

Parramatta LEP 2011 - 14-20 Parkes Street, Harris Park

Proposal Title : **Parramatta LEP 2011 - 14-20 Parkes Street, Harris Park**

Proposal Summary : **The proposal seeks to increase the maximum FSR to 10:1 (plus design excellence bonus) and increase the maximum building height to 122.5m for land at 14-20 Parkes Street, Parramatta.**

PP Number : **PP_2016_PARRA_007_00**

Dop File No : **16/03818**

Proposal Details

Date Planning : **29-Feb-2016**

LGA covered : **Parramatta**

Proposal Received :

Region : **Metro(Parra)**

RPA : **Parramatta City Council**

State Electorate : **PARRAMATTA**

Section of the Act : **55 - Planning Proposal**

LEP Type : **Spot Rezoning**

Location Details

Street : **14-20 Parkes Street**

Suburb : **Harris Park**

City : **Sydney**

Postcode : **2150**

Land Parcel : **Lot 10 DP12882, Lot 13 DP1077402, Lot 14 DP107740, Lot 2 DP128524**

DoP Planning Officer Contact Details

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RPA 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

Consistent with Strategy :

Regional Strategy :

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MDP Number :

Date of Release :

Area of Release (Ha)

Type of Release (eg

Residential /

Employment land) :

No. of Lots : 0

No. of Dwellings 321
(where relevant) :

Gross Floor Area : 0

No of Jobs Created : 0

The NSW Government Yes

Lobbyists Code of

Conduct has been

complied with :

If No, comment :

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

If Yes, comment : The Lobbyist Contact Register was checked on 8 April 2016 and indicated no contact with lobbyists regarding this planning proposal.

Supporting notes

Internal Supporting Notes : The site has an area of 2,800 square metres. It comprises of two commercial buildings (5 storeys at 14-18 Parkes Street, and 2 storeys at 20 Parkes Street), with at grade and basement car parking.

External Supporting Notes :

Adequacy Assessment

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

Is a statement of the objectives provided? Yes

Comment : The planning proposal seeks to amend the Parramatta Local Environmental Plan 2011 to increase the permissible density of mixed use development on land at 14-20 Parkes Street, Harris Park.

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

Is an explanation of provisions provided? Yes

Comment : **PROPOSAL**
The planning proposal seeks to apply the following planning controls to land at 14-20 Parkes Street, Harris Park:
- increase the maximum FSR from 4:1 to 10:1 (plus design excellence and appropriate value sharing mechanism); and
- increase the maximum building height from 54m to 122.5m.

DEPARTMENT COMMENT

The increase in the FSR to 10:1 and increase in height to 82 metres is not supported. Based on the detailed assessment and evidence presented in the Council report dated 23 November 2015, it is recommended that the FSR should be reduced to 6:1 plus design excellence. The need for transition to the heritage conservation areas indicates that the FSR sought in the planning proposal is inappropriate. These issues are addressed under the assessment criteria in this report.

Justification - s55 (2)(c)

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

b) S.117 directions identified by RPA :

1.1 Business and Industrial Zones

3.1 Residential Zones

* May need the Director General's agreement

3.4 Integrating Land Use and Transport

4.1 Acid Sulfate Soils

4.3 Flood Prone Land

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 :

SECTION 117 DIRECTIONS

Based on the information in the planning proposal this proposal is consistent with all the s117 directions except as follows.

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 affection is by class 4 acid sulfate soils; and

(b) the matter will be further considered at development application stage under clause 6.1 of Parramatta Local Environmental Plan 2011.

It is recommended the delegate agree the inconsistency is of minor significance.

4.3 Flood Prone Land

This Direction does apply to the planning proposal as it will create, remove or alter a zone or a provision that affects flood prone land. A portion of the site is within the 1:20 and the entire site would be inundated in the event of a 1:100 year flood and probably maximum flood.

