

Greater Sydney, Place and Infrastructure

IRF19/6987

Gateway determination report

LGA	City of Parramatta
PPA	City of Parramatta Council
NAME	Proposal to rezone land at 22 Noller Parade, Parramatta for high density residential and increase height and density development standards.
NUMBER	PP_2019_COPAR_016_00
LEP TO BE AMENDED	Parramatta LEP 2011
ADDRESS	22 Noller Parade, Parramatta
DESCRIPTION	Lot 1 DP 35895
RECEIVED	23 October 2019
FILE NO.	IRF19/6987
POLITICAL DONATIONS	There are no donations or gifts to disclose and a political donation disclosure is not required
LOBBYIST CODE OF CONDUCT	There have been no meetings or communications with registered lobbyists with respect to this proposal

1. INTRODUCTION

1.1 Description of planning proposal

The planning proposal seeks to rezone land at 22 Noller Parade, Parramatta from R2 Low Density Residential to R4 High Density residential to allow for redevelopment for a residential flat building. An increase to the maximum permissible height and density is also proposed to facilitate this outcome.

1.2 Site description

The site is a single lot of 908m² at 22 Noller Parade, Parramatta. The site is occupied by a single dwelling and detached garage/studio. The site sits between Noller Parade to the south and the Parramatta River foreshore to the north. Wetlands along the river, from Camellia to Parramatta, are identified as a local heritage item. Albert Street runs along the eastern boundary of the site and provides access to the site before terminating.

Despite the adjoining land being zoned R3 Medium Density Residential, a 4 storey residential flat building adjoins the site to the west and a 3 storey residential flat building to the south which forms part of a local heritage item. To the east is a recent 13 storey mixed use development which includes a restaurant at ground level. An aerial image of the site, bound in red, is shown in **Figure 1**.



Figure 1: Aerial image with subject site bound in red.

The site adjoins the proposed location of the future Alfred Street pedestrian-cycle bridge, shown below in **Figure 2**.



Figure 2: Aerial showing concept design for the Alfred Street Pedestrian-Cycle Bridge.

1.3 Existing planning controls

The site is considered an isolated pocket of R2 Low Density Residential zoned land, adjoined by land zoned R3 Medium Density, RE1 Public Recreation and B4 Mixed Use, as shown in **Figure 3** below. While land to the south-west is also zoned R2 Low Density, the predominant built form surrounding the property is high density residential.



Figure 3: Zoning map with subject site bound in dotted yellow.

The site has a mapped maximum building height of RL 14m and has no mapped maximum floor space ratio (FSR), shown in **Figures 4 and 5** respectively.



Figures 4 and 5: Height of Building and FSR map respectively, site bound in blue.

The site has a mapped minimum lot size requirement of 550m² and adjoins a number of heritage items, shown in **Figure 6**.



Figure 6: Heritage map with site shown bound in red and heritage items shown shaded brown.

1.4 Surrounding area

The site sits to the south of the Parramatta River with public open space accessible along the foreshore as shown in **Figure 7**. High density residential development exists to the north of the river and to the east of the site. Mixed light industrial and bulk goods retailing uses exist along James Ruse Drive.

To the south is a mix of lower density apartments, medium density townhouses and single dwellings, with a cluster of commercial uses at the intersection of Alfred St and George St. Elizabeth Farm, a State heritage item is farther to the south between Alfred and Arthur Streets.

James Ruse Reserve, Robin Thomas Reserve and Hambledon Cottage Reserve which includes Hambledon Cottage, a State heritage item are to the south-west of the site. Parramatta CBD and Parramatta railway station are approximately 1km west of the site.



Figure 7: Aerial map showing surrounding area with site bound in red.

1.5 Summary of recommendation

The planning proposal is recommended to proceed subject to the conditions identified in this report. The proposal will allow for the redevelopment of an isolated site for higher density residential in line with the surrounding sites.

2. PROPOSAL

2.1 Objectives or intended outcomes

The objective of the planning proposal is to facilitate redevelopment of the site for residential flat buildings at a scale that responds to adjoining properties.

