

PLANNING PROPOSAL – 2-12 River Road West, Parramatta

Local Government Area	Parramatta
Subject Land	2-12 River Road West, Parramatta Lot 1, DP 663258; Lot B, DP 334882; Lot C, DP 388870; Lots 2-6, Section R DP1249; Lot 1, DP836932; Lot 1, DP190771; Lot 1, DP201664
Draft Local Environmental Plan (LEP) Amendment	Amendment to Parramatta LEP 2011
Attachments	Attachment 1: Site Location Map Attachment 2: Existing and Proposed LEP Maps Attachment 3: Address of 117 Directions Attachment 4: Address of SEPP 55 Attachment 5: Planning Proposal Background Attachment 6: Letters from Heritage Branch, RTA and OE&H

1. Objectives or Intended Outcomes

This Planning Proposal seeks to enable the rezoning of land at Nos. 2-12 River Road West, Parramatta to enable the provision of public open space along the Parramatta River Foreshore, and to provide for a mix of retail, commercial and residential development on the remainder of the land.

Preliminary floor space calculations provided by the applicant indicate that the proposal could generate 6,666m² of commercial floor space (at ground level) and 39,692m² of residential floor space. On the basis of allowing an average of 100m² per dwelling (including common areas), the proposal could generate approximately 400 dwellings.

2. Explanation

The proposal involves amendment to Parramatta LEP 2011 to rezone land at 2-12 River Road West, Parramatta from IN1 General Industrial to part B4 Mixed Use and part RE1 Public Recreation, allowing a maximum building height of 40 metres (12 storeys) and a maximum floor space ratio (FSR) of 3.4:1.

The planning proposal also seeks to regularise the foreshore building line (FBL) to 15 metres measured from the mean high water mark along the site's northern boundary.

A summary of the planning proposal is set out in Table 1 below and detailed in the existing and proposal maps at Attachment 2.

Table 1: Summary of Planning Proposal

Site	Total Area (m²)	Current Zoning	Current Maximum Height	Current Maximum FSR	Current FBL	Proposed Zoning	Area Breakdown (m²)	Proposed Maximum Height	Proposed Maximum FSR	Proposed FBL
Nos. 2-8 River Road West	10,254m²	IN1 General Industrial	RL 14	N/A	15m	B4 Mixed Use	7,560m²	37m (11 storeys)	3.4:1	15m
						RE1 Public Recreation	2694m²	N/A	N/A	15m
Nos. 10-12 River Road West	8,183m²	IN1 General Industrial	RL 14	N/A	Part 15m, Part 30m	B4 Mixed Use	6,180m²	40m (12 storeys)	3.3:1	15m
						RE1 Public Recreation	2,003m²	N/A	N/A	15m

3. Justification:

A. The need for the Planning Proposal

1. *Is the planning proposal a result of any strategic study or report?*

The planning proposal is not the result of a strategic study. The site at 2-12 River Road West, Parramatta is, however, included within the area for investigation under the River Road, Rosehill, Camellia Study (RRCS), for which heritage, contamination and flood investigations are being carried out, with funding under the Department of Planning & Infrastructure's LEP Acceleration Fund. These studies will inform opportunities for urban renewal within the area of investigation.

Note: The contamination assessment being undertaken for the broader precinct does not include 2-12 River Road West as Stage 1 Preliminary contamination investigations over the site had already been undertaken by the proponents as part of this planning proposal. Site specific flood studies have also been undertaken for the subject site.

Studies have been undertaken for the site by the proponent with respect to flooding, site contamination, acid sulfate soil, archeology, heritage, traffic and employment lands.

2. *Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?*

During consideration of Draft Parramatta Local Environmental Plan (LEP) 2011, at its meeting of 23 March 2009, Council resolved: *'that Council invite the owner(s) of land within the industrial precinct at River Road West, Parramatta to discuss a separate process by which the rezoning of land to allow a mix of uses including residential, be considered.*

The subject planning proposal was made by the land owners following this Council resolution.

Council has since commenced strategic studies to inform a planning proposal for the broader River Road, Rosehill and Camellia Area of Interest to identify opportunities for urban renewal within the area. The subject planning proposal for 2-12 River Road West will need to be considered with regard to the planning framework for the broader precinct.

3. *Is there a net community benefit?*

The site is located adjacent to the Parramatta River within a small light industrial precinct. The current industrial buildings on the site are (or have) reached the end of their economic lives. The historical use of the site for industrial purposes has left the site contaminated and the river foreshore area degraded.

The site is located within close proximity of Parramatta CBD, the University of Western Sydney (Parramatta campus) and Rosehill Racecourse and is suitably located for residential development in proximity to retail centres, employment opportunities and public transport networks. The subject site comprises a key 'missing link' to the existing river foreshore network providing access along the Parramatta River to Parramatta CBD

and the broader regional shared pedestrian and cycle network.

