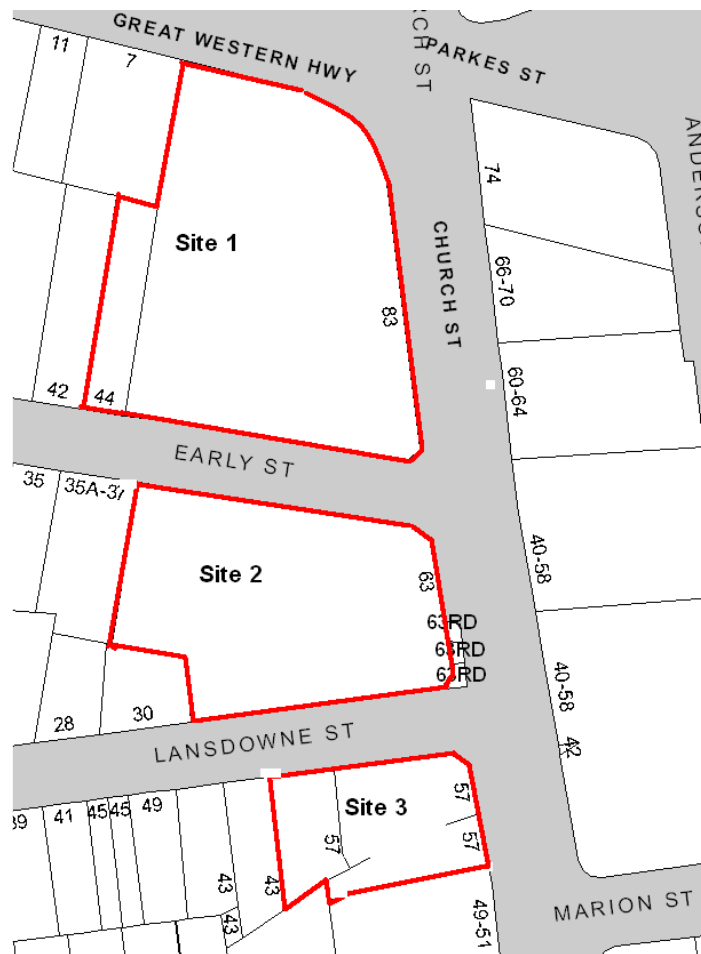


Planning Proposal - No's 57, 63 and 83 Church Street and 44 Early Street Parramatta.

Prepared August 2012 (amended September 2012)

Part 1 - Objectives or Intended Outcomes

The objective of this 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. A location map of the land the subject of this planning proposal is included below.



Part 2 – Explanation of Provisions

This planning proposal seeks to amend *Parramatta City Centre Local Environmental Plan 2007* in relation to the zoning of the subject sites and relevant development controls.

In order to achieve the desired objectives the following amendments to the Parramatta City Centre LEP 2007 would need to be made;

A change in 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 narrow strip of land is indicated along the frontage of all three sites as being unzoned and is coloured white on the accompanying proposed zoning maps. This land has been identified as being desirable for the purposes of road widening however has not progressed through any formal consultation by the RMS or Council. The roads within the City Centre LEP 2007 are not currently zoned.
- The proposed amendment to the City Centre LEP is to the Land Zoning Map – (Sheet LZN_001).

Below are two plans indicating the existing and proposed zoning for the subject land;



Current zoning of subject land

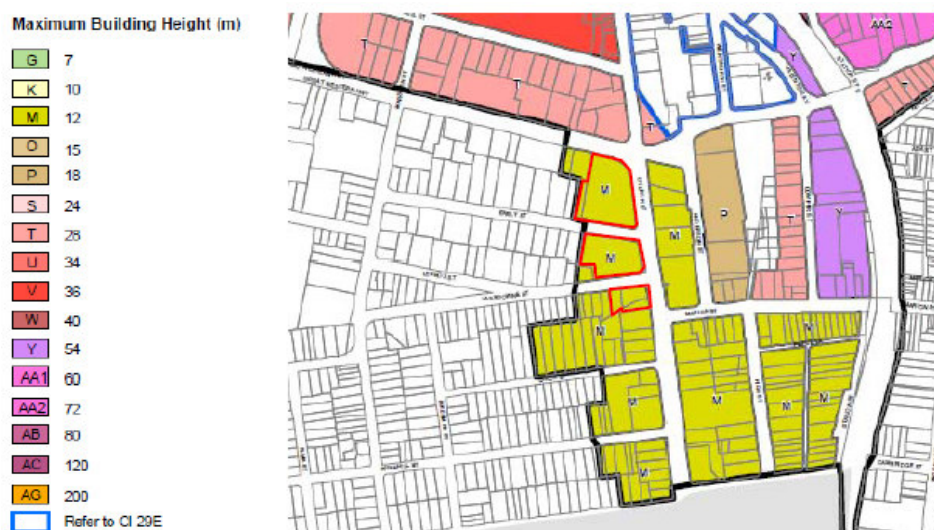


Proposed zoning of the subject land

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 – remove 12m height limit so that no standard applies.
- The proposed amendment to the City Centre LEP is to the Height of Buildings Map – (Sheet HOB_001).

