

Heartland - 57,63,83 Church Street & 44 Early Street Parramatta

Proposal Title : **Heartland - 57,63,83 Church Street & 44 Early Street Parramatta**

Proposal Summary : **The purpose of the planning proposal is to rezone some of the land at the abovementioned sites from B5 (Business Development) to B4 (Mixed use) and to permit a greater intensity of development (in height and floor space terms).**

PP Number : **PP_2012_PARRA_005_00** Dop File No : **12/14574**

Proposal Details

Date Planning Proposal Received : **11-Sep-2012** LGA covered : **Parramatta**

Region : **Sydney Region West** RPA : **Parramatta City Council**

State Electorate : **PARRAMATTA** Section of the Act : **55 - Planning Proposal**

LEP Type : **Spot Rezoning**

Location Details

Street : **57, 63, 83 Church Street & 44 Early Street**

Suburb : **Parramatta** City : **Parramatta** Postcode : **2150**

Land Parcel : **Lot 10 DP 733044, Lot B DP 304570, Lot 20 DP 732622, Lot 15 DP 651039, Lot 16 DP 12623 & Lot 114 DP129484**

DoP Planning Officer Contact Details

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RPA Contact Details

Contact Name : **Neal McCarry**

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DoP Project Manager Contact Details

Contact Name :

Contact Number :

Contact Email :

Land Release Data

Growth Centre : **N/A** Release Area Name :

Regional / Sub Regional Strategy : **Metro West Central subregion** Consistent with Strategy : **Yes**

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MDP Number :	Date of Release :	
Area of Release (Ha) :	Type of Release (eg Residential / Employment land) :	N/A
No. of Lots : 0	No. of Dwellings (where relevant) :	0
Gross Floor Area : 0	No of Jobs Created :	0

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

If No, comment : **LOBBYIST STATEMENT**
At this time, to the best of the Regional Team's knowledge, there have been no meetings or communications with lobbyists regarding this Planning Proposal.

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

If Yes, comment :

Supporting notes

Internal Supporting Notes :	A copy of the proposal and request for comments was sent to the Centres and Urban Renewal team and to the Sydney Metropolitan Development Authority (SMDA). Comments have been provided by Centres and Urban Renewal and these are highly supportive of the proposal as the change in land uses and additional height and FSR takes advantage of the strategic location and large consolidated land holding and that this will be a catalyst for redevelopment of the Auto Alley precinct. No comments have been received from SMDA at this stage. It is recommended that they be included in the list of organisations to be formally consulted.
External Supporting Notes :	The planning proposal identifies that a Voluntary Planning Agreement (VPA) is to be negotiated between Council and the proponent. At this time the content and details of the agreement are yet to be determined. It is identified in the planning proposal that the VPA could include items such as open space, community facilities, traffic management works, landscaping , drainage and flood management works. It is stated in the planning proposal that it is intended to exhibit the VPA at the same time as the planning proposal.

Adequacy Assessment**Statement of the objectives - s55(2)(a)**

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

Comment : **The stated objective of the planning proposal is to enable the redevelopment of the existing business zoned land at the abovementioned sites for the purpose of a mixed used development allowing retail, commercial and residential uses. A greater intensity of development (in height and floor space terms) is also intended.**

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

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

Comment : **The planning proposal seeks to amend Parramatta City Centre Local Environmental Plan 2007 as follows:**
Change the zoning of the subject land as follows;

- site 1 - No 83 Church Street (Lot 10 DP 733044) & 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 & Lot 114 DP129484) from B5 (Business Development) to RE1 (Public Recreation).

A change to 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.

A change to 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.

It is noted that in its current form the planning proposal would have the effect of unzoning land, as a strip along Church Street. This strip is identified elsewhere in the planning proposal as being required for road widening. However, this is not currently included on Council's land reservation map. Currently the roads within the City Centre LEP are not zoned and the proponent and Council made a decision to indicate the potential road as not zoned. At a future point the City Centre LEP 2007 will amalgamated into the comprehensive LEP and at that time it is envisaged that the roads will be zoned. In the meantime it is recommended that the maps be amended so that the strips of land on sites 1 and 2 remain as the current zone of B5 and that on site 3 the strip of land be zoned as proposed for the remainder of that site - namely RE1.