2.2 Explanation of provisions

The proposal intends to amend the Land Zoning Map to rezone the site from R2 Low Density Residential to R4 High Density Residential. The proposal also seeks to apply an FSR of 1.5:1 where one was not previously mapped. A maximum height of buildings of 17m (5 storeys) is proposed, an increase from the current maximum of RL 14m.

2.3 Mapping

The proposal would result in an amendment to the following maps:

- LZN – Land Zoning Map;
- FSR – Floor Space Ratio Map; and
- HOB – Height of Buildings Map.

The proposal includes both existing and proposed mapping to clearly demonstrate the intended amendments. The mapping included is considered to be adequate for public exhibition.

3. NEED FOR THE PLANNING PROPOSAL

The zoning of the site is considered an anomaly as it is surrounded by higher density residential uses, of varying scales. While dual occupancies and boarding houses are permitted in the existing R2 Low Density Residential zone, higher density uses such as residential flat buildings and multi dwelling housing are not. The proposal is not the result of a study or strategy, rather it is a landowner initiated request.

To allow for redevelopment for residential flat buildings, this must become a permissible use. While an alternative mechanism of an additional permitted use is discussed in the planning proposal, it concludes that this would facilitate development that is incompatible with the objectives of the R2 zone. Rezoning the land to R4 High Density Residential is considered the best way of achieving the intended outcome.

The need for the proposal is adequately addressed within the planning proposal. The document clearly outlines alternative methods to deliver the outcome and provides suitable justification for the proposed approach.

4. STRATEGIC ASSESSMENT

4.1 Central City District Plan

The Central City District Plan provides a 20-year plan to manage growth in the context of economic, social and environmental matters to achieve the 40-year vision of Greater Sydney. It is a guide for implementing the Greater Sydney Region Plan at a district level and is a bridge between regional and local planning.

The proposal is generally consistent with the Central City District Plan. The proposal will facilitate a high-density residential development that is specifically consistent with the following:

Planning Priority C1 – Planning for a city supported by infrastructure

The site is appropriately located approximately 1km from the Parramatta railway station and is in close proximity to a future stop of the Parramatta Light Rail Stage 1 at Tramway Avenue. Future residents will be well served by public transport and other services within Parramatta CBD.

Priority C1 establishes the concept of completing a growth infrastructure compact for Greater Parramatta to the Olympic Peninsula (GPOP). The GPOP Place-based Infrastructure Compact (PIC) has now been released for community consultation. It provides the staging and sequencing of growth tied to the planning and delivery of supporting infrastructure.

The PIC outlines staging for 26 precincts identified, including Harris Park in which this site is located. The PIC proposes to retain existing uses within Harris Park due to the number of heritage considerations within the precinct, including Elizabeth Farm.

While the proposal would be inconsistent with an intention to maintain status quo, the proposal is minor in nature and seeks to allow for development which is sympathetic and responsive to its context. The proposal retains residential use of this land, albeit at a more intense scale.

The Greater Sydney Commission was consulted in relation to this matter and has no objection to the proposal in relation to the PIC and the Central City District Plan. The GSC noted the scale of the proposed development and the nature of adjoining development in their advice.

Planning Priority C5 – Providing housing supply, choice, and affordability with access to jobs, services and public transport

The proposal will facilitate the redevelopment of the site for residential flat buildings. The site is within walking distance of Parramatta CBD which provides employment opportunities and access to services.

Planning Priority C9 – Delivering integrated land use and transport planning and a 30-minute city

The proposal provides increased development potential in a location which will be served by the Parramatta Light Rail. The site is within a 15-20min walking distance to Parramatta CBD which offers jobs and services.

The Department is satisfied the proposal will give effect to the District Plan, in accordance with section 3.8 of the *Environmental Planning and Assessment Act 1979*.

4.3 Local

Parramatta 2038 Community Strategic Plan

Parramatta 2038 is a long-term Community Strategic Plan for the City of Parramatta and it links to the long-term future Sydney. The plan formalises several transformational ideas for the City and the region. A core direction is to advocate for affordable and diverse housing choices supported by essential services and community facilities. Overall, the planning proposal is considered to meet the strategic objectives in the plan by allowing for an appropriate mix of housing choices close to public transport, education facilities and local shops.