Below are two plans indicating the existing and proposed heights for the subject land;



Existing maximum building height

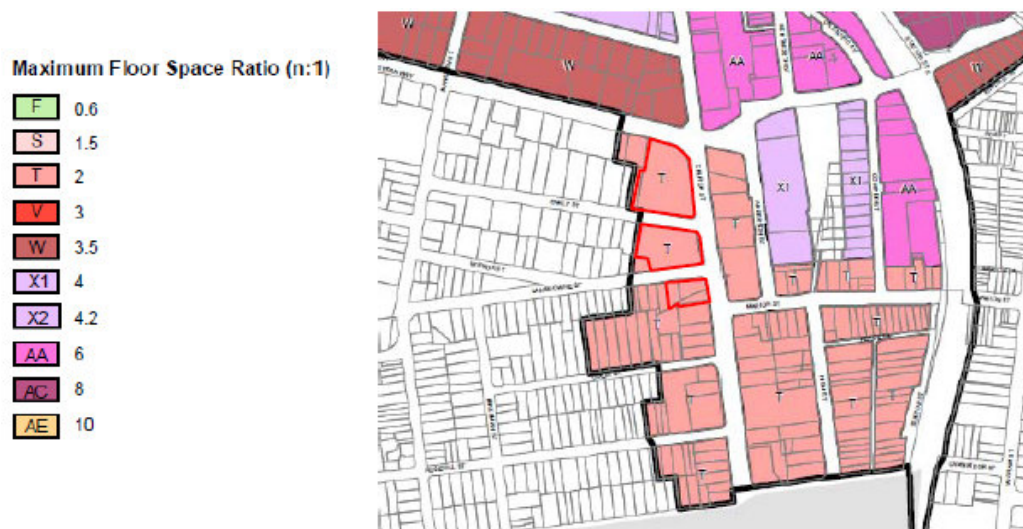


Proposed maximum building height

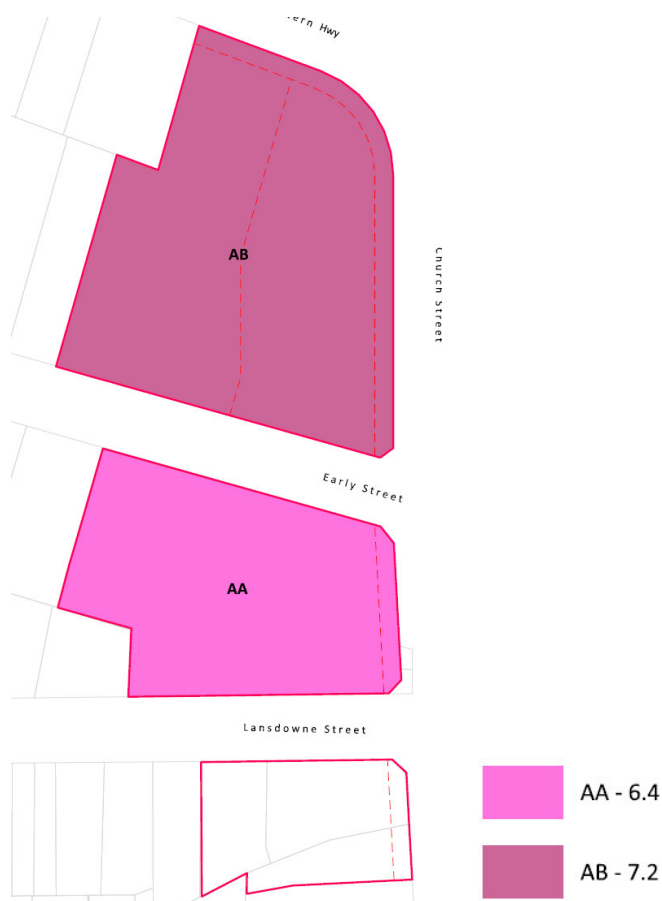
A change to the maximum floor space ratio on the subject land as follows;

- site 1 from 2:1 to 7.2:1,
- site 2 from 2:1 to 6.4:1,
- site 3 – remove 2:1 FSR so that no standard applies.
- The proposed amendment to the City Centre LEP is to the Floor Space Ratio Map – (Sheet FSR_001).

