



CITY OF PARRAMATTA

Our Reference: RZ/10/2013
Contact: Sonia Jacenko
Telephone: 9806 5751

Ms Catherine Van Laeren
Regional Director of the Sydney Region West Office
Department of Planning & Environment
GPO Box 39
SYDNEY NSW 2001

Department of Planning
Received
9 MAR 2016

4 March 2016

Scanning Room

Dear Catherine,

**Gateway Determination Request - Planning Proposal for the land at 171-189
Parramatta Road, Granville**

Please find attached a Planning Proposal seeking to amend certain provisions relating to the above address in the Parramatta Local Environmental Plan 2011.

Background

A Planning Proposal for the subject site was initially sent to the Department of Planning and Environment for a Gateway Determination on 10 February 2015 following a Council resolution on 9 February 2015 originally seeking the following changes to the Parramatta Local Environmental Plan 2011:

- Rezone the land from part B6 Enterprise Corridor and part R3 Medium Density Residential to B4 Mixed Use.
- Increase the Maximum Height of Buildings from 15 metres and 11 metres to 105m (approximately 35 storeys).
- Increase the Maximum Floor Space Ratio from 2:1 and 0.6:1 to 6:1.
- Introduce a Design Excellence Clause to require the site to undertake a design excellence competition, with the winning scheme being awarded a 15% height and FSR bonus (i.e. resulting in a final building height of 120.75 (39 storeys) and final FSR of 6.9:1).
- Introduce a Site Specific Clause requiring the provision of a minimum of 4,000 metres square of non-residential floorspace.

The Department issued Council with a letter (**Attachment 1**) on 22 June 2015. The Department expressed its preference for the Draft Parramatta Road Urban Transformation Strategy (Draft Strategy) to be completed prior to the consideration of a site specific Planning Proposal seeking a significant variation in density. The Department's letter encouraged Council to withdraw its proposal and to consider a Planning Proposal that aligns with the strategic planning work undertaken to date by UrbanGrowth NSW in their preparation towards the release of the Draft Strategy.

At the time the Planning Proposal was considered by the Department, an initial draft strategy titled Draft Parramatta Road Urban Renewal Strategy had been released by UrbanGrowth NSW on 25 November 2014. This was an interim strategy identifying the high level strategic direction adopted by UrbanGrowth NSW for the Parramatta Road Corridor, and identified Granville as a future growth precinct to accommodate 16,000 to 19,000 new dwellings in the long term (to 2050). No specific planning

controls in relation to zoning, height and density had been released at that point in time.

UrbanGrowth NSW released the Draft Strategy for community consultation on 17 September 2015. The Draft Strategy estimates that by 2050 the Granville precinct will accommodate approximately 1,000 new jobs and 7,000 new dwellings, down from the 16,000-19,000 new dwellings originally forecasted in the high level draft strategy.

Planning Proposal

The Planning Proposal was revised to address the recommendations of the Draft Strategy by reducing the building height to 82m (a maximum of 25 storeys). A report on the revised Planning Proposal was considered by Council on 23 December 2015. A full copy of the Council Resolution can be found in **Attachment 2**, however of most relevance for the attached Planning Proposal, is Section (b) of the resolution:

***That** the applicant provide a reference design providing an FSR of 5.2 (exclusive of design excellence) demonstrating compliance with the Draft Parramatta Road Urban Transformation Strategy's Urban Design Guidelines (UDG) and the SEPP 65 Apartment Design Guide (ADG). In particular, it must demonstrate a built form that complies with the podium and tower setbacks to Parramatta Road of the UDG and the building separation controls of the ADG.*

The applicant submitted a revised reference design which does not strictly comply with the Draft Strategy's Urban Design Guidelines (UDG) and therefore is not consistent with the second part of Section (b) of the resolution. However, the design process and associated discussions have reinforced that it is not possible to achieve strict compliance with the UDG and achieve an FSR of 5.2:1 (exclusive of design excellence) which is the requirement of the first part of Section (b) of the resolution.

On 11 February 2016 a meeting was held with officers from Council, UrbanGrowth NSW and the Department of Planning and Environment to discuss the design options for the subject site following the Council resolution. UrbanGrowth NSW advised that as the strategy is currently in draft form that Council could consider variations to the controls where Council considers the design complies with ADG and achieves the objectives of the Draft Strategy and the UDG.

A report to Council to allow Council to resolve the technical inconsistency outlined above in relation to Section (b) of the resolution from 23 December 2015, and to consider the additional advice from UrbanGrowth NSW, is scheduled for 29 March 2016. Should the adopted FSR of 5.2:1 (exclusive of design excellence) which informs the attached Planning Proposal change as a result of the Council Meeting, then Council Officers will advise the Department to halt processing the Planning Proposal to enable Council to make the relevant changes to the Planning Proposal.

Other Matters for Consideration

As part of the report scheduled for 29 March 2016, Council Officers will also seek clarification on Section (e) of the Council Resolution:

- (e) ***That** Council advise the Department of Planning and Environment that Council intends to exhibit an alternative urban design for the site, which is the revised Planning Proposal as submitted by the proponent in October 2015, at*

the same time as the plans determined by the process outlined above are placed on public exhibition in accordance with the Gateway Determination for this Planning Proposal.

The outcome of the 29 March 2016 Council Meeting will be forwarded to the Department following the release of the meeting minutes, and the above matters will be clarified for the Planning Proposal to continue being assessed for a Gateway Determination.

In addition to the attached Planning Proposal, which was adopted by Council on 23 December 2015 subject to the amendments within Section (a) of the resolution, Council Officers have prepared an addendum to Section 5.2 'Relation to Strategic Planning Framework' within the Planning Proposal which further addresses the Planning Proposals consistency with the applicable Ministerial Directions (s.117 directions) and State Environmental Planning Policies. The addendum is attached to the Planning Proposal and should be reviewed in conjunction with the Planning Proposal. On 29 March 2016 Council will also be asked to endorse this addendum to formally include it as part of the Planning Proposal.

