



PLANNING PROPOSAL

87 Church Street and 6 Great Western Highway, Parramatta

Planning Proposal drafts

Proponent versions:

No.	Author	Version
1.	Hampton Properties Services	November 2014

Council versions:

No.	Author	Version
1.	City of Parramatta Council	July 2016 - Section 56(1) submission to the DP&E
2.	City of Parramatta Council	September 2017 - Section 57(2) community consultation

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INTRODUCTION

This planning proposal seeks to amend the *Parramatta Local Environmental Plan (PLEP) 2011* to modify the maximum building height and floor space ratio (FSR) controls that apply to land at 87 Church Street and 6 Great Western Highway, Parramatta. These amendments are sought with the intent to erect a mixed residential and commercial use tower.

This planning proposal has been prepared in accordance with Section 55 of the *Environmental Planning and Assessment Act 1979* and the Department of Planning and Environment's, 'A Guide to Preparing Local Environment Plans' (April 2013) and 'A Guide to Preparing Planning Proposals' (October 2012).

The planning proposal has been amended post gateway to include the following:

- An assessment of the Draft West Central District Plan which was on exhibition from November 2016 until March 2017; and
- A response to the conditions of the Department of Planning and Environment's gateway determination and subsequent gateway modifications.

Background and context

The subject site is located on the north western corner of the intersection of Church Street and Great Western Highway. The site is known as 87 Church Street and 6 Great Western Highway, Parramatta, see Figure 1. The legal description is Lots 1 and 2 DP 1009227. The site has a total area of 3,306m² and is currently occupied by a motor vehicle showroom and servicing facility.

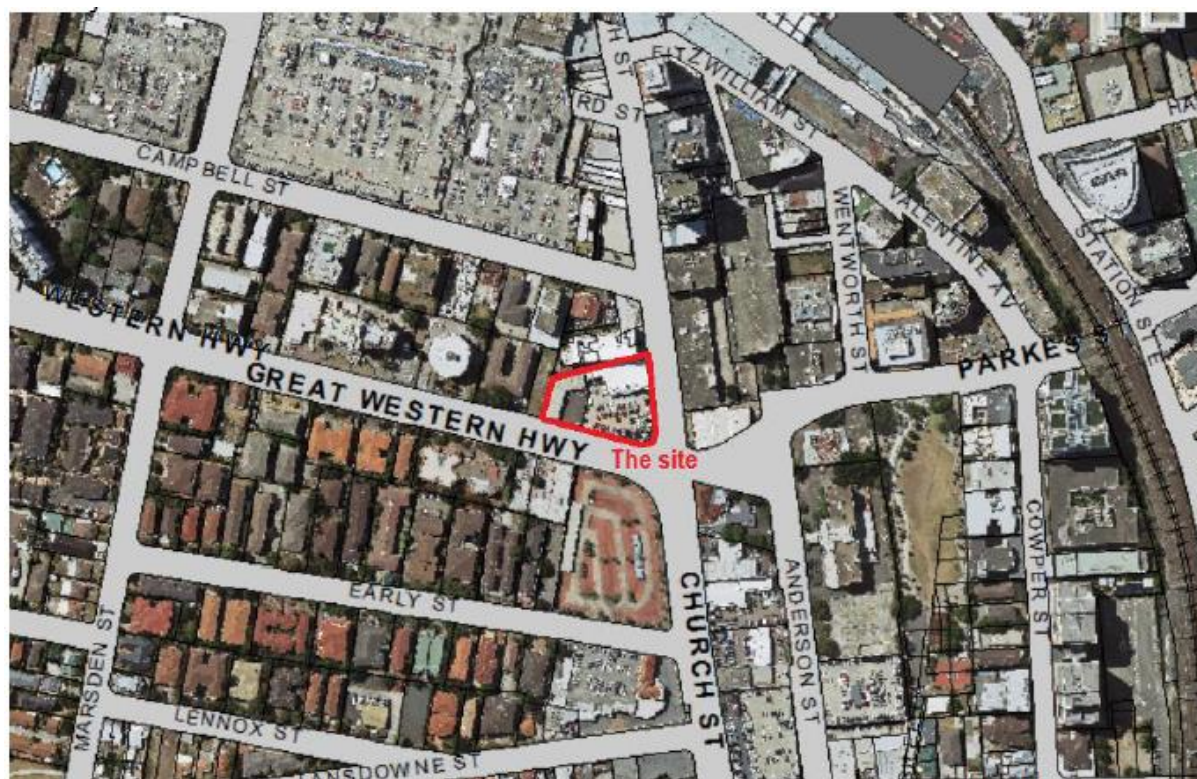


Figure 1: Location map



Figure 2: Street view of the site viewed from the southern side of the Great Western Highway

This planning proposal for land at 87 Church Street and 6 Great Western Highway, Parramatta was originally lodged on 21 November 2014. It was proposed to amend Parramatta City Centre Local Environmental Plan 2007 (now repealed) to increase the maximum FSR to 23.5:1 and height to 227m (approximately 70 storeys).

The applicant was advised of concerns raised by Council staff and several meetings were held to discuss issues relevant to the planning proposal. In response, the applicant submitted a revised planning proposal on 29 September 2015 seeking to increase the maximum floor space ratio to 13.9:1 (plus 15% design excellence) and height to 180m (55 storeys). It is noted that the application seeks to apply a 15% bonus as currently exists under PLEP 2011 to be achieved after a design competition has been held.

The applicant responded (23 November 2015) to Council feedback by committing to remove the proposed residential uses from the podium element of the building and provide an additional level within the podium for commercial purposes. This provides 20% of the total floor space as non-residential uses. The FSR remained unchanged (13.9 plus design excellence).

The applicant's planning proposal was reported to Council on 14 December 2015. Council resolved the following:

- a) ***That*** Council endorse the planning proposal contained at Attachment 1 for land at 87 Church Street and 6 Great Western Highway, Parramatta subject to it being modified to;
 - *provide a maximum FSR of 10:1 (+1.5:1 Design excellence);*
 - *apply a maximum building height to be determined through provision of an amended reference design;*

- *contain a site specific clause requiring 1:1 of gross floor area to be provided on the site as non-residential uses. Additional non-residential floor space may be provided but will not constitute FSR;*
 - *That until such time as serviced apartments are prohibited in the B4 Mixed Use zone, the applicant may propose serviced apartments;*
 - *That in the event that the Phase 2 Value Sharing Mechanism is not adopted under the CBD Planning Strategy, the proponent be provided with the opportunity to revisit the higher floor space ratio originally proposed for the planning proposal;*
 - *That in the event that a floor space greater than 10:1 is achieved for the site, car parking is limited to reflect a 10:1 floor space ratio.*
- b) **That** *the applicant provide an amended reference design consistent with the above requirements and that demonstrates compliance with SEPP 65 Apartment Design Guide (ADG). In particular, it must demonstrate an indicative layout that complies with cross ventilation requirements of the ADG. If the reference design proposes a height greater than 156AHD the reference design will need to be supported by an Aeronautical Study to address the relevant Section 117 Direction.*
- c) **That** *the CEO be authorised to consider the reference design provided by the applicant and determine the exact height that will be included in the Planning Proposal prior to it being forwarded to the Department of Planning and Environment seeking a Gateway determination.*
- d) **That** *Council advises the NSW 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.*
- e) **That** *Council invite the proponent to make an offer of a Voluntary Planning Agreement (VPA) in relation to the planning proposal to deliver a public benefit.*
- f) **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 prior to its public exhibition.*
- g) **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.*

In keeping with council's resolution, the applicant submitted a revised reference design which satisfied the requirements of part (b) of the resolution and was endorsed by the City of Parramatta's CEO for the planning proposal to be forwarded to the Department of Planning and Environment for gateway determination. The revised reference design is contained at Appendix 1 and results in a maximum building height of 180m. This planning proposal has been updated to reflect the most recently submitted reference design.

On 12 September 2016 the Department of Planning and Environment (DPE) issued a Gateway Determination for the planning proposal to proceed to public exhibition. Two subsequent gateway modifications have since been issued: one dated 7 August 2017 in response to Council's resolved position (10 April 2017) regarding parking rates in the Parramatta CBD; and a second dated 8 September 2017 to rectify a typographical error to the original gateway determination. Refer to Appendix 2 for Gateway Determinations issued by DPE for the site.

PART 1 – OBJECTIVES OR INTENDED OUTCOMES

The objective of this planning proposal is to enable the redevelopment of land at 87 Church Street and 6 Great Western Highway, Parramatta to allow for a mixed use development in accordance with the site's B4 Mixed Use zoning. To facilitate redevelopment, it is proposed that the maximum height of building provision in the *Parramatta Local Environmental Plan 2011* be amended to allow a maximum building height of 180m, and a maximum floor space ratio (FSR) of 10:1 (up to a total of 11.5:1 with design excellence). It is anticipated that the amendment of these controls will facilitate an increase in housing supply and employment generating floor space in the Parramatta CBD.

