

DEPARTMENT OF PLANNING AND ENVIRONMENT METROPOLITAN DELIVERY (PARRAMATTA)

PLANNING REPORT

Local Government Area: PARRAMATTA

PP Number: PP_2012_PARRA_005_00

1. NAME OF DRAFT PLAN

Parramatta City Centre Local Environmental Plan 2007 (Amendment No 9) (the 'draft LEP') and Map Cover Sheet are at **Tags LEP** and **Map** respectively.

2. SUBJECT LAND DESCRIPTION

This draft LEP applies to land at 57, 63 and 83 Church Street and 44 Early Street, Parramatta.

3. PURPOSE OF PLAN

The draft LEP proposes to:

- change the zoning of the subject land as follows:
 - Site 1** – No.83 Church Street (Lot 10 DP 733044) and 44 Early Street (Lot B DP 304570) from B5 (Business Development) to part B4 (Mixed Use) and part B5 (Business Development).
 - Site 2** - No 63 Church Street (Lot 20 DP 732622) from B5 (Business Development) to part B4 (Mixed Use) and part B5 (Business Development).
 - Site 3** – No 57 Church Street (Lot 15 DP 651039, Lot 16 DP 12623 and Lot 114 DP 129484) from B5 (Business Development) to RE1 (Public Recreation).
- change the maximum height limit on the subject land as follows;
 - Site 1** - from 12m to part 36m and part 118m,
 - Site 2** - from 12m to part 36m and part 90m,
 - Site 3** - from 12m to 0m.
- Change the maximum floor space ratio on the subject land as follows;
 - Site 1** - from 2:1 to 7.2:1,
 - Site 2** - from 2:1 to 6.4:1,
 - Site 3** - from 2:1 to 0:1.
- Apply additional clauses within the City Centre LEP that are specific to the subject land, which:
 - mandate a minimum percentage of 40% total non-residential floor space within Sites 1 and 2 to better align with the desired employment outcomes for the precinct;
 - limit the floor plate size to (700m²) on the taller residential tower elements (above 8 storeys) to reduce bulk and resultant overshadowing;
 - require approximately 6000sqm of the overall commercial floor area on site 1 to be provided only if at basement level (proposed supermarket use).
Note: This would further reduce the resultant bulk of buildings and prevent this floor space being relocated to the tower (residential) elements of the proposal. If the supermarket were not to proceed, the 40% non-residential clause component would apply to the remainder of the floor space of the site.

4. STATE ELECTORATE AND LOCAL MEMBER

The local member is Dr Geoff Lee, MP. Dr Lee has made no direct representation on the draft LEP.

5. CONSISTENCY WITH GATEWAY REQUIREMENTS

Council has met all the conditions in the Gateway Determination dated 15 May 2013 (**Tag C**), as below:

5.1 Amend the planning proposal

As required by the Gateway Determination, Council amended the planning proposal by modifying the zoning map so that the strip of land currently shown as unzoned along Church Street is zoned B5 Business Development for sites 1 and 2, and RE1 Public Recreation for site 3.

6. AGENCY CONSULTATION

As required by the Gateway Determination, Council consulted with the following agencies. Where applicable, the views of the agencies are summarised, below:

- Sydney Metropolitan Development Authority
Comment: no response was received from the Sydney Metropolitan Development Authority.
- Transport for NSW – Roads and Maritime Service (RMS)
Comment: RMS supported the planning proposal (see detail below).
- Transport for NSW – Railcorp
Comment: no response was received from Railcorp.
- Transport NSW
Comment: no response was received from Transport NSW.
- Sydney Water
Comment: no response was received from Sydney Water.
- Office of Environment and Heritage
Comment: Had no particular objection (see detail below).
- Endeavour Energy
Comment: No response was received from Endeavour Energy.

Consideration of submissions received from State Government Agencies is provided as follows:

Roads & Maritime Services (RMS):

- a) Supportive of the proposal to dedicate the land along the Church Street frontage provided it is dedicated at no cost to Council or RMS.
- b) Vehicular access to the site will not be permitted from Church Street or Great Western Highway.
- c) Council should consider applying lower parking rates to encourage use of public transport.

Council Response:

- a) The proposed accompanying VPA does not include dedication of land along the Church Street frontage for road widening purposes. The footpath widening component is included in the VPA. The overall design and DCP however does make provision for the road widening to occur. Church Street is a classified road and as such any acquisition for widening purposes may be the subject of future claims by the owner for compensation against the acquiring authority (RMS).
- b) The proposal makes provision for vehicular access to be provided from side streets as opposed to Church Street or the Great Western Hwy.
- c) The parking rates contained in the current City Centre LEP 2007 are identified as maximums and these provisions would apply to the future redevelopment of the site.

