

Amendment to Parramatta LEP 2011- AE2 Ermington Superlots. Increased height and FSR controls.

Proposal Title : Amendment to Parramatta LEP 2011- AE2 Ermington Superlots. Increased height and FSR controls.

Proposal Summary : The planning proposal intends to allow for an increase in building height from 13m to 19m for Lots 301-305 and from 13m to 28.2m for Lot 306. In addition, an increase in the floor space ratio (FSR) from 0.6:1 to 2.5:1 for Lots 301-305 and from 0.6:1 to 3:1 for Lot 306. The site is zoned R4 High Density Residential under Parramatta LEP 2011 and the R4 zone is to remain in place.

PP Number : PP_2013_PARRA_007_00 Dop File No : 13/13059

Proposal Details

Date Planning Proposal Received : 27-Aug-2013 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 : Seamist Avenue

Suburb : Ermington City : Parramatta Postcode : 2115

Land Parcel : Lots 301-306 DP 1175644

DoP Planning Officer Contact Details

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RPA Contact Details

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DoP Project Manager Contact Details

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Land Release Data

Growth Centre : Release Area Name :

Regional / Sub Regional Strategy : Metro West Central subregion Consistent with Strategy : N/A

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MDP Number :

Date of Release :

Area of Release
(Ha) :

Type of Release (eg
Residential /
Employment land) :

No. of Lots : 6

No. of Dwellings 555
(where relevant) :

Gross Floor Area : 55,694.00

No of Jobs Created : 0

The NSW Government No
Lobbyists Code of
Conduct has been
complied with :

If No, comment :

CODE OF CONDUCT

At this point in time, to the best of the Regional Team's knowledge, this planning proposal is compliant with the Department of Planning and Infrastructure's Code of Practice in relation to communications and meetings with lobbyists.

POLITICAL DONATIONS DISCLOSURE STATEMENT

The political donation disclosure laws commenced on 1 October 2008. The legislation requires public disclosure of donations or gifts for certain circumstances relating to the planning system.

The disclosure requirements under the new legislation are triggered by the making of relevant planning applications and relevant public submissions on such applications.

The term relevant planning application means:

"A formal request to the Minister, a council or the Director General to initiate the making of an environmental planning instrument..."

Planning Circular PS08-009 specifies that a person who makes a public submission to the Minister or Director General is required to disclose all reportable political donations (if any).

No disclosures were provided for this planning proposal.

Have there been
meetings or
communications with
registered lobbyists? :

No

If Yes, comment :

Supporting notes

Internal Supporting
Notes :

Further information was sought from Council regarding traffic impacts. Council provided the department with a report on 27 August 2013 on the traffic implications of the Masterplan for the Naval Stores Site at Ermington for residential purposes dated October 1999. The date of receipt for the planning proposal reflects this.

The planning proposal indicates that overshadowing of the foreshore area may be significant and the planning team recommends, as a condition of a Gateway determination, that a revised DCP be exhibited at the same time as the planning proposal to allow this matter to be adequately addressed and considered.

It is also recommended as a condition of a Gateway determination that an up-to-date traffic report be prepared which determines whether current road and other transport arrangements will satisfactory meet the needs generated by the proposal and, if necessary, the study indicates suitable road/transport upgrades.

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External Supporting Notes :

The subject site is a series of six (6) individual lots (described as lots 301-306) within the former Ermington Naval Stores site. These are known as the 'AE2 Ermington Superlots' and are located along the water front of the former Naval Stores site.

The subject site is zoned R4 High Density Residential under Parramatta LEP 2011.

Defence Housing Australia prepared the 'Ermington Masterplan', which was approved by the then Minister for Planning in April 2002. The Masterplan established the development capacity of the former Naval Stores site and provided a set of planning controls to achieve this capacity. These controls for the entire Naval Stores site of 19.64 ha, allowed a maximum yield - in total, of 117 840 sqm of floor space.

The development of lots 301-306 (the subject site) represents the final development stage (stage 3) for the greater former naval stores site.

Parramatta Council indicates that two previously approved development stages under the masterplan have not fully taken up the envisaged total floor space (i.e. stage 1 - constructed - 18 071 sqm and stage 2 - approved - 39 903 sqm). Further, council indicates that development of the remaining superlots (i.e. the subject site) as proposed (i.e. a floor area of approximately 55 694 sqm) combined with the approved development sites, would not fully take up the envisaged 117 840 sqm of floor space area.