PART 2 – EXPLANATION OF PROVISIONS

This planning proposal seeks to amend *Parramatta Local Environmental Plan 2011 (PLEP 2011)* in relation to height and floor space ratio controls. In order to achieve the desired objective, the following amendments to *PLEP 2011* would need to be made:

- 1) Amend the maximum building height in the **Height of Buildings Map** (Sheet HOB_010) to 180m. Refer to Figure 10 in Part 4 of this planning proposal.
- 2) Amend the maximum FSR in the **Floor Space Ratio Map** (Sheet FSR_010) to 10:1 (a total FSR of 11.5:1 with design excellence may apply). Refer to Figure 11 in Part 4 of this planning proposal.
- 3) Insert a new Clause in Part 7 to include a site specific provision that would:
 - i) Require 1:1 of gross floor area to be provided on the site for non-residential uses, with additional non-residential floor space not counted as FSR; and
 - ii) Apply maximum parking rates to the site consistent with the resolution of Council on 10 April 2017, and as endorsed DPE in the amending Gateway Determination of 7 August 2017. Refer to Appendix 3 for an example of a potential draft site specific provision.

2.1 Other relevant matters

2.1.1 Voluntary Planning Agreement

A Voluntary Planning Agreement (VPA) has been negotiated with the applicant and Council, and has been prepared in accordance with Council's Voluntary Planning Agreements policy. The VPA is being exhibited concurrently with the planning proposal and will provide public benefit in the form of:

- A monetary contribution of \$3,223,350.00; and
- The provision of a pedestrian overbridge at the intersection of the Great Western Highway and Church Street.

PART 3 – JUSTIFICATION

This part describes the reasons for the proposed outcomes and development standards in the planning proposal.

3.1 Section A - Need for the planning proposal

This section establishes the need for a planning proposal in achieving the key outcome and objectives. The set questions address the strategic origins of the proposal and whether amending the LEP is the best mechanism to achieve the aims on the proposal.

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

The planning proposal is a result of an application from the landowner seeking to increase the density of development permitted on the site. The planning proposal was amended to reflect the Parramatta CBD Planning Strategy and the Parramatta CBD Planning Proposal.

Council adopted the Parramatta CBD Planning Strategy at its meeting of 27 April 2015. The Strategy is the outcome of a study which reviewed the current planning framework and also a significant program of consultation with stakeholders and the community. The Strategy sets the vision for the growth of the Parramatta CBD. Council has subsequently prepared a planning proposal which has been informed by workshops and Council resolutions.

The Parramatta CBD Planning Proposal (CBD PP) was adopted by Council on 11 April 2016. The CBD PP seeks a potential increase in height and FSR for sites within the Parramatta CBD subject to the provision of community infrastructure. Whilst the Department of Planning and Environment is yet to issue a Gateway determination, the CBD PP is Council's most recently adopted position on density increases in the Parramatta CBD.

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

A planning proposal seeking to amend *PLEP 2011* is the most effective way of providing certainty for Council, the local community and the landowner. The existing height and FSR standards do not permit the density envisaged in the CBD PP nor do the existing controls respond to the emerging CBD character of Parramatta.

3.2 Section B – Relationship to strategic planning framework

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 NSW Government's Plan for Growing Sydney and subregional strategy, State Environmental Planning Policies, local strategic and community plans and applicable Ministerial Directions.

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

A Plan for Growing Sydney

On 14 December 2014, the NSW Government released 'A Plan for Growing Sydney' which outlines actions to achieve the Government's vision for Sydney which is a 'strong global city and a great place to live'.

Parramatta local government area is part of the West Central Subregion. A Plan for Growing Sydney identifies the following directions, actions and priorities for Parramatta and the West Central Subregion that are relevant to this site and planning proposal:

1.2 Grow Greater Parramatta – Sydney's Second CBD

- Grow Parramatta as Sydney's second CBD by connecting and integrating Parramatta CBD, Westmead, Parramatta North, Rydalmere and Camellia

1.3 Establish a New Priority Growth Area – Greater Parramatta To The Olympic Peninsula

- Deliver priority revitalisation precincts

1.7 Grow Strategic Centres – providing more jobs closer to home

- Invest in strategic centres across Sydney to grow jobs and housing and create vibrant hubs of activity

2.1 Accelerate housing supply across Sydney

- Accelerate housing supply and local housing choices
- Accelerate new housing in designated infill areas (established urban areas) through the priority precincts and UrbanGrowth NSW programs

2.2 Accelerate urban renewal across Sydney – providing homes closer to jobs

- Use the Greater Sydney Commission to support Council-led urban infill projects
- Undertake urban renewal in transport corridors which are being transformed by investment, and around strategic centres

2.3 Improve housing choice to suit different needs and lifestyles

- Require local housing strategies to plan for a range of housing types

West Central Subregion

- Accelerate housing supply, choice and affordability and build great places to live
- Provide capacity for additional mixed use development in Parramatta CBD and surrounding precincts including offices and retail in Parramatta CBD, arts and culture in Parramatta and housing in all precincts

The planning proposal will enable the development of residential dwellings and non-residential uses that will contribute towards dwelling and employment targets on a site located within the Parramatta City Centre. Approximately 432 units with a range of unit types are proposed to promote housing supply and choice.

The non-residential uses on the site support Council's vision of the growing Parramatta CBD with a commercial core nurtured by mixed use developments on the periphery as stipulated by the zoning maps in PLEP 2011 and the Parramatta CBD Planning Proposal.

The site is located in a transport corridor with Parramatta Railway Station/Bus Interchange located within 300 metres. Further, Jubilee Park is located approximately 200 metres to the east of the site. Although the details of the proposed Western Sydney Light Rail are not finalised, a station is likely to be located within accessible walking distance to the site, potentially along Macquarie Street. The proposal will provide accessible employment and residential uses, supporting the growing transport corridor in which Parramatta is centrally located.

Towards Our Greater Sydney 2056

In November 2016 the Greater Sydney Commission released Towards Our Greater Sydney 2056 (TOGS), a draft amendment to A Plan for Growing Sydney, for public exhibition. TOGS aligns with the district plans, released on the same date. Both TOGS and the district plans were on exhibition until March 2017.

The vision for the future of Sydney as identified in TOGS is for decentralisation with centres supported by public transport. TOGS introduces the concept of three cities; the Eastern City; the Central City; and the Western City. Parramatta CBD is identified as the Central City and further is identified as the anticipated greatest area of growth over the next decade. This planning proposal is in keeping with the vision of TOGS by providing employment and housing opportunities in close proximity to public transport in the Central City.

TOGS identifies the integration of the economy, social needs and the environment to move Sydney forward. The district plans provide further detail as to how a productive Sydney, a liveable Sydney and a sustainable Sydney will be achieved. A response to the relevant district plan is outlined below.

Draft West Central District Plan

The Draft West Central District Plan was released for exhibition by the Greater Sydney Commission from November 2016 to March 2017. The planning proposal post gateway has been updated to respond to the relevant overarching priorities outlined in the District Plan.

- A Productive City

Productivity priorities	Productivity actions
Integrate transport and land use planning	No relevant productivity actions
Prioritise the provision of retail floor space in centres	

The planning proposal will support the continuing development of the Parramatta CBD by providing approximately 7,600sqm of commercial floor space in close proximity to Parramatta Railway Station/Bus Interchange. The site is located amongst existing retail uses and will provide prime retail opportunities at the ground floor. The planning proposal is consistent with the productivity priorities.

- A Liveable City

Liveability priorities	Liveability actions
Deliver West Central's five-year housing target	Identify the opportunities to create the capacity to deliver 20 year strategic housing supply targets Councils to increase housing capacity across the District
Deliver housing diversity	Coordinate infrastructure planning and delivery for growing communities
Facilitate enhanced walking and cycling connections	Facilitate the development of safe and healthy places

The residential component of the site will contribute an estimated 430 units to meet the West Central District's five and 20-year housing targets. The site is located in area ideal for higher density living, with the site within walking distance to public transport, retail and commercial areas, park and recreation facilities, schools and other community facilities.

The planning proposal is accompanied by a Voluntary Planning Agreement that may facilitate the delivery of a pedestrian bridge over Great Western Highway which will improve the walkability of the area and contribute financially to the delivery of community infrastructure. The Voluntary Planning Agreement will be exhibited alongside the planning proposal.

The planning proposal is consistent with the liveability priorities and actions.

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

The following strategic planning documents are relevant to the planning proposal.

Parramatta 2038 Community Strategic Plan

Parramatta 2038 is a long term Community Strategic Plan for the City of Parramatta and links to the long-term future of Sydney. The plan formalises several big and transformational ideas for the City and the region. Of relevance is the growth of Parramatta CBD.

Parramatta CBD Planning Proposal

The Parramatta CBD Planning Proposal (CBD PP) was adopted by Council on 11 April 2016. The CBD PP is the outcome of detailed technical studies which reviewed the current planning framework. The CBD PP sets controls responding to the vision for the growth of the Parramatta CBD as Australia's next great city. The CBD PP identifies a need for significant growth in the Parramatta City Centre to which this planning proposal responds.

The CBD PP proposes that a potential increase in height and FSR can be sought for sites within the Parramatta CBD subject to the provision of community infrastructure. The CBD PP allows no height limit, a maximum 10:1 FSR and of that FSR 1:1 is to be commercial

floor space to apply to the majority of sites within the area to which the planning proposal applies.

Height

The CBD PP proposes that no maximum height limit (incentive height) apply to the majority of land within the CBD subject to the delivery of community infrastructure. The height of buildings will be determined by the design excellence process, FSR and aviation limitations. Despite this, the Council endorsed position in relation to this site is that a maximum building height be determined through the provision of an amended reference design. As a result, a maximum height of 180m is proposed for the site.

