

135 George Street and 118 Harris Street, Parramatta (the Albion Hotel)

Proposal Title : **135 George Street and 118 Harris Street, Parramatta (the Albion Hotel)**

Proposal Summary : **This planning proposal seeks amendments to existing planning controls to allow development of land at 135 George Street and 118 Harris Street, in the north eastern corner of the Parramatta City Centre, for mixed use purposes at a higher density than that currently permitted under the provisions of Parramatta City Centre Local Environmental Plan 2007.**

PP Number : **PP_2015_PARRA_008_00** Dop File No : **15/13591**

Proposal Details

Date Planning Proposal Received :	17-Aug-2015	LGA covered :	Parramatta
Region :	Metro(Parra)	RPA :	Parramatta City Council
State Electorate :	PARRAMATTA	Section of the Act :	55 - Planning Proposal
LEP Type :	Spot Rezoning		

Location Details

Street :	135 George Street and 118 Harris Street, Parramatta		
Suburb :	Parramatta	City :	Sydney
		Postcode :	2150
Land Parcel :	Lot 4 DP 388895 and Lot 135 DP 748984		

DoP Planning Officer Contact Details

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DoP Project Manager Contact Details

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Land Release Data

Growth Centre :		Release Area Name :	
Regional / Sub Regional Strategy :	Metro West Central subregion	Consistent with Strategy :	Yes

135 George Street and 118 Harris Street, Parramatta (the Albion Hotel)

MDP Number :	Date of Release :	
Area of Release (Ha) :	Type of Release (eg Residential / Employment land) :	N/A
No. of Lots :	No. of Dwellings (where relevant) :	291
Gross Floor Area :	No of Jobs Created :	82

The NSW Government Lobbyists Code of Conduct has been complied with : **Yes**

If No, comment : **To the best of the regional team's knowledge, there has not been any contact with registered lobbyists regarding this proposal.**

Have there been meetings or communications with registered lobbyists? : **No**

If Yes, comment : **The Lobbyist Contact Register was checked on 21 August, 2015.**

Supporting notes

Internal Supporting Notes : **PLANNING PROPOSAL**

This planning proposal seeks amendments to existing planning controls to allow development of land at 135 George Street and 118 Harris Street, in the north eastern corner of the Parramatta City Centre, for mixed use purposes at a higher density than that currently permitted under the provisions of Parramatta City Centre Local Environmental Plan 2007.

The specific LEP amendments sought comprise:

1. Amend the maximum building height in the Height of Buildings Map (Sheet HOB_001) from 54 metres to 102 metres which equates to approximately 35 storeys.
2. Amend the maximum FSR in the Floor Space Ratio Map (Sheet FSR_001) from 4:1 to 7:1.
3. Insert a new site specific clause to enable a maximum floor space ratio of 7.47:1 (excluding any design excellence bonus granted via LEP clause 22B), provided that development will include a stand-alone pub.

NB: In addition to the specified maximum height and Floor Space Ratios noted above, proposals that demonstrate design excellence will be able to seek variations to development standards of 15% under the provisions of Parramatta Local Environmental Plan Amendment No 10. This amendment i.e. #10, seeks to amalgamate Parramatta City Centre LEP 2007 with Parramatta LEP 2011.

4. Amend the Special Provisions Area Map (Sheet SPA_001) to include the site.

ADJACENT DEVELOPMENT

Planning Proposals have also been submitted for an adjoining and a nearby site, specifically:

(i) 142-154 Macquarie Street, Parramatta

The immediately adjoining site to the west at 142-154 Macquarie Street, Parramatta, known as the former Cumberland Media Site, is subject to a planning proposal which seeks a maximum building height of 157 metres (60 storeys) inclusive of two smaller towers (at 35 and 25 storeys), along with a maximum FSR of 7:1; and

(ii) 184 to 188 George Street, Parramatta

A site at 184 to 188 George Street, Parramatta, approximately 100 metres to the north west, is subject to a planning proposal which seeks to increase the maximum permissible height of buildings for the site from 36m (approximately 12 storeys) to 120m (approximately 38 stories) and increase the maximum floor space ratio from 4:1 to 10:1

DESIGN EXCELLENCE

The site is located within the area covered by clause 22B of Parramatta City Centre LEP 2007, which enables proposals exceeding 55 metres in height to pursue an architectural design competition.

Proposals that demonstrate design excellence under the clause are able to seek variations to development standards (height and FSR) of up to 10%. However, an amendment to Parramatta LEP 2011 (PLEP 2011 - Amendment No. 10) is nearing completion. Once made it will consolidate the planning controls for all land affected by the Parramatta City Centre LEP 2007 into PLEP 2011. This amendment increases the variation that proposals may seek to 15%.