Department's comments:

- a) The subject planning proposal (including the draft local voluntary planning agreement) does not seek to apply road widening. This issue was raised on page 23 of the planning proposal, as follows:

....Some traffic mitigation measures have been identified including widening of the western side of Church Street to create left turn lane....

This matter of road widening (among others) is being pursued by Parramatta Council in a separate planning proposal. The issue is minor, the RMS has not objected to the subject proposal and, accordingly, it is not considered this issue impedes the making of the subject planning proposal.

- b) Council has complied with vehicular access arrangements, highlighted by the RMS.
c) Parking rates are a matter for Council.

Heritage Council of NSW:

No specific objections were raised provided existing provisions of PCCLEP 2007, relating to Heritage, still apply and a detailed archaeological assessment is undertaken in accordance with the Parramatta Historical Archaeological Landscape Management Study.

Council Response:

The provisions of PCC LEP 2007 with respect to heritage will apply to the site. Any future development application prepared for the site will need to be consistent with the recommendations of the heritage report submitted with the planning proposal.

Department's Overall Comments:

Council has adequately addressed the issues. There are no unresolved issues from the consulted public agencies.

7. PUBLIC EXHIBITION

The planning proposal was exhibited for 30 days from 18 September 2013 to 18 October 2013, consistent with the Gateway Determination requirements.

Three (3) submissions were received from members of the community:

- (1) Objected to the level of change proposed as the proposal would disrupt harmony of buildings, be an 'eye sore' and further congest road network.

Council Response:

- The site the subject of the planning proposal is located on a prominent corner and is intended to form a significant gateway entry point to the city.
- The difference in building heights to that of existing surrounding development will be clearly evident however it is considered that a well-designed building of this scale and form will be able to sit appropriately in this context.
- With respect to traffic concerns, analysis has indicated that subject to recommended road amelioration measures the surrounding road network will be able to accommodate the anticipated increase in vehicle movements generated by the future re-development.

Department's Comments:

It is considered Council has adequately addressed the concerns.

- (2) Objected to proposed development as:

- concentration of population in small area will increase social problems,
- illegal dumping,
- litter and crime, will occur.
- The proposal will also increase traffic volumes at intersections, overshadow surrounding properties and alter wind levels at street level.
- Suggested that the proposed open space would be better placed at the corner of Church & Early Street

Council Response:

- The increase in both resident and worker populations for the site is consistent with Council's agreed vision for the continued growth of Parramatta as the premier regional city outside of the Sydney CBD.
- Amenity concerns in relation to litter and dumping may be regulated by relevant authorities, if required.
- Indicative shadow analysis has indicated that the majority of surrounding development will continue to receive the minimum recommended hours of sunlight.
- The area of open space has been selected after detailed flood modelling and site constraint analysis led to 57 Church Street being deemed the most appropriate site.
- Potential 'wind tunnelling' impacts will be required to be considered during detailed design assessment.

Department's Comments:

It is considered Council has adequately addressed the concerns.

In respect of traffic matters, it is noted that, as part of the planning proposal, a comprehensive traffic study was undertaken, and that Transport for NSW – Roads and Maritime Service (RMS) supported the planning proposal.

(3) Requests that 30 Lansdowne Street be included in the land covered by the planning proposal as will result in isolation and sterilisation of No 30 Lansdowne Street. Proposed benefits cited include; wider frontage, loss of irregular boundary, more efficient and economical redevelopment, consistency with the objectives of the EP&A Act to "facilitate orderly and economic development of land".

Council Response:

- Council would encourage any dialogue to continue between owners to further explore consolidated redevelopment opportunities.
- However the inclusion of the land at 30 Lansdowne Street, as suggested within the current planning proposal with a different zone, would necessitate the preparation and justification for the proposed change and the issue of a revised Gateway determination (required under Section 56(2) of the EP&A Act) by the Department of Planning & Infrastructure (DP&I).
- This would significantly delay the current planning proposal which is nearing the end of the process

Department's Comments:

Council's comments are noted. The matter is one for Council to consider and, if necessary, adopt a fresh planning proposal.

8. TIME FRAME

The Gateway required the planning proposal to be finalised by 15 May 2014. However, the timeframe for completion of this planning proposal was extended by 3 months on 28 May 2014.

9. STRATEGIC ASSESSMENT

The draft plan is generally consistent with the current Metropolitan Plan, the draft Metropolitan Strategy for Sydney to 2031 and the draft West Central Subregional Strategy.

The draft plan is generally consistent with any Regional Environmental Plans.

There are no outstanding issues associated with section 117 Directions.

10. PARLIAMENTARY COUNSEL OPINION

The Parliamentary Counsel's opinion (**Tag PC**) that the plan could be legally made was issued on 6 August 2014.

11. CONCLUSION

It is considered that the planning proposal has met all Gateway conditions, all key planning issues have been satisfactorily addressed and it is recommended that the plan be made.

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Tags:

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