Local Planning Panel

The planning proposal and an assessment report were considered by the City of Parramatta Local Planning Panel on 17 September 2019. The Panel unanimously recommended Council endorse the proposal.

4.4 Section 9.1 Ministerial Directions

Direction 2.3 Heritage Conservation

The site is not identified as a heritage item; however, within the vicinity are a number of local heritage items and the State listed Elizabeth Farm.

The proposal will facilitate redevelopment of the site for a residential flat building which is of a scale that responds to the context. The concept design demonstrates that development can be built in a form which is sympathetic to the adjacent heritage items and will not impact significant view corridors.

Parramatta LEP 2011 and Parramatta DCP 2011 both contain extensive controls and heritage considerations for future development. It is considered that the planning proposal is consistent with the terms of this Direction.

Direction 3.1 Residential Zones

This Direction seeks to encourage housing diversity through the broadening of dwelling types and supply where infrastructure servicing exists. The planning proposal will increase the dwelling capacity of the site from the existing single dwelling to approximately 16 dwellings. The proposal is consistent with the Direction.

Direction 3.4 Integrating Land Use and Transport

Direction 3.4 encourages new development in locations that are accessible to public and active transport. The site is located in close proximity to a future stop of the Parramatta Light Rail Stage 1. The site is also adjoining the future Alfred Street Pedestrian and Cycle Bridge providing direct access to active transport links, reducing the reliance on car trips. The proposal is consistent with the Direction.

Direction 4.1 Acid Sulfate Soils

The site is within an area mapped as Class 4 Acid Sulfate Soils. This Direction therefore applies and requires an acid sulfate soils study to support a planning proposal where intensification is proposed. Parramatta LEP 2011 includes provisions which requires the consideration of acid sulfate soils at the development application stage.

It is considered that while the proposal is inconsistent with the Direction, as no study has been prepared, the inconsistency is of minor significance. Any environmental risk can be appropriately considered and mitigated at the development application stage.

It is recommended that the Secretary's delegate agree that any inconsistency with this direction is of minor significance.

Direction 4.3 Flood Prone Land

The land is identified as being flood prone land and therefore this Direction applies. The Direction seeks to ensure that future uses are in line with the level of flood risk applying to the land. The Direction also requires consideration of the impact of the proposal to flood risk of both the site and off site.

The proposal is affected by the Probable Maximum Flood and is identified as low flood hazard. Parramatta DCP 2011 requires habitable floor levels equal or above the 100 year ARI flood level, plus freeboard. Council notes this is approximately RL 5.6. A concept design submitted with the planning proposal demonstrates that development can be achieved above this level.

Parramatta LEP 2011 and Parramatta DCP 2011 contain controls that address management of flooding and any future development application will need to demonstrate compliance with these controls.

It is recommended that the Secretary's delegate agree that any inconsistency with this direction is of minor significance.

Direction 7.5 Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan

The interim LUIIP seeks to expand on the vision of delivering Greater Parramatta as Sydney's central city.

While the planning proposal is within an area identified for future review, it is not inconsistent with the broad objectives of the LUIIP and contributes to the vision of Parramatta as Sydney's central city. The proposal seeks an increase in density that will result in minimal additional dwellings. Given that the surrounding land has been recently redeveloped, it is unlikely that future redevelopment as an amalgamated site would be possible.

The proposal is considered to be consistent with the Direction.

4.5 State environmental planning policies (SEPPs)

SEPP 65 – Design Quality of Residential Apartment Development

SEPP 65 provides principles to ensure that residential apartments are of high-quality design and maximise amenity both externally and internally for occupants. The SEPP is supported by the Apartment Design Guide which provides further detail on how development can achieve these principles. Any future development application for a residential flat building on the site will need to address SEPP 65 and the ADG.