Adequacy Assessment

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

Is a statement of the objectives provided? Yes

Comment : The key objective of the planning proposal is to amend the Parramatta Local Environmental Plan 2011 to allow for greater height and floor space ratio controls on part of the former Naval Stores site at Ermington, known as the AE2 Ermington Superlots.

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

Is an explanation of provisions provided? Yes

Comment : The explanation of provisions is clear and well structured.

The explanation addresses:

- Amending the maximum height controls for Lots 301-305 from 13 metres to 19 metres and for Lot 306, amending the maximum building height from 13 metres to 28.2 metres.

- Amending the floor space ratio controls for Lots 301-305 from 0.6:1 to 2.5:1 and for Lot 306, amending the floor space ratio from 0.6:1 to 3:1.

Justification - s55 (2)(c)

a) Has Council's strategy been agreed to by the Director General? No

b) S.117 directions identified by RPA :

3.1 Residential Zones

3.4 Integrating Land Use and Transport

* May need the Director General's agreement

4.3 Flood Prone Land

6.3 Site Specific Provisions

7.1 Implementation of the Metropolitan Plan for Sydney 2036

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

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SEPP (Infrastructure) 2007

e) List any other matters that need to be considered :

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

If No, explain : **The planning proposal has addressed all the ministerial directions applicable to the site, along with the relevant SEPPs.**

Mapping Provided - s55(2)(d)

Is mapping provided? **Yes**

Comment : **The maps provided are adequate for exhibition purposes.**

Community consultation - s55(2)(e)

Has community consultation been proposed? **Yes**

Comment : **The planning proposal seeks to provide a community consultation period for a minimum of 14 days. As the proposal seeks a significant change to the controls applying to the site and may generate significant community interest, it is recommended that the planning proposal be exhibited for 28 days.**

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 : **The objectives, explanation of provisions, justification and mapping presented in the planning proposal are clear and sufficient.**

All relevant ministerial directions and SEPPs have been identified.

The planning proposal is not inconsistent with the relevant strategic planning frameworks including: the Metropolitan Plan for Sydney 2036, the draft Metropolitan Strategy for Sydney 2031 and the Parramatta 2038 Community Strategic Plan, as outlined in the planning proposal.

Proposal Assessment

Principal LEP:

Due Date :

Comments in relation to Principal LEP : **The Parramatta Principal LEP was made in November 2011.**

Assessment Criteria

Need for planning proposal : **Council officers in liaison with representatives of the land owner conducted an investigation of the subject site and concluded that the Maximum Building Height and Floor Space Ratio controls may be increased for Lots 301, 302, 303, 304, 305 and 306.**

It is indicated that existing utilities servicing the site have the capacity to accommodate development permitted by the proposal. However, the planning proposal states that the

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local electricity provider will be consulted during the assessment of any future development application(s).

Regional Team Comment:

Infrastructure capacity may have changed since the land was originally zoned for residential purposes and consultation with service providers is recommended.

In particular, upgraded road networks have provided alternative access to the site. Amending height and FSR controls will require a contemporary review of traffic movements for the area. The original traffic report, which assessed traffic implications for the site, was undertaken in October 1999 and an up-to-date traffic report is considered necessary to analyse traffic movements and capacity.

Consistency with strategic planning framework :

The planning proposal explains the relationship to the strategic planning framework, as follows:

* The Metropolitan Strategy for Sydney 2036 and the draft Metropolitan Strategy for Sydney 2031

- Both strategies aim to provide an adequate supply of land for residential development and an increased supply of housing within close proximity to Parramatta as a regional city.

The planning proposal will assist in enabling housing targets to be met in the Parramatta LGA and within the West Central Subregion.

- Both the current and draft metropolitan plans seek to focus residential development within large centres and surrounding corridors with access to public transport.

As the planning proposal will allow for an increased supply of housing, this will support transport linkages with Parramatta City, Sydney Olympic Park and the Rhodes specialised centre.

* The Parramatta 2038 Community Strategic Plan

- Identifies the key challenges and opportunities for the Parramatta LGA, including planning for increased housing capacity, mix of housing types, improving the design quality of new development, the redevelopment of large properties and providing residential uses in proximity to public transport and facilities.