Floor Space Ratio (FSR)

Under the CBD PP the majority of sites in the CBD are identified on the new Incentive Floor Space Ratio Map as 10:1. The planning proposal has been amended to apply an FSR of 10:1 (11.5:1 including design excellence), and of that FSR 1:1 non-residential floor space be provided consistent with the CBD PP, Council's most recently endorsed position.

Commercial floor space

A local clause is proposed in the CBD PP that requires a minimum 1:1 FSR of commercial floor space to be provided as part of a mixed use development on certain sites zoned B4 Mixed Use. The policy objective of this control is to contribute employment generating floor space consistent with Parramatta's role as a key employment centre in western Sydney. The current market conditions have seen the majority of B4 zoned sites obtain approvals for and be developed for almost entirely residential purposes with nominal ground floor retail uses.

As the CBD PP has yet to receive a Gateway Determination, a site specific clause has been included in this planning proposal to ensure a minimum 1:1 commercial floor space is realised in accordance with Council's resolved position.

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

The following State Environmental Planning Policies (SEPPs) are of relevance to the site (refer to Table 1 below).

Table 1 – Comparison of planning proposals with relevant SEPPs

State Environmental Planning Policies (SEPPs)	Consistent: Yes - ✓ No - ✗ or N/A	Comment
SEPP No 1 Development Standards	N/A	This SEPP is not applicable to the subject land under Clause 1.9 of the Parramatta LEP 2011.
SEPP 4 – Development Without Consent and Miscellaneous Exempt and Complying Development	N/A	This SEPP is not applicable to the subject land under Clause 1.9 of the Parramatta LEP 2011.
SEPP 6 – Number of Storeys in a Building	N/A	Standard instrument definitions apply.
SEPP No 55 Remediation of Land	✓	Due to the long established use of the site as a motor show room and auto repairs centre, any future change to land uses on the site will require a contamination assessment. land contamination is a matter for consideration as part of this planning proposal. As the zoning of

		the land is not changing, this can be a matter of consideration at the DA stage.
SEPP 60 – Exempt and Complying Development	N/A	This SEPP is not applicable to the subject land under Clause 1.9 of the Parramatta LEP 2011.
SEPP 64 – Advertising and Signage	N/A	Not relevant to proposed amendment. May be relevant to future DAs.
SEPP No 65 Design Quality of Residential Flat Development	✓	The built form presented in the revised urban design report at an FSR of 10:1 demonstrates compliance with the ADG is achievable. As part of the Design Excellence process compliance with the ADG requirements will be required in the future DA approval.
SEPP No.70 Affordable Housing (Revised Schemes)	N/A	Not relevant to proposed amendment.
SEPP (Affordable Rental Housing) 2009	N/A	Not relevant to proposed amendment.
SEPP (BASIX) 2004	✓	Detailed compliance with SEPP (BASIX) will be demonstrated at the time of making a development application for the site facilitated by this Planning Proposal.
SEPP (Exempt and Complying Development Codes) 2008	✓	May apply to future development of the site.
SEPP (Infrastructure) 2007	✓	May apply to future development of the site.
Sydney Regional Environmental Plan No 18–Public Transport Corridors	N/A	This SEPP is not applicable to the subject land under Clause 1.9 of the Parramatta LEP 2011.
Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005	N/A	The proposed development is not located directly on the Sydney Harbour Catchment foreshore. Any potential impacts as a result of development on the site, such as storm water runoff, will be considered and addressed appropriately at DA stage.
SEPP (Urban Renewal) 2010	✓	The Planning Proposal will stimulate renewal within the nominated precinct of Granville and will contribute to the employment and job targets for the area.

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

In accordance with Clause 117(2) of the *EP&A Act 1979* 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:

- Employment and resources
- Environment and heritage
- Housing, infrastructure and urban development
- Hazard and risk
- Regional planning
- Local plan making
- Metropolitan planning

The following directions are considered relevant to the subject Planning Proposal.

Table 2 – Comparison of planning proposals with relevant Section 117 Directions

Section	Comment	Compliance
1. Employment and Resources		
Direction 1.1 – Business and Industrial Zones	The planning proposal will maintain the existing zone which allows for a mix of residential and non-residential uses. The proposal will support the mixed use character of the area and the nearby commercial core, by providing commercial uses and increasing the residential population delivering homes close to employment.	Yes
2. Environment and Heritage		
2.3 – Heritage Conservation	<p>The subject site is located in an archaeologically significant locality. It is categorised as possessing local archaeological significance and moderate archaeological research potential. The site is identified as Parramatta Archaeological Management Unit 3060 on the State Heritage Inventory. The site has potential structural and other archaeological remains associated with the occupation of these allotments since 1844.</p> <p>The New South Wales Office of Environment and Heritage (NSW OEH) are the consent authority for the disturbance of grounds for State significant archaeological sites. OEH will be notified during the exhibition, with any recommendations to be considered post-exhibition. Any site specific requirements identified by OEH can be implemented via the DCP and addressed at the DA stage.</p>	Yes
3. Housing, Infrastructure and Urban Development		
Direction 3.1 - Residential Zones	The planning proposal is consistent with the objectives of this direction as it will increase residential densities and housing choice in a location that is close to public transport, shops, employment and recreational opportunities.	Yes
Direction 3.4 - Integrating Land Use and Transport	Increasing the density of development within the walking catchment of transport nodes, namely the proposed light rail service as well as the Parramatta Railway Station and Bus Terminal will support the viability of existing and proposed public transport services and reduce dependence on cars.	Yes
Direction 3.5 – Development near Licensed Aerodromes	<p>Bankstown Airport is subject to the federal Airports Act 1996 and the Airports (Protection of Airspace) Regulations 1996. Airspace above the Parramatta CBD is affected by operational requirements for this airport. A building that penetrates the Obstacle Limitation Surface (OLS) requires approval under that legislation, via the Commonwealth Department of Infrastructure and Regional Development. A preliminary Aeronautical Assessment is included at Attachment 3.</p> <p>In accordance with the Department of Planning an Environment's gateway determination consultation with the Department of Infrastructure and Regional Development was undertaken prior to exhibition of the planning proposal. No issues were raised. Consultation with the Civil Aviation Safety Authority and the Department of Infrastructure and Regional Development (as per their request) will occur as part of the public exhibition of the planning proposal.</p> <p>Appendix 4 was prepared for a scheme that resulted in a 227m AHD on the site, with the assessment finding that the proposed building and any cranes used during construction would not pose an unacceptable risk to aviation safety provided appropriate risk mitigations are implemented. Given the</p>	Yes

	<p>amended reference design has subsequently reduced the maximum building height to 180m/203.22AHD it is expected that the impacts would be reduced accordingly.</p> <p>The relevant agencies will be notified of the public exhibition and any recommendations received will be considered in the post-exhibition assessment.</p>	
4. Hazard and Risk		
Direction 4.1 - Acid Sulfate Soils	With the exception of several small blocks, the majority of Parramatta City Centre (including the site) is affected by Class 4 or Class 5 Acid Sulfate soils. Despite this constraint, Parramatta has accommodated medium to high density development throughout the CBD. This application for a planning proposal acknowledges that the site is affected by Class 5 Acid Sulfate Soils. An Acid Sulfate Soils Management Plan will be required to support any future DA in accordance with the existing provisions of PLEP 2011.	Yes
Direction 4.3 - Flood Prone Land	The site is not flood prone and as such, the Direction does not apply.	Yes
6. Local Plan Making		
Direction 6.1 - Approval and Referral Requirements	The Planning Proposal does not introduce any provisions that require any additional concurrence, consultation or referral.	Yes

<p>Direction 6.3 - Site Specific Provisions</p>	<p>This planning proposal proposes the addition of a site specific provision to be applied to the site that would:</p> <ul style="list-style-type: none"> i. Require 1:1 of gross floor area to be provided on the site for non-residential uses, with additional non-residential floor space not counted as FSR; and ii. Apply maximum parking rates to the site consistent with the resolution of Council on 10 April 2017, and as endorsed DPE in the amending Gateway Determination of 7 August 2017. Refer to Appendix 3 for an example of a potential draft site specific provision <p>To further encourage non-residential development in the B4 zone the CBD PP proposes any commercial floor space in addition to the required 1:1 will not be included in the calculation of FSR for the site.</p> <p>The Urban Design Report as originally submitted demonstrated a design option that included minimal commercial floor space. A site specific clause ensures a minimum 1:1 commercial floor space is realised in accordance with Council's latest position, as outlined in the CBD PP.</p> <p>In relation to the maximum parking rates provision, a site specific provision would ensure that should the redevelopment of the site under the proposed controls commence prior to the gazettal of the CBD PP the maximum parking rates as endorsed by Council on 10 April 2017 will be consistent with the future CBD controls.</p> <p>This site specific condition also responds to amending Gateway Determination issued by the Department on 7 August 2017 (and as amended on 8 September 2017 to rectify a typographical error), which requires the car parking rates on the site to be in accordance with the Parramatta CBD Strategic Transport Study.</p> <p>This planning proposal is consistent with this Direction.</p>	<p>Yes</p>
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3.3 Section C – Environmental, social and economic impact

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

3.3.1 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 site is located within a highly modified urban environment and it is very unlikely to contain critical habitat or threatened species, populations or ecological communities, or their habitats.

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

The main potential environmental impacts to be examined in detail with any future development proposal for the site are:

- Heritage impacts
- Urban Design and Built Form
- Transport and Accessibility Assessment
- Acid Sulfate Soils – addressed in ‘Hazard and Risk - 4.1 Acid sulphate Soils’, Section B3.2

Heritage

The subject site does not contain a heritage item listed under PLEP 2011 and does not adjoin any items of heritage significance.