External Supporting
Notes :

Amendments to existing planning controls are sought to allow development of land at 135 George Street and 118 Harris Street, in the north eastern corner of the Parramatta City Centre, for mixed use purposes at a higher density than that currently permitted under the provisions of Parramatta City Centre Local Environmental Plan 2007.

Proposed amendments include:

- * Amend the maximum building height from 54 metres to 102 metres (35 storeys); and
- * Amend the maximum FSR from 4:1 to 7:1, with provision for an additional increase to 7.47:1 with potential for a further Design Excellence bonus of 15%.

Adequacy Assessment

Statement of the objectives - s55(2)(a)

Is a statement of the objectives provided? **Yes**

Comment :

The purpose of the planning proposal is to enable the redevelopment of the land at 135 George Street and 118 Harris Street, Parramatta in accordance with the current B4 Mixed Use zone for a high density mixed use development in the north eastern corner of the Parramatta City Centre.

It seeks approval for amendments to existing planning controls to allow development for mixed use purposes at a higher density than that currently permitted under the provisions of Parramatta City Centre Local Environmental Plan 2007.

Explanation of provisions provided - s55(2)(b)

Is an explanation of provisions provided? **Yes**

Comment :

The proposal seeks to amend Parramatta City Centre Local Environmental Plan 2007 in relation to the height and floor space ratio controls as follows:

1. Amend the maximum building height in the Height of Buildings Map (Sheet HOB_001) from 54 metres to 102 metres which equates to approximately 35 storeys.
2. Amend the maximum FSR in the Floor Space Ratio Map (Sheet FSR_001) from 4:1 to 7:1.
3. Insert a new site specific clause to enable a maximum floor space ratio of 7.47:1 (excluding any design excellence bonus granted via LEP clause 22B), provided that development will include a stand-alone pub. (In addition to the specified maximum height and Floor Space Ratios noted above, proposals that demonstrate design excellence will be able to seek variations to development standards of 15% under the provisions of Parramatta Local Environmental Plan Amendment No 10.)

4. Amend the Special Provisions Area Map (Sheet SPA_001) to include the site.

Justification - s55 (2)(c)

a) Has Council's strategy been agreed to by the Director General? **Yes**

b) S.117 directions identified by RPA :

* May need the Director General's agreement

1.1 Business and Industrial Zones

2.3 Heritage Conservation

3.1 Residential Zones

3.4 Integrating Land Use and Transport

3.5 Development Near Licensed Aerodromes

4.1 Acid Sulfate Soils

4.3 Flood Prone Land

7.1 Implementation of A Plan for Growing Sydney

Is the Director General's agreement required? **No**

c) Consistent with Standard Instrument (LEPs) Order 2006 : **Yes**

d) Which SEPPs have the RPA identified?

SEPP No 32—Urban Consolidation (Redevelopment of Urban Land)

SEPP No 55—Remediation of Land

SEPP No 65—Design Quality of Residential Flat Development

e) List any other matters that need to be considered :

STATE ENVIRONMENTAL PLANNING POLICIES

SEPP No 32 - URBAN CONSOLIDATION

The intention of the State Environmental Planning Policy No. 32 Urban Consolidation is to ensure that urban consolidation objectives are met in all urban areas throughout the State. The Planning Proposal is consistent with SEPP No 32, given its purpose is for the orderly and economic development of the land for high density residential housing in a location which benefits from suitable infrastructure, employment and leisure opportunities.

SEPP No. 55 – REMEDIATION OF LAND

The underlying aim of SEPP No. 55 is to promote the remediation of contaminated land for the purpose of reducing the risk of harm to human health or any other aspect of the environment. Council note that a contamination study for the adjoining Cumberland Newspaper site concludes that contamination is not a constraint to the intended redevelopment of that property. Given this context, Council consider that the site is unlikely to be contaminated, and have suggested that further investigations, if required, can be completed at the DA stage.

SEPP No. 65 - DESIGN QUALITY OF RESIDENTIAL FLAT DEVELOPMENT

SEPP No. 65 aims to improve the design quality of residential apartment development in New South Wales. Council note that SEPP 65 will be required to be considered during the assessment of future development on the site, and that further design work may be required by the applicant at the DA stage to address the provision for 25% of the site to be communal open space for use by future residents of the development.

SECTION 117 DIRECTIONS

SECTION 117 DIRECTION 1.1 - BUSINESS AND INDUSTRIAL ZONES

This Direction requires that a planning proposal must retain the areas, locations and total potential floor space area for employment uses. The proposal does not seek to change the land zoning from B4 Mixed Use and given that it will increase the intensity of development on the site, it will enable the potential floor space for employment uses to be maintained or increased. The proposal is therefore consistent with this Direction.