Below are two plans indicating the existing and proposed FSR for the subject land;



Existing maximum FSR



Proposed maximum FSR

A larger scaled version of the proposed LEP maps is contained at **Attachment 1**.

The proposed zoning change would permit residential land uses to be carried out on those sites of the subject land proposed to be zoned B4 (Mixed Use) which are not currently permitted.

The proposed increases to the height and floor space ratio on the site would allow for a significant increase in overall development intensity in both floor space and built form terms.

Further clauses, specific to the subject land, are proposed to be included within the City Centre LEP. The purpose of these clauses is to;

1. Mandate a minimum percentage of 40% total non-residential floor space within the Sites 1 & 2 (upon which development will occur) 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 potential 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.

These clauses would need to be legally drafted and included within the City Centre LEP and apply specifically to sites 1 & 2 within the planning proposal.

A draft Voluntary Planning Agreement will be prepared by the proponent however Council has yet to consider and agree upon the precise content. It is likely that the VPA would include elements such as provision and embellishment of public open space, community facilities, mitigation of traffic impacts (road widening), provision of public domain elements including through site links and street furniture, landscaping paving and drainage and flooding works. It is intended that any VPA be exhibited concurrently with the planning proposal in accordance with Council's VPA policy.

Part 3 – Justification

This section describes the reasons for the proposed outcomes and development standards in the Planning Proposal. The following questions have been extracted from *A Guide to Preparing Planning Proposals* (Department of Planning 2009), addressing environmental, social, economic and locational factors.

Need for a Planning Proposal – Section A

This section establishes the need for a Planning Proposal in achieving the key outcome and objectives. The questions address the strategic origins of the proposal, whether amending the LEP is the best mechanism to achieve the aims on the proposal, and whether a net community benefit will result from the proposal.

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

The primary outcome of this 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 the Metropolitan Plan for Sydney 2036, 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 informal public consultation in May/June 2012.

The SMDA process for further consideration and progression of the draft Urban Renewal Study is yet to be finalised. The planning proposal does exhibit some inconsistencies with the SMDA's draft study and Council's preferred option for the precinct. The primary differences are a higher density and height of development and the absence of provision of a 'new street' concept as included in the draft study. Council has however recognised the inconsistencies and resolved to support the planning proposal in its current form due to anticipated built form outcome including provision of public domain works.

Is the proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

This planning proposal is the only way to achieve the key outcome, to enable a higher intensity of development and mix of residential and commercial uses. Residential development is currently prohibited in the current B5 Business Development zone. Rezoning parts of the subject site to B4 Mixed Use will allow for residential development and will also provide for a mix of uses, and potentially serve as a catalyst to revitalise Church Street as the southern gateway to Parramatta.

The subject land is a substantial holding in single ownership, presenting significant opportunities to enhance and revitalise the southern gateway into the Parramatta City Centre. This Planning Proposal will provide a mix of uses and an appropriate contribution to state government dwelling and employment targets in a location well serviced by public transport.

The planning proposal, involving a statutory amendment to the Parramatta City Centre LEP 2007, is considered the only means of achieving the objective and intended outcome.

Is there a net community benefit?

Following is a net community benefit test in accordance with the guidelines of the Draft Centres Policy 2009. Such a test is considered necessary as the current zoning does not permit the proposed development within Parramatta City Centre.

Will the LEP be compatible with agreed State and regional strategic direction for development in the area (e.g. land release, strategic corridors, development within 800 metres of a transit node)?

The proposed amendment to the *Parramatta City Centre LEP 2007* will be consistent with the strategic directions outlined in state, regional and local plans. The subject site is within walking distance (approximately 400m) of both Parramatta Railway Station/Bus terminal, and Harris Park Railway Station. Regional bus routes also pass the subject land.

Is the LEP located in a global/regional city, strategic centre or corridor nominated within the Metropolitan Strategy or other regional/subregional strategy?

The site is located within Parramatta City Centre, which is identified in the Metropolitan Plan 2010 as a regional centre and Sydney's next CBD. The planning proposal will create opportunities to substantially enhance and revitalise the southern entry to Parramatta City Centre. This will contribute towards maintaining the vitality and viability of the Parramatta centre.

Is the LEP likely to create a precedent or create or change the expectations of the landowner or other landholders?

The proposed rezoning the subject site may act as a catalyst for the future redevelopment of other sites within the Auto Alley precinct. Rezoning and redevelopment of the broader Auto Alley precinct has been indentified as a likely outcome following recent work with the Sydney Metropolitan Development Authority.