Urban Design

The planning proposal is accompanied by a revised reference design prepared by Bates Smart and is included at Appendix 1. The design reflects Council’s resolution demonstrating an FSR of 11.5:1 (including design excellence) and ADG compliance. The study includes descriptions and plans of the site, an overview of the existing planning controls and an analysis of the site context.

The proposed development concept includes:

- A 55 storey (180m) tower
- 432 residential units contained in the tower element of the building
- 3,306m² of commercial floor space contained within the 4 storey podium
- 5 levels of basement car parking

Cross ventilation

Natural cross ventilation is achieved by apartments having more than one aspect with direct exposure to the prevailing winds, or windows located in significantly different pressure regions, rather than relying on purely wind driven air. If not well considered, FSR and floor plan can impede in achieving natural cross ventilation compliance. The ADG requires at least 60% of apartments to have natural cross ventilation in the first nine storeys of the building.

In keeping with Council’s resolution, the revised urban design reference scheme was submitted with the intent of demonstrating compliance with the ADG relating to natural cross ventilation.

Figure 3 below presented a design response that the applicant contended demonstrated compliance with the natural cross ventilation requirements of the ADG. In assessing the revised urban design study, Council’s urban design officers did not consider the apartment outlined in yellow to achieve natural cross ventilation, and as such the plan did not comply with the ADG control requiring 60% of apartments to have natural cross ventilation. Council believes through further design modifications to the floor plan and layout that compliance can be achieved.

As such, it is expected that this issue will be addressed through the Design Excellence and DA process.

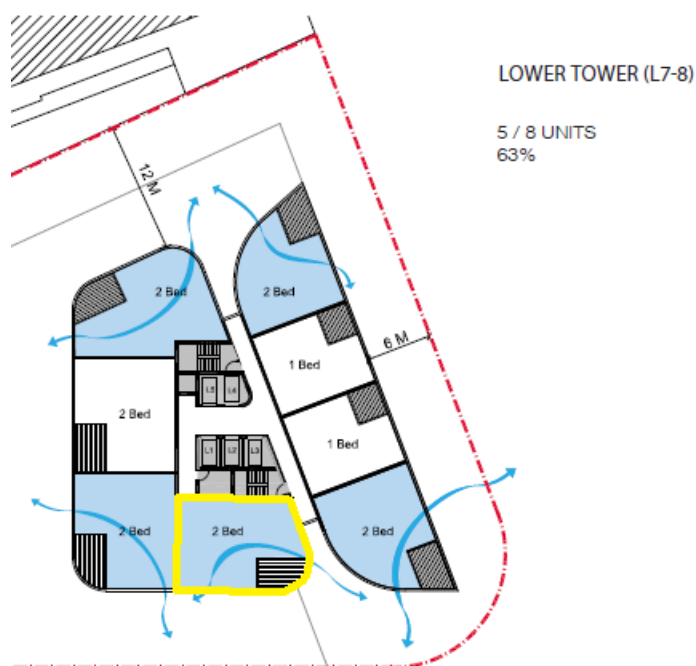


Figure 3: Revised floor plan demonstrating natural cross ventilation

Site isolation

As part of the assessment process concerns were raised regarding the isolation and potential sterilisation of No 8 Great Western Highway (Figure 4, site coloured red). The area of 8 Great Western Highway is approximately 570m². Opportunities for No 8 Great Western Highway to amalgamate are limited, as all other adjoining properties currently contain residential flat buildings or mixed use buildings that have been strata titled. These properties will likely increase in density in the long term but in the short term amalgamation with 87 Church Street and 6 Great Western Highway is a key opportunity to avoid site isolation.

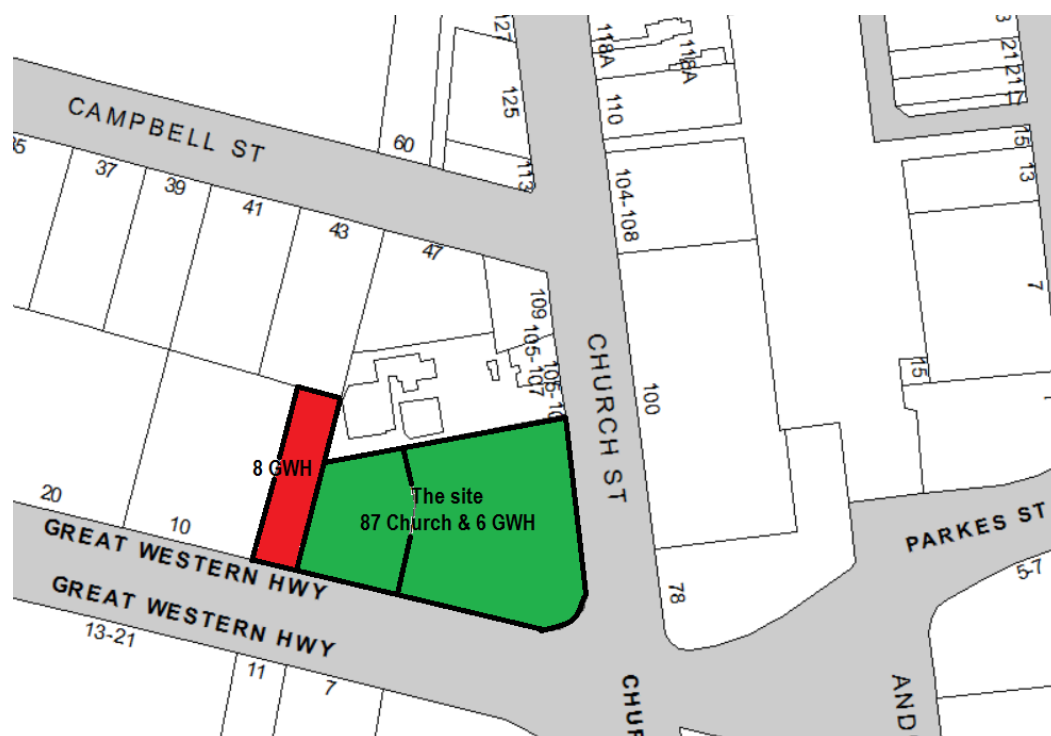


Figure 4: Location map 8 Great Western Highway

The owners of 8 Great Western Highway and 87 Church Street & 6 Great Western Highway have both expressed interest in amalgamating. Representatives of No 8 Great Western Highway have written to Council asking that consideration be given to including their site in the current site specific planning proposal. Currently no commercially satisfactory arrangement has been reached between the owners. Documentation has been provided indicating correspondence between the owners over a period of time and it appears genuine endeavours have been made to acquire the site for inclusion in this site specific planning proposal however no agreement has been reached.

The height and FSR of No 8 Great Western Highway will likely be modified in the future as informed by the Parramatta CBD Planning Proposal but will not be able to be significantly re-developed on its own due to its relatively small site area and narrow width. The site will have the option of amalgamating at the development application stage and the owners will be encouraged to continue to explore this option. The Land and Environment Court has established principles that need to be satisfied in consideration of applications that may limit the future optimal development of neighbouring sites and these would need to be satisfied in any future development application process.

Transport and Accessibility

Of relevance to this proposal is Council's recent resolution on 10 April 2017 to endorse the Strategic Transport Study, which is a key supporting document for the CBD Planning Proposal; and the amended Gateway Determination by DPE of 7 August 2017, which required this planning proposal to adopt car parking rates in accordance with the Parramatta CBD Strategic Transport Study prior to community exhibition.

In relation to the Council resolution, resolutions (b) and (c) below are of particular relevance to the site:

- “(b) ***That Council endorses the action recommended by the Parramatta CBD Strategic Transport Study to reduce maximum car parking rates to levels***

currently used by City of Sydney CBD and that the Parramatta CBD Planning Proposal be amended to reflect this prior to public exhibition.

- (c) **That** Council applies the recommended parking rates proposed in this report to existing site-specific Planning Proposals and Design Competitions within the Parramatta CBD as a provision applicable to each proposal or competition to ensure future development will be consistent with the strategic direction to reduce maximum car parking rates. (N.B. Only those site-specific planning proposals which are imminent to finalisation (gazettal), that is they have been endorsed by the Council to proceed to finalisation following public exhibition, will be exempt from this provision)."

Recommendation (c) above is to be applied through a site-specific clause to be included within Parramatta LEP 2011 (refer to Appendix 3). This will apply the following parking rates to the site:

Residential development

Type of Apartment	Spaces/unit
3-bedroom	1 space/unit
2-bedroom	0.7 spaces/unit
1-bedroom	0.3 spaces/unit
Studio	0.1 spaces/unit

Commercial development (If the FSR > 3.5:1)

$$M = (G * A) / (50 * T)$$

where:

M = maximum number of parking spaces;

G = GFA of all office/business premises in the building (m²);

A = Site Area (m²);

T = Total GFA of all buildings on the site (m²)

The current reference design indicates a total of 432 apartments; the unit mix and resulting maximum residential parking spaces under the Council-resolved rates are described in the table below.

