



PLANNING PROPOSAL

Albion Hotel

135 George Street and 118 Harris Street, Parramatta

Planning Proposal drafts

Proponent versions:

No.	Author	Version
1.	Robinson Urban Planning	March 2015

Council versions:

No.	Author	Version
1.	Parramatta City Council	27 July 2015 - Council Meeting recommending Gateway Determination
	Parramatta City Council	17 August 2015 - Section 56(1) submission to the DP&E

Contents

INTRODUCTION.....	4
Background and context	4
PART 1 – OBJECTIVES OR INTENDED OUTCOMES.....	5
PART 2 – EXPLANATION OF PROVISIONS	5
2.1 Other relevant matters	6
PART 3 – JUSTIFICATION	6
3.1 Section A - Need for the planning proposal	6
3.2 Section B – Relationship to strategic planning framework	7
3.3 Section C – Environmental, social and economic impact	15
3.4 Section D – State and Commonwealth Interests	23
PART 4 – MAPPING.....	24
4.1 Existing controls	24
4.2 Proposed controls	30
PART 5 – COMMUNITY CONSULTATION	33
PART 6 – PROJECT TIMELINE	33
Appendix 1 – Archaeological Assessment.....	34
Appendix 2 – Aboriginal Archaeological Assessment.....	35
Appendix 3 – Heritage Issues Identification Report.....	36
Appendix 4 – Urban Design Report.....	37
Appendix 5 – Flood Enquiry Information.....	38
Appendix 6 – Transport and Accessibility Assessment.....	39
Appendix 7 – Preliminary Geotechnical Investigation	40

INTRODUCTION

This planning proposal explains the intended effect of, and justification for, the proposed amendment to *Parramatta City Centre Local Environmental Plan 2007*. It has been prepared in accordance with Section 55 of the *Environmental Planning and Assessment Act 1979* and the Department of Planning and Environment guides, 'A Guide to Preparing Local Environment Plans' (April 2013) and 'A Guide to Preparing Planning Proposals' (October 2012).

Background and context

On 8 April 2015, Council received a planning proposal and supporting documents from Solotel Pty Ltd affecting land at 135 George Street and 118 Harris Street, Parramatta. The site is shown in Figure 1.



Figure 1 – Site at 135 George Street and 118 Harris Street, Parramatta subject to the planning proposal

Under *Parramatta City Centre Local Environmental Plan 2007* (PCCLEP 2007), the site:

- is zoned B4 Mixed Use (refer to Figure 3 in Part 4 – Mapping);
- has a maximum building height of 54 metres (refer to Figure 4 in Part 4 – Mapping); and
- has a maximum floor space ratio (FSR) of 4:1 (refer to Figure 5 in Part 4 – Mapping).

This planning proposal does not seek to amend the land zoning.

PART 1 – OBJECTIVES OR INTENDED OUTCOMES

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.

PART 2 – EXPLANATION OF PROVISIONS

This planning proposal seeks to amend *Parramatta City Centre Local Environmental Plan 2007 (PCCLEP 2007)* in relation to the height and floor space ratio controls.

In order to achieve the desired objectives the following amendments to the *PCCLEP 2007* would need to be made:

1. Insert a new clause in Part 4, potentially as new clause 22K, consistent with Council's resolution:

135 George Street and 118 Harris Street, Parramatta

- (1) *This clause applies to land marked "Area #" on the Special Provisions Map.*
 - (2) *Despite clause 22, development consent may be granted to the erection of a building on land subject to this clause with a maximum floor space ratio of 7.47:1 (excluding any design excellence bonus granted pursuant to clause 22B).*
 - (3) *Development consent must not be granted under this clause unless the consent authority is satisfied that the development will include a standalone pub.*
2. Amend the maximum building height in the **Height of Buildings Map** (Sheet HOB_001) from 54 metres to 102 metres which equates to 35 storeys. Refer Figure 8 in Part 4 of this planning proposal.
 3. Amend the maximum FSR in the **Floor Space Ratio Map** (Sheet FSR_001) from 4:1 to 7:1. Refer Figure 9 in Part 4 of this planning proposal.

Design Excellence

The site is located within the area covered by clause 22B of *PCCLEP 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 near completion. Once made it will consolidate the planning controls for all land affected by the *PCCLEP 2007* into *PLEP 2011*. This amendment increases the variation that proposals can seek to 15%.

Council has exhibited and subsequently adopted the plan which has been sent to the DP&E for finalisation. Once made, it will repeal *PCCLEP 2007*. If this Planning Proposal has not been made when *PCCLEP 2007* is repealed, the amendments described above will instead be made to the relevant sections of the consolidated *PLEP 2011*.

The design excellence process along with the accompanying DCP controls will ensure an acceptable urban design and public domain outcome.

4. Amend the **Special Provisions Area Map** (Sheet SPA_001) to include the site to relate it to the above floor space ratio exceptions clause at the first amendment in Point 1, above. (Refer to Figure 10 in Part 4 as well as section 3.2.4, Section 117 Direction 1.1).

The above proposed amendments would need to be legally drafted and included within the *PCCLEP 2007*. However, in the instance where *PLEP 2011* (Amendment No.10) is notified before this planning proposal is notified, then this amendment would need to be appropriately incorporated into *PLEP 2011*.

2.1 Other relevant matters

2.1.1 Voluntary Planning Agreement

A draft Letter of Offer to enter into a voluntary planning proposal (VPA) accompanies the planning proposal. This will be assessed separately and a draft VPA will ideally be exhibited in conjunction with the planning proposal.

2.1.2 Draft development control plan (DCP)

A draft DCP will be required to deliver the finer details of the proposed building form. This will be assessed separately and ideally exhibited in conjunction with the planning proposal and draft VPA.

2.1.3 Planning Proposal on adjoining site

The 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. The applicant is also intending to rely on the forthcoming design excellence clause which can deliver up to an additional 15% to the building height and FSR.

At its meeting on 9 February 2015, Council endorsed the proposal so it could be forwarded to the DP&E for gateway consideration. A Gateway Determination has subsequently been issued by the DP&E which recommends the planning proposal be exhibited once minor amendments have been made to the 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 of the proposal.

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

The primary outcome of this planning proposal, to enable a higher density of development with non-residential land uses, stems from local and State government strategic plans including the NSW Government's *A Plan for Growing Sydney*, Parramatta City Centre Vision 2007 and Parramatta CBD Planning Strategy. Notably, *A Plan for Growing Sydney* states the Government will work with Parramatta Council to review expansion opportunities in the Parramatta CBD including updated building height controls and removal of barriers to growth to promote more efficient land use outcomes.

Consistently, these plans highlight Parramatta's role as Sydney's second CBD and as a key area for future development to cater for projected increases in the residential and working population of the region.

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 *PCCLEP 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.

3.2 Section B – Relationship to strategic planning framework

This section assesses the relevance of the Planning Proposal to the directions outlined in key strategic planning policy documents. Questions in this section consider state and local government plans including the NSW Government's Plan for Growing Sydney and subregional strategy, State Environmental Planning Policies, local strategic and community plans and applicable Ministerial Directions.

3.2.1 Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy?

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 the site and planning proposal:

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
- Grow the specialised health and education precincts at Westmead and Rydalmere
- Renew Parramatta North to create a vibrant mixed-use precinct (to deliver around 6,000 new homes and 2,000 new jobs).
- Establish A New Priority Growth Area – Greater Parramatta To The Olympic Peninsula

- Establish a new partnership to manage renewal of the Greater Parramatta to Olympic Peninsula Priority Growth Area
- Identify and deliver enabling infrastructure to support growth and urban renewal
- Deliver priority revitalisation precincts
- Grow the knowledge economy as part of the extension of the Global Economic Corridor.

Promote Sydney's Heritage, Arts and Culture

- Grow the arts and cultural opportunities in Parramatta to include State-level facilities.
- **Centres:** Parramatta is identified as Sydney's Western CBD and is also a Strategic Centre. The site is located within Parramatta CBD near the centre of Greater Parramatta.
- **Global Economic Corridor:** The Global Economic Corridor contains a concentration of jobs and activities in strategic centres, transport gateways and industrial lands between Port Botany/Sydney Airport, Macquarie Park and now extended to Parramatta, Norwest and Sydney Olympic Park. Growing Sydney notes that the Government will work with Parramatta Council to review expansion opportunities in the Parramatta CBD including updated building height controls and removal of barriers to growth to promote more efficient land use outcomes.
- **Transport:** As well as existing road and public transport infrastructure, several potential light rail corridors have been identified around Parramatta. Parramatta CBD is also located at the intersection of West Connex and the M4.
- **Urban Renewal Corridor:** Parramatta is part of an Urban Renewal Corridor (Greater Parramatta to Olympic Peninsula Priority Growth Area) where *A Plan for Growing Sydney* prioritises the revitalisation of established urban areas to provide for a greater range of housing and to improve liveability through better access to employment, improved services and social infrastructure. The corridor between Hornsby and North Sydney via Gordon (which includes the site) is identified as an area where the Government will investigate the potential for urban renewal.