Have the cumulative effects of other spot rezoning proposals in the locality been considered? What was the outcome of these considerations?

Broader urban design and strategic analysis of the Auto Alley precinct has recently been undertaken. The planning proposal is considered to be generally consistent with this work albeit at a higher density than that originally envisaged.

Will the LEP facilitate a permanent employment generating activity or result in a loss of employment lands?

The planning proposal incorporates both zoning and clause restrictions which will mandate that a certain quantum of employment generating floor space be provided within the site. The sites are currently vacant and were previously occupied by car yards and maintenance facilities.

Will the LEP impact upon the supply of residential land and therefore housing supply and affordability?

The planning proposal will allow for redevelopment of the site to allow the inclusion of residential dwelling units. This will increase the housing supply within the Parramatta Local Government Area.

Is the existing public infrastructure (roads, rail, utilities) capable of servicing the proposed site? Is there good pedestrian and cycling access? Is public transport currently available or is there infrastructure capacity to support future public transport?

The site is well serviced by existing public transport. Parramatta Railway Station/Bus terminal and Harris Park Railway Station are both within approximately 400m walking distance to the subject land. Regional bus routes also pass the subject land. The Traffic Impact Assessment found that the proposed development is expected to generate an increased number of additional vehicle trips but that intersections will continue to be able to perform within capacity. Some mitigation measures are considered necessary. The site has appropriate access to civil and utility infrastructure.

Will the proposal result in changes to the car distances travelled by customers, employees and suppliers? If so, what are the likely impacts in terms of greenhouse gas emissions, operating costs and road safety?

The planning proposal may contribute to reduced car distances travelled by customers, employees and suppliers as the site is well serviced by public transport and in close proximity (walking distance) to a wide range of goods and services within Parramatta City Centre.

Are there significant Government investments in infrastructure or services in the area whose patronage will be affected by the proposal? If so, what is the expected impact?

There has been considerable government investment in Parramatta with the development of the Justice Precinct, and relocation of government agencies including Sydney Water, Landcom and NSW Police. The state government has also invested in upgrades to Parramatta transport interchange and transitways and bus corridors. The Planning Proposal will allow for the development of residential dwellings and retail and commercial office uses within 400m walking distance of Parramatta Railway Station and Bus Terminal and within walking distance of Parramatta CBD. For this reason the planning proposal is considered to have a positive impact on the existing and planned public infrastructure investment through increased patronage and potential reduction in reliance on private motor vehicles as primary means of transport.

Will the proposal impact on land that the Government has identified a need to protect (e.g. land with high biodiversity values) or other environmental impacts? Is the land constrained by environmental factors such as flooding?

The site is not affected by any land of high biodiversity values. The Phase 1 Environmental site assessment (ESA) submitted by the proponent indicated that there is potential for contamination and acid sulfate soils. A more detailed Phase 2 ESA Investigation is recommended as well as a hazardous materials survey before any development or demolition takes place. Council's environmental health team have reviewed the ESA and agree with this approach as being an appropriate response based on information provided and historic land uses of the site. Remediation measures and management of contamination and acid sulfate soils (if required) will have a community benefit. This matter is discussed in more detail in this planning proposal under the heading SEPP 55 – Remediation of Land.

Parts of the site are affected by flooding. However, the affectation is expected to be able to be managed by appropriate design measures that can be implemented at the detailed design and development stage. This matter is discussed in more detail under the relevant heading (4.3) s.117 direction within this planning proposal. This affectation requires further detailed investigation and processes to be undertaken however does not preclude progression of the proposal for consideration and gateway determination.

Will the LEP be compatible/complementary with surrounding land uses? What is the impact on amenity in the location and wider community? Will the public domain improve?

The planning proposal is considered to be compatible with the surrounding land uses and will be consistent with key state and local government strategic objectives aimed at revitalising this part of Auto Alley. Future development of the site will address the surrounding land uses, particularly adjacent residential land. Adjoining land to the west is zoned R4 High Density Residential and is 3 – 4 storeys in height. Land to the south and east of the site is zoned B5 Business Development. The mixed use zoned land to the north and north east has a maximum FSR of 6:1 towards Parramatta

Railway Station and 3.5:1 along the Great Western Highway. This Planning Proposal seeks a density of up to 7.2:1, which is considered justifiable given the opportunity to create a defined and revitalised southern gateway into the city whilst providing a contribution towards dwelling and employment targets. The Urban Design Structure Plan considers the impact on the amenity of the adjacent residential development, including preliminary overshadowing, and potential boundary setbacks to adjacent residential areas. Taller buildings will be located to the north of the site and along Church Street. The height of buildings decreases to the south and where land abuts lower density residential areas.