Residential component

Type of Apartment	Spaces/unit	Units indicated in design	Total
3-bedroom	1 space/unit	43	43
2-bedroom	0.7 spaces/unit	172	120
1-bedroom	0.3 spaces/unit	172	52
Studio	0.1 spaces/unit	43	4
TOTAL			219

The current reference design indicates 3,306m² of commercial floor space. Applying the above formula to the current reference design yields a maximum of 6 car parking spaces for the commercial floor space, as follows:

$$M = (G * A) / (50 * T)$$

$$M = (3,306 * 3,306) / (50 * 38,024)$$

$$M = 10,929,636 / 1,901,200$$

$$M = 5.74 \text{ (round to 6)}$$

The total number of 225 car parking spaces indicated above is far less than the (approximately) 562 spaces indicated on the reference design. It is recommended that a site-specific clause can ensure compliance with the above maximum parking rates, as previously resolved by Council. Council's traffic and transport team have concurred with this approach, advising that this Planning Proposal should assume a parking rate that is consistent with the rate in the CBD Planning Proposal resolved by Council in April 2017.

Please note: the above estimated maximum car parking rates apply to the current reference design, and would likely be altered during subsequent design competition and development application processes. However, the numbers above can be taken as an indication of the scale of the quantum of car parking that would be expected to result at this site. Determining the final number of approved car parking spaces is a matter for the development application stage.

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

There is adequate justification for this planning proposal, which will facilitate an increase in density of housing and employment.

The commercial components of the development will contribute to the creation of employment in Parramatta CBD. The dominant residential use will deliver a range of housing options located in close proximity to public transport, employment and community facilities.

3.4 Section D – State and Commonwealth Interests

3.4.1 Is there adequate public infrastructure for the planning proposal?

The site is located in a transport corridor with Parramatta Railway Station/Bus Interchange located within 300m. Additionally, Jubilee Park is located approximately 200m to the east. Although the details of the proposed Light Rail service are not fixed, the stations are likely to be located within close proximity to the site, along Macquarie Street or in Parramatta Square.

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

At a height of 180m/203.22AHD, the proposed form penetrates the Bankstown Aerodrome Obstacle Limitation Surface (OLS) which is at 156AHD. As the Sydney Airport Radar Terrain Clearance Chart surface at the Parramatta CBD is at 243m AHD, the height sought in the revised planning proposal does not breach this limit.

In accordance with the Department of Planning and Environment's gateway determination of 12 September 2016, consultation with the Department of Infrastructure and Regional Development (DIRD) was undertaken prior to exhibition of the planning proposal. In response, DIRD advised that under the *Airports (Protection of Airspace) Regulations 1996* any approval for future development will be subject to advice from the Civil Aviation Safety Authority, AirServices Australia and the relevant airports. At the public exhibition stage, DIRD requested that Council notify the relevant airport, in this case Bankstown Aerodrome.

As per this request, Bankstown Aerodrome and the Aviation and Airports Division of DIRD will be notified of the public exhibition.

PART 4 – MAPPING

This section contains the mapping for this planning proposal in accordance with the DP&E's guidelines on LEPs and Planning Proposals.

4.1 Existing controls

This section contains map extracts from *PLEP 2011* which illustrate the current controls applying to the site.

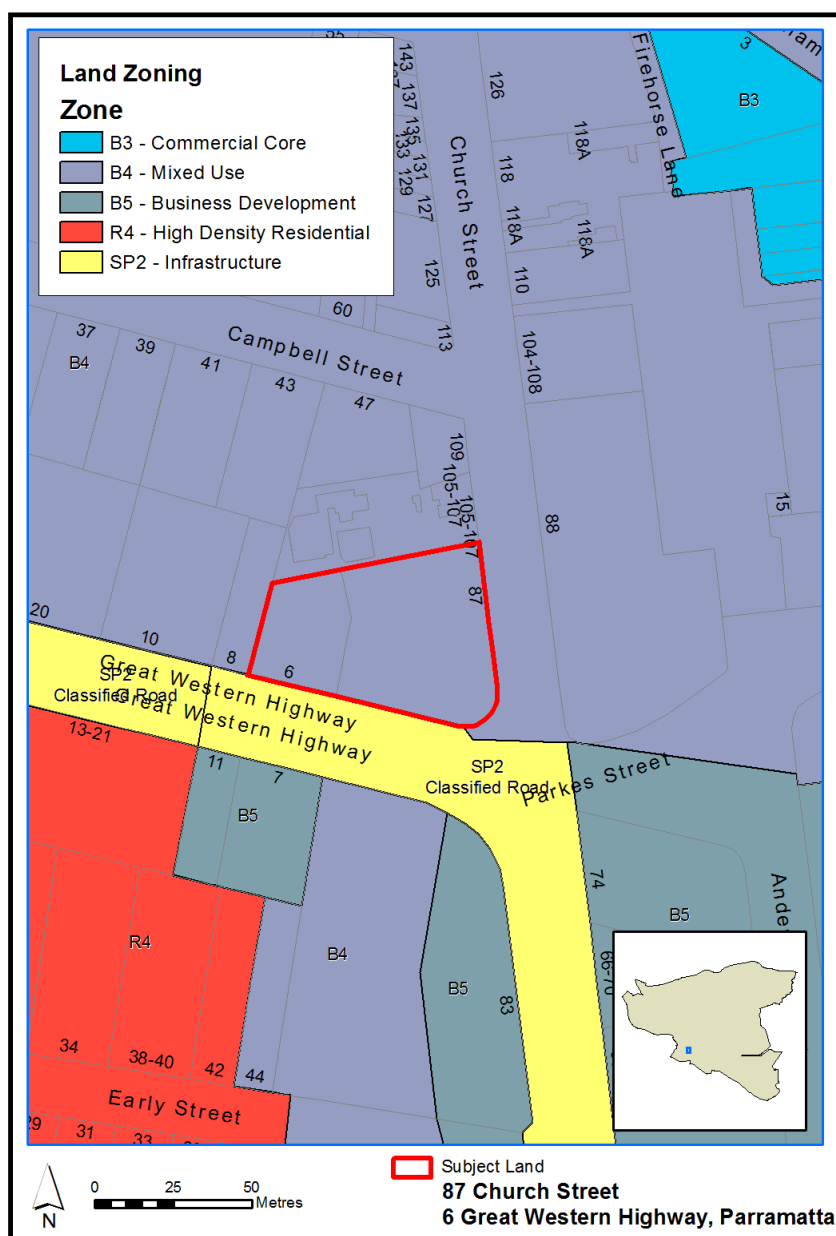


Figure 5 Existing zoning extracted from the *PLEP 2011* Land Zoning Maps

Figure 5 above illustrates the existing B4 Mixed Use zone over the site. There is no proposed change to the zone.

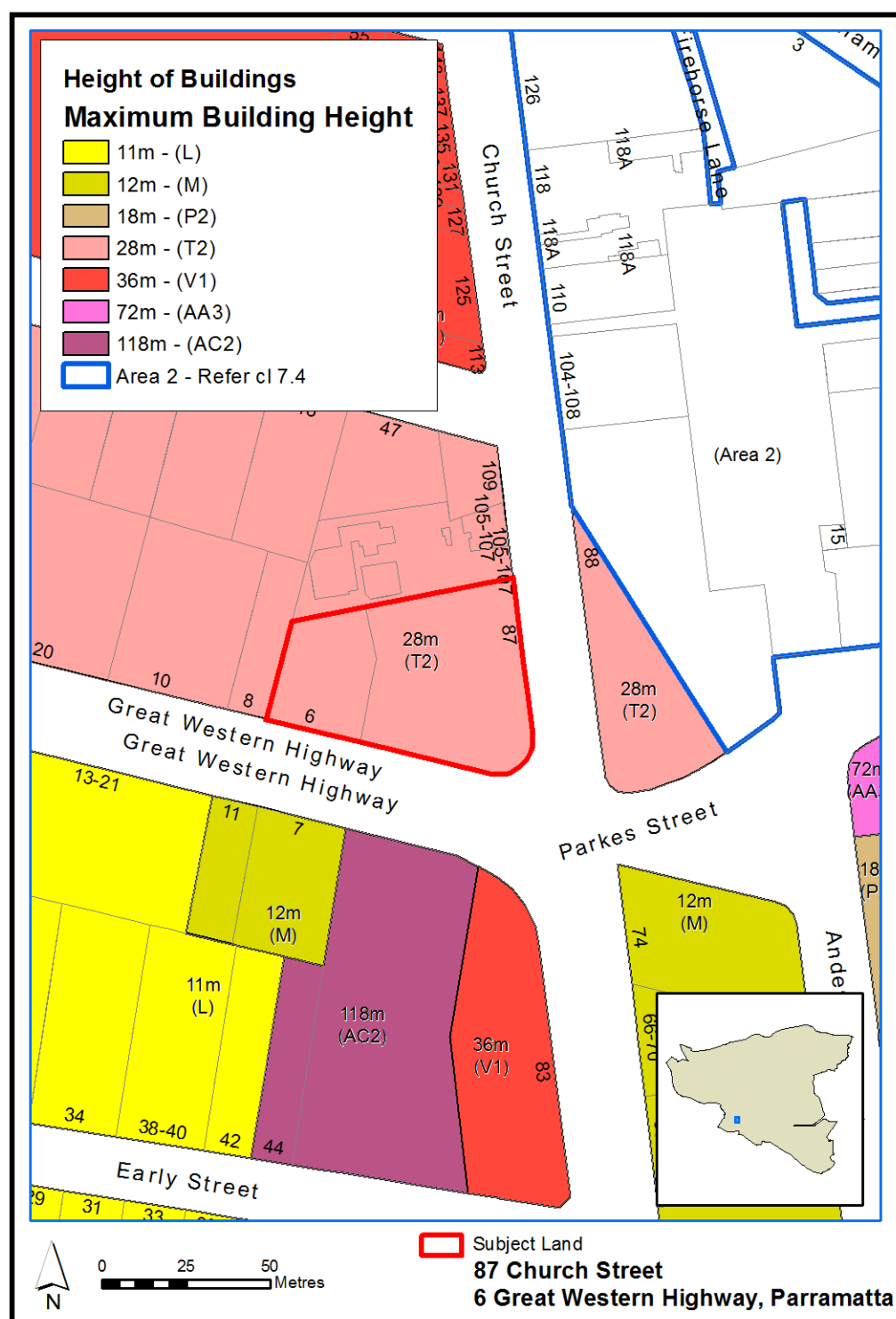


Figure 6 – Existing building heights extracted from the *PLEP 2011* Height of Buildings Maps

Figure 6 above illustrates the existing 28 metre height restriction which applies to the site.