The planning proposal provides opportunity for the land to be remediated, the river foreshore area to be revegetated and existing riverbank erosion to be treated providing opportunities to improve ecological communities along the Parramatta River. The planning proposal also provides for the provision of new publicly accessible river foreshore land connecting to the broader pedestrian and cycle network and provides opportunities for new development to be oriented to both River Road West and Parramatta River.

New development on the site also provides opportunity to reduce site cover and potentially improve overland flow paths of flood water directly into Parramatta River.

B. Relationship to Strategic Planning Framework

1. *Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)?*

The draft West Central Sub-Regional Strategy 2007 prepared under the NSW Government's 2005 Metropolitan Strategy identified the River Road West Industrial Precinct as follows:

Whilst not large in size, this is a busy and vibrant employment precinct on the southern bank of Parramatta River along James Ruse Drive. Predominantly light manufacturing uses with some urban services, the precinct's close proximity to the larger Rosehill precinct and overall viability means that this is a precinct which should be protected from competing uses. The building stock is in parts older, but pressure to convert this precinct to alternative uses must be resisted.

The Metropolitan Plan for Sydney 2036 identifies that Sydney will need to generate 760,000 additional jobs to support the expected population by 2036 with half of these new jobs expected to be created in Western Sydney. With respect to Parramatta LGA, while Employment Lands in the form of industrial zones will be necessary to be maintained and redeveloped to achieve these targets, the key employment generation in Parramatta is proposed to be delivered within the Parramatta CBD, specialized precincts as well as large Industrial areas such as Camellia.

The existing buildings at 2-12 River Road West are reaching, or have reached the end of their economic lives. Continued use of the precinct for long term industrial development would require the construction of new specialised buildings, although the changing locational requirements of modern industry suggest that alternate uses of the precinct are more appropriate in the context of the growth of Parramatta City

An economic Assessment has been undertaken in conjunction with the planning proposal and identified that *the site is not a prime industrial site.... Modern industrial occupiers now favour sites which are located close to rail and road transport nodes. Within Sydney, this is reflected in the significant concentrations of modern industrial uses around the M7 and M4 road junctions, for example the Western Sydney Employment Area. The proposed development site is not within easy reach of any major road or rail*

networks and therefore it has more limited potential to accommodate modern industrial uses when considered against other, larger sites within the Parramatta LGA even if it were to be redeveloped for employment uses.

Larger industrial businesses no longer tend to locate in densely built urban areas where there can be conflicts with more sensitive land uses such as residential, but rather are moving to purpose built industrial hubs. For industrial users the subject site is considered inferior to other industrial clusters in Parramatta for the following reasons:

- *It is small and isolated from other industrial clusters;*
- *It is largely severed from the Camellia industrial area by James Ruse Drive;*
- *Other industrial estates have superior access;*
- *Access to James Ruse Drive southbound requires travelling through residential areas (Hassell Street)*

These weaknesses will undermine interest for industrial uses if the site was redeveloped. The presence of James Ruse Drive to the east of the site forms a physical barrier which inhibits the potential of the site to agglomerate with larger employment sites in Camellia/Rosehill.

The Employment Lands Development Program (Report 8 for the West Central Subregion) published by NSW Planning & Infrastructure in 2010 states that additional demand for Employment Lands within the West Central sub region is likely to be accommodated within the current undeveloped lands or through renewal and intensification of developed Employment Lands. This will include major new developments underway at Greystanes. There will also be future opportunities for new development of employment lands in Parramatta LGA when the Shell Refinery site at Camellia ceases its refinery operations, freeing up some of the land for redevelopment.

The planning proposal seeks to rezone the land from IN1 General Industrial to B4 Mixed Use to provide for a mix of retail, commercial and residential uses and the site with an estimated 6,666m² of commercial floor space.

Based on current tenancies approximately 25 – 30 people are employed on the site. The Economic Assessment provided with planning proposal estimates that using an accepted yield of 55-60 employees per hectare, the site could generate approximately 100 employees if redeveloped for light industrial purposes.

However, the Economic Assessment estimates that post development employment opportunities, based a mix of restaurant, retail and other business and commercial uses would on average be 1 full time equivalent employee per 30m² gross leasable floor area. Assuming GLFA is 80% of the gross commercial floor area, this would equate approximately 175 full time equivalent employment position on the site.

It is noted that in the Gateway determination dated February 2011, the Director General's delegate agreed that the planning proposal's inconsistencies with the section 117 Directions 1.1 Business and Industrial zones was of minor significance and no further approval was required in relation to this direction.