The public domain will improve as a result of this planning proposal. Site 3 is proposed to be zoned RE1 (Public Recreation). Other benefits related to the proposal include an improved pedestrian network and general environment for the current and future resident and worker population of Parramatta.

Will the proposal increase choice and competition by increasing the number of retail and commercial premises operating in the area?

The planning proposal will allow for a variety of retail and commercial uses which will increase choice and healthy competition within the southern part of the Parramatta City Centre.

What are the public interest reasons for preparing the draft plan? What are the implications of not proceeding at that time?

The planning proposal offers significant benefits to the public including:

- Increased quantity of housing;
- Increase the quantity and diversity of employment opportunities in the southern part of the city centre.
- The provision of areas of publically accessible open space
- The potential to extend activity levels of the South Church Street precinct and create a more defined entrance into the Parramatta city centre;

The implications of not proceeding at this time may result in the stagnation of activity and development in the precinct. There would be less capacity to fund improvements to the public domain. Maintaining the zoning as B5 Business Development would preclude residential development and contributions toward dwelling targets. Not proceeding at this time would lose the opportunity to holistically develop a substantial land holding and the catalyst affect that this may have in revitalising the southern entrance to Parramatta city centre.

On consideration of the above items it is concluded that the planning proposal does result in a net community benefit and considered to be satisfactory in this regard.

Relationship to strategic planning framework – Section B

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 Metropolitan Plan for

Sydney 2036 and subregional strategy, State Environmental Planning Policies, local strategic and community plans and applicable Ministerial Directions.

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

Metropolitan Plan for Sydney 2036

In December 2010 the NSW Government released the Metropolitan Plan for Sydney 2036, which supersedes the Metropolitan Strategy for Sydney to 2031 (released in December 2005). This Metropolitan Plan draws on the principles of 2005's Metropolitan Strategy - City of Cities: A Plan for Sydney's Future, and the Metropolitan Transport Plan 2010: Connecting the City of Cities.

Parramatta is identified in the 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 following future directions were identified in the Plan:

- 1) Strengthen role as Sydney's premier Regional City and second CBD.*
- 2) Ensure development consistent with Parramatta City Centre Plan to enhance heritage profile and facilitate creative industries.*
- 3) Better integrate Parramatta River with the centre.*
- 4) Enhance attractiveness of office precinct including public domain, streetscape, high quality building design. Protect commercial core from residential development that may preclude employment growth.*
- 5) Improve liveability consistent with Civic Improvement Plan.*
- 6) Revitalise inner city suburbs on Parramatta's edge.*
- 7) Capitalise on investment in public transport infrastructure.*
- 8) Deliver Parramatta to Epping Rail Link, additional growth buses (including metro buses) and Western Express Program.*
- 9) Develop a Parramatta Regional City Transport Strategy to improve public transport mode share to the city to 50% during peak by 2016, manage parking and improve pedestrian and cycling opportunities.*

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.

The proposal creates opportunities to revitalise and better present the southern gateway into Parramatta city centre. This will be aided by the proposed increase in density to an FSR of 7.2:1. Allowing for mixed use development with a focus on both residential and retail/commercial will also assist in preserving the strengths of the commercial core around Parramatta station and to the north of the City Centre.

West Central Subregional Strategy

The Subregional Strategy translates objectives of the Metropolitan Strategy 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.

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.

The commercial core of Parramatta is concentrated to the north of the rail corridor, with only a small proportion located to the south. The surrounding development, including residential development and retail/commercial uses, supports the core commercial activities. Rezoning parts of the site to B4 Mixed Use is appropriate as it will provide retail and commercial employment, which will support the commercial core but not detract from its importance.

- 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 rezoning will allow for the development of residential and commercial/retail uses which will support the viability of Parramatta as a regional centre. The subject land is considered valuable in contributing towards dwelling and employment targets due to its close proximity to Parramatta CBD, public transport and strategic bus 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 rezone the land so that residential uses can become a component of future development. Opportunities will then arise to make a significant contribution towards 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 and Harris Park 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.*

No archaeological impact will result from the proposed rezoning however any future development of the site will need to consider the impact on the adjacent heritage items in Lansdowne Street and conduct an archaeological assessment as per the PHALMS prepared by Godden Mackay Logan in 2000.

- *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.*

Given the scale of the subject land, its future development has the capacity to provide public civic places and plazas and would therefore be a catalyst for improvements to the public domain including provision of public open space.

Is the planning proposal consistent with the local council's Community Strategic Plan or other local strategic plan?

The following three strategic planning documents 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 and included below.