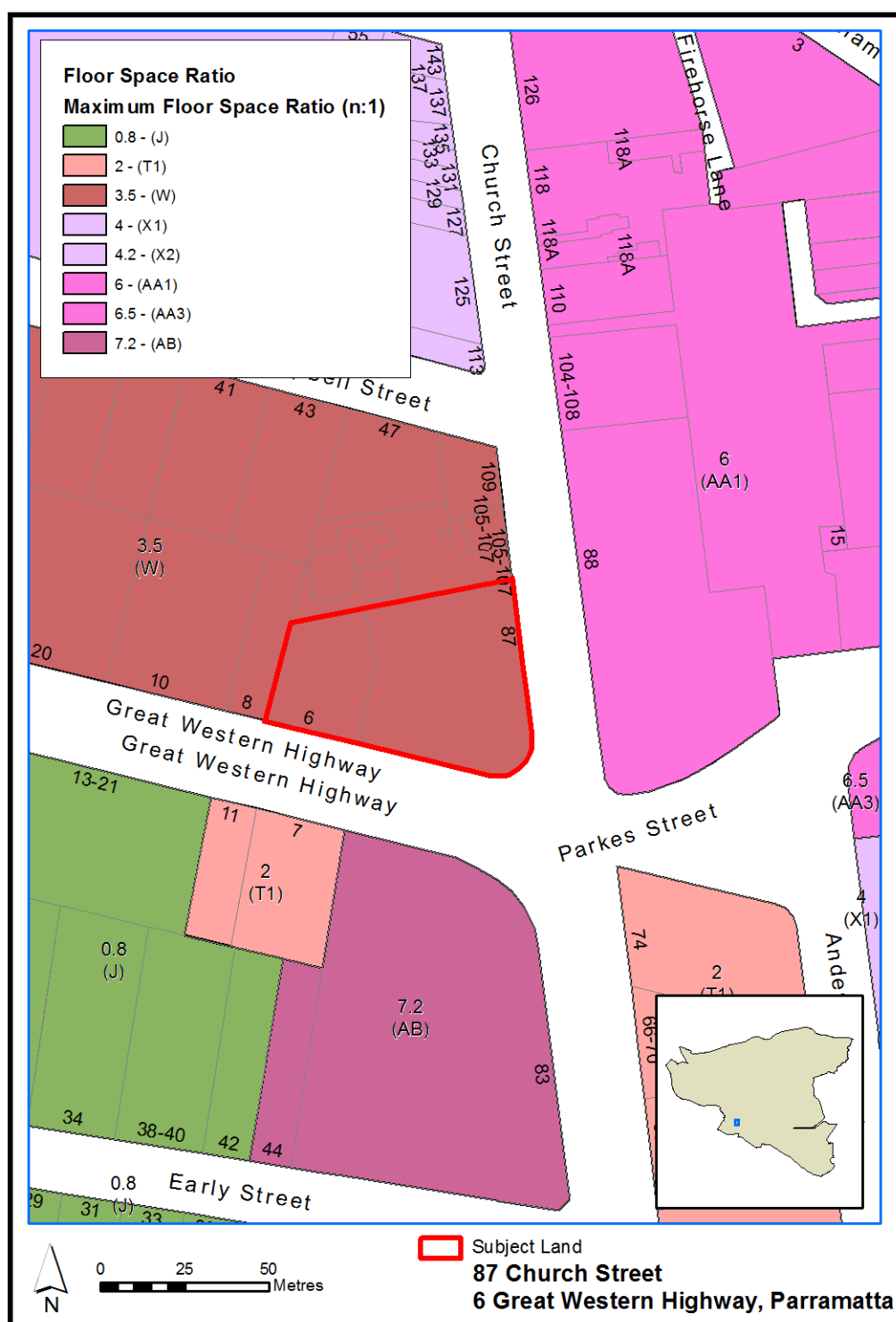


Figure 7 – Existing floor space ratio extracted from the PLEP 2011 Floor Space Ratio Map

Figure 7 above illustrates the existing FSR of 3.5:1 which applies to the site.

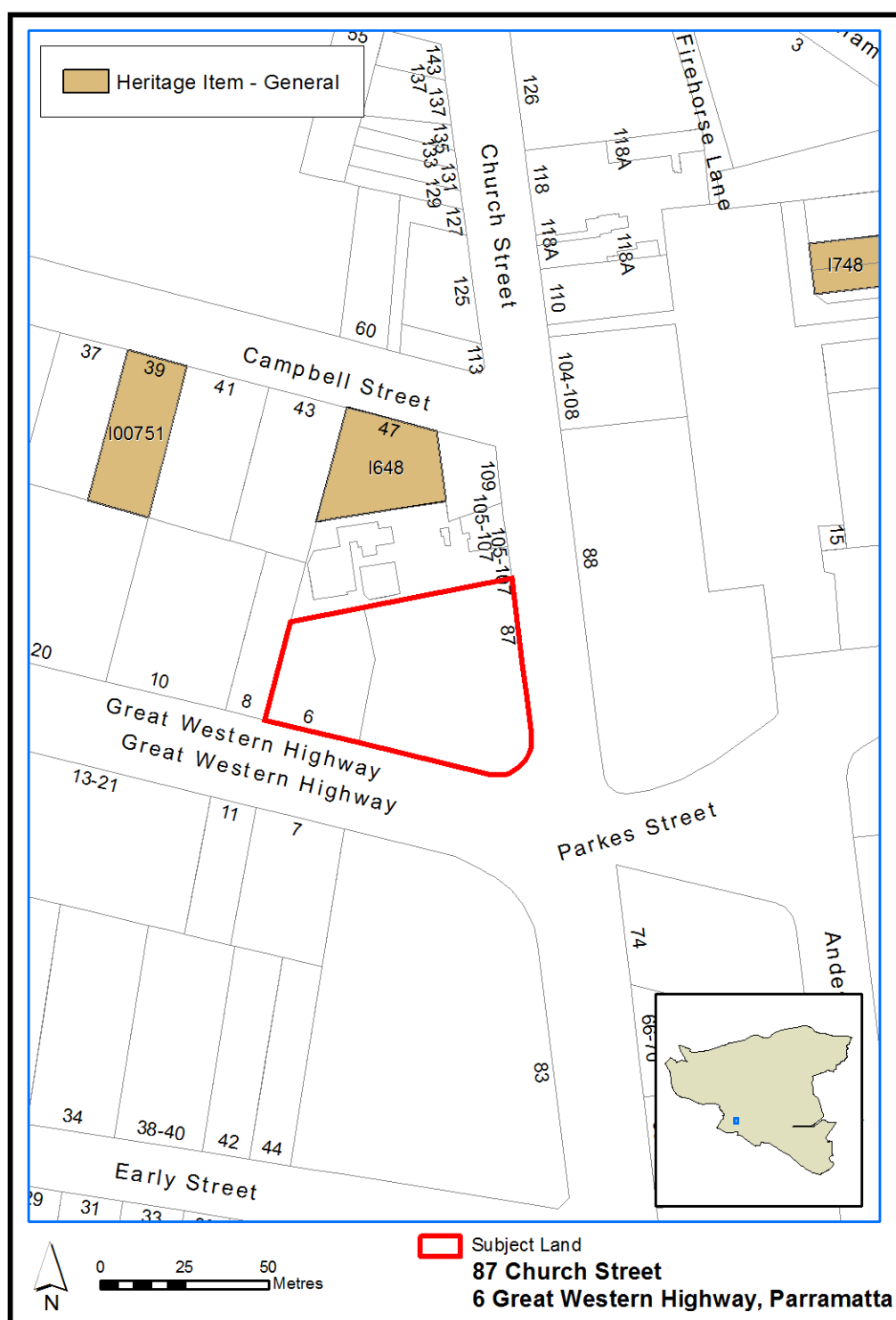


Figure 8 – Existing heritage items extracted from the *PLEP 2011* Heritage Maps

Figure 8 above illustrates the heritage items in the locality.