As per the resolution from 23 December 2015, Council will be requesting to exercise its plan making delegations in this instance.

Please find attached a CD containing all relevant documentation.

If you have any queries in relation to this matter please contact Sonia Jacenko on 9806 5751 or sjacenko@parracity.nsw.gov.au

Yours sincerely



Robert Cologna
Service Manager - Land Use Planning



Planning & Environment

Mr Greg Dyer
Chief Executive Officer
Parramatta City Council
PO Box 32
Parramatta NSW 2124



15/05411



Dear Mr Dyer

I am writing in response to Council's request for a Gateway determination under section 56 of the *Environmental Planning and Assessment Act 1979* (the Act) for a planning proposal to amend the zoning, maximum building height and Floor Space Ratio (FSR) controls that apply to land at 171 – 189 Parramatta Road, Granville.

Following discussion with the proponent and council officers, I am seeking the views of the Council on whether it would take the opportunity to withdraw the proposal and reformulate it in light of the following matters which are of concern to the Department.

The subject site forms part of an important renewal corridor that is expected to undergo significant change in the future. The site is identified as part of the Granville precinct under the draft Parramatta Road Urban Renewal Strategy, which investigates opportunities for growth and change in development scale along this strategic corridor.

A detailed analysis of the proposal was undertaken by the Department and was also considered by the Department's LEP Panel. The Department is concerned that:

- the site, and any change to the planning and development controls for it, align with local and State strategic planning and not be considered in isolation from the broader Granville precinct and adjoining lands
- the proposal is inconsistent with the exhibited draft Parramatta Employment Lands Study and its response to the future character and role of the Granville precinct as outlined in the study.

The role of Granville will also change over time to support the growth of Parramatta as Sydney's second CBD. The built character of the area is also expected to evolve; however, it should be in accordance with an endorsed strategic framework to enable an appropriate mix of jobs and homes to be accommodated in proximity to transport, the broader Parramatta corridor and the Parramatta CBD.

The planning proposal seeks to facilitate a high density mixed-used development within the Granville precinct above the height and scale currently considered appropriate for the area. The justification for this increase is not adequate in the context of the future character of the precinct or the implications on surrounding low density land uses.

It is important that the draft Parramatta Road Urban Renewal Strategy is finalised to provide landowners and the broader community with certainty on the future development potential for this area. It is difficult to support an individual planning proposal of such a scale in isolation of the detailed strategic planning work undertaken to date. The Department will continue to work with Council and UrbanGrowth NSW to finalise the Strategy and work through the implications of that Strategy for the Granville precinct.

I encourage Council to withdraw their proposal and consider a planning proposal that aligns with the local and State strategic planning work undertaken to date and which will encourage revitalisation along this section of Parramatta Road.

Should you have any queries in regard to this matter, please contact Ms Rachel Cumming of the Department's Parramatta office on (02) 9860 1174.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Marcus Ray', with a stylized flourish at the end.

Marcus Ray
Deputy Secretary
Planning Services

22/06/2015

Attachment 2 – Council Resolution

- (a) **That** Council endorse the Planning Proposal at Attachment 1 for the land at 171-189 Parramatta Road, Granville subject to it being modified to include the following controls:
- Rezone the subject land from R3 Medium Density Residential and B6 – Enterprise Corridor to B4 Mixed Use;
 - Provide an increase in height to 82 metres (25 storeys) (inclusive of design excellence) to be compliant with the Draft Parramatta Road Urban Transformation Strategy;
 - A FSR to be determined by the lodgement of a reference design as described in (b) and (c) below.
- (b) **That** the applicant provide a reference design providing an FSR of 5.2 (exclusive of design excellence) demonstrating compliance with the Draft Parramatta Road Urban Transformation Strategy's Urban Design Guidelines (UDG) and the SEPP 65 Apartment Design Guide (ADG). In particular, it must demonstrate a built form that complies with the podium and tower setbacks to Parramatta Road of the UDG and the building separation controls of the ADG.
- (c) **That** the applicant shall provide prior to the exhibition of any planning proposal a reference design at 1:500 that demonstrates how the land located within the subject site but not yet acquired by the applicant (refer to Paragraph 29 of this report) and the adjacent site on the corner of Parramatta Road and Albert Street can be developed to the same potential while complying with the Draft Parramatta Road Urban Design Guidelines and the ADG in particular with regards to building separation.
- (d) **That** the CEO be delegated responsibility to consider the reference design provided by the applicant and determine the exact FSR as described in (b) that will be included in the Planning Proposal prior to it being forwarded to the Department of Planning and Environment seeking a Gateway determination.
- (e) **That** Council advise the Department of Planning and Environment that Council intends to exhibit an alternative urban design for the site, which is the revised Planning Proposal as submitted by the proponent in October 2015, at the same time as the plans determined by the process outlined above are placed on public exhibition in accordance with the Gateway Determination for this Planning Proposal.
- (f) **That** Council proceed with negotiations for a Voluntary Planning Agreement (VPA) with the landowner in relation to the Planning Proposal and that any VPA entered into would be in addition to S94A Development Contributions.
- (g) **That** delegated authority be given to the CEO to negotiate the VPA on behalf of Council and that the outcome of negotiations be reported back to Council.
- (h) **That** Council advises the Department of Planning and Environment that the CEO will be exercising the plan-making delegations for this Planning Proposal as authorised by Council on 26 November 2012.

- (i) **Further, that** Council authorise the CEO to correct any minor anomalies of a non-policy and administrative nature that may arise during the plan-amendment process.