The planning 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 with excellent access to public transport.

The development concept would revitalise and better present the north-eastern gateway to the City Centre and river foreshore. Allowing for mixed use development with a focus on both residential and food and beverage uses at the eastern City Centre gateway will assist in preserving the strengths of the commercial core around Parramatta Transport Interchange.

West Central Subregion Draft Subregional Strategy

The Subregional Strategy translates objectives to the local level, and recognises that some issues extend beyond local government boundaries and require a 'subregional' approach. The draft Subregional Strategies act as a broad framework for the long term development of the area, guiding government investment and linking local and state planning issues. It was exhibited in December 2007 through to March 2008.

Key components of the draft West Central Subregional Strategy of relevance to future development of the subject site and the broader development of Parramatta city centre include the following:

- *Economy and Employment: It is projected that Parramatta will provide for an additional 27,000 jobs by 2031 (calculated from 2001). The primary role of Parramatta city centre is a commercial hub which includes business, government, retail, cultural, entertainment and recreational activities.*

Development of the site for predominantly residential uses with food and beverage functions is appropriate as it will support the commercial core but not detract from its importance. In terms of full time equivalent (FTE) jobs, the proposal will create **82 jobs** across the following hospitality sectors:

Table 1 – FTE jobs generated by the proposal

FTE Jobs	
Albion hotel	
Kitchen	10
Floor	23
Security	3
Subtotal	36
Restaurant	
Kitchen	25
Floor	21
Subtotal	46
Total FTE	82

- *Centres and Corridors: Parramatta is identified as a regional centre and has developed as Sydney's second CBD. The Strategy states that Parramatta Council is to investigate the potential for greater development in areas within close proximity to major proposed transit networks such as the Parramatta-Rouse Hill and Parramatta-Liverpool Transitway.*

The proposed changes to the height and FSR standards will allow for the development of residential and food and beverage uses which will support the viability of Parramatta as Sydney's second CBD. The site is considered valuable in contributing towards dwelling and employment targets due to its location within Parramatta City Centre, close to public transport, strategic bus corridors and light rail investigation corridors.

- *Housing: Housing stress is considered a significant problem for the west central subregion. This is an indicator of poor housing affordability. The Strategy encourages a greater mix of housing types, especially in centres with good public transport, to accommodate changing demands of existing residents and to support the workforce.*

There are no Greenfield sites left within the subregion, therefore most of the future dwelling growth will be located within centres or through infill development. The Strategy recommends that councils should aim to provide at least 80% of new dwellings in locations within 30 minutes by public transport of a Strategic Centre.

The Planning Proposal seeks to deliver **291 apartments** which makes a contribution towards Council's housing targets.

- *Transport: The state government has invested in a number of new bus corridors include the Parramatta– Liverpool Transitway, Parramatta– Rouse Hill Transitway and the Strategic Bus Corridors connecting Parramatta to surrounding major centres of Bankstown, Burwood, Castle Hill, Hornsby, Macquarie Park, Ryde and the CBD.*

The site is in a good location to provide mixed use development as it is within 400m of Parramatta Railway Station/Bus terminal, the Ferry and within walking distance of Parramatta CBD.

- *Environment, Heritage and Resources: As the second oldest European settlement in Australia, Parramatta contains significant historical artefacts and archaeological sites. The Strategy also states that when preparing Principal LEP's Councils should incorporate measures that will protect identified Aboriginal cultural heritage values and provide for ongoing participation of Aboriginal communities in the decision-making process.*

The site has the potential to contribute towards our understanding of Parramatta's historical development and Aboriginal heritage. Preliminary archaeological assessments (refer to **Appendices 1 to 3**) have been completed and more detailed investigations would take place prior to development.

As detailed in the HIS (see response to question 6 and Appendix E), the development concept accommodated by the planning proposal would have a positive or neutral impact on the heritage items in the vicinity including Experiment Farm Cottage (State), Hambledon Cottage (Local), Aboriginal and Early Colonial Landscape, Robin Thomas Reserve (Local), Elizabeth Farm (State), Gasworks Bridge (local) and Tara (also known as Ellengowan) (Local).

- *Parks, public places and culture: The Sub-regional Strategy states that the provision of new open space should be considered as part of large scale infill developments. Local councils should plan for the acquisition of lands for local open space as part of developer contributions. Urban civic spaces and pedestrianised areas should be considered in the planning for future the growth of Strategic Centres and smaller local centres.*

The development concept incorporates public spaces including completion of the mid-block connection between Argus Lane and Harris Street and extension of the central open space to be provided on the Cumberland Newspaper site. Other improvements to the public domain around the site are also included in the VPA letter of offer.

3.2.2 Is the planning proposal consistent with the local council's Community Strategic Plan 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 it links to the long-term future of Sydney. The plan formalises several big and transformational ideas for the City and the region.

The planning proposal is considered to meet the strategies and key objectives identified in the plan including; to help build the City as a centre of high, value-adding employment and a driving force behind a generation of prosperity for Western Sydney.

The planning proposal is considered to meet the strategies by allowing for an appropriate mix of residential and non-residential uses which will support the city centre and revitalisation of a large underutilised site. The development will also allow for the concentration of housing around transport nodes and contributing towards dwelling targets for the Parramatta LGA.

Parramatta CBD Planning Strategy

Council adopted the "Parramatta CBD Planning Strategy" at its meeting of 27 April 2015. The Strategy is the outcome of detailed technical studies which reviewed the current planning framework and also a significant program of consultation with stakeholders and the community. The objectives of the Strategy are as follows:

1. To set the vision for the growth of the Parramatta CBD as Australia's next great city.
2. To establish principles and actions to guide a new planning framework for the Parramatta CBD.
3. To provide a clear implementation plan for delivery of the new planning framework for the Parramatta CBD.

The planning proposal is consistent with the above Strategy in that it will allow for redevelopment of the site for mixed residential and commercial development replacing the existing Albion Hotel. It will also activate the locality in the vicinity of Robin Thomas Reserve and compliment the proposal on the adjoining site at 142-154 Macquarie Street.

Parramatta City River Strategy

This Strategy considers the public domain area - including the Parramatta River - from Gasworks Bridge (to the north of the site on Harris Street) to Rings Bridge (O'Connell Street). The planning proposal is accompanied with a letter of offer for a VPA which includes an offer to make monetary contribution to the Council to towards part of the cost of works along the southern foreshore of Parramatta River (works contributed to could include construction of a bike/pedestrian path between Macarthur Street and Alfred Street).

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

The following State Environmental Planning Policies are of relevance to the site.

State Environmental Planning Policy No. 32 - Urban Consolidation (Redevelopment of Urban Land)

The intention of the State Environmental Planning Policy No. 32 Urban Consolidation (Redevelopment of Urban Land) is to ensure that urban consolidation objectives are met in all urban areas throughout the State. The policy focuses on the redevelopment of urban land that is no longer required for the purpose it is currently zoned or used, and encourages local councils to pursue their own urban consolidation strategies to help implement the aims and objectives of the policy.

The PP is consistent with the SEPP 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.

State Environmental Planning Policy 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.

Residential development is already permitted on the site. In any event, past uses are unlikely to give rise to contaminated soils. Additionally, 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, the site is unlikely to be contaminated. Further investigations, if required, can be completed at the DA stage.

State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Development

SEPP 65 was recently amended with amendments taking effect on 19 June 2015. The SEPP no longer requires that a provision be included in a draft instrument to ensure the achievement of design quality:

- in accordance with the design quality principles; and
- have regard to the publication Apartment Design Guide.

The SEPP 65 is required to be considered during the assessment of any future development on the site that includes three or more storeys and four or more dwellings and it is reasonable to expect that a design concept supporting a planning proposal demonstrates compliance with the Apartment Design Guide.

In the case of the development concept put forward by the Urban Design Report (prepared by Bates Smart) which supports the applicant's planning proposal, further design work may be required by the applicant at the DA stage to address the provision for 25% of the site for communal open space for the future residents of the development (at objective 3D-1).

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. The directions are listed under the following categories:

- Employment and resources
- Environment and heritage
- Housing, infrastructure and urban development
- Hazard and risk
- Regional planning
- Local plan making
- Metropolitan planning

The following directions are considered relevant to the subject Planning Proposal.

Employment and Resources - 1.1 Business and Industrial Zones

Business and Industrial Zones The objectives of this direction are to:

- a) encourage employment growth in suitable locations,*
- b) protect employment land in business and industrial zones, and*
- c) support the viability of identified strategic centres.*

The planning proposal will maintain the existing zone which allows for a mix of residential and non-residential uses. A mix of residential and commercial uses will support the core commercial precinct. The proposed **pub** and **restaurant** uses will deliver up to **82 FTE jobs**.