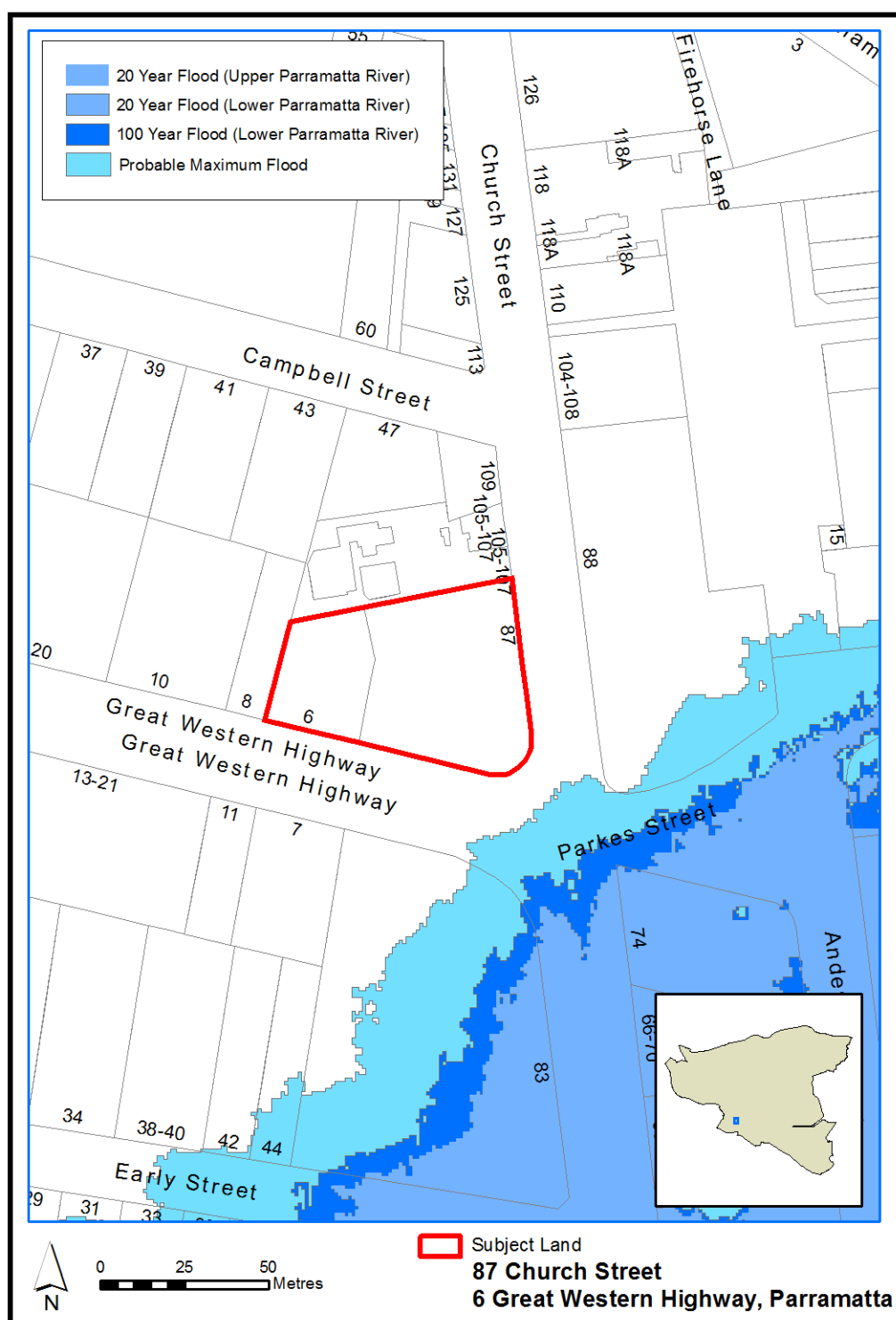


Figure 9 – Existing flooding extant extracted from the PLEP 2011 Flooding Maps

Figure 9 above illustrates the site is not affected by flooding constraints.

4.2 Proposed controls

The figures in this section (Figures 10 and 11) illustrate the proposed building height and floor space ratio controls sought by this planning proposal.

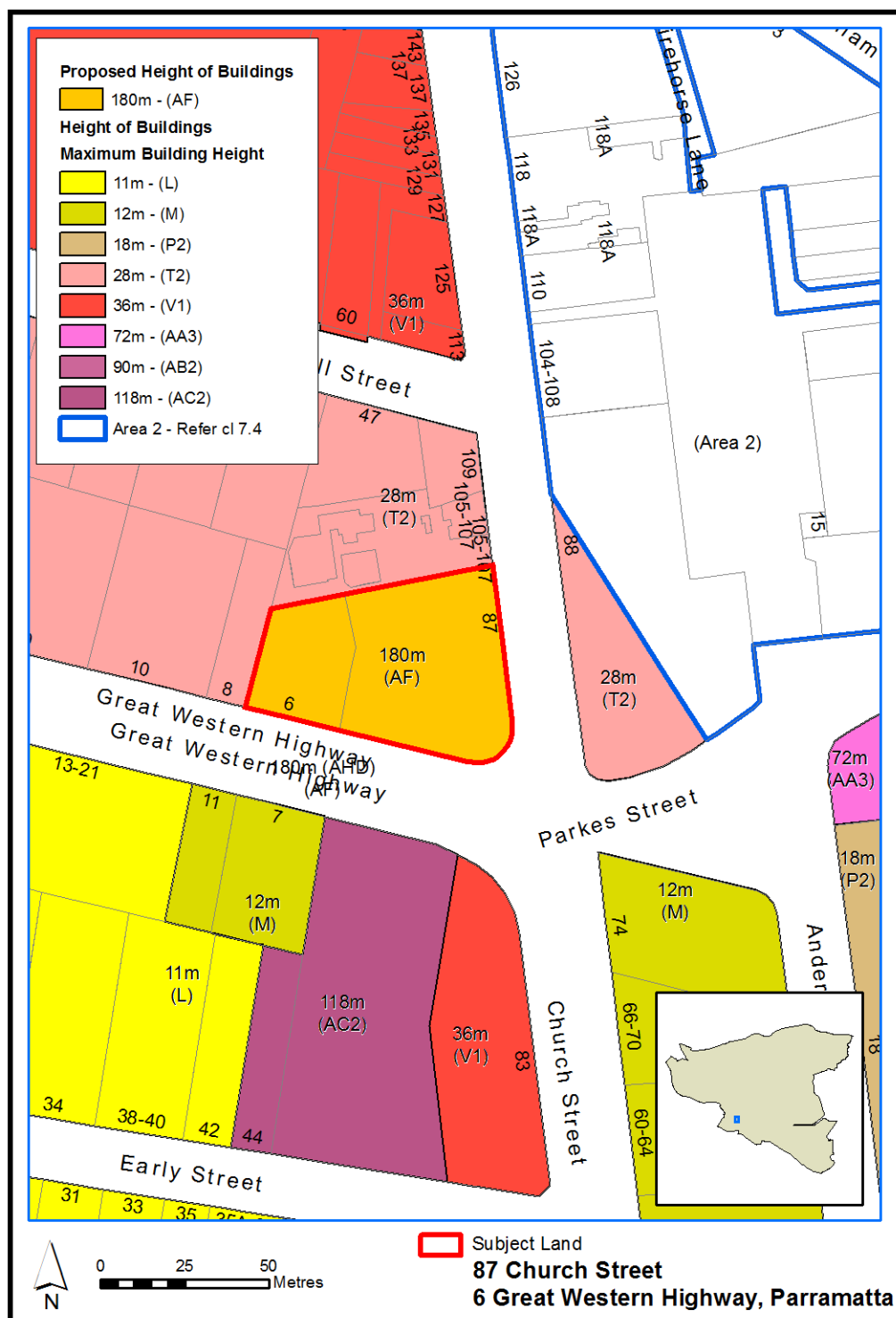


Figure 10 – Proposed amendment to the PLEP 2011 Height of Building Map
 Figure 10 above illustrates the proposed 180m maximum building height.