SECTION 117 DIRECTION 2.3 HERITAGE CONSERVATION

The objective of this direction is to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance. The site is not identified as a heritage item in Parramatta City Centre Local Environmental Plan 2007, although it is located in proximity to a State listed heritage item known as Harrisford, at 182 George Street. The site also noted as accommodating evidence of

uses associated with prior Aboriginal and early European occupation. Some shading of the open reserve archaeological area to the east of the site is will result from the proposed building height and location, and a portion of the sites of 'Tara' and 'Hambleton Cottage' will be overshadowed for brief periods in the late afternoon. In the later cases shading would already occur due to existing vegetation on those sites.

The Heritage Issues Identification report submitted with the Planning Proposal indicates that the development as currently proposed "...does not adversely and unacceptably impact upon the identified heritage significance of any of the nearby local heritage items, State Heritage Register listed items, Commonwealth heritage listed places, or National and World Heritage listed properties."

The Aboriginal Archaeological Assessment prepared by Comber Consultants advises that an Aboriginal Heritage Impact Permit will be required prior to development proceeding.

While the proposal is considered to be consistent with this Direction, it is recommended that the Planning Proposal report be updated to include a clearly labeled map indicating the relationship between the site, the shadows that will be projected by the proposed development, and the identified nearby items of local and State Heritage significance.

Additionally, Council is to consult with the NSW Office of Environment and Heritage during the period of public exhibition.

SECTION 117 DIRECTION 3.1 RESIDENTIAL ZONES

The proposal is consistent with this Direction as it will maximise housing opportunities in a location in close proximity to public transport, shops, employment and existing infrastructure and services.

SECTION 117 DIRECTION 3.4 INTEGRATING LAND USE AND TRANSPORT

The site is in close proximity to the Parramatta ferry wharf and within walking distance to the Parramatta train station and bus interchange. The proposal is considered consistent with this Direction as future residents will be able to access nearby employment, education, shops and services via walking, cycling or public transport.

SECTION 117 DIRECTION 4.1 ACID SULFATE SOILS

The proposal is inconsistent with this Direction as an acid sulfate soils study, required when an intensification of land uses is proposed, has not been prepared. This inconsistency is considered to be justified on the basis of minor significance given that:

- (a) the affectation is by class 4 acid sulfate soils; and
- (b) the matter will be further considered at development application stage under clause 33B - Acid Sulfate Soils of Parramatta City Centre Local Environmental Plan 2007 or clause 6.1 of Parramatta Local Environmental Plan 2011.

SECTION 117 DIRECTION 4.3 FLOOD PRONE LAND

The site is not identified as flood prone land on the Flood Map to Parramatta City Centre Local Environmental Plan 2007. The site has not been identified as being affected by the 1:20 year or 1:100 year flood events, but is noted as affected by the Probable Maximum Flood level (PMF). The planning proposal has not clearly indicated whether or not Council's Catchment Management Team considers the proposal to be consistent with the Direction. Noting that a five level basement carpark is proposed over the whole site, it is recommended that the Gateway determination be conditioned to ensure that, prior to exhibition, Council ensures consistency with this Direction or justifies any inconsistency.

It is recommended that a legible plan or diagram, indicating the extent of the area in the vicinity of the site inundated or affected by a 1:100 Annual Recurrence Interval flood event, be included within the Planning Proposal.

The proposal is also to be referred to NSW State Emergency Service for comment during the exhibition period.

SECTION 117 DIRECTION 7.1 IMPLEMENTATION OF A PLAN FOR GROWING SYDNEY
The proposal is considered generally consistent with this Direction as it is in keeping with developing Greater Parramatta as Sydney's second CBD. The proposal will increase residential development and provide for employment generating uses in an area well serviced by public transport and with access to employment, services, shops and infrastructure. It is, however, recommended that the planning proposal be amended, prior to public exhibition, to include additional discussion and explanation of its consistency with this Direction.

Have inconsistencies with items a), b) and d) being adequately justified? **Yes**

If No, explain :

Mapping Provided - s55(2)(d)

Is mapping provided? **Yes**

Comment : Mapping has been provided on Pages 25 - 31 (Figures 3 to 10) of the planning proposal.

Figure 8 within the Planning Proposal illustrates proposed maximum building height of 102 metres over the site. The Planning Report notes that the proposed height excludes the additional 15% of GFA (which equates to a total height of 117 metres) as this will be achieved through the forthcoming design excellence clause at development application stage.

Figure 9 within the Planning Proposal illustrates the proposed 7:1 FSR over the site. The Planning Report notes that this excludes both the additional 0.47:1 sought by way of the proposed exception clause and the additional 15% of GFA (which equates to a total FSR of 8:1) achieved through the forthcoming design excellence clause at development application stage. Figure 9 does not illustrate the proposed 8:1 FSR increase sought over the adjoining site at 142-154 Macquarie Street.