- *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*

The Planning Proposal is considered to meet these strategies by allowing for an appropriate mix of residential and commercial/retail uses which will support the city centre and revitalisation of Church Street. The development will also allow for the concentration of housing around transport nodes (Parramatta and Harris Park Stations specifically) and contributing towards dwelling targets for the local government area.

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.

The overarching vision for Parramatta City is as follows:

Parramatta will continue to strengthen its role as a regional city and successful second CBD for Sydney, based on a highly competitive commercial office market, retail, public space, and a range of facilities including cultural, medical, educational, tourism, and recreational. It will also benefit from a unique inner city residential living environment that values heritage assets and the natural environment. The centre will continue to plan strategically to maintain its position as an accessible primary business services centre for Western Sydney and a significant business location for metropolitan Sydney. The city centre will accommodate 30,000 more jobs and 20,000 new residents.

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.

There are 23 future actions proposed by the Plan. Action 17 relates specifically to Auto Alley as follows:

Action: Undertake further detailed urban design assessments for the future development of Auto Alley.

Rationale: Auto Alley is a key component for future development of the city, catering for the proposed increase of the target residential and working population.

The Planning Proposal is consistent with the above *Action* 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). As mentioned, the broader precinct has also been the subject of analysis as part of the SMDA processes. The planning proposal is also accompanied by a detailed urban design analysis that identifies the opportunities and constraints of the site and demonstrates that an appropriate built form can be provided under the planning controls being sought.

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

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

State Environmental Planning Policy (Urban Renewal) 2010

The *State Environmental Planning Policy (Urban Renewal) 2010* and accompanying guidelines are intended to identify and facilitate the redevelopment of state or regionally significant areas that would benefit from revitalisation and renewal.

Three precincts have been identified under the SEPP: Redfern-Waterloo, Newcastle CBD and Granville. The subject land is included within the Granville urban renewal precinct.

The following objectives have been summarised from the *Granville Precinct Outcomes Brief* and relate specifically to the renewal of Auto Alley and the future redevelopment of the subject site and surrounds (Department of Planning and Infrastructure 2010):

- *Exploring opportunities to redevelop Auto Alley to complementary uses, which does not detract from Parramatta CBD being developed and retained as the region's leading commercial centre.*
 - *Exploring opportunities to increase walking, cycling and public transport connections within and between local sub-precincts such as Granville Town centre, Harris Park and Auto Alley.*
 - *Providing greater diversity in housing types, sizes and affordability.*
 - *Make an appropriate contribution to the Metropolitan Plan targets of 21,000 new homes and 27,000 new jobs in Parramatta Local Government Area.*
 - *Enhance the vibrancy of the community and precinct through the promotion of suitable employment types, housing requirements and social infrastructure.*
- The proposed rezoning to B4 Mixed Use will allow the development of both residential and commercial/retail uses.*

This mix of land uses is considered appropriate to enhance the southern gateway to Parramatta city centre, without detracting from the commercial core north and immediately south of the railway station. The mix of uses will provide an appropriate contribution to dwelling and employment targets. The proposal will also encourage a better design of pedestrian, cycle and public transport linkages within the Parramatta City Centre and between sub-regional centres at Harris Park and Granville.

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.

The Phase 1 Environmental Site Assessment identified that there may be a low to moderate level of risk of contamination on the subject site. In accordance with Clause 6 (1) of SEPP No. 55 Council must consider the following as the Planning Proposal involves a rezoning of the site:

- (a) the planning authority has considered whether the land is contaminated, and*

(b) if the land is contaminated, the planning authority is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for all the purposes for which land in the zone concerned is permitted to be used, and

(c) if the land requires remediation to be made suitable for any purpose for which land in that zone is permitted to be used, the planning authority is satisfied that the land will be so remediated before the land is used for that purpose.

Note. *In order to satisfy itself as to paragraph (c), the planning authority may need to include certain provisions in the environmental planning instrument.*

The Phase 1 Environmental Site Assessment concluded that on the grounds of current and past site uses a Phase 2 Environmental Site Assessment should be undertaken prior to development (i.e. at the development application stage). This will determine how the land should be managed and remediated to ensure that the site is suitable for mixed use development, and particularly residential development. A detailed Phase 2 Site Assessment and Remediation Action Plan would be required to accompany any future development application on the site and would undergo appropriate review (and subsequent verification of remediation works) prior to development commencing. Council's environmental health team have reviewed the ESA and agree with this approach being an appropriate response based on information provided and previous land uses.