The proposed amendments in the planning proposal are consistent with the community strategic plan in this regard.

Environmental social economic impacts :

a The planning proposal states that no threatened species, populations or ecological communities have been observed on the site.

Overshadowing of the river foreshore lands and the Ermington Naval Stores site from the proposed buildings has been identified as a possible social concern in the planning proposal.

Concept plans (see attachments to the planning proposal) indicate that proposed buildings on Lot 306 will decline from 8 storeys in the north-west to 4 storeys at the foreshore as a result of topography and to minimise overshadowing concerns of the open space/foreshore lands.

Where Lots 301-305 directly adjoin the river foreshore, a 5 storey height limit is proposed to be applied.

The planning proposal proposes further testing on the overshadowing impacts following

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the issue of the Gateway determination.

Further, the planning proposal seeks to amend the Parramatta Development Control Plan 2011 to guide the development of built form on Lots 301-306 to address overshadowing concerns.

Regional Team Comments

The planning team notes the impacts of the built form of the proposed buildings near the river and their possible adverse impacts on the public space. Council's intention to further review this matter is supported.

It is also recommended that an up-to-date traffic report be prepared and forms part of exhibition/consultation material.

The current traffic report of October 1999, is clearly dated.

For example, the study indicates that no access is provided to the site via Silverwater Road. However, access to the site is now available through Silverse Street via Silverwater Road.

Further, a roundabout is present at the Boronia Street/Spurway Street Intersection, while the traffic report states 'consideration could be given to the installation of a roundabout at the intersection of Spurway and Boronia Streets' (page 22).

It is evident that since the 1999 Traffic Report was prepared new road works have been constructed near the site and new residential development has been built near Broadoaks Street and Allura Crescent.

For these reasons, the preparation and exhibition of a contemporary traffic report is recommended to support the proposal.

Assessment Process

Proposal type :	Minor	Community Consultation Period :	28 Days
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Timeframe to make LEP :	9 months	Delegation :	RPA
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Public Authority Consultation - 56(2)(d) :	Department of Education and Communities Transport for NSW Transport for NSW - Roads and Maritime Services Sydney Water Adjoining LGAs Other
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Is Public Hearing by the PAC required?	No
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(2)(a) Should the matter proceed ?	Yes
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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 :

Traffic - as discussed above.

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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
Planning Proposal.pdf	Proposal	Yes
Cover letter.pdf	Proposal Covering Letter	Yes
1999 Traffic Study.pdf	Study	Yes

Planning Team Recommendation

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

S.117 directions: **3.1 Residential Zones**
 3.4 Integrating Land Use and Transport
 4.3 Flood Prone Land
 6.3 Site Specific Provisions
 7.1 Implementation of the Metropolitan Plan for Sydney 2036

Additional Information : **Delegation to Council**

Council has agreed to accept the Minister's plan making powers. The matter is of local significance and it is recommended that the making of the LEP be delegated to Council, as requested.

It is recommended that the Planning Proposal proceed subject to the following conditions:

1. Prior to exhibition:

- (a) a traffic study is undertaken updating the 1999 traffic study (Colston Budd Hunt & Kafes Pty Ltd - October 1999) and that revised study be placed on exhibition and made available for the purposes of consultation with Roads and Maritime Services;
- (b) Council's development control plan be amended in draft form to particularly address overshadowing issues on the site and this draft amendment forms part of the exhibition material with Council subsequently giving consideration to adopting this amendment prior to the making of the local environmental plan for the planning proposal.

2. The Planning Proposal is to be exhibited for 28 days.

3. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act:

- Sydney Water
- Transport for NSW
- Roads and Maritime Service
- Endeavour Energy
- Department of Education and Communities
- adjoining local councils.

4. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the EP&A Act.

5. The timeframe for completing the LEP is to be 9 months from the week

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following the date of the Gateway Determination.

Supporting Reasons :

The planning proposal is supported in-principle as it will make efficient use of the land with consideration being given to good design quality and in providing access to public transport and services.

The planning proposal is not considered to be inconsistent with the current Sydney Metropolitan Strategy 2036 and the draft Metropolitan Strategy for Sydney 2031 as it seeks to increase the supply of housing within the Parramatta LGA and supports linkages with surrounding precincts.

Signature:



Printed Name:

T DORAN

Date:

4/9/13