Subject to the inclusion of the above accompanying comments, it is considered that the maps provided contain sufficient detail to indicate the substantive effect of the proposed amendments.

It is also recommended that Council place a copy of the current DCP 'Highly Sensitive Area' Controls on exhibition with the planning proposal as background material.

Community consultation - s55(2)(e)

Has community consultation been proposed? **Yes**

Comment : Council have advised that public exhibition is likely to include:

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

Public Exhibition for a period of 28 days is to be recommended.

Additional Director General's requirements

Are there any additional Director General's requirements? **No**

If Yes, reasons :

Overall adequacy of the proposal

Does the proposal meet the adequacy criteria? **Yes**

If No, comment :

Proposal Assessment

Principal LEP:

Due Date : **October 2011**

Comments in relation to Principal LEP : **Parramatta Local Environmental Plan 2011 (PLEP 2011) was published on 7 October 2011.**

Various Amendments to PLEP 2011 have been notified since its commencement.

It is noted that draft Amendment 10 seeks to amalgamate the controls from Parramatta City Centre Local Environmental Plan 2007 (PCC LEP 2007) into Parramatta Local Environmental Plan 2011.

The subject site is currently zoned under PCC LEP 2007. Depending on the timeframe (and ultimate decision of amendment 10), the planning proposal needs to consider both the current zoning instrument and PLEP 2011 draft zoning.

Assessment Criteria

Need for planning proposal :

The objective of this planning proposal is to enable the redevelopment of the land at 135 George Street and 118 Harris Street, Parramatta in accordance with the current B4 Mixed Use zone for a high density mixed use development in the north eastern corner of the Parramatta City Centre.

Council advised that a planning proposal seeking to amend Parramatta City Centre Local Environmental Plan 2007 is the most effective way of providing certainty for Council, the local community and the landowner and allows for orderly and economic development of the land. The existing height and FSR standards would not permit part of the form of development envisaged in the planning proposal and would not allow the site to capitalise on its location at the eastern gateway to Parramatta City Centre.

Consistency with strategic planning framework :

CURRENT PLANNING CONTEXT

A PLAN FOR GROWING SYDNEY

In December 2014, the NSW Government released A Plan for Growing Sydney, which sets the Government's vision for growth across the Sydney metropolitan area to 2031. Both the current and previous metropolitan plans have identified Parramatta as Sydney's second CBD and encouraged the provision of supporting facilities to support this role. These facilities include 'expanded arts, culture and entertainment activities to increase its appeal as a dynamic and diverse place to work, live and play' (p.30).

The Actions specific to Parramatta are:-

- 1.2.1 - Grow Parramatta as Sydney's second CBD by connecting and integrating Parramatta CBD, Westmead, Parramatta North and Camellia
- 1.2.2 - Grow the specialized health and education precincts at Westmead and Rydalmere
- 1.2.3- Renew Parramatta North to create a vibrant mixed-use precinct , and
- grow the arts and cultural opportunities in Parramatta to include State-level facilities.

The metropolitan plan also aims to improve the quality of green spaces and the public domain (p.85 & p.88) and recognises the social benefits involved (p.87). In addition, the plan supports the long-term planning for social infrastructure, including open spaces (p.36 & p.60). It is recommended that this aspect of the metropolitan plan be specifically addressed within the Planning Proposal in relation to its consistency with Section 117 Direction 7.1.

A Plan for Growing Sydney indicates that Greater Parramatta has the potential to reach 100,000 jobs over the next 20 years (p.30) and within 25 years Western Sydney will be home to more than half of all Sydneysiders. Significant growth will occur in the North West and South West Growth Centres and around Parramatta (p.36).

Other population growth and infrastructure matters relevant to the context of the proposal include:

- . the new University of Western Sydney Campus, to be situated in the core of the CBD, is to cater for over 10,000 students in 2017 (see page 30 - A Plan for Growing Sydney);
- . Council's Draft Parramatta City Centre Planning Framework Study estimates that under a high growth scenario, there is potential for the creation of 47,000 additional jobs and 7,500 additional dwellings within the CBD by 2026 (p.28);
- . Arthur Phillip High School in Parramatta (approx. 420m from the Robin Thomas Reserve) is proposed to be rebuilt by 2019 as the State's first public high rise school. The adjoining Parramatta Public School will also be rebuilt, and together, the new schools will cater for 3,000 students.

The planning proposal is considered generally consistent with A Plan for Growing Sydney, as it seeks to 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 with excellent access to public transport. This will assist in strengthening Parramatta's role as Sydney's second CBD.