Supporting flood advice supplied by Cardno (September 2015) indicates that the development of the site is consistent with the controls for residential development affected by flooding and is also consistent with the Flood Planning Level for residential development outlined in the Floodplain Development Manual 2005 being the 100 Year ARI (average recurrent interval) flood event.

The planning proposal is inconsistent with this Direction as it permits a significant increase in the development of the flood prone land. This inconsistency is justified on the basis that the supporting flood advice has proved it is of minor significance and the matter will be further considered at development application stage.

It is recommended the delegate agree the inconsistency is of minor significance.

7.1 Implementation of A Plan for Growing Sydney

This Direction has been revoked and therefore all references to this Direction and earlier versions of the metropolitan strategy should be removed from the planning proposal prior to public exhibition.

STATE ENVIRONMENTAL PLANNING POLICIES

Based on the information provided in the Planning Proposal the proposal is consistent with all relevant SEPPs.

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 : **No flood prone land map has been provided. A flood prone land map needs to be provided.**

The maps are adequate for public exhibition purposes.

Community consultation - s55(2)(e)

Has community consultation been proposed? **Yes**

Comment : **Council intend that the planning proposal be advertised in the local newspaper, displayed on Council's website, and written notification provided to adjoining landowners.**

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 :

Comments in relation to Principal LEP : **The principal LEP was made in October 2011.**

Assessment Criteria

Need for planning proposal : **The planning proposal is required to implement the Council's plan to provide dwellings in an area that is well provided with public transport access points, and closer to employment opportunities.**

Consistency with strategic planning framework :

A PLAN FOR GROWING SYDNEY

This Direction does apply to the planning proposal as the land is within the Parramatta local government area (LGA). This planning proposal is consistent with the plan as it will contribute to the achieving dwelling targets for the subregion and Greater Parramatta. It will also enable more residential floor space on a site that is in close proximity to existing transport infrastructure and employment opportunities. Also aligned with the West Central Subregion priorities, the proposal will accelerate housing supply choice and affordability and build great places to live.

The planning proposal will contribute to mixed-use development by activating employment uses on the site.

PARRAMATTA 2038 COMMUNITY STRATEGIC PLAN

The planning proposal supports the community strategic plan as it will help achieve the goals outlined in the plan by facilitating an integrated mixed use development in close proximity to public transport.

PARRAMATTA CBD PLANNING STRATEGY

The planning proposal is not located within the commercial core of the Parramatta CBD but is consistent with the strategy in that it will allow for redevelopment of the site for mixed residential and commercial building with a building more commensurate with Australia's next great city.

NSW LONG TERM TRANSPORT PLAN 2012

The planning proposal is consistent with the Transport Plan by locating both residential and employment generating uses close to an existing railway station and the future Western Sydney Light Rail, promoting the use of public transport and reduce reliance on private motor vehicles. The proposal is within 400m of the Parramatta transport interchange.

The planning proposal is consistent with all relevant regional and local strategies. Both Parramatta CBD Planning Strategy and A Plan for Growing Sydney support the Parramatta CBD as a commercial core. Business agglomerations are considered to be beneficial to maintaining a commercial core, and supports the outer core as a more suitable residential area.

Environmental social economic impacts :

VEGETATION

The site is currently developed with commercial buildings and is therefore suitable for development with regard to vegetation as there is no additional clearing or disturbance of vegetation.

URBAN DESIGN AND BUILT FORM

An Urban Design Analysis has been prepared by Architectus (July 2015).

The proposed built form has been designed to respond to the local context, and to ensure impacts on amenity are minimised whilst allowing the site to achieve its maximum development potential. The design concept indicates an acceptable level of compliance with SEPP 65 Apartment Design Guidelines. The concept demonstrates that the development of this site would not unreasonably compromise the potential future development of adjoining sites.

Further development on the site will be subject to an Architectural Design Competition and Development Application stage.

OVERSHADOWING

As noted in the Council report, the proposal would generate a greater shadow length on sites south of Parkes Street. The orientation and width of the tower should be considered during the Development Application stage to deal with this overshadowing.