2. Is the planning proposal consistent with the local council's Community Strategic Plan or other local strategic plan?

2-12 River Road West was not identified as an opportunity for increased residential development under Council's Residential Development Strategy (RDS) 2006, prepared as part of the strategic investigation for Council's comprehensive LEP.

However, the permissibility of a mix of retail commercial and residential uses on the site is not inconsistent with the objectives of the RDS to provide opportunities for residential development areas that are well serviced by existing infrastructure, public transport and in close proximity to retail and commercial facilities and employment centres.

3. Is the planning proposal consistent with applicable state environmental planning policies?

Relevant State Environmental planning Policies (SEPPs) include:

Sydney Regional Environmental Plan 2005 - Sydney Harbour Catchment:

The land is subject to SREP – Sydney Harbour (at the interface with the Parramatta River). The SREP seeks to protect and enhance the foreshore and waterway area, whilst enhancing foreshore public access. The planning proposal seeks to rezone part of the site (15 depth along the foreshore) to RE1 Public Recreation enabling restoration of the foreshore area and formalising public access. This will be achieved in conjunction with the redevelopment of the site. The planning proposal also seeks to regularise a 15 metre Foreshore Building Line along the site' northern boundary.

SEPP 32 – Urban Consolidation (Redevelopment of Urban Land)

The SEPP aims to promote the orderly and economic use and development of land by enabling urban land, which is no longer required for the purpose for which it is currently zoned or used, to be redeveloped for multi-unit housing and related development. The planning proposal, by proposing the permissibility of multi unit housing in the form of mixed use residential flat buildings on the site is consistent with this SEPP.

SEPP 55 – Remediation of Land

Clause 6 of the SEPP requires that contamination issues be considered in a rezoning proposal. The planning proposal is accompanied by Stage 1 Preliminary Site Investigation which concluded that there is evidence of contamination on the site and that subject to remediation; the site will be suitable for residential use in accordance with State Environmental Planning Policy No. 55 – Remediation of Land.

Prior to the consideration of a development application for the site a Stage 2 Assessment and Remediation Action Plan will need to be considered and approved for the site.

SEPP 65

Clause 28 of the SEPP requires that in preparing an environmental planning instrument that makes provision for residential flat development, a provision shall be included in the instrument or plan to ensure the achievement of design quality in accordance with the design quality principles and have regard to the publication Residential Flat Design Code. It is noted that SEPP 65 will be required to be considered during the assessment of any future development on the site that includes three or more story and 4 or more dwellings.

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

In the Gateway determination dated February 2011, the Director General's delegate agreed that the planning proposal's inconsistencies with the section 117 Directions 1.1 Business and Industrial zones and 3.4 Integrating Land Use and Transport are of minor significance. No further approval was required in relation to these.

An address of Section 117 Directions 2.3 Heritage Conservation, 4.1 Acid Sulfate Soil and 4.3 Flood Prone Land are provided at Attachment 3.

C. Environmental, Social and Economic Impact

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?

An Ecological Assessment Report has been prepared in conjunction with the planning proposal and concludes that *the current and past land use activities have degraded the site and very few ecological values remain although the frontage of the site along the Parramatta River retains riparian area although highly degraded. On-going current land use activities and management practices will result in further degradation of this area. Rezoning and redevelopment of the site would provide an opportunity to re-establish a more natural riparian area, and strengthen riparian connections along this tidal section of the Parramatta River.*

Through the rezoning of the foreshore land to RE1 Public Recreation, the planning proposal provides opportunity for the remediation and revegetation of the foreshore land including the repair of existing bank erosion, resulting in the reinstatement of riparian ecological communities.

The planning proposal seeks to regularize a 15 metre foreshore building line along the site frontage and is protected by Clause 6.7 (Foreshore Building Line) of Parramatta LEP 2011 and would be addressed as part of a future development application on the site.

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

Flooding

The site lies adjacent to the confluence of Parramatta River and Clay Cliff Creek and is subject to flood inundation in the 1 in 20 year flood event, the 1 in 100 year flood event and the probable maximum flood (PMF) event, with inundation of up to 4 metres across the site in extreme events.

Council is awaiting the finalisation of a flood study to model the impacts of sea level rise and climate change on the Lower Parramatta River Catchment, which will update current flood data available for the site. Additional flood modeling will be required to be undertaken once this study is complete, (and prior to the approval of development application on the site) to guide an appropriate finished floor level for future development of the site.

Any redevelopment of the site would need to demonstrate that post development flood modeling will have a negligible impact upon other properties and the broader river catchment when compared with existing. It is noted that future redevelopment of the site has the potential to reduce site cover and improve overland flow paths directly to the Parramatta River.