PROPOSED URBAN FORM

A Plan for Growing Sydney notes that a shift in the types of jobs that are driving Sydney's economy is influencing their distribution and changing our perceptions of where to live. In particular, these changes are bringing a growing emphasis to the role of Parramatta as a Central Business District at the geographic centre and demographic heart of the Sydney metropolitan area. The Plan also makes the intensive development of strategic locations across Sydney a priority, including the "Global Economic Corridor" encompassing Greater Parramatta and Sydney's Gateways. Consistent with this priority, the urban form of Parramatta has been changing, with acknowledgement that substantial increases in building height within the Parramatta CBD have now become appropriate, and are a reflection of Parramatta's key role as a centre of metropolitan significance.

LOCAL STRATEGIC FRAMEWORK

Council's Parramatta CBD Planning Strategy (as adopted 27 April, 2015) does not propose to alter/extend the existing city centre boundary in this vicinity, although it recommends a maximum FSR of 10:1 to the west of Harris Street. The planning proposal seeks an increase in FSR from 4:1 to 7:1 for the site (excluding design bonuses), and is therefore consistent with Council's intentions in this regard. The Parramatta CBD Planning Strategy proposes that there be no height limits within the CBD Core, except as limited by sun access from 12pm to 2pm to nominated open space areas (A2.4.1 on page 13 refers) and as required by aviation restrictions (see A2.5 on page 16). The proposal is consistent in this regard as it will not overshadow any open space areas identified in the strategy. As the adjoining Robin Thomas Reserve and James Ruse Reserve fall outside the boundaries of the City Centre LEP, these sites are not nominated for solar access protection, irrespective of the potential for adverse overshadowing impacts from CBD development.

Council's Parramatta Open Space Plan 2003 indicates that "the value of open space in Parramatta cannot be understated, as it is essential to the social, economic and environmental prosperity of the City (page 2).

The overshadowing diagrams (Annexure 4 within Tag B) show that the adjoining reserves (the Robin Thomas Reserve and the James Ruse Reserve) will be overshadowed from autumn, through winter to early spring as a result of the cumulative overshadowing impacts of both this proposal and the planning proposal for land located at 142 to 154 Macquarie Street, Parramatta, (refer: PP_2015_PARRA_002_00). In summary, overshadowing impacts will commence after 12 noon and by 3pm, the majority of both reserves will be in shadow during winter months.

Comment: While it is acknowledged that Council's open space plan is not contemporary (dated 2003), it is noted that the planning proposal is not fully in accord with the intent of Council's open space plan as the value of the open space may be undermined by adverse overshadowing impacts.

Parramatta City Centre Local Environmental Plan 2007:

It is also noted that the proposal may be inconsistent with the height of building objectives at clause 21 (1)(a),(c),(e) and (f) of Parramatta City Centre LEP 2007.

These objectives address the relationship between building height and seek:

- . satisfactory sky exposure and daylight to existing buildings and parks;
- . the achievement of a responsive transition of building heights, and;
- . consideration of heritage properties, their views and visual interconnections.

The inconsistencies may particularly arise owing to:

- the proposed 35 storey tower contributing to an adverse sense of enclosure and lack of sky exposure for children and others using the adjacent parklands; and
- the removal of the element of transition in building heights and the creation of a sharp built edge to the city centre boundary, thereby increasing potential impacts on sensitive adjoining land uses.

Similarly, the general aims of Parramatta City Centre Local Environmental Plan 2007 are relevant (clause 2(2)(g),(h) and (i)). These aims seek to:

- . ensure the city centre achieves sustainable social and environmental outcomes;
- . protect and enhance environmentally sensitive areas and natural and cultural heritage, and;
- . emphasise the role of Parramatta River and its foreshore as an important natural focus.

Inconsistencies of the proposal with the aims and 'sensitive' areas include:

- overshadowing impacts upon the quality of adjoining open space and its enjoyment by the community;

- possible adverse impacts upon visual elements of the Parramatta River foreshore.

Comment:

With intense, foreshadowed housing and employment growth within the immediate area there is a need to provide quality facilities and structures to match Parramatta's second CBD role. Council has, in part, addressed this in including building design completion provisions in its City Centre Local Environmental Plan. It is considered, however, that while the above provisions are appropriate for built forms, there is concern that consideration of overshadowing impacts upon sensitive areas (i.e. in this case - significant open space and local heritage items), have not been given sufficient weight in the planning proposal.

The proposed redevelopment of the site will overshadow nearby sensitive uses, including Robin Thomas and James Rouse Reserves, and Hambeldon Cottage Reserve. It is anticipated that the use of the Robin Thomas and James Rouse reserves will increase with an expected rapid and sustained rise in residential densities, and as a result of growing student and working population numbers within the Parramatta CBD.