5. SITE-SPECIFIC ASSESSMENT

5.1 Social

The proposal is generally minor in nature and will likely have no significant social impacts. It is noted that the proposal is supported by a letter of offer to provide a monetary contribution by way of a voluntary planning agreement. This contribution may allow for public domain improvements to support the Alfred St Pedestrian Cycle Bridge.

In facilitating the redevelopment of the site, an opportunity exists to relocate the existing vehicular entry from Alfred Street to Noller Parade. This will allow for the closure of this portion of Alfred Street as this site is the only property requiring it for access. The additional space on Alfred Street may then be used for public open space, building off the existing foreshore open space. Any future development application should address this.

5.2 Environmental

Flood

The proposal notes that the land is within a flood prone area but is subject to low flood hazard. The site is within the probable maximum flood level as shown in Figure 8. Future development would therefore need to address Council's flood controls. Concept plans provided in the planning proposal suggest that development can be constructed above the flood planning level and Council is satisfied that this matter can be addressed at the DA stage.

It is recommended that Council consult with NSW State Emergency Services and Department of Planning, Industry and Environment - Environment, Energy and Science to consider the flood and evacuation risk.



Figure 8: Flood map with site shown bound in red.

Heritage

As noted above, the property is not identified as a heritage item but is in proximity to a number of items of both local and state heritage significance.

The site is within the “Area of National Significance” as identified within the Parramatta DCP 2011. This identification relates to the number of heritage items in the Harris Park area, including state listed items of Elizabeth Farm, Experiment Farm Cottage and Hambledon Cottage, which is also nominated for the National Heritage List.

Parramatta DCP 2011 identifies historic view corridors in the vicinity of the site, notably including those from Elizabeth Farm to key plantings, ridgelines and other items of heritage significance (Figure 9). It is noted that Council’s heritage advisor has raised concerns for the increase in height sought under the planning proposal and the potential impact on these corridors.

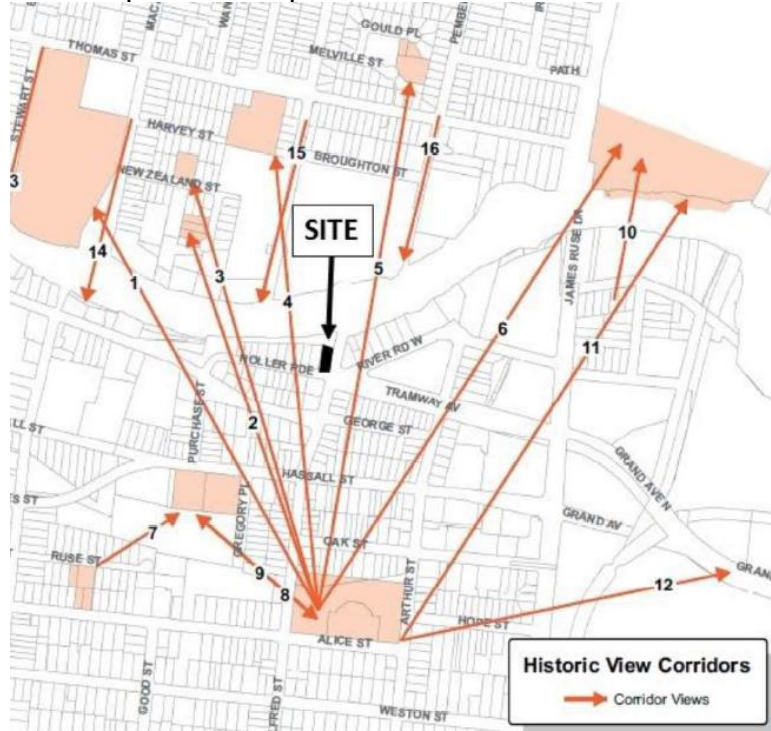


Figure 9: Historic view corridors identified in Parramatta DCP 2011, with site identified in black.

Council contends that significant views will not be impeded by the proposal, and the frame view corridor from Alfred Street to Parramatta River will be retained. It is also noted that development in the surrounding area is generally of a greater scale than that sought under this proposal. Recent development on the northern side of the Parramatta River is generally on a higher ground level, giving the impression of taller buildings, shown in Figure 10.