Additionally, further clauses specific to the subject land, are proposed to be included within the City Centre LEP. These are:

1. 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,
2. Limit the floor plate size to (700m²) on the taller residential tower elements (above 8 storeys) to reduce bulk and resultant overshadowing,
3. Require approximately 6000sqm of the overall commercial floor area on site 1 to be provided only if done so at basement level (proposed supermarket use). 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 still apply to the remainder of the floor space of the site.

Whilst the first clause is supported to be included in the instrument, the second and third clauses are more suitably located in the development control plan.

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

2.3 Heritage Conservation

* May need the Director General's agreement

3.1 Residential Zones

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 :

SEPP - Urban Renewal 2010

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

If No, explain :

A. 117 4.3 Floodprone Land

This direction applies where a planning proposal creates, removes or alters a zone or a provision that affects flood prone land. This proposal intends to introduce B4 mixed use zone (which includes residential uses) in area currently in zoned B5 (Business Development) in an area of flood prone land (see Parramatta City Council Flood Map).

As such it is potentially inconsistent with the direction, specifically in that, (6) a planning proposal must not contain provisions that apply to flood planning areas which:

- (6a) permit development in floodway areas; and
- (6d) are likely to result in substantially increased requirement for government spending on flood mitigation measures or services.

The planning proposal states that it has been assessed in accordance with the NSW Flood Prone Land Policy, the Floodplain Development manual 2005 and the Lower Parramatta Risk Management Study and Plan 2005 (managed by Parramatta Council's Floodplain Management Committee) and that it is considered to meet the requirements of part 9(a) of the S117 direction 4.3 Floodprone Land. Nevertheless an additional study is being carried out to consider the impacts of climate change and sea level rise on the Lower Parramatta River and it is stated that any future redevelopment of the site will be required to address the requirements of the relevant Floodplain Risk Management Plan in place at the time.

It is agreed that the planning proposal has adequately addressed the requirements of this Direction.

B. SEPP 55 - Remediation of Land

The planning proposal identifies that it is highly probable that the site is contaminated and thus subject to SEPP 55 - Remediation of Land.

The proponent has carried out a Phase 1 assessment identifying a low to medium risk of contamination on the site and recommending that a Phase 2 Environmental Site Assessment be undertaken prior to the development application stage. Council's Environmental Health group have reviewed the Phase 1 study and support the findings and recommended approach to be taken for a Phase 2 Site Assessment and Remediation Action Plan to be required and agreed to prior development being undertaken.

It is agreed that Council has adequately addressed Clause 6 (1) of SEPP 55 and that the planning proposal is compliant with the requirements therein.

Mapping Provided - s55(2)(d)

Is mapping provided? **Yes**

Comment :

The mapping provided is sufficient for exhibition purposes.

Community consultation - s55(2)(e)

Has community consultation been proposed? **Yes**

Comment :

It is considered that the planning proposal is significant and likely to generate a high level of public interest and as such it should be placed on public exhibition for period of 28 days.

A public hearing is not required for this planning proposal.

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 :

Principal LEP was made in October 2011. City Centre LEP was made in December 2007 in the Standard Instrument format. The City Centre LEP 2007 is the instrument pertinent to this proposal.

Assessment Criteria

Need for planning
proposal :

It is argued that key objective of the Planning Proposal to enable a higher density of development and mix of residential and commercial land uses, stems from local and state government strategic plans including Metropolitan Plan for Sydney 2036, Draft West Central Subregional Strategy and Parramatta City Centre Vision 2007.

These plans identify the area known as Auto Alley, where the subject land is located, as a key area for future development to cater for the projected increase in the residential and working population.

In addition to these strategic plans, the subject land is included within the Granville urban renewal precinct under the State Environmental Planning Policy (Urban Renewal) 2010, following a strategic assessment by the NSW Government. The Sydney Metropolitan Development Authority (SMDA) in conjunction with Parramatta & Holroyd Council's undertook a draft Urban Renewal Study which underwent public consultation in May/June 2012.

It is considered that the planning proposal is the best means of achieving the key objective to enable a higher intensity of development and mix of residential and commercial uses for the site.

Consistency with strategic planning framework :

Metropolitan Plan for Sydney 2036 and Draft West Central Subregional Strategy:

Parramatta is identified in the Metro Plan as a regional centre and the next CBD for Sydney. A centre of this size services a walking catchment within a 2km radius. The Plan provides employment capacity targets for Parramatta of 27,000 additional jobs by 2036. The planning proposal to rezone parts of the site to B4 Mixed Use will enable the development of residential dwellings, currently prohibited under the B5 Business Development zone. This will allow for significant contributions towards dwelling and employment targets outlined in the Metropolitan Strategy and Draft West Centre Sub-Regional Strategy. It will also allow for a greater development yield on land in close proximity to public transport and Parramatta CBD. The site is within approximately 400m walking distance to both Parramatta Railway Station/Bus Terminal and Harris Park as well as Parramatta CBD and therefore meets the objective to capitalise on public transport infrastructure. This position is supported by the Regional Team.

Council Strategies:

The following are relevant to the Planning Proposal.

Parramatta Twenty25 - A City for Everyone: Great Places and Spaces 2006

The Parramatta Twenty25 Strategic Plan is divided into three parts, identifying key challenges and opportunities to guide future development within the Local Government Area. The following strategies and key issues are considered of relevance to the Planning Proposal:

- Plan for, and promote the clustering of specific business and industry sectors in commercially appropriate locations;
- Plan for the concentrated growth of housing around transport and activity nodes rather than dispersed growth throughout the LGA;
- Encourage business to locate and prosper in neighbourhood centres

Parramatta City Centre Vision 2007

This Vision sets the strategic framework for the future development of Parramatta City Centre, including details on cultural and economic growth. The subject site is located within the Auto Alley precinct, identified in the Vision.

Auto Alley is identified as a long term growth area for the city centre. At the time the Vision was written (2007) it proposed to retain the automotive uses currently there while providing an opportunity for redevelopment in the long term.

The Planning Proposal is consistent with the the actions set out in the Vision in that it will allow for redevelopment of mixed residential and commercial development. As the site is a substantial land holding it has the potential to make a significant contribution to employment and housing targets and act as a catalyst for the redevelopment of other land holdings in Auto Alley (subject to further rezoning action).

The Department considers that overall, the change in land uses and additional height and FSR takes advantage of the strategic location and large consolidated land holding. Redevelopment as indicated in the supporting documents will be a catalyst for redevelopment of the Auto Alley precinct.

Environmental social economic impacts :

Biodiversity:

The site is located in Auto Alley, an established area within the Parramatta city centre. No critical habitat or threatened species, populations or ecological communities, or their habitats are located on the land.

Soil Contamination and Acid Sulfate Soils

The Phase 1 Environmental Site Assessment established that there is the potential for a low to moderate level of risk of contamination and the potential for acid sulfate soils. The

report has been assessed by Council and it supports the recommendation that a Phase 2 Site Assessment and a hazardous materials survey be undertaken prior to development. This is discussed in more detail in the Adequacy Assessment. In short Council's approach is supported.

Traffic

The subject land is within walking distance (400m) to both Parramatta and Harris Park Stations as well as walking distance to Parramatta CBD.

The planning proposal states that, based on the identified development mix of 40% non-residential floor space and 60% residential floor space the proposed development is expected to generate around 607 trips in morning peak hour and 917 trips in evening peak hour. With the exception of the Marsden Street / Lansdowne Street intersection, the performance of the key surrounding intersections is reduced as a result of the increase in density. It is argued that whilst this is not unexpected, the impact is deemed acceptable as all intersections continue to perform within capacity. Some traffic mitigation measures have been identified including widening of the western side of Church Street to create left turn lane.

Council has reviewed the proponent's Traffic Study in is in general agreement with its findings.

Flooding

Flood modelling results included with the planning proposal, indicate that the subject site contains areas categorised as being of low, medium and high flood risk. Residential and commercial development would be permitted on the site subject to appropriate design and development controls. The accompanying assessment concludes that flooding does not preclude the site from being zoned B4 Mixed Use or from the future use of the land as residential and commercial/retail. This is discussed in more detail in the Adequacy section earlier in this report. Council's position is supported.

Built form

The Planning Proposal seeks a maximum FSR of 7.2:1, which will have implications for the adjacent residential development and public domain.

The Urban Design Structure Plan and subsequent revisions incorporate a design which responds to the constraints of the site and its context. The following has been considered in the development of the Structure Plan:

- A mix of uses with retail, commercial and residential uses to support the economic viability of the Parramatta city centre.
- The principles of Transport oriented design given the close proximity to Parramatta Railway Station/Bus Terminal and Harris Park Railway Station.
- Enhancement of the public domain to support a vibrant and walkable centre.
- Increased height of buildings to the north towards the CBD and decreasing to the south and west. This will assist in minimising the overshadowing impact and the perceived bulk and scale of the development from the residential development to the west. The rise in height of building towards the CBD will assist in creating a more defined southern entrance into the city centre.
- Appropriate front and side setbacks, and building separation that will better articulate street frontages and reinforce corners.
- A density and scale of buildings that is appropriate for the southern gateway to the city centre and the surrounding context of the site.

It is argued that the structure plan provides sufficient detail at this preliminary stage to show that the subject land can be redeveloped within the proposed building envelopes and have an acceptable impact on the public domain and adjoining properties.

Economic and Social Impacts:

It is highly likely that the proposal will have a positive economic impact. It is stated that

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the proposal has the potential to generate some 2400 direct jobs and 6500 indirect jobs during the construction phase and 500 jobs post completion of the development. The project is worth \$600 Million and will be a significant investment to Parramatta city centre.

Assessment Process

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

Timeframe to make LEP : **12 Month** Delegation : **DDG**

Public Authority : **Office of Environment and Heritage**
Consultation - 56(2)(d) : **Transport for NSW - RailCorp**
: **Transport for NSW - Roads and Maritime Services**
Sydney Water
Other

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

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

If no, provide reasons :

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

If Yes, reasons :

Identify any additional studies, if required. :

Other - provide details below

If Other, provide reasons :

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
Amended Sept 2012 Planning Proposal prepared by Parramatta Council.pdf	Proposal	No
Heartland Planning Proposal Letter.pdf	Proposal Covering Letter	No
Attachment No 1 - Planning proposal 21 September 2012.pdf	Map	No

Planning Team Recommendation

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

S.117 directions:

- 1.1 Business and Industrial Zones**
- 2.3 Heritage Conservation**
- 3.1 Residential Zones**
- 3.4 Integrating Land Use and Transport**
- 4.1 Acid Sulfate Soils**
- 4.3 Flood Prone Land**

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

1. Council revise the planning proposal prior to exhibition as follows:

* Modify the zoning map so that the strip of land currently shown along Church Street are zoned; on sites 1 & 2 as B5, and on site 3 as RE1.

* Remove the further clauses, specific to the subject land, 2 and 3 from Part 2 - Explanation of provisions. The intent of these provisions can be accommodated in the development control plan being developed for the site.

2. Council consult with the following agencies:-

>> Sydney Metropolitan Development Authority

>> Transport for NSW (including RMS, Transport NSW and Railcorp)

>> Sydney Water

>> Office of Environment and Heritage

>> Endeavour Energy

This consultation can occur concurrently with the public exhibition of the proposal.

3. The planning proposal be publicly exhibited for 28 days.

4. The timeframe for the making of the LEP is to be 12 months from the week following the gateway determination.

Supporting Reasons : The planning proposal is supported as:

1. the proposed change in land uses and additional height and FSR takes advantage of the strategic location and large consolidated land holding and that this will be a catalyst for redevelopment of the Auto Alley precinct.

2. the intended outcomes, explanation of provisions and justification of the planning proposal are consistent with the criteria outlined in the Guide to Preparing Local Environmental Plan, and

3. it will meet the aims of Sydney Metropolitan Plan 2036 by allowing Parramatta to continue to grow as Sydney's second CBD.

Signature:

RJ Cumming

Printed Name:

Rachel Cumming

Date:

28/9/2012