Robin Thomas Reserve is located directly opposite the site on Harris Street and adjoins the James Ruse Reserve - which is diagonally opposite the subject land. Robin Thomas Reserve is one of a limited number of large public spaces in this locality serving the CBD and the only reserve offering playing fields in the immediate area. The reserve is utilised by local schools and can be booked for weekend cricket. James Ruse Reserve offers a range of recreational facilities including a children's playground and water play area, picnic tables and shelters, and a skate park.

While Parramatta Park is a substantial open space area of regional significance (located at the western boundary of the CBD), it is a complementary recreational facility to the Robin Thomas and James Ruse Reserves. These reserves offer other recreational experiences than are currently on offer in Parramatta Park, e.g. a water park and skate board area, in a location to the east of the CBD. In particular, given the size of the reserves (over 5 ha. in total), their location near three schools, and a lack of similar facilities in the vicinity, it is considered that the recreational value of these reserves is of a high order and will continue to be of increasing importance in view of the foreshadowed growth in the housing and employment populations and associated demand for this type of facility. Consequently, it is considered that the reserves are of regional recreational importance.

As such, preparation of comprehensive shadow diagrams is to be recommended, to clearly demonstrate the cumulative impact of the subject development and the adjacent developments currently proposed at 142-154 Macquarie Street and 184 to 188 George Street, Parramatta.

Environmental social
economic impacts :

TRAFFIC

The Traffic and Transport Assessment prepared by ARUP (March 2015) indicates that the Parkes Street / Harris Street intersection is currently operating over capacity (under existing conditions) in the AM peak hour, and is also operating near practical capacity in the PM peak. However, ARUP conclude that the intersection operates within acceptable ranges of delay and Level of Service within an urban context for both peak hours. ARUP further conclude that:

- The rezoned development would be responsible for a minor increase in peak hour traffic flows along surrounding key roads; and
- Traffic modelling demonstrates that the adjacent intersections operate satisfactorily following completion of the development up to 2020.

It would appear that the traffic and transport assessments completed to date do not fully address the cumulative traffic impacts of the proposal on the local road network, in the context of the adjacent and other developments proposed in the vicinity, including the current planning proposal for 142 to 154 Macquarie Street. It is understood that Council's Traffic Management Team have also raised an issue in relation to the planning proposal

for 184 to 188 George Street, Parramatta, that would equally apply to this site i.e. that a study has not yet been undertaken into the cumulative impacts of additional traffic generation from the increased development potential in the CBD. Accordingly, Council should be encouraged to give a high priority to completion of this work, given the rising number and significance of planning proposals within the CBD. Should the proposal proceed, it is recommended that consultation occur with Transport for NSW, Roads and Maritime Services, Sydney Ferries and bus operators that provide services within the CBD.

OVERSHADOWING

The shadow diagrams included as annexes to the Planning Report illustrate that Hambledon Cottage Reserve may be affected by overshadowing mid winter between 2pm and 3pm, although it is unknown whether further overshadowing will occur should a 15% height bonus be obtained by way of a design excellence competition. As noted above, preparation of comprehensive shadow diagrams is recommended, which clearly demonstrate the cumulative impact of the subject development and the adjacent developments currently proposed at 142-154 Macquarie Street and 184 to 188 George Street, Parramatta.

HERITAGE & ABORIGINAL ARCHAEOLOGY

This issue is discussed above under the heading: Section 117 Direction 2.3 Heritage Conservation. The Aboriginal Archaeological Assessment (Comber Consultants Pty Ltd, Appendix 2) indicates that given the high incidence of Aboriginal objects in Parramatta, there is a high likelihood that subsurface Aboriginal deposits could exist despite the site's disturbance. Accordingly, consultation in respect of the permit and excavation should be undertaken with the relevant Aboriginal stakeholders in accordance with OEH's Aboriginal cultural heritage consultation requirements for proponents 2010.

The Heritage Issues Identification report by NBRS & Partners (Planning Report Appendix 3) notes that some shading of the open reserve archaeological area to the east of the site will result from the proposed building height and location. A portion of the sites of 'Tara' and 'Hambleton Cottage' would also be overshadowed for brief periods in the late afternoon. In the later cases, shading would already occur due to existing vegetation on those sites. However, based on initial assessment NBRS & Partners concludes that: "The Planning Proposal... does not adversely and unacceptably impact upon the identified heritage significance of any of the nearby local heritage items, State Heritage Register listed items, Commonwealth heritage listed places, or National and World Heritage listed properties" .

Approvals from the Office of Environment and Heritage will be necessary at the Development Application stage for both European and Aboriginal archaeology for any development on the site. It is recommended that the Office of Environment and Heritage also be consulted during the exhibition period.

