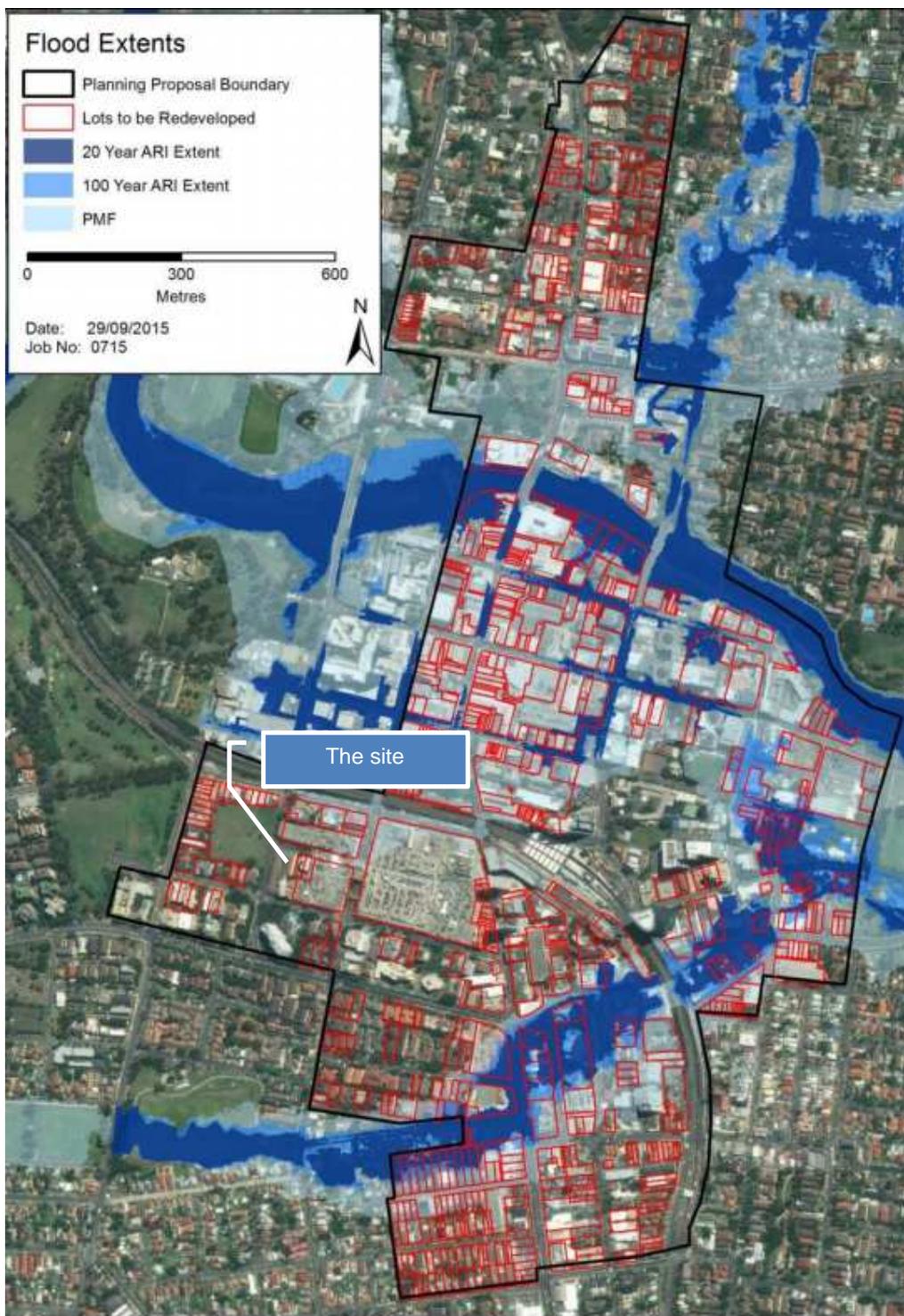


Figure 15 – Existing flooding extent extracted from the Draft Updated Parramatta Flood Risk Management Plans

Figure 15 above illustrates the site is not affected by flooding constraints.

4.2 Proposed controls

The figures in this section (Figures 10 and 11) illustrate the proposed building height and floor space ratio controls sought by this planning proposal.

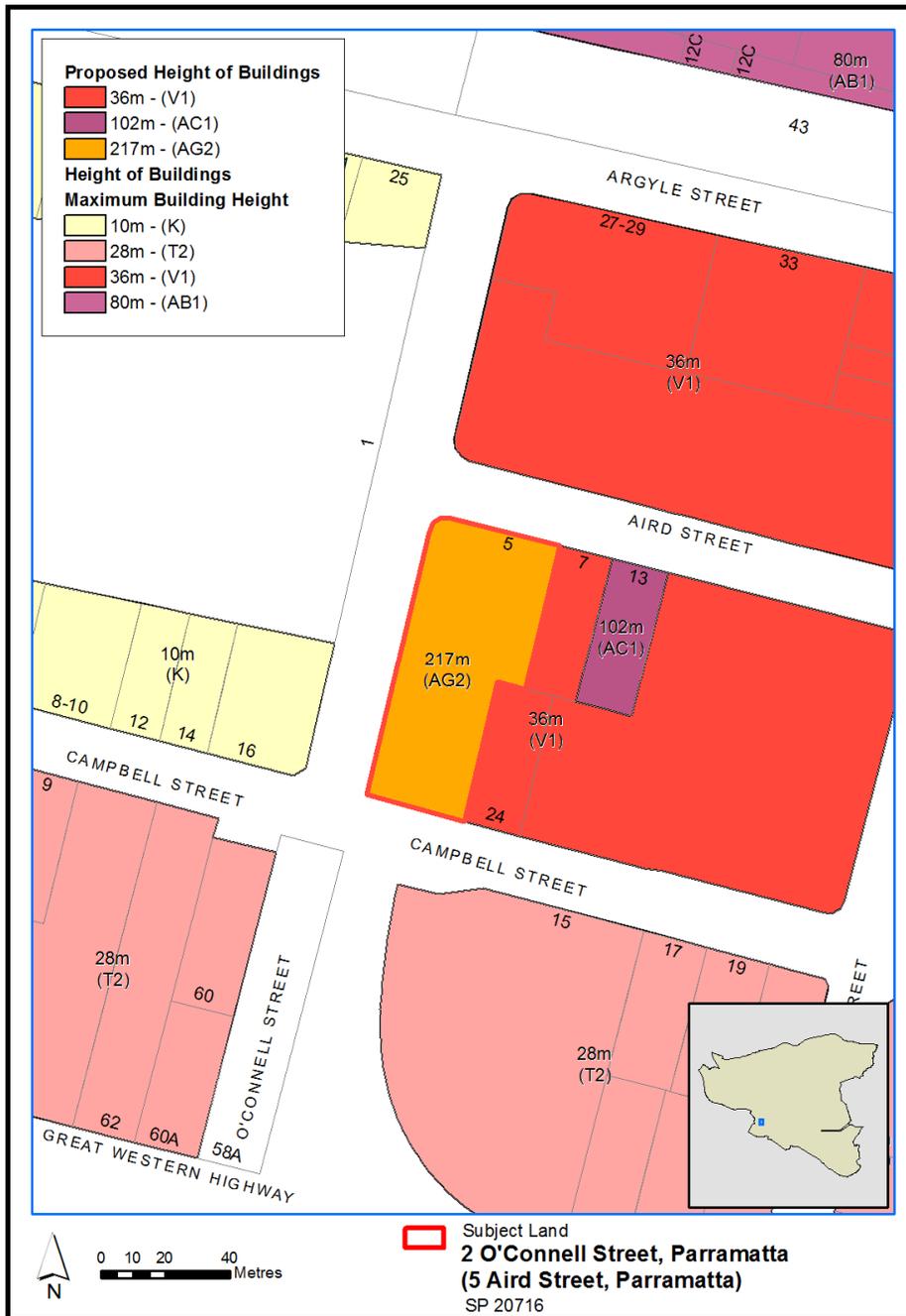


Figure 16 – Proposed amendment to the PLEP 2011 Height of Building Map

Figure 16 above illustrates the proposed 217m maximum building height.

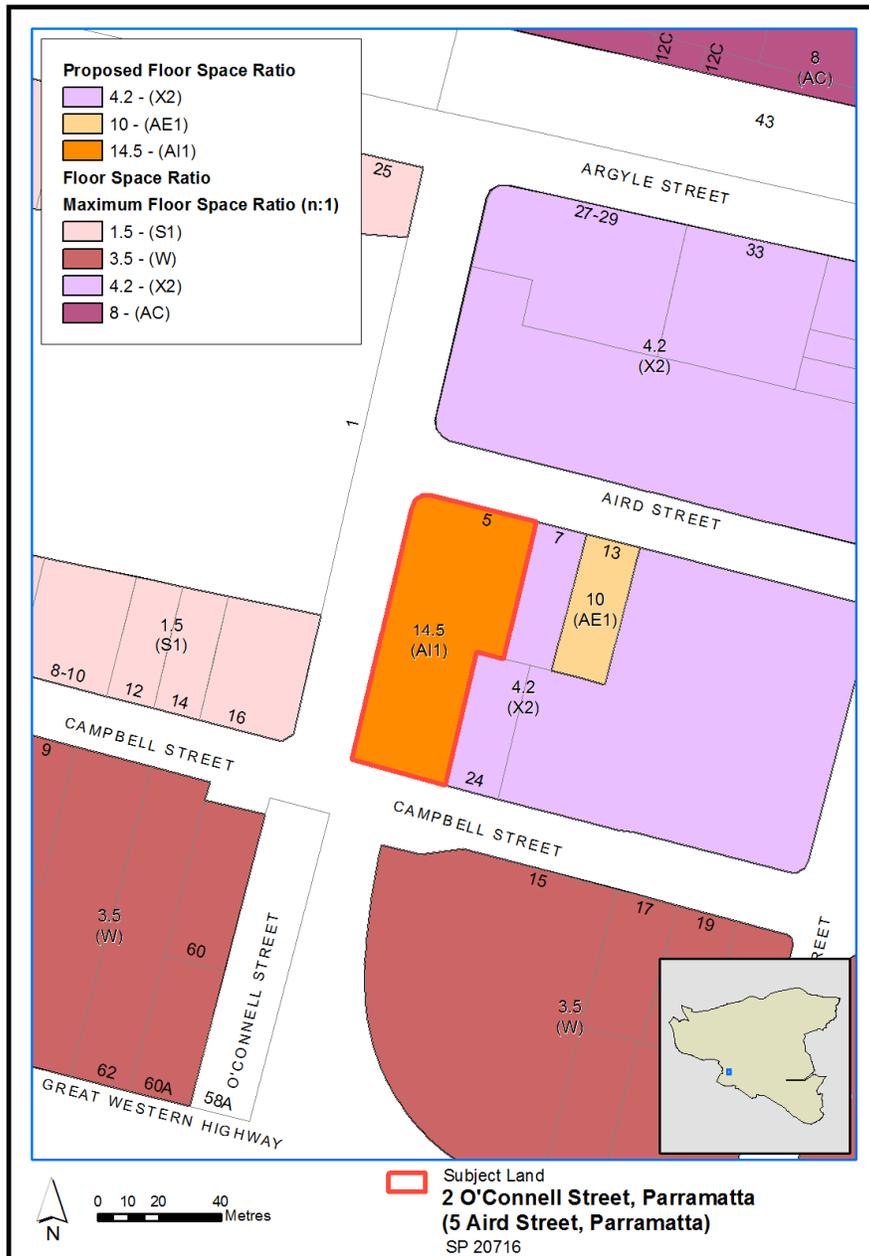


Figure 17 – Proposed amendment to the PLEP 2011 Floor Space Ratio Map
 Figure 17 above illustrates the proposed 14.5:1 FSR over the site.

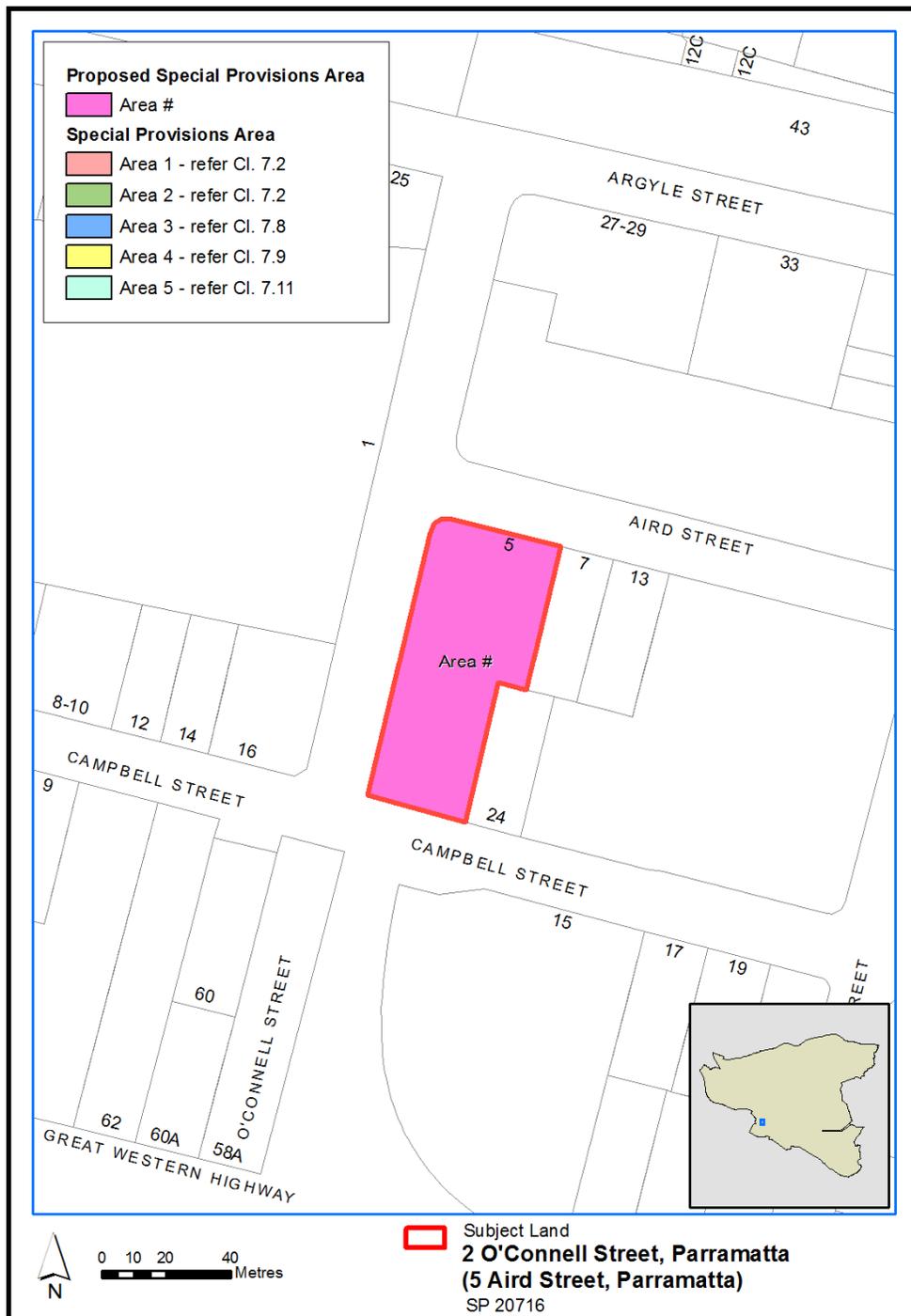


Figure 18 – Proposed amendment to the *PLEP 2011* Special Provisions Map

Figure 18 above illustrates the proposed addition of “Area #” to the Special Provisions Map, to which a new site specific “Clause 7.#”¹ will apply.

¹ The Clause number will be determined prior to the gazettal of the amendment to *PLEP 2011*.

PART 5 – COMMUNITY CONSULTATION

In accordance with Section 57(2) of the *EP&A Act 1979*, the planning proposal (as revised to comply with the determination under section 56 and in a form approved by the Secretary) is to be made publicly available during the period of community consultation.

Public exhibition is likely to include:

- newspaper advertisement;
- display on the Council's web-site; and
- written notification to adjoining landowners.

The gateway determination will specify the level of public consultation that must be undertaken in relation to the planning proposal including those with government agencies.

Pursuant to Section 57(8) of the *EP&A Act 1979* the Responsible Planning Authority must consider any submissions made concerning the proposed instrument and the report of any public hearing.

PART 6 – PROJECT TIMELINE

The detail around the project timeline is expected to be prepared following the referral to the Minister for a Gateway Determination.