This Planning Proposal is consistent with the strategic directions outlined in state and local planning strategies including *A Plan for Growing Sydney*, West Central Subregion Draft Subregional Strategy, Parramatta CBD Planning Strategy and Parramatta City Centre Vision 2007.

The detailed assessment of this planning proposal was report to Council on 27 July 2015. Councils' resolutions were consistent with the recommendations within the Council Officer's report. However, Council also resolved to insert a local exceptions clause that:

- a) exempts the gross floor area of the **pub** use from the Floor Space Ratio Map which equates to 0.47:1 of FSR; and
- b) excludes the 0.47:1 of FSR from the calculation of the forthcoming 15% design excellence bonus being brought about by *Draft PLEP 2011* (Amendment No.10).

Environment and Heritage - 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 a heritage item, but is in the vicinity of several listed items. A Heritage Impact Statement (HIS), European Archaeological Assessment and Aboriginal Archaeological Assessment have been prepared. The findings of these assessments are summarised in Section 3.3.2 below.

Housing, infrastructure and urban development - 3.1 Residential Zones

The objectives of this direction are:

- a) *to encourage a variety and choice of housing types to provide for existing and future housing needs,*
- b) *to make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services, and*
- c) *to minimise the impact of residential development on the environment and resource lands.*

The planning proposal is consistent with the objectives of this direction as it will increase residential densities and housing choice in a location that is close to public transport, shops, employment and recreational opportunities. As detailed in this planning proposal, the increased density will have minimal and acceptable impacts (relevant environmental issues include heritage, overshadowing, built form and urban design, traffic etc).

Housing, Infrastructure and Urban Development - 3.4 Integrating Land Use and Transport

The objective of this direction is to ensure that urban structures, building forms, land use locations, development designs, subdivision and street layouts achieve the following planning objectives:

- a) *improving access to housing, jobs and services by walking, cycling and public transport, and*
- b) *increasing the choice of available transport and reducing dependence on cars, and*

- c) *reducing travel demand including the number of trips generated by development and the distances travelled, especially by car, and*
- d) *supporting the efficient and viable operation of public transport services, and*
- e) *providing for the efficient movement of freight.*

Increasing the density of development in the walking catchment around transport nodes, namely Parramatta Railway Station/Bus Terminal and Ferry will support the viability of existing and proposed public transport services and reduce dependence on cars. The proposal integrates land use and transport outcomes to a high degree.

Housing, Infrastructure and Urban Development - 3.5 Development near Licensed Aerodromes

The objectives of this direction are:

- a) *to ensure the effective and safe operation of aerodromes,*
- b) *to ensure that their operation is not compromised by development that constitutes an obstruction, hazard or potential hazard to aircraft flying in the vicinity, and*
- c) *to ensure development for residential purposes or human occupation, if situated on land within the Australian Noise Exposure Forecast (ANEF) contours of between 20 and 25, incorporates appropriate mitigation measures so that the development is not adversely affected by aircraft noise.*

Sydney and Bankstown Airports are subject to the federal *Airports Act 1996* and the *Airports (Protection of Airspace) Regulations 1996*. Airspace above the Parramatta CBD is affected by operational requirements for those airports. A building that penetrates the Obstacle Limitation Surface (OLS) requires approval under that legislation, via the Commonwealth Department of Infrastructure and Regional Development.

This PP does not propose to penetrate the OLS for either the Bankstown or Sydney airports.

Hazard and risk - 4.1 Acid Sulfate Soils

The objective of this direction is to avoid significant adverse environmental impacts from the use of land that has a probability of containing 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. This application for a planning proposal acknowledges that the site is affected by Acid Sulfate Soils. An Acid Sulfate Soils Management Plan will be required to support any future DA in accordance with the existing provisions of *PCCLEP 2007*.

Hazard and risk - 4.3 Flood Prone Land

This direction applies where a planning proposal creates, removes or alters a zone or a provision that affects flood prone land. The planning proposal seeks to introduce residential development in an area identified as being flood prone.

The objectives of this direction are:

- a) to ensure that development of flood prone land is consistent with the NSW Government's Flood Prone Land Policy and the principles of the Floodplain Development Manual 2005, and
- b) to ensure that the provisions of an LEP on flood prone land is commensurate with flood hazard and includes consideration of the potential flood impacts both on and off the subject land.

The site is not identified as flood prone land on the Flood Map to PCCLEP 2007 (refer Appendix B). More detailed flood inquiry information issued by Council (**Appendix 5**), based upon the Lower Parramatta River Floodplain Risk Management Study, Flood Study Review, 2005 (SKM), confirms that:

- The site is flood affected – Low Hazard (Lower Parramatta River)
- The following flood levels apply:
 - o 1:20 year ARI – RL 5.27m AHD
 - o 1:100 year ARI – RL 5.87m AHD
 - o PMF – RL 9.56m AHD

The site is not affected by the 1:20 year or 1:100 year flood events but it is affected by the Probable Maximum Flood level (PMF). This will need to be carefully investigated as part of any future DA, such as the design of access driveways, basement car parking and evacuation procedures.

Metropolitan Planning - 7.1 Implementation of a Plan for Growing Sydney

This direction applies to land within the Sydney metropolitan area.

The objective of this direction is to give legal effect to the planning principles; directions; and priorities for subregions, strategic centres and transport gateways contained in A Plan for Growing Sydney.

As detailed above in in section 3.2.1, the planning proposal is consistent with the directions, actions and priorities for Parramatta and the West Central Subregion as set out in A Plan for Growing Sydney.

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:

- European Archaeology
- Aboriginal Archaeology

- Heritage impacts
- Urban Design and Built Form
- Flooding
- Transport and Accessibility Assessment
- Preliminary Geotechnical Investigation
- Acid Sulfate Soils
- Contamination
- Aeronautical operations

Heritage - General

The site is not a heritage item, but is in the vicinity of several listed items. A Heritage Impact Statement (HIS), European Archaeological Assessment and Aboriginal Archaeological Assessment have been prepared. The findings of these assessments are summarised below.

European Archaeological

The European Archaeological Assessment, by Casey & Lowe Pty Ltd (**Appendix 1**) concludes that the site is highly disturbed but may contain remains of local significance. It states the following findings:

- *The impacts from the c.1924 Albion Hotel and modern additions are considered to have caused considerable disturbance in the northern part of this site. While it once contained pre-1823 housing, this disturbance has reduced the research potential of this area. The northern half of the site has low potential.*
- *The nature of potential remains of the Soldiers' District are unknown. If they survive they are likely to be ephemeral and difficult to identify, and may be little more than isolated artefacts. This is made more so by the predicted disturbance of the northern half of the site.*
- *The c.1843-1943 terrace houses on Harris Street are considered to have moderate to high research potential but it is noted that this area was partially reduced around 2007.*
- *Due to the predicted disturbance of the site the Albion Hotel site is considered to contain remains of local significance.*

Aboriginal Archaeological

The Aboriginal Archaeological Assessment, by Comber Consultants (**Appendix 2**) concludes 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. The Assessment notes the following results:

...Evidence of Aboriginal occupation was not observed during the site inspection, however ground surface visibility was nil. The information gained from archaeological excavations within the Parramatta CBD, and detailed in this report, indicates that there is a high likelihood that subsurface Aboriginal deposits will exist, despite disturbance through urban development. Multiple archaeological excavations throughout Parramatta (McDonald 2005a, b, c; Haglund 2006, 2007; Austral 2007; Comber 2010a, c; Comber & Stening in prep) have indicated that the Parramatta Terrace Sand contains extensive evidence of Aboriginal occupation. Excavations within the footpath beside Robin Thomas Reserve on the opposite side of Harris Street (Comber & Stening in prep) uncovered 59 artefacts, including several pieces of worked glass. This was a very small excavation with only nine trenches excavated, yet it yielded a high number of artefacts. This indicates that not only will Aboriginal objects be present within the study area, but that it is possible that the Aboriginal

archaeological deposits uncovered at the Albion Hotel could contain contact archaeology, such as glass artefacts.

Both archaeological reports recommend further assessments and approvals prior to the commencement of any work on the site. Any future DA would be required to comply with these recommendations and the provisions of cl. 35 Heritage Conservation to PCCLEP 2007 (and the relevant heritage provisions of the amalgamated PLEP 2011 when published).

Heritage

The Heritage Issues Identification report by NBRIS (**Appendix 3**) 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.

Some shading of the open reserve archaeological area to the east of the site will result from the proposed building height and location and portion of the sites of 'Tara' and 'Hambleton Cottage' would 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 Proposal can however be realised in a way which accords with the management recommendations and conservation policies provided for these heritage places.