CONTAMINATION

Council note that a contamination study for the adjoining Cumberland Newspaper site concluded that contamination is not a constraint to the intended redevelopment of that property. Given this context, Council consider that the site is unlikely to be contaminated, and have suggested that further investigations, if required, can be completed at the DA stage.

AIR SAFETY

As noted above, the subject site is located approximately 20km north west of Sydney Airport and 11km north of Bankstown Airport, and airspace above the Parramatta CBD is affected by the operation of these airports. At the subject site, the "Obstacle Limitations Surface" is identified within the Planning Proposal as being 155.1m for Bankstown Airport, and at a higher level for Sydney Airport. The proposed 102m height control (which would allow buildings up to 117m with the 15% design excellence bonus) is therefore considered to be satisfactory in terms of relevant airspace safety considerations. Council also consider that the proposed height should enable cranes during construction to avoid penetrating radar operating space, but this is subject to confirmation from Airservices Australia.

FLOODING

The site is not identified as flood prone land on the Flood Map to Parramatta City Centre LEP 2007. However, more detailed flood inquiry information issued by Council based upon the Lower Parramatta River Floodplain Risk Management Study, Flood Study Review, 2005 (SKM), indicates that:

- The site is flood affected – Low Hazard (Lower Parramatta River)
- The following flood levels apply:
 - 1:20 year ARI – RL 5.27m AHD
 - 1:100 year ARI – RL 5.87m AHD

As noted above, the planning proposal has not clearly indicated whether or not Council's Catchment Management Team considers the proposal to be consistent with Section 117 Direction 4.3. Noting that a five level basement carpark is proposed over the whole site, it is recommended that the Gateway determination be conditioned to ensure that prior to exhibition, Council ensures consistency with this Direction or justifies any inconsistency. It is also recommended that a legible plan or diagram, indicating extent of the area in the vicinity of the site affected by a 1:100 Annual Recurrence Interval flood, be included within the Planning Proposal, and that proposal is also to be referred to NSW State Emergency Service for comment during the exhibition period.

ACID SULFATE SOILS

An Acid Sulfate Soils Management Plan will be required to support any future development application in accordance with the existing provisions of Parramatta City Centre Local Environmental Plan 2007.

SOCIAL AND ECONOMIC EFFECTS

Council have suggested that there is adequate justification for this planning proposal, as it will facilitate an increase in density and the future development of housing and employment.

Council have also suggested that the minor negative impacts of the proposal are to do with the impact on existing social facilities and infrastructure such as child care centres, housing affordability and local open space. Council have also indicated that many of the impacts can be addressed via:

- a) consultation with State government and other agencies as part of the planning proposal process,
- b) the Development Application process and through Council's Development Control Plan provisions on community safety and design.

Assessment Process

Proposal type :	Routine	Community Consultation Period :	28 Days
Timeframe to make LEP :	12 months	Delegation :	DDG
Public Authority Consultation - 56(2)(d) :	NSW Aboriginal Land Council Department of Education and Communities Office of Environment and Heritage Transport for NSW Fire and Rescue NSW Transport for NSW Transport for NSW - Sydney Trains Transport for NSW - Roads and Maritime Services State Emergency Service Other		

Is Public Hearing by the PAC required? **No**

(2)(a) Should the matter proceed ? **Yes**

If no, provide reasons :

Resubmission - s56(2)(b) : **No**

If Yes, reasons :

Identify any additional studies, if required. :

Other - provide details below

If Other, provide reasons :

Preparation of comprehensive shadow diagrams is to be recommended, to clearly demonstrate the cumulative impact of the subject development and the adjacent developments currently proposed at 142-154 Macquarie Street and 184 to 188 George Street, Parramatta.

Identify any internal consultations, if required :

No internal consultation required

Is the provision and funding of state infrastructure relevant to this plan? **No**

If Yes, reasons :

Documents

Document File Name	DocumentType Name	Is Public
Planning Proposal - Albion Hotel.pdf	Proposal	Yes
Appendix 1 - Archaeology Assessment - part 1.pdf	Proposal	Yes
Appendix 1 - Archaeology Assessment - part 2.pdf	Proposal	Yes
Appendix 2 - Aboriginal Heritage - part 1.pdf	Proposal	Yes
Appendix 2 - Aboriginal Heritage - part 2.pdf	Proposal	Yes
Appendix 3 - Heritage Issues - part 1.pdf	Proposal	Yes
Appendix 3 - Heritage Issues - part 2.pdf	Proposal	Yes
Appendix 4 - Urban Design Report - part 1.pdf	Proposal	Yes
Appendix 4 - Urban Design Report - part 2.pdf	Proposal	Yes
Appendix 5 - Flood Information - part 1.pdf	Proposal	Yes
Appendix 5 - Flood Information - part 2.pdf	Proposal	Yes
Appendix 6 - Traffic and Transport Report - part 1.pdf	Proposal	Yes
Appendix 6 - Traffic and Transport Report - part 2.pdf	Proposal	Yes
Appendix 7 - Geotechnical Report - part 1.pdf	Proposal	Yes
Appendix 7 - Geotechnical Report - part 2.pdf	Proposal	Yes
Covering letter from Council.pdf	Proposal Covering Letter	Yes