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

The SEPP aims to promote the orderly and economic use and development of land by enabling urban land, which is no longer required for the purpose for which it is currently zoned or used, to be redeveloped for multi-unit housing and related development. The planning proposal, by proposing the permissibility of multi unit housing in the form of mixed use residential flat buildings on the site is consistent with this SEPP.

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

Clause 28 of the SEPP requires that in preparing an environmental planning instrument that makes provision for residential flat development, a provision shall be included in the instrument to ensure the achievement of design quality in accordance with the design quality principles and have regard to the publication Residential Flat Design Code. It is noted that SEPP 65 will be required to be considered during the assessment of any future development on the site that includes three or more storey and four or more dwellings.

Is the planning proposal consistent with applicable Ministerial Directions (s.117 directions)

In accordance with Clause 117(2) of the EP&A Act 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:

1. Employment and resources
2. Environment and heritage

3. Housing, infrastructure and urban development
4. Hazard and risk
5. Regional planning
6. Local plan making.

The following directions have been extracted from *Directions for Planning Proposals* as they are considered relevant to the subject Planning Proposal.

1. Employment and Resources

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.*

This direction is applicable as the planning proposal will affect land within an existing business zone. Rezoning parts of the site to B4 Mixed Use and increasing floor space ratio to up to 7.2:1 will enable residential development and appropriate density for the southern gateway to the Parramatta city centre. A mix of residential and commercial uses will support the core commercial precinct.

The planning proposal will facilitate approximately 40% of the resultant floor space on the subject land being commercial which will encourage employment growth in the southern part of Parramatta City Centre.

This Planning Proposal is consistent with the strategic directions outlined in state and local planning strategies including the metropolitan Strategy for Sydney 2036, West Central Subregional Strategy and Parramatta City Centre Vision 2007.

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 subject site is adjacent to heritage items located at 41, 43 and 49 and 51 Lansdowne Street. The Heritage Impact Report recommends that any future development of the site will need to consider the impact to heritage significance of the adjacent heritage items and that a detailed archaeological assessment be undertaken in the future development of the site in accordance with PHALMS (Godden Mackay Logan 2000). The heritage provisions contained in the Parramatta City Centre Local Environmental Plan 2007 will apply to the land the subject of the planning proposal.

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 enable the development of infill residential dwellings, in a location that is in close proximity to public transport, shops and employment. In addition the planning proposal will enable the development of an appropriate mix of high density dwellings which respond to current and predicted housing demands.

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 Harris Park Station, 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.

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 is affected by Class 4 or Class 5 Acid Sulfate soils and has accommodated medium to high density development throughout. The subject site is identified as having Class 4 and 5 Acid Sulfate Soils in accordance with the Parramatta City Centre LEP 2007. The Phase 1 Environmental Site Assessment identifies a potential risk of Acid Sulfate Soils. The proposed rezoning will increase the density and extent of development of the site. Any future redevelopment of the site would need to include a detailed Acid Sulfate Soils study and include appropriate construction and attenuation measures.

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.*

Parts of the site are affected by flooding however the affectation is expected to be managed by appropriate design measures that can be implemented at the design and development stage.

The planning proposal has been assessed in accordance with the NSW Flood Prone Land Policy, the Floodplain Development Manual 2005 and Lower Parramatta River Floodplain Risk Management Study and Plan 2005. Page 10 of this study states that the study has been managed by Parramatta City Council and a Floodplain Management Committee consisting of members of the public, government agencies and special interest groups.

Council is currently awaiting the completion of a revised flood study that will consider the impacts of climate change and sea level rise on the Lower Parramatta River. Upon completion of the study Council will review its current Floodplain Risk Management Plan in accordance with the Floodplain Development Manual 2005. Any future redevelopment of the site would be required to address the requirements of the Floodplain Risk management Plan in place at the time of lodgement of a development application as well as the provisions of Clause 33A of the Parramatta City Centre LEP 2007.

As the revised flood study is yet to be finalised, the planning proposal has been assessed with regard to the adopted plan (2005) that was prepared in accordance with the principles and guidelines of the Floodplain Development Manual 2005 as required by Section 117 direction – 4.3 Flood Prone Land. Accordingly the planning proposal is considered to meet the requirements of part 9(a) of the S117 direction in this regard.

Environmental, Social and Economic Impact – Part C

This section considers the potential environmental, social and economic impacts which may result from the Planning Proposal.

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 subject 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.

Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?

The key environmental issues identified in this Planning Proposal have been assessed in specialist reports, as summarised in the Background section of this report. The key issues are identified below:

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 recommends a Phase 2 Site Assessment and a hazardous materials survey be undertaken prior to development. The Phase 2 Site Assessment will more specifically identify the types of contamination, which will inform the level of remediation that needs to take place for residential development. The information on contamination and acid sulfate soils is satisfactory for this preliminary stage of the LEP making process. Further detailed assessments and investigations will be required to be carried out as part of any future development application assessment and in accordance with the requirements of SEPP 55 and Clause 33B (Acid Sulfate Soils) of the Parramatta City Centre LEP 2007.