Future development of the site will be required to comply with Clause 6.3 of Parramatta LEP 2011 relating to flood planning as well as other relevant legislation, guidelines and directions.

Acid Sulfate Soil

The site is identified as Class 4 Acid Sulfate Soil and Clause 6.1 (Acid Sulfate Soils) of the Parramatta LEP 2011 applies. A Preliminary Acid Sulfate Soil Assessment was prepared and details that the extent of excavation resulting from future development on the site is likely to be 6 metres in depth, with an excavated soil volume exceeding 1000 tonnes. Further, existing ground water levels are approximately 3 – 4.3 metres below existing ground level, with excavation levels to exceed this depth. Based on the preliminary borehole testing undertaken, the future redevelopment of the site (resulting from the planning proposal) does have the potential to expose acid sulfate soils to oxidation and therefore any site redevelopment will require the preparation of an Acid Sulfate Soil Management Plan and this would be assessed at development application stage.

Contamination

A Stage 1 Preliminary Contamination Investigation undertaken for the site concluded that the site is contaminated. A Stage 2 Environmental Site Investigation and Remediation Action Plan will be required to be prepared to accompany any future development application.

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

Land Use

The planning proposal seeks the rezoning of land from IN1 General Industrial to B4 Mixed Use. While the proposal will result in the loss of industrial land, the proposal will provide for non-residential uses at ground level, comprising an estimated 6,666m² of commercial/retail floor space. An Economic Assessment of the planning proposal was undertaken and concluded that given its location and constraints in terms of size and configuration, the subject site is not well suited for redevelopment for industrial purposes, particularly given the availability of other more suitably located industrial land in the Parramatta LGA and nearby areas. The assessment estimated that even if the subject site was redeveloped for industrial purposes, it would only have the potential to generate around 100 jobs. However, on the basis of redevelopment including ground floor retail/commercial uses, the development could generate 175 full time equivalent jobs.

The proposal will result in an increase in the availability of residential housing stock and dwelling mix within the locality and will contribute towards the provision of housing for increased population expected to increase within the Parramatta local government area.

Heritage

The site lies within the Area of National Significance identified under Parramatta DCP 2011. A number of historic view corridors traverse the site. A heritage study has been prepared by Godden Mackay Logan indicating that development greater than RL 17 will have a negative impact upon existing historic view corridors to and from the Area of National Significance including Elizabeth Farm.

The planning proposal will impact upon historic view corridors and panoramas to and from Elizabeth Farm identified under Parramatta DCP 2011. The position of the Heritage Branch and Godden Mackay Logan is that existing vegetation should be discounted when assessing development impact upon views. However, existing vegetation does obscure the view corridors when identified from the locations identified within the DCP.

Parramatta City Council at its meeting of 5 December 2011 considered a report regarding the heritage issues associated with the planning proposal and resolved to consider heights greater than the current height limit of RL 14 for the planning proposal. Council has formed a view that impacts on historic views may not be able to be avoided in conjunction with the urban renewal of this industrial land.

Clause 5.10 of Parramatta LEP 2011 provides for the protection of heritage items and archaeological sites. Clause 4.3 of the Parramatta LEP provides controls for the height of buildings and objectives of this clause includes '*ensure the preservation of historic views*' and '*minimise .. disruption of views*'.

Parramatta DCP 2011 also establishes controls for the protection of; heritage; views and vistas; the Harris Park Precinct; and the Area of National Significance.

D. State and Commonwealth interests

1. Is there adequate public infrastructure for the planning proposal?

Existing utilities services the site. It is unsure if upgrading of these services would be required to support development sought by the planning proposal and consultation with relevant service providers will be undertaken during the exhibition of the planning proposal.

Road infrastructure will be required to be upgraded including the signalisation of River Road West and James Ruse Drive. A voluntary planning agreement is proposed in conjunction with the planning proposal and includes a monetary contribution toward the signalisation of the intersection. The issue will also be further addressed during the assessment of a development application.

12. What are the views of State and Commonwealth public authorities consulted

Preliminary Consultation has been undertaken with the Heritage Branch (of the former Department of Planning), the Office of Environment and Heritage, and the former Roads and Traffic Authority (RTA) (now Roads and Maritime Services (RMS)). Copies of the replies from these authorities are attached.

4. Community Consultation

In accordance with the Gateway determination dated February 2011, the planning proposal will be made publicly available for 28 days.

Council will consult with land owners in the vicinity and the following public authorities

- Office of Environment and Heritage (Heritage and Environment divisions)
- NSW Roads and Maritime Services
- Relevant Utility Authorities.
- Any other authorities directed via Gateway Determination

Community consultation will include a notice in the local newspaper and on Council's web site as well as written notice to land owners in the vicinity of the site.