HERITAGE

The site is not a heritage item and has not been required to provide a supporting heritage study. Although the site is in close proximity to three items of local heritage significance.

Future development on the site will need to ensure minimal impact on scale, views and amenity in relation to heritage items, and the Harris Park Heritage Conservation Area.

To ensure that an appropriate transition is achieved it is recommended that the FSR be reduced to 6:1 and the height be reduced to 79 metres (excluding design excellence bonus). This is consistent with evidence and assessment presented in the council report. See further comments under FSR and maximum height below.

This will take place as part of the design excellence competition and Development Application stage.

TRANSPORT AND ACCESSIBILITY ASSESSMENT

A traffic and transport assessment has been prepared by Varga Traffic Planning (July 2015).

The assessment is supportive of the proposal and considers that the anticipated traffic generation will not have an adverse impact on the local road network and traffic. The assessment also indicates that relocating the driveway further north will affect the canal and impede on adequately responding to the sites flood affectation.

Detailed design concerning this matter will be resolved at Development Application stage.

The Council has advised that broader traffic modelling is currently being undertaken to support the Parramatta CBD planning proposal that has recently been lodged with the Department. It is recommended that this site specific planning proposal should progress to exhibition, however the proposal should be reviewed prior to finalisation, having regard to the results of the broader traffic modelling when it is completed. This review should include confirmation of the appropriate FSR and the cumulative impacts of the increased FSR across the CBD.

Further, consultation must be undertaken with Roads and Maritime Services.

FSR AND MAXIMUM HEIGHT

The proposal seeks a base FSR of 8:1 (plus design excellence bonus) and a maximum FSR of 10:1 if the applicant voluntarily participates in a density bonus scheme of approximately 25% of that value uplift provided the additional floor space has no adverse impact on the amenity of the adjoining area. The Council proposes this value uplift would be secured by a VPA.

It is recommended that a maximum FSR of 6:1 apply to the site in accordance with detailed analysis and testing undertaken by Parramatta Council and presented in the Council report dated 23 November 2016. Transition FSR controls should apply to areas adjoining Harris Park and Experiment Farm Heritage Conservation Areas, Experiment Farm and Robin Thomas Reserve.

It is considered that the recommended lower FSR and height control will promote more appropriately scaled development providing a transition to the conservation areas. A sharp contrast as proposed by the proponent is not supported.

ECONOMIC IMPACTS

Employment opportunities will be generated by the 600 square metres of commercial floor space area.

A Voluntary Planning Agreement/contributions framework addressing contributions towards community, recreation and physical services will be developed between the proponent and Council. It is intended that any VPA be exhibited concurrently with the planning proposal in accordance with Council's VPA policy.

SOCIAL IMPACTS

This planning proposal will facilitate a supply of housing in an appropriate location which is considered to help ameliorate this undersupply land and as such will result in an

improved social outcome. This proposal will offer a dwelling supply in close proximity to employment opportunities.

CUMULATIVE IMPACTS

There are seven (7) planning proposals for CBD sites currently awaiting Gateway determination that will preceed Council's CBD planning proposal, which has yet to be lodged with the Department for Gateway determination.

As the six (6) proposals recommended to proceed are likely to collectively generate a significant cumulative impact in terms of infrastructure requirements (including transport, health, social services, education and recreation) and aviation safety, it is recommended that these be simultaneously exhibited and forwarded to public agencies for comment.

Assessment Process

Proposal type : **Routine** Community Consultation Period : **28 Days**

Timeframe to make LEP : **12 months** Delegation : **RPA**

Public Authority Consultation - 56(2)(d) : **Department of Education and Communities
Office of Environment and Heritage
Transport for NSW - Sydney Trains
Transport for NSW - Roads and Maritime Services
State Emergency Service
Sydney Water
Telstra
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. :

If Other, provide reasons :