The proposed height, density and general form indicated in the Planning Proposal Design Report and a planning proposal and site specific development control plan that follows those characteristics are likely to have minor and acceptable heritage impact subject to:

- o Achieving acceptable streetscape impacts and the relationship with 'Harrisford' once a detailed building form and design for the site is proposed;*
- o Management of any archaeological impacts on the subject site in accordance with the Casey & Lowe and Comber Consulting studies for historic and Indigenous archaeology respectively; and,*
- o Implementation of appropriate on-site 'heritage interpretation' as part of future development.*

When a specific development arising from the implementation of the Planning Proposal is proposed, the following sets of questions from the Heritage Division guidelines for 'Statements of Heritage Impact' guidelines set out by the NSW Heritage Office (now Heritage Division of the Office of Environment and Heritage) publication 'Statements of Heritage Impact', 2002, should be addressed:

- o Demolition of a building or structure*
- o New development adjacent to a heritage item*
- o New landscape works and features (including carparks and fences)*

An appropriate Interpretation Plan reflecting the history and evolution of the site should be prepared and implemented as part of any future Development Approval for the site.

Archival recording of the existing development on the site is not warranted for any heritage purposes.

Urban Design and Built Form

As detailed in **Table 2** below, the development standards proposed for the site are commensurate with, or less than, those endorsed by Council on 9 February 2015 for the Cumberland Newspaper site (adjoining to the west and south) and 184-188 George Street (on the northern side of George Street).

Table 2 – Comparison of planning proposals with nearby proposals endorsed by Council on 9 February 2015

Location	FSR		Height of Buildings	
	Base	With 15% design excellence bonus	Base	With 15% design excellence bonus
Planning Proposal – The site (Albion Hotel)	7.47:1*	8.47:1*	102m	117m
Cumberland Newspaper site	7:1	8:1	157m	180m
184-188 George Street	10:1	11.5:1	120m	138m

* When taking into account the proposed exceptions clause.

An Urban Design Report prepared by Bates Smart (**Appendix 4**) incorporates a design concept which responds to the constraints of the site and its context and proposes:

- A new signature restaurant on Site A with a tall slim tower accommodating residential uses and a smaller stand alone replacement Albion Hotel building on Site B. These non-residential uses will support the economic viability and vitality of the Parramatta City Centre.
- The principles of transport oriented design given the close proximity to Parramatta Transport Interchange, the Ferry and light rail investigation corridors.
- Enhancement of the public domain to support a vibrant and walkable centre (in particular, completion of the mid block connection between Argus Lane and Harris Street and extension of the planned public square on the Cumberland Newspaper site).
- Appropriate setbacks and building separation to articulate street frontages and reinforce corners.
- A density and scale of buildings that is appropriate for the north-eastern gateway to Parramatta City Centre and the surrounding context of the site.
- Podiums designed to match the podium heights on the adjoining Cumberland Newspaper site
- At this stage, a tower footprint of 915m² (building envelope area (BEA)) which is generally consistent with that planned for the three towers on the Cumberland Newspaper site. However, as this planning proposal progresses, the final footprint may be subject to change.
- Siting of the tower and a tower height that minimises shadow impacts to heritage items and sensitive land uses (addressed in more detail below) whilst making the north-eastern gateway to the City Centre
- A tower design that maximises residential amenity for future occupants on the site (views, solar access, cross ventilation) and those within the proposed towers on the Cumberland Newspaper site.

Refer to Figure 2 which illustrates the proposed building form in relation to the adjoining Cumberland Newspaper site.

The Urban Design Report provides sufficient detail at this preliminary stage to illustrate that the site can be redeveloped within the proposed building envelopes and have an acceptable impact on the public domain and adjoining properties. More detailed site planning and built form assessments would take place as part of the site specific DCP, design excellence competition and development application (DA).

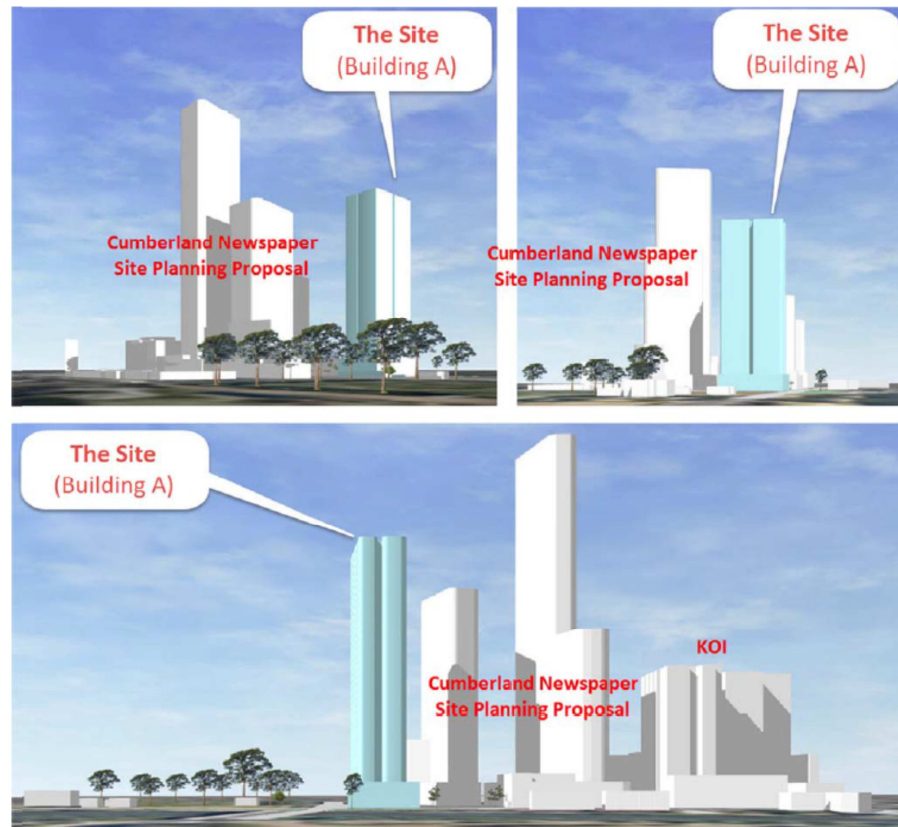


Figure 2 – The proposed design concept illustrating the building form in relation to the adjoining Cumberland Newspaper site

Refer to the Urban Design report prepared by Bates Smart at **Appendix 4**.

Appendix 4 - Urban Design Report

The attached Urban Design Report (Appendix 4) needs some minor amendments to better reflect the proposed development concept. The Urban Design Report will need to be amended prior to its exhibition and Council officers are currently working with the applicant to resolve these matters.

Overshadowing

Consistent with Council's preliminary assessment of the planning proposal for the adjoining Cumberland Newspaper site, the height and location of the proposed tower on the site has been designed to minimise shadow impacts for Robin Thomas Reserve and nearby sites listed on the State Heritage Register (in particular Hambledon Cottage and Experiment Farm which are to the south-east of the site).

The Urban Design Report by Bates Smart (**Appendix 4**) models shadows for the development concept at hourly intervals between 9am and 3pm (at the equinoxes and in midwinter) and shows the following impacts for these nearby sensitive uses:

- **Robin Thomas Reserve** – In midwinter, Robin Thomas Reserve would be in full sun until sometime before 12 noon when the proposed tower would overshadow the western edge of the park. In the afternoon, the park would be overshadowed in part by the proposed tower on the site as well as the planned towers on the Cumberland Newspaper site. In March/ September, the proposed tower on the site would only affect a northern portion of the park between 1pm and 3pm. The shadow impact of the proposed tower on Robin Thomas Reserve throughout the year is less than the impact of the towers on the Cumberland Newspaper site.
- **Hambledon Cottage** – After 3pm in midwinter only, the proposed tower on the site reaches the grounds of Hambledon Cottage, but will not overshadow the cottage itself.
- **Hambledon Cottage** – This heritage item is a considerable distance from the site and would have a portion of its grounds at its south-western corner occasionally shaded (after 3pm in midwinter). The shadows from the development concept would not reach the cottage. The shadows would pass quickly across the site from the south-west to the north-east. As noted in the Heritage Impact Assessment (**Appendix 3**), the affected area includes land that is already shaded in the late afternoons of winter by a large fig tree to the northwest. That part of the cottage garden contains fairly recent plantings with little or no heritage significance. None of the trees of heritage significance within the curtilage of Hambledon Cottage would be significantly and adversely affected by overshadowing. No significant views to or from the Cottage would be impacted upon. NBRIS concludes that there would be no significant heritage impact on Hambledon Cottage.
- **Experiment Farm** – The proposed tower will not cast any shadows onto Experiment Farm at any time of the year.
- **Elizabeth Farm** - There would be no shading of this heritage site at any time of year.
- **Rowland Hassall School** – As recognised in the planning proposal for the Cumberland Newspaper site, the key assessment time for solar accesses to Rowland Hassall School is recess and lunch time. The Bates Smart shadow studies show that the proposed tower would cast new shadows on the school in mid winter only, between 10am and 11am and that the affected areas do not comprise the school playground.

The planning proposal for the adjoining Cumberland Newspaper site included an arborist report (by Earthscape Horticultural Services) that assessed the potential impact of shadows on vegetation on these affected sites and found that the vegetation would not be adversely affected.

The gateway determination issued for the adjoining Cumberland Newspaper site requires additional cumulative overshadowing diagrams be prepared which consider the overshadowing impact of the proposal affecting 184-188 George Street, Parramatta along with the shadows created by the Cumberland Newspaper site.

Pre-empting that cumulative overshadowing diagrams will also be requested by the DP&E in the case of this planning proposal, the Council report which supports this planning proposal recommends an additional set of overshadowing diagrams be prepared as a separate attachment to the planning proposal prior to its exhibition.

Flooding

Flooding is addressed in 'Hazard and risk - 4.3 Flood Prone Land', Section 3.2.4.

Transport and Accessibility

A Traffic and Transport and Assessment assessing the planning proposal has been prepared by Arup (**Appendix 6**). The Assessment finds that the proposal is acceptable in terms of traffic, transport and parking. The points below summarise the traffic, walking and access matters:

- *The traffic modelling results indicate that the Parkes Street / Harris Street intersection is operating over capacity under the existing conditions in the AM peak hour. The intersection is also operating near practical capacity in the PM peak. However, the intersection operates within acceptable ranges of delay and level of service (LoS) within an urban context for both peak hours. As a result of the additional Base case traffic, there are slight increases in intersection delay and LoS.*
- *The George Street / Harris Street intersection is operating under capacity in both the existing and future traffic conditions. The resulting additional traffic from the Base case brings the intersection near practical capacity in both peak hours with minimal change from the development. This concludes that the development traffic will have minimal impact on the intersection.*
- *The Macquarie Street / Harris Street intersection is operating under capacity under both the existing and future traffic conditions. Therefore, the modelling concludes that the additional traffic generated by the site will have minimal impact on the operation of the surrounding intersections.*
- *There are changes proposed to the walking and cycling network interface to the site by way of a through site link to the adjacent development. The provision of walking/cycling facilities provided within the development will be integrated with the surrounding and well-connected network to contribute to active transport within the site. The current surrounding external network is deemed both adequate and appropriate for the proposed site development.*
- *Secure bicycle parking will need to be provided as a component of the proposed development, with complementary end of trip facilities such as lockers and showers. Provision of these facilities will encourage active travel, such as cycling as a viable mode of transport to the site. This will further contribute to a reduced car mode share of trips.*

This review has described the potential traffic and transport impacts of the proposed rezoning at Albion Hotel, Parramatta. Key findings of the review are as follows:

- *The site is located within Parramatta City Centre with a constrained parking environment;*
- *The rezoned development would be responsible for a minor increase in peak hour traffic flows along surrounding key roads;*
- *Traffic modelling demonstrates that the adjacent intersections operate satisfactorily following completion of the development up to 2020;*
- *Up to 361 off-street parking bays (with one car share space) are proposed for the concept development with rates generally in accordance with PCCLEP 2007 and which are satisfactory to Council's Traffic and Transport unit;*
- *On-site loading and servicing is proposed for the concept development; and*

- *Secure bicycle parking is to be provided as a component of the proposed development.*

Refer to a copy of the Transport and Accessibility report at **Appendix 6**.

Geotechnical

A Preliminary Geotechnical Investigation report prepared by JK Geotechnics is provided at **Appendix 7**.

There are no geotechnical impacts that need to be addressed as part of the planning proposal process. The recommendations within the report include specific issues to be addressed during the construction phase of the project.

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 *PCCLEP 2007*. There are no other aspects of the natural or built environment that require assessment as a result of the application for a Planning Proposal.

Soil Contamination

Refer to the response above in Section 3.2.3 'State Environmental Planning Policy No. 55 – Remediation of Land'.

Aeronautical operations of Bankstown and Sydney airports

The subject site is located approximately 20km north west of Sydney Airport and 11km north of Bankstown Airport. Airspace above the Parramatta CBD is affected by the operation of these airports. Given the proposed height on the site, an Aeronautical Study is not required.

Key criteria, relating to both airports, requiring consideration are:

- **Obstacle Limitations Surface (OLS):** This is defined airspace that should ideally be kept free of obstacles to minimise danger to aircraft during an entirely visual approach to an airport; and
- **Procedures for Air Navigation Services – Aircraft Operations (PANS-OPS):** Airspace surfaces intended to safeguard aircraft from collision with obstacles when a pilot is flying solely by reference to instruments.

Permanent or temporary penetrations of an OLS by a building or structure may be permitted via approval granted by the Commonwealth Department of Infrastructure and Regional Development. It is possible for approval to also be granted for a temporary penetration of PANS-OPS, however permanent penetration of PANS-OPS will not be approved.

For Bankstown Airport the Aeronautical Study indicates that:

- the OLS is 155.1m which will not be exceeded by the proposal (because of a "base" height of 102m and DE bonus height of 117m);
- the location of the site should ensure that navigational aids are not affected;
- the proposed maximum building height **will not result in any penetration of the PANS-OPS surface**.

For Sydney Airport the Aeronautical Study indicates that:

- the site is located outside of the OLS;
- the proposed building height will not impact upon the most restrictive of PANS-OPS surfaces;
- the development will not affect navigational aids; and
- the proposed height should enable cranes during construction to avoid penetrating radar surface, but this is subject to confirmation from Airservices Australia.

Therefore, the proposed 102m height control (117m with the forthcoming design excellence bonus) is satisfactory in terms of relevant airspace safety considerations.

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 and the future development of housing and employment.

The Planning Proposal has the potential to result in improvements to the public domain, and contribute to improvements to Robin Thomas Reserve. The future development will likely incorporate a mix of apartment types to respond to the diverse population and potentially contributing to housing choice and affordability. Based on the assumed development outcomes the proposal has the potential to generate jobs during the construction phase and permanent jobs following completion of the development.

A Voluntary Planning Agreement/contributions framework addressing contributions towards community, recreation and physical services will be developed between the proponent and Council. A formal letter of offer has been provided and Council officers will shortly commence its assessment. It is intended that any VPA be exhibited concurrently with the planning proposal in accordance with Council's VPA policy.

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. Many of the negative impacts can be addressed via:

- a) consultation with state government and other agencies as part of the planning proposal process,
- b) the DA process and through Council's DCP controls on community safety and design in PDCP 2011, and
- c) the VPA process.

Community consultation and public authority consultation during the assessment of the application will explore the social and economic benefits in more detail.

3.4 Section D – State and Commonwealth Interests

3.4.1 Is there adequate public infrastructure for the planning proposal?

The subject land is approximately 800m walking distance from Parramatta Railway Station/Bus terminal. Civil and utility infrastructure is suitably accessible to service the subject land and support the proposed development. Redevelopment of the subject site and further development within the area can optimise public infrastructure investment. However, it is recommended that the relevant infrastructure agencies be consulted during the planning proposal process.

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

Approvals from the Office of Environment and Heritage will be necessary at development application stage for both European and Aboriginal archaeology for any development on the site. However, it is recommended that State and Commonwealth authorities will be consulted in accordance with Section 57 of the *EP&A Act 1979*, following the outcomes of the gateway determination.

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 *PCCLEP 2007* and *PLEP 2011* which illustrate the current controls applying to the site.



Figure 3 – Existing zoning extracted from the PCCLEP 2007 and PLEP 2011 Land Zoning Maps

Figure 3 above illustrates the existing B4 Mixed Use zone over the site.

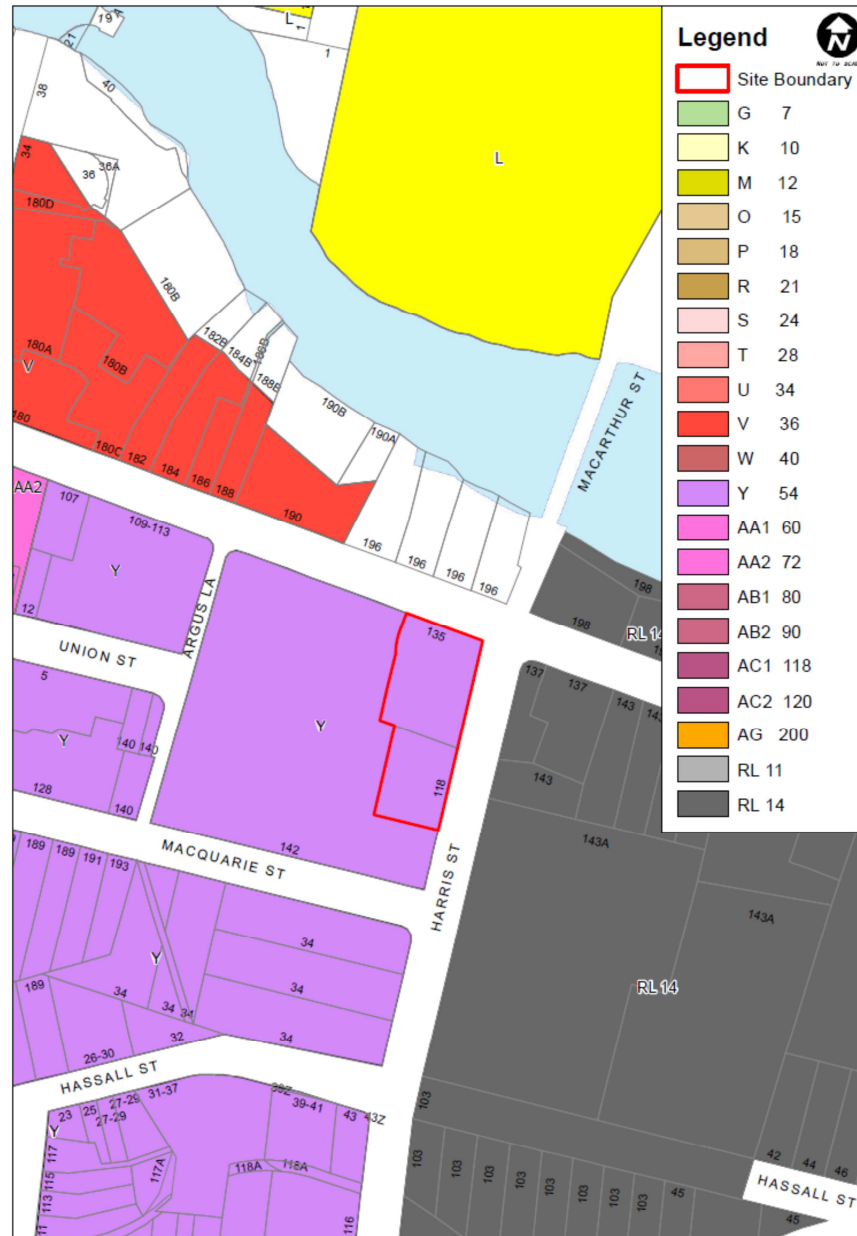


Figure 4 – Existing building heights extracted from the *PCCLEP 2007* and *PLEP 2011* Height of Buildings Maps

Figure 4 above illustrates the existing 54 metre height limit applying to the site.

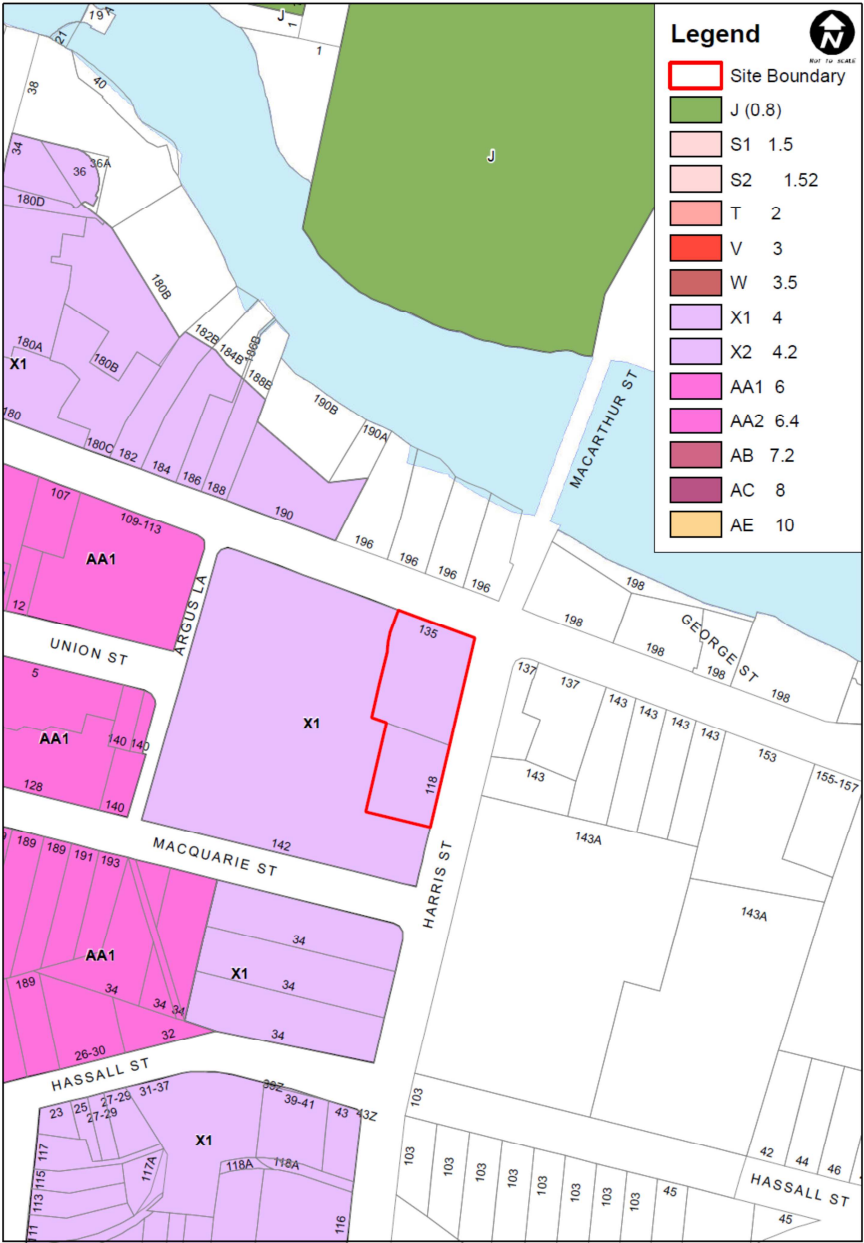


Figure 5 – Existing floor space ratio extracted from the PCCLEP 2007 Floor Space Ratio Map

Figure 5 above illustrates the existing 4:1 FSR which applies to the entire site.

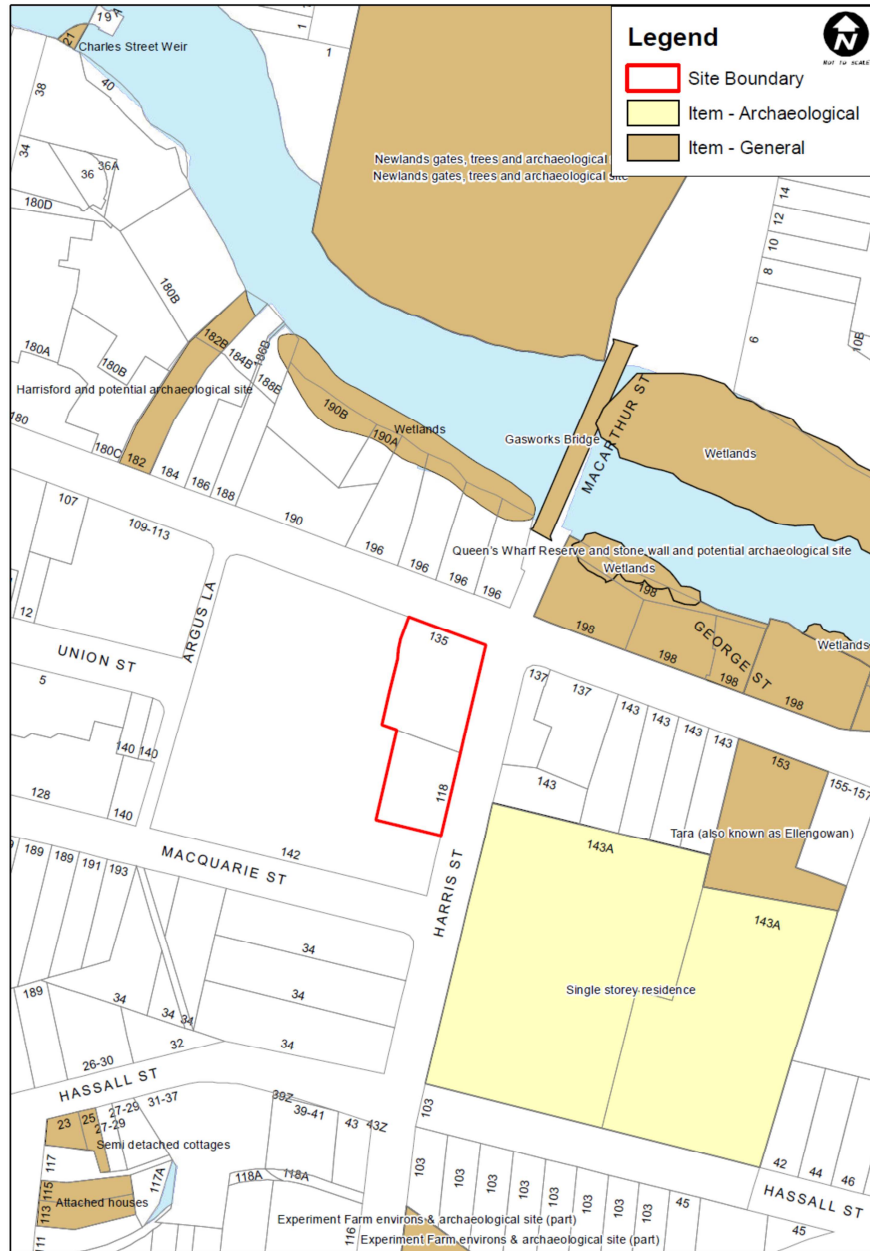


Figure 6 – Existing heritage items extracted from the PCCLEP 2007 and PLEP 2011 Heritage Maps

Figure 6 above illustrates the heritage sites which are located adjacent to the site.

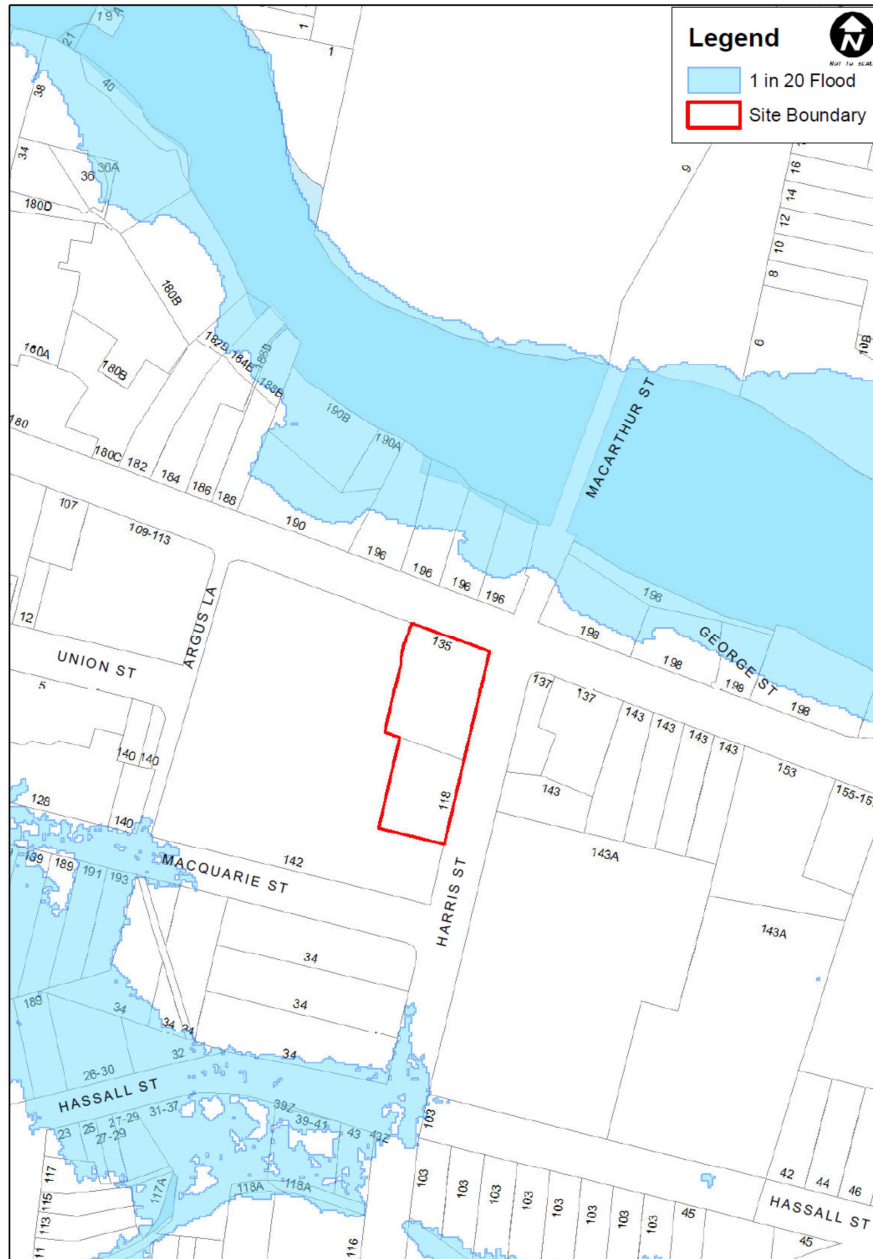


Figure 7 – Existing flooding extant extracted from the *PCCLEP 2007* and *PLEP 2011* Flooding Maps

Figure 7 above illustrates the flooding extant in the vicinity of the site.

4.2 Proposed controls

The figures in this section (Figures 8 and 9) illustrate the proposed building height and floor space ratio controls sought by this planning proposal.

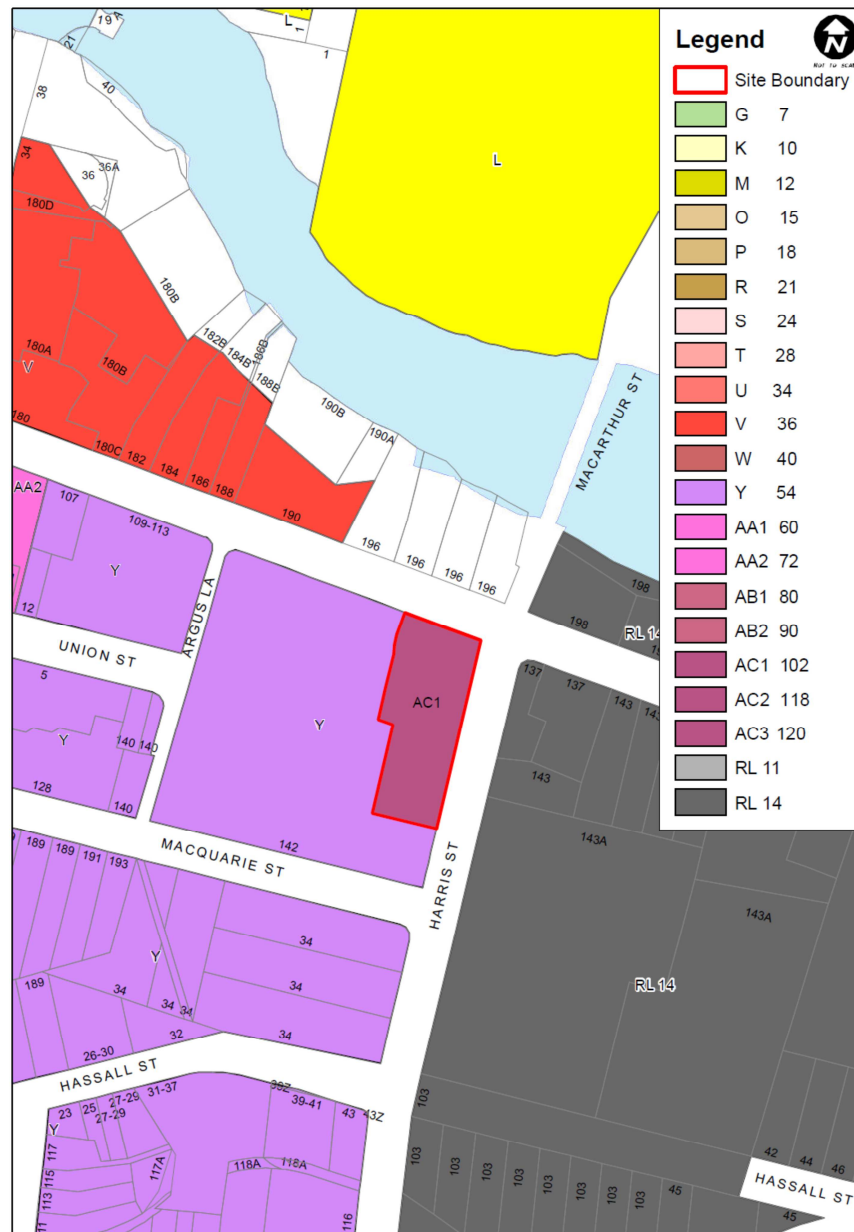


Figure 8 – Proposed amendment to the PCCLEP 2007 Height of Building Map

Figure 8 above illustrates proposed maximum building height of 102 metres over the site. 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 8 does not illustrate the proposed 157 metre height increase sought over the adjoining site at 142-154 Macquarie Street.