Planning Team Recommendation

Preparation of the planning proposal supported at this stage : **Recommended with Conditions**

S.117 directions:

- 1.1 Business and Industrial Zones**
- 2.3 Heritage Conservation**
- 3.1 Residential Zones**
- 3.4 Integrating Land Use and Transport**
- 3.5 Development Near Licensed Aerodromes**
- 4.1 Acid Sulfate Soils**
- 4.3 Flood Prone Land**
- 7.1 Implementation of A Plan for Growing Sydney**

Additional Information : **SECTION 117 DIRECTIONS**

It is considered that any inconsistency with Section 117 Directions 4.1 - Acid Sulfate Soils

and 4.3 Flood Prone Land is justified due to minor significance.

Should the planning proposal proceed, it is recommended the delegate agree that these inconsistencies are of minor significance.

DELEGATION OF PLAN MAKING FUNCTIONS

Council has requested that it exercise the Minister's plan making functions for this planning proposal. This is not supported as:

- the proposal applies to a large prominent site that marks the eastern gateway to the Parramatta CBD, and is likely to be of significant public interest;
- the proposal is located in proximity to a number of State and locally listed heritage items, which will potentially be impacted by shadows cast by the development;
- while the proposed height may enable cranes during construction to avoid penetrating the radar surface associated with Sydney Airport operations, this will be subject to confirmation from Airservices Australia.

Accordingly, it is recommended that the delegate agree NOT to issue authorisation for Council to exercise the Minister's delegation in this instance.

RECOMMENDATION

It is further recommended the planning proposal proceed subject to the following conditions:

1. Prior to exhibition, Council is to amend the planning proposal to:

- (a) identify the real property description for the site;
- (b) update the mapping to include sufficient detail to illustrate the substantive effect of the proposed amendments to height and FSR controls, including the potential additional 15% bonus for design excellence;
- (c) include comprehensive shadow diagrams, clearly demonstrating the cumulative impact of the subject development and the adjacent developments currently proposed at 142-154 Macquarie Street and 184 to 188 George Street, Parramatta;
- (d) include further specific comments on the consistency (or otherwise) of the planning proposal with Section 117 Direction 7.1 Implementation of a Plan for Growing Sydney within the appropriate section of the planning proposal;
- (e) include further advice on flooding impacts to demonstrate consistency, or justify any inconsistency with Section 117 Direction 4.3 Flood Prone Land;
- (f) include assessment of the traffic impacts of the proposal on the local road network, with specific regard to the cumulative impact arising from adjacent and other developments in the vicinity, including the proposals at 142-154 Macquarie Street and 184 to 188 George Street; and
- (g) include a copy of the current Development Control Plan 'Highly Sensitive Area' Controls on exhibition with the planning proposal as background material.

2. Community consultation is required under sections 56(2)(c) and 57 of the Act as follows:

- (a) the planning proposal must be made publicly available for a minimum of 28 days; and
- (b) the relevant planning authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in section 5.5.2 of A Guide to Preparing LEPs (Department of Planning and Environment 2013).

3. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act, as follows:

- Office of Environment and Heritage
- NSW Aboriginal Land Council
- Department of Education and Communities
- Transport for NSW - Ferrys
- Transport for NSW - Sydney Trains
- Transport for NSW - Roads and Maritime Services
- State Emergency Service
- NSW Office of Sport
- NSW National Trust
- Airservices Australia
- Commonwealth Department of Infrastructure and Regional Development

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material, and given at least 21 days to comment on the proposal.

4. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).

5. The timeframe for completing the LEP is to be 12 months from the week following the date of the Gateway determination.

Supporting Reasons :

CONCLUSION

The proposal holds merit as it is consistent with regional, metropolitan and local strategies in terms of facilitating additional housing and employment in an area well served by public transport and infrastructure. This will assist in strengthening Parramatta's role as Sydney's second CBD.

Although the proposal will have overshadowing impacts on the adjoining reserves, and potentially on Hambledon Cottage (should a 15% height bonus be approved), on balance, it is considered that the planning proposal should proceed, provided that overshadowing impacts are determined and thoroughly investigated and considered during the plan making process.

Signature:



Printed Name:

T DORAN

Date:

19/10/15