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
Cover Letter.pdf	Proposal Covering Letter	Yes
Planning Proposal - 14-20 Parkes St, Harris Park.pdf	Proposal	Yes
Appendix 1 - Parkes Street UD Report (5).pdf	Study	Yes
Appendix 2 - Flooding Assessment.pdf	Study	Yes
Appendix 3 - TRAFFIC REPORT 14-20 Parkes Street.pdf	Study	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**
 3.1 Residential Zones
 3.4 Integrating Land Use and Transport
 4.1 Acid Sulfate Soils
 4.3 Flood Prone Land

Additional Information : **SECTION 117 DIRECTIONS**

It is considered that any inconsistency with Section 17 Directions 4.1 Acid Sulphate Soils and 4.3 Flood Prone Land are of 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 Greater Sydney Commission's plan making function for this planning proposal. This request is not supported given the large number of planning proposals recently submitted for Gateway determination within the Parramatta CBD ahead of Council's Parramatta CBD Planning Strategy and associated CBD planning proposal, which have not as yet been lodged with, or endorsed by, the Department.

Accordingly, it is recommended that the delegate NOT agree to delegation to Council.

RECOMMENDATION

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

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

(a) include a flood prone land map;

(b) reformat Appendix 2 so it is legible;

(c) amend the Explanation of Provisions and relevant maps to indicate a proposed maximum building height of 79m (plus design excellence bonus) and a proposed maximum FSR of 6:1 (plus design excellence bonus);

(d) remove all references to section 117 Direction 7.1 Implementation of a Plan for Growing Sydney and all discussion of outdated and draft Sydney metropolitan strategies; and

(e) delete the paragraphs headed 'Value Sharing/Funding Mechanism and Design Excellence' from Part 2 - Explanation of Provision.

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) Council 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 Act, as follows:

- Office of Environment and Heritage - Heritage Division
- Office of Environment and Heritage
- Department of Education and Communities
- Transport for NSW - Ferries
- Transport for NSW - Sydney Trains
- Transport for NSW - Roads and Maritime Services
- State Emergency Service
- Telstra
- Sydney Water
- Endeavour Energy

4. The planning proposal is to be concurrently exhibited and forwarded to public authorities for consultation under a single covering letter, together with the following six other planning proposals that were issued with a Gateway determination on the same day and are identified in the Department's covering letter to Council:

- 295 Church Street, Parramatta (PP_2016 PARRA 002 00)
- 48 Macquarie Street and 220-230 Church Street, Parramatta (PP_2016 PARRA 004 00)
- 122 Wigram Street, Harris Park (PP_2016 PARRA 006 00)
- 2-10 Phillip Street, Parramatta (PP_2016 PARRA 010 00)
- 66 Phillip Street, Parramatta (PP_2016 PARRA 012 00)
- 180 George Street, Parramatta (PP_2016 PARRA 016 000)

Each public authority is to be provided with a copy of each of the planning proposals listed above, a copy of the Parramatta CBD Planning Strategy and any relevant supporting material prepared for each proposal and the Strategy, and given at least 28 days to comment on the proposals.

5. 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).

6. Prior to submitting the proposal to the Department for finalisation the proposal should be reviewed, and amended where necessary, having regard to the mesoscopic modelling (and consultation with Transport for NSW and Roads and Maritime Services) undertaken for the Parramatta CBD planning proposal. This review should include confirmation of the appropriate site specific FSR in the context of the cumulative traffic impacts of increased FSR controls across the CBD.

7. The timeframe for completing the LEP is to be 18 months from the week following the date of the Gateway determination.

Supporting Reasons :

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.

It is recommended that the maximum FSR and maximum height be reduced to adequately address the transition to the surrounding conservation area as supported by the evidence and detailed analysis provided in the council report.

The proposal seeks a significant increase in the floorspace and an increase in height controls which is not sufficiently supported by detailed analysis.

The recommended reduced FSR of 6:1 and height 79 metres is based on the evidence provided in the Council report dated 23 November 2015 which particularly highlights the need for a transition to the heritage conservation areas as opposed to a sharp contrast in building form.

Signature:



Printed Name:



Date:

