

Greater Sydney, Place and Infrastructure

Gateway determination report

LGA	City of Parramatta
PPA	City of Parramatta
NAME	St Johns Cathedral Site (195 Church Street 65-79 Macquarie Street 38 and 41-45 Hunter Street, Parramatta) (168 dwellings, 4825 jobs)
NUMBER	PP_2020_COPAR_001_00
LEP TO BE AMENDED	Parramatta Local Environmental Plan 2011
ADDRESS	195 Church Street 65-79 Macquarie Street 38 and 41-45 Hunter Street, Parramatta
DESCRIPTION	Lots E- K and M DP15108, Lots 1&2 DP575473, Lots 1&2 DP1110057
RECEIVED	14 January 2020
FILE NO.	IRF20/3660
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 facilitate the redevelopment of land in the vicinity of St Johns Cathedral, including two towers and a new publicly accessible square. The proposal is supported by an urban design report (**Attachment D**) which demonstrates a scheme including a northern commercial tower of 46 storeys estimated to provide for over 4,800 jobs and a southern tower primarily for residential apartments which provides approximately 168 dwellings.

The planning proposal (**Attachment A**) seeks to amend Parramatta Local Environmental Plan (PLEP) 2011 by:

- altering the zoning, height and floor space ratio (FSR) maps;
- inclusion of a site-specific provision which addresses maximum car parking rates, unlimited commercial floor space for a portion of the site, carparking as an additional use on a portion of the site and overshadowing of Parramatta Square;
- amendment to the land reservation acquisition map and key sites map special provisions map (airspace); and

- amend to Schedule 5 of PLEP 2011 and Heritage maps to remove Item 1713 being St John's Parish Hall.

1.2 Site description

The site consists of 12 properties known as Lots E- K and M, DP15108, Lots 1&2, DP575473 and Lots 1&2, DP1110057 (Figure 1). The site has an area of 10,857m², is irregular in shape and has frontages to Macquarie Street to the north, Church Street pedestrian plaza to the east, the rail corridor to the south and Hunter Street to the west. An isolated site known as Queensland Arcade sits between the site and the railway line.



Figure 1 – Subject site (Source: Planning Proposal)

The site contains a variety of buildings including three separate two storey commercial buildings and several heritage items including, Wardens Cottage, Dr Pringle's Cottage, St Johns Parish Hall and St Johns Anglican Cathedral.

1.3 Existing planning controls

The site is currently subject to the following planning controls under PLEP 2011:

- zoned part B4 Mixed Use and part SP1 Special Activities (Place of Public Worship) (Figure 2);
- maximum building height of part 18m, part 24m, part 3m and part no height control (Figure 3);
- maximum FSR part 3:1 and part no FSR control (Figure 4);
- the site contains several heritage items (Figure 5); and
- is subject to Clause 7.4 – Sun access to protect the adjacent Parramatta Square.

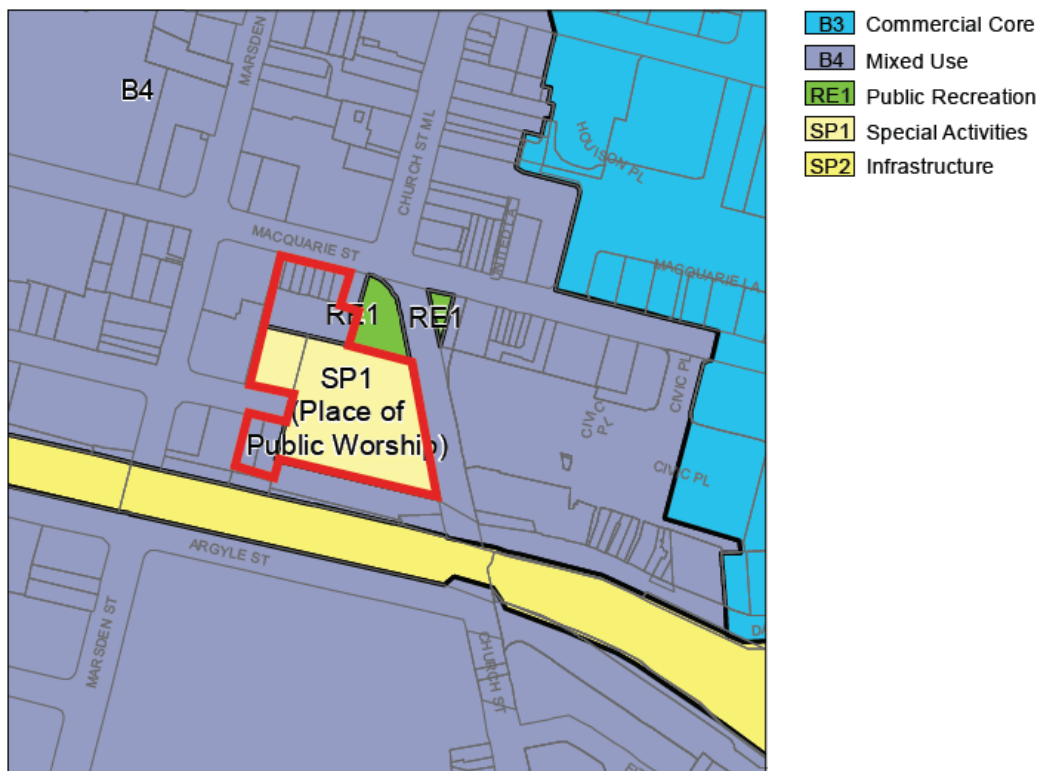


Figure 2 – Zoning controls (Source: Urban Design Report)

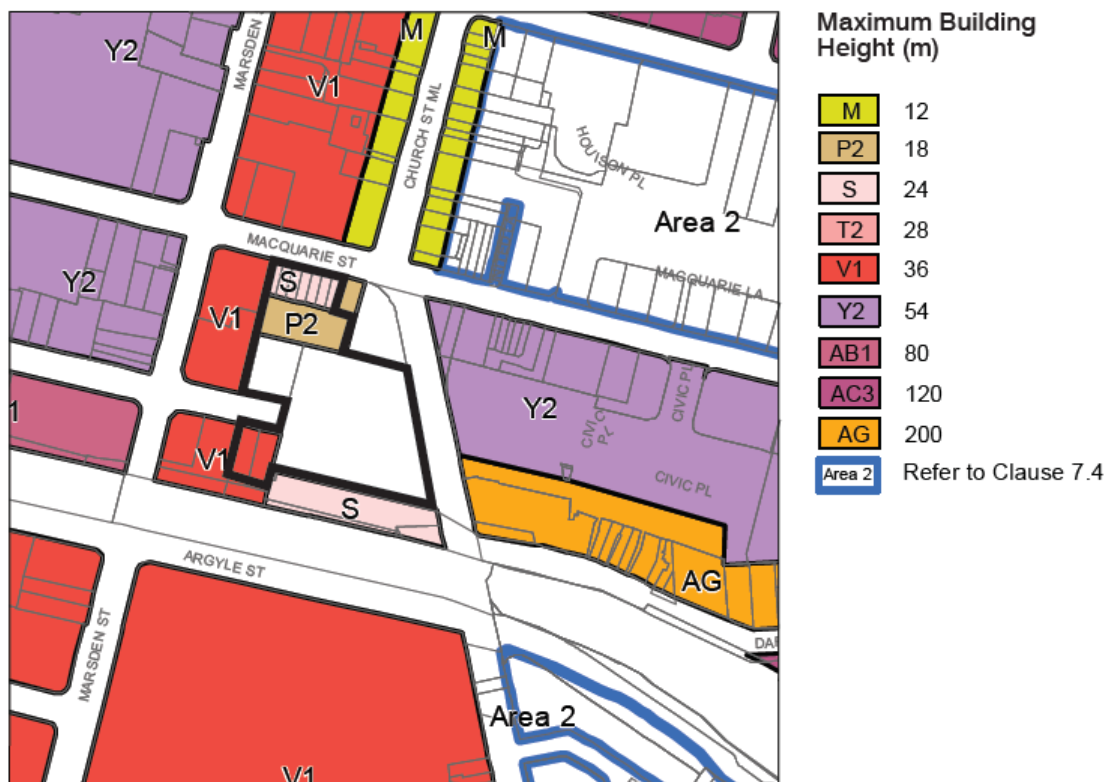


Figure 3 – Height controls (Source: Urban Design Report)

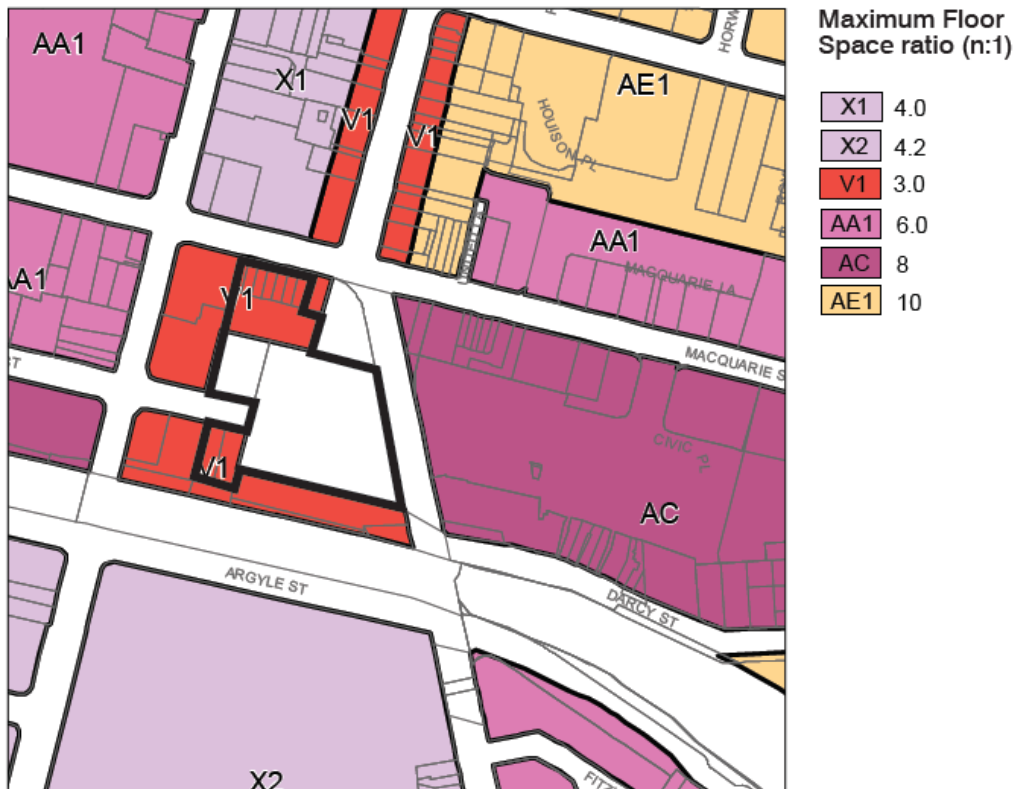


Figure 4 – FSR controls (Source: Urban Design Report)

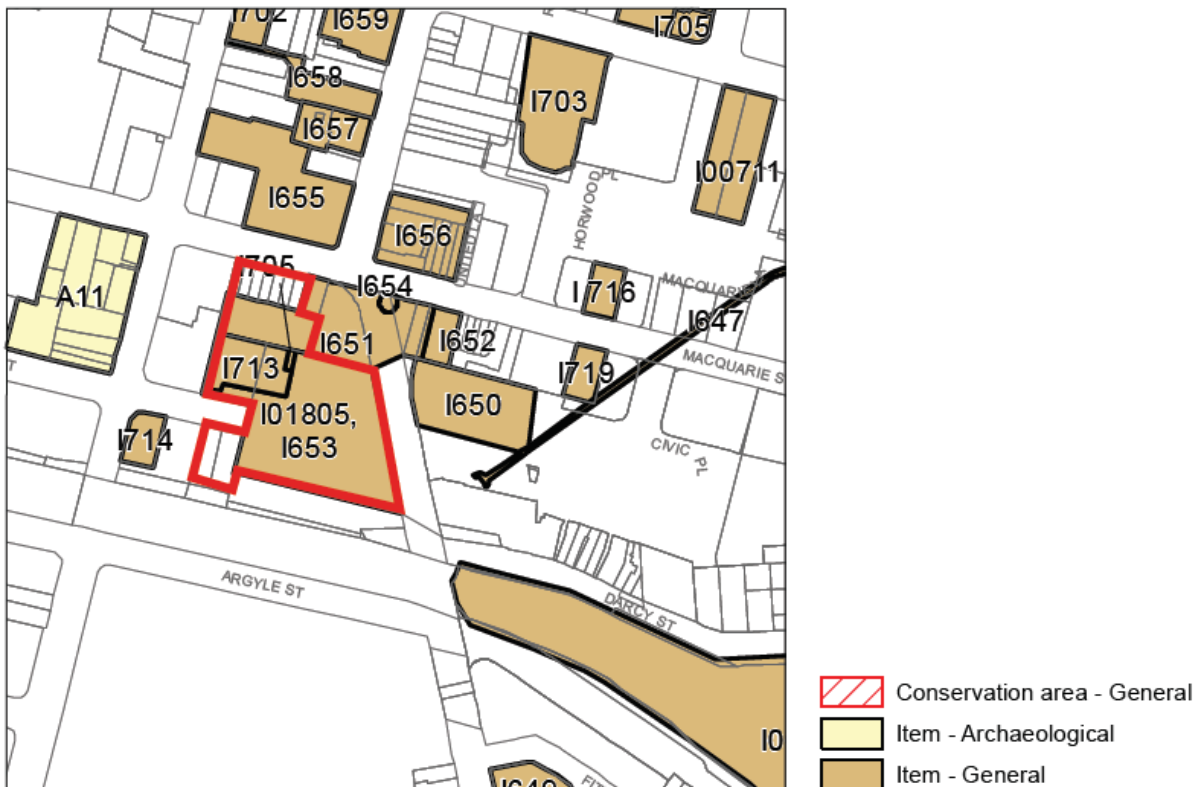


Figure 5 – Heritage items in locality (Source: Urban Design Report)

1.4 Surrounding area

The site is in the Parramatta CBD which is going through a transition phase with uplift and development occurring through a combination of traditional development

applications and site-specific planning proposals (and subsequent development applications). Several planning proposals have been pursued nearby and are at varying stages of completion.

A Gateway determination has been issued for the Parramatta CBD Planning Proposal which seeks to deliver the vision of the Central River City through a revision of development controls. The changes which the CBD Planning Proposal have proposed for the site will not enable the level of development anticipated by this site-specific planning proposal. The CBD PP is discussed further below in Section 4.2.

Bicentenary (formerly known as Centenary) and Parramatta Squares are located to the east of the site (Figure 6). Parramatta rail station and Parramatta Westfield are located within 100m to the south-west and south of the site, respectively.

The anticipated Parramatta Light Rail route runs east-west along Macquarie Street and north-south along Church Street. The closest stops are Parramatta Square on Macquarie Street and Eat Street on Church Street.

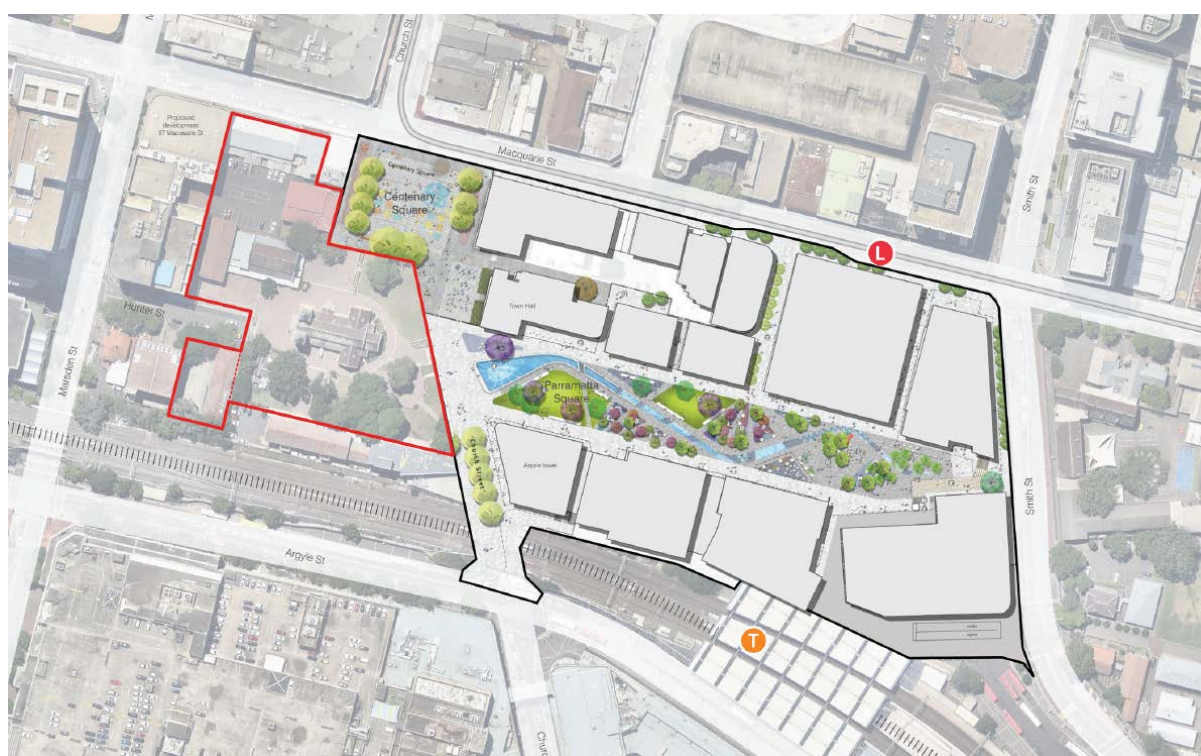


Figure 6 – Site (shown in red) in proximity to Bicentenary Square and Parramatta Square (Source: Urban Design Report)

In addition to the site containing heritage items, there are several heritage items located in proximity to the site as shown below in Table 1 and Figure 7.

Table 1: Heritage items in locality

Item Number	Item	Address	Listing	Within site
I713	St John's Parish Hall	195 Church Street	Local	Yes
I01805	St John's Anglican Cathedral	195 Church Street	State	Yes

I653	Warden's cottage (verger's cottage)	195 Church Street	Local	Yes
I705	Dr Pringle's Cottage	52 George Street	Local	Yes
I651	Bicentennial Square and adjoining buildings	188, 188R (part of Church Street road reserve) and 195A Church Street, 38 Hunter Street and 83 Macquarie Street	Local	No
I654	Centennial Memorial Clock	Bicentennial Square (opposite 196 Church Street)	Local	No
I650	Parramatta Town Hall (and potential archaeological site)	182 Church Street	Local	No
I652	Murrays' Building (and potential archaeological site)	188 Church Street (south east corner)	Local	No
I656	Horse parapet facade (and potential archaeological site)	198–216 Church Street and 38–46 Macquarie Street	Local	No
I655	Shop (and potential archaeological site)	197 Church Street	Local	No
I714	Two-storey residence	41 Hunter Street	Local	No
I00696	Parramatta Railway Station	3 and 21 Darcy Street	State	No