Traffic

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

Indicative floor space figures were used to estimate how the future development of the site, once rezoned to mixed use, would impact on traffic, access, parking, and patronage of public transport. 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.

Council's Traffic & Parking team have reviewed the proponents traffic study and are generally in agreement with the methodology and findings therein. The likely impact of the resultant development sought through this planning proposal is considered 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. This widening is not currently included on Council's land reservation map. As the roads within the City Centre LEP are not currently zoned no zoning of this portion of the site is included on the accompanying maps. Given the City Centre LEP 2007 will be amalgamated into the comprehensive LEP is recommended that these maps be amended to include the zoning of land sought immediately adjacent (i.e. B5, B4 and RE1 as relevant).

Flooding

The detailed flood modelling results indicate that the subject site contains areas categorised as being of low, medium and high flood risk. Residential and commercial development may be appropriate on the site subject to acceptable design and development controls.

In relation to flood affectation of surrounding properties, the integration of the three contiguous parcels and scale of future development provides the opportunity for a degree of flexibility in developing a design layout that ensures existing floodplain storage and flow paths are not adversely affected.

The assessment carried out by the owner and reviewed by Council's Catchment Management Team concludes that flooding affectation should not preclude the site from being zoned B4 Mixed Use and the future use of the land as residential and commercial/retail.

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. Matters to consider in detail in the future development of the site will include:

- Overshadowing and solar access;
- Amenity of existing residential land to the west;
- Appropriate provision of car parking;
- The interface between public and private land and particularly how buildings address the street and public domain.
- The mix land uses including residential, retail and commercial.

The Urban Design Structure Plan as revised incorporates 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.

The structure plan is considered to provide sufficient detail at this preliminary stage to illustrate subject land can be redeveloped within the proposed building envelopes and have an acceptable impact on the public domain and adjoining properties.

How has the planning proposal adequately addressed any social and economic effects?

The Economic assessment provides an economic justification for the proposed development. From this assessment as well as Council and state government strategic planning documents 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 along Church Street. 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 direct jobs and indirect jobs during the construction phase and permanent jobs following completion of the development. The projects construction value is estimated to be over \$600 Million and will be a significant investment to Parramatta city centre.

A Voluntary Planning Agreement/contributions framework addressing contributions towards community, recreation and physical services will be developed between the proponent and Council. Whilst no formal letter of offer has yet been provided it is likely that the VPA would include elements such as provision and embellishment of public open space, community facilities, mitigation of traffic impacts (road widening), provision of public domain elements including through site links and street furniture, landscaping paving and drainage and flooding works. It is intended that any VPA be exhibited concurrently with the planning proposal in accordance with Council's VPA policy.

State and Commonwealth Interests

Is there adequate public infrastructure for the planning proposal?

The subject land is approximately 400m from Parramatta Railway Station/Bus terminal and Harris Park station. Civil and utility infrastructure is suitably accessible to service the subject land and support the proposed mixed use zone (subject to necessary augmentations).

Redevelopment of the subject site can provide a catalyst for further development within the southern part of Parramatta city centre and improve connections with other centres including Granville town centre. This will optimise public infrastructure investment within this area.

Rezoning of the site will create a more pronounced southern entrance into the city and create opportunities to connect pedestrian and cycle routes.

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

In accordance with Clause 56(2) of the EP&A Act the gateway determination will indicate what consultation is required with State or Commonwealth public authorities.

To date, the Sydney Metropolitan Development Authority, Department of Planning and Infrastructure and Roads and Maritime Services have been consulted on this planning proposal.

This Planning Proposal and accompanying specialist reports have been prepared so that the proposal can proceed to Gateway Determination by the Department of Planning and Infrastructure.

Future consultation may include consultation with the following:

- Transport for NSW;
- Department of Planning and Infrastructure;
- Office of Environment and Heritage;
- Energy Australia/Endeavour Energy;
- Sydney Water;
- Railcorp;
- Holroyd City Council;
- Urban Growth NSW;
- Roads and Maritime Services (RMS) and
- Sydney Metropolitan Development Authority (SMDA).

Community consultation

In accordance with Clause 56(2) of the EP&A Act the gateway determination will indicate the level of community consultation deemed necessary for the proposal. It is recommended the planning proposal be placed on public exhibition for a minimum of 28 days. A public hearing is not required for this planning proposal.