The following steps are anticipated:

- Referral to Minister for a Gateway determination (September 2017)
- Resubmission to Department of Planning and Environment (March 2018)
- Referral to the Minister for review of the Gateway Determination (April 2018)
- Gateway Determination Issued (May 2018)
- Exhibition and referral (June 2018)
- Consideration of submissions (July 2018)
- Consideration of proposal post exhibition and reporting to Council (August 2018)
- Submission to the Department to finalise the LEP (September 2018)
- Notification of instrument (November 2018)

Appendix 1 – Draft Site-specific clause

Potential Draft Clause to be included in the Parramatta LEP.

Note: The clause is draft only to demonstrate the intent of the clause and may be amended post-exhibition as part of the legal drafting process and prior to this amendment coming into force.

Clause 7.# Development on land at 2 O’Connell Street, Parramatta

- (1) This clause applies to land at 2 O’Connell Street, Parramatta, Parramatta, legally known as SP 20716 and identified as “Area #” on the Special Provisions Area map.
- (2) Any development involving the construction of a new building proposed under this clause must include:
 - a. Commercial floor space of at least 1:1 floor space ratio; and
 - b. The development is able to demonstrate an appropriate transition to any heritage items or conservation areas.
- (3) Despite Clause 7.10(8):
 - a. the maximum FSR outlined on the Floor Space Ratio map is inclusive of any Design Excellence incentive floor space.
 - b. The maximum height outlined on the Height of Buildings maps is inclusive of any Design Excellence incentive height
- (4) The consent authority may grant consent to a development including additional 0.5:1 FSR beyond the maximum FSR outlined on the Floor Space Ratio map provided that the following High Performing Buildings standards are met:
 - a. Any part of the building used for office premises must comply with the following standards:
 - i. The energy target is a maximum 140 kg/m² per year.
 - ii. The water target is a maximum .65 kL/m² per year.
 - b. Any part of a mixed use development which is used for commercial premises must comply with the following standards:
 - i. The energy target is a maximum 140 kg/m² per year.
 - ii. The water target is a maximum .65 kL/m² per year.
 - c. Any part of the building used for retail premises (if the total retail premises gross floor area of the development is 5,000 square metres or greater) must comply with the following standards:
 - i. The energy target is a maximum 100 kg/m² per year
 - ii. The water target is a maximum .95 kL/m² per year
 - d. Any part of the building used for a dwelling must comply with the following standards:
 - i. The energy target is a minimum 10-point increase in the BASIX score compared to current requirements.
 - ii. The water target is a minimum 10-point increase in the BASIX score compared to current requirements.
 - e. A report prepared by a qualified consultant is provided to the satisfaction of the Council which verifies that, if all of the commitments relating to the building design (namely the building form and layout) listed in the report are fulfilled, the development will comply with all of the targets which apply to the development under subclause 7.xx(4), as the case may require.
- (5) The consent authority may grant consent to a development including additional 1.2 non-residential floorspace (beyond the 1:1 minimum commercial floorspace required in 7.xx(2)(a))

which may be excluded from the maximum floorspace otherwise described on the FSR map and in this clause, and

- (6) The additional floor space referred to in sub-clauses 7.xx(4) and 7.xx(5) above are not subject to a Design Excellence incentive floorspace or height as outlined in Clause 7.10(8)
- (7) The maximum parking rates for any development proposed under this clause are as follows:
 - a. The maximum parking rates which apply to any part of the building used as a dwelling are:
 - i. For each studio dwelling – 0.1 spaces, and
 - ii. For each 1 bedroom dwelling – 0.3 spaces, and
 - iii. For each 2 bedroom dwelling – 0.7 spaces, and
 - iv. For each 3 or more bedroom dwelling – 1 space.

- b. The maximum parking rates for any part of a building used for the purposes of commercial or community uses is established by the following formula:

$$M = (G \times A) / (50 \times T)$$

Where:

M is the maximum number of parking spaces,

G is the gross floor area of all commercial and community uses in the building in square metres, and

A is the site area in square metres, and

T is the total gross floor area of all buildings on the site in square metres.

Appendix 2 – Heritage Study

Refer to separate attachment or contact Council's Project Officer, Vas Andrews on 9806 5804.

Appendix 3 – Urban Design Report and Reference Designs

Refer to separate attachment or contact Council's Project Officer, Vas Andrews on 9806 5804.



Prepared by City of Parramatta

PARRAMATTA WE'RE BUILDING **AUSTRALIA'S NEXT GREAT CITY**