Figure 10: Photo from Alfred Street, looking north with site highlighted in red.

While it is considered that there is unlikely to be significant impact from the development on heritage items or view corridors, it is recommended that Council consult with the Department of Premier and Cabinet – NSW Heritage.

Urban design

As discussed previously, the property is a single dwelling, with most surrounding development being residential flat buildings of varying scales, shown in Figure 10 above. Figure 11 demonstrates the concept design supporting the planning proposal in the context of the surrounding development. It is considered that the height and density sought provides for an appropriate transition between 13 storey development to the east and the adjoining four storey apartment building to the west.

**EXISTING 13 STOREY
BUILDING
2 RIVER ROAD WEST**

**PROPOSED
DEVELOPMENT
22 NOLLER PARADE**



Figure 11: Concept design supporting the planning proposal showing proposed development and adjoining buildings.

Overshadowing analysis is also provided responding to the proposed concept design. The analysis shows most overshadowing will be to the street, with some early morning shadows on adjacent properties in midwinter. The proposal is considered to be an appropriate response to adjoining development and will have minimal impact on adjoining properties.

5.3 Economic

The proposal allows for minor infill development and is likely to have minimal economic impacts. Redevelopment will result in a provision of a small number of construction jobs. A small increase in local businesses may also result from the proposal.

5.4 Infrastructure

As discussed within this report, the site will be well served by public transport through Stage 1 of the Parramatta Light Rail. The proposal will result in a small increase in dwellings which is unlikely to create demand on essential services beyond existing capacity.

6. CONSULTATION

6.1 Community

Council has not proposed a minimum period for community consultation. A 28 day timeframe is considered appropriate for this proposal. Council has proposed the public exhibition to include a newspaper advertisement, display on Council's website and written notification to adjoining landowners.

6.2 Agencies

Council proposes that consultation with relevant authorities will form part of the consultation requirements and will respond to the Gateway determination conditions.

It is recommended that Council consult with:

- NSW State Emergency Services,
- DPIE – Environment, Energy and Science, and
- Department of Premier and Cabinet – NSW Heritage.

7. TIME FRAME

The proposed timeframe for completing the LEP is seven months from the issuing of the Gateway determination. A nine month timeframe is recommended to allow for some flexibility in the timeline and reflecting Council's intent to negotiate a Voluntary Planning Agreement.

8. LOCAL PLAN-MAKING AUTHORITY

Council has requested to be authorised as local plan-making authority. Given the minor nature of the planning proposal and that it is generally consistent with the surrounding land uses, it is recommended that authorisation be given.

9. CONCLUSION

The planning proposal is recommended to proceed, subject to the conditions identified in this report. The proposal is supported as:

- it will allow for the redevelopment of an isolated site for higher density residential in line with the surrounding sites, and
- it is in line with the visions of the Central River City and a 30 minute city by providing new dwellings in proximity to Parramatta CBD.

10. RECOMMENDATION

It is recommended that the delegate of the Secretary:

1. agree that any inconsistencies with section 9.1 Directions 4.1 Acid Sulfate Soils and 4.3 Flood Prone Land are minor or justified.

It is recommended that the delegate of the Minister determine that the planning proposal should proceed subject to the following conditions:

1. The planning proposal should be made available for public exhibition for a minimum of 28 days.
2. Consultation is required with the following public authorities:
 - NSW State Emergency Services,
 - DPIE – Environment, Energy and Science, and
 - Department of Premier and Cabinet – NSW Heritage.
3. The time frame for completing the LEP is to be 9 months from the date of the Gateway determination.

4. Given the nature of the planning proposal, Council should be the local plan-making authority



4/12/2019

Jazmin van Veen
Acting Manager, Central (GPOP)



5/12/2019

Christine Gough
Acting Director, Central (GPOP)
Central River City and Western
Parkland City

Assessment officer: Jazmin van Veen
Acting Manager, Central (GPOP)
Phone: 9373 2877