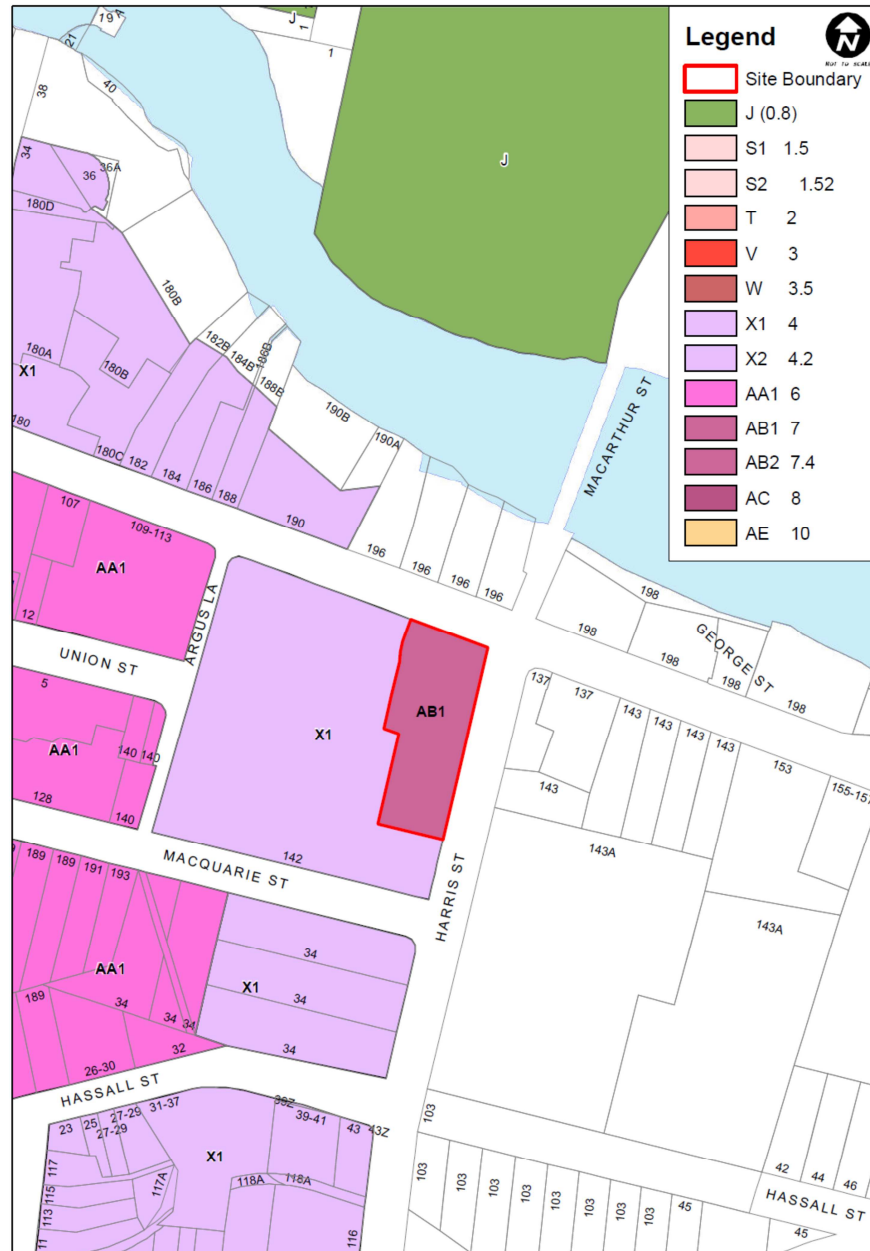


Figure 9 – Proposed amendment to the PCCLEP 2007 Floor Space Ratio Map

Figure 9 above illustrates the proposed 7:1 FSR over the site. 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.

Furthermore, Figure 9 does not illustrate the proposed 8:1 FSR increase sought over the adjoining site at 142-154 Macquarie Street.

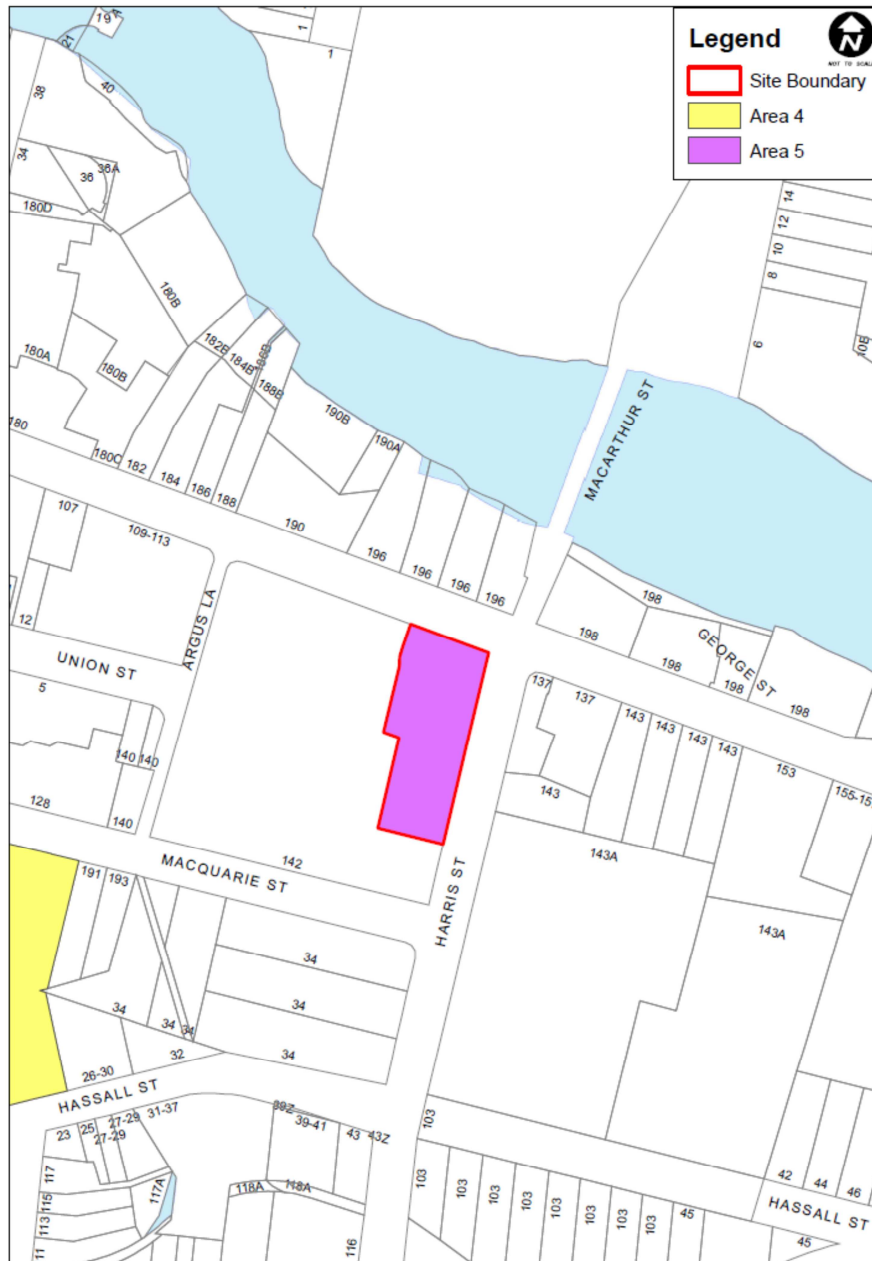


Figure 10 – Proposed amendment to the PCCLEP 2007 Special Provisions Area Map

Figure 10 above illustrates the proposed amendment to the Special Provisions Area Map which relates to the proposed FSR exceptions clause.

PART 5 – COMMUNITY CONSULTATION

In accordance with Section 57(2) of the *EP&A Act 1979*, the Director-General of Planning must approve the form of the planning proposal, as revised to comply with the gateway determination, before community consultation is undertaken.

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
- Commencement and completion dates for public exhibition period and government agency notification
- Consideration of submissions
- Consideration of proposal post exhibition and reporting to Council
- Submission to the Department to finalise the LEP
- Notification of instrument

Appendix 1 – Archaeological Assessment

Appendix 2 – Aboriginal Archaeological Assessment

Appendix 3 – Heritage Issues Identification Report

Appendix 4 – Urban Design Report

Appendix 5 – Flood Enquiry Information

Appendix 6 – Transport and Accessibility Assessment

Appendix 7 – Preliminary Geotechnical Investigation



Prepared by Parramatta City Council

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