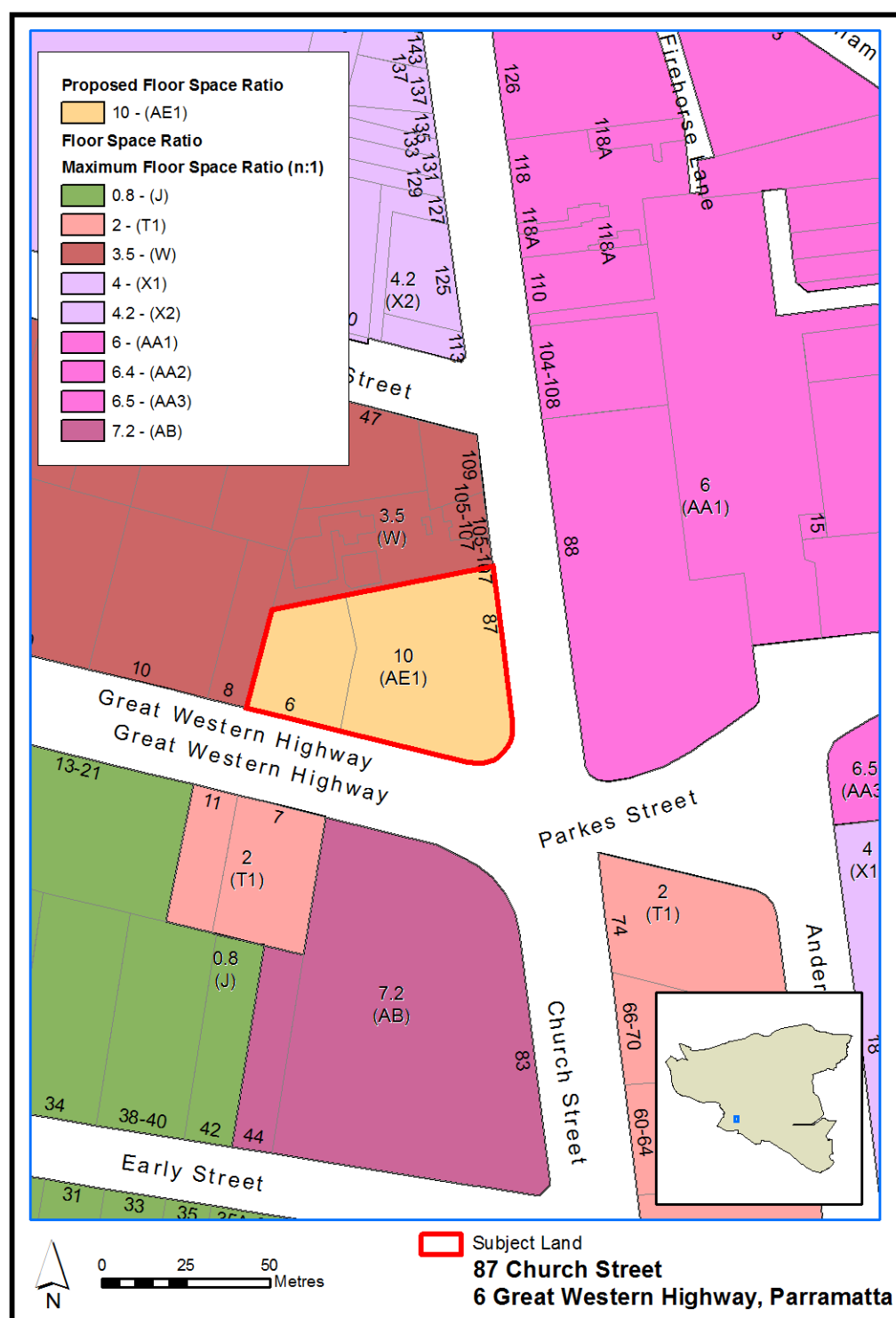


Figure 11 – Proposed amendment to the *PLEP* 2011 Floor Space Ratio Map

Figure 11 above illustrates the proposed 10:1 FSR over the site. This excludes the additional 15% of GFA achieved through the design excellence clause and additional 0.5:1 through the high performance building provision that can be applied at the development application stage.

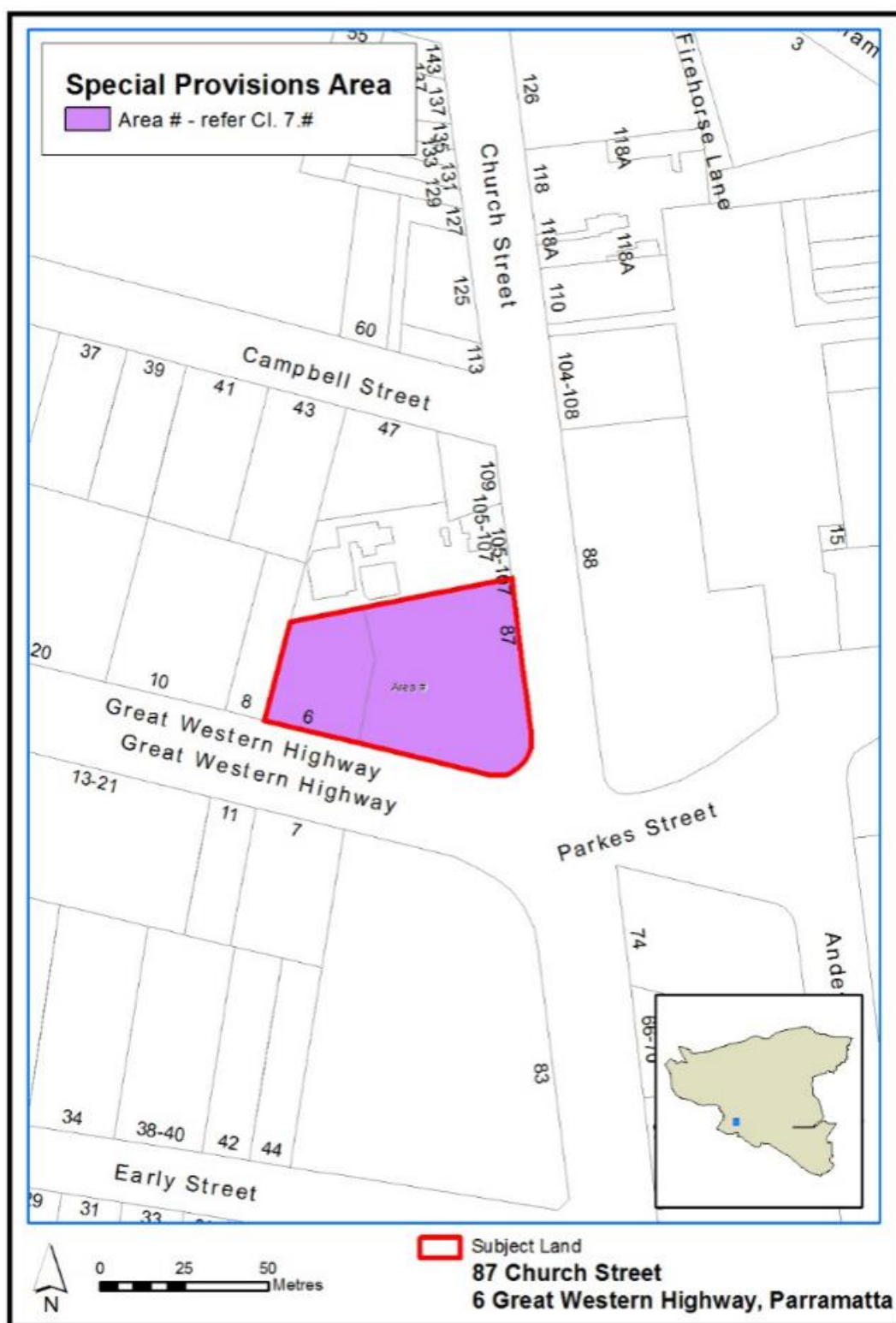


Figure 12 – Proposed amendment to the *PLEP 2011* Special Provisions Map

Figure 12 above illustrates the proposed addition of “Area #” to the Special Provisions Map, to which a new site specific “Clause 7.#”¹ will apply.

¹ The Clause number will be determined prior to the gazettal of the amendment to *PLEP 2011*.

PART 5 – COMMUNITY CONSULTATION

In accordance with Section 57(2) of the *EP&A Act 1979*, the Director-General of Planning must approve the form of the planning proposal, as revised to comply with the gateway determination, before community consultation is undertaken.

Public exhibition is likely to include:

- newspaper advertisement;
- display on the Council's web-site; and
- written notification to adjoining landowners.

The gateway determination will specify the level of public consultation that must be undertaken in relation to the planning proposal including those with government agencies.

Pursuant to Section 57(8) of the *EP&A Act 1979* the Responsible Planning Authority must consider any submissions made concerning the proposed instrument and the report of any public hearing.

PART 6 – PROJECT TIMELINE

The detail around the project timeline is expected to be prepared following the referral to the Minister for a Gateway Determination.

The following steps are anticipated:

- Referral to Minister for a Gateway determination (July 2016)
- Commencement and completion dates for public exhibition period and government agency notification (October 2017)
- Consideration of submissions (November 2017)
- Consideration of proposal post exhibition and reporting to Council (December 2017)
- Submission to the Department to finalise the LEP (January 2018)
- Notification of instrument (April 2018)

Appendix 1 – Revised Reference Design

Refer to separate attachment or contact Council's Project Officer, Joshua Coy on 9806 5287.

Appendix 2 – Gateway Determinations

Refer to separate attachment or contact Council's Project Officer, Joshua Coy on 9806 5287.

Appendix 3 – Draft Site-specific clause

Potential Draft Clause to be included in the Parramatta LEP.

Note: The clause is draft only to demonstrate the intent of the clause and may be amended post-exhibition as part of the legal drafting process and prior to this amendment coming into force.

Clause 7.# Development on land at 87 Church Street and 6 Great Western Highway, Parramatta

- (1) This clause applies to land at 87 Church Street and 6 Great Western Highway, Parramatta, being Lots 1 and 2 of DP 1009227 and identified as “Area #” on the Special Provisions Area map.
- (2) Despite the provisions of Clause 7.2 [and clauses 4.4, 4.5 and 7.10(5)], the consent authority may grant consent to development involving the construction of a new building with a floor space ratio greater than 10:1, only if the development provides commercial floor space with a minimum floor space ratio of 1:1.
- (3) The maximum parking rates for any development proposed under this clause are as follows:
 - a. The maximum parking rates which apply to any part of the building used as a dwelling are:
 - i. For each studio dwelling – 0.1 spaces, and
 - ii. For each 1 bedroom dwelling – 0.3 spaces, and
 - iii. For each 2 bedroom dwelling – 0.7 spaces, and
 - iv. For each 3 or more bedroom dwelling – 1 space.
 - b. The maximum parking rates for any part of a building used for the purposes of commercial or community uses is established by the following formula:

$$M = (G \times A) / (50 \times T)$$

Where:

M is the maximum number of parking spaces,

G is the gross floor area of all commercial and community uses in the building in square metres, and

A is the site area in square metres, and

T is the total gross floor area of all buildings on the site in square metres.

Appendix 4 – Preliminary Aviation Impact Assessment

Refer to separate attachment or contact Council's Project Officer, Joshua Coy on 9806 5287.



Prepared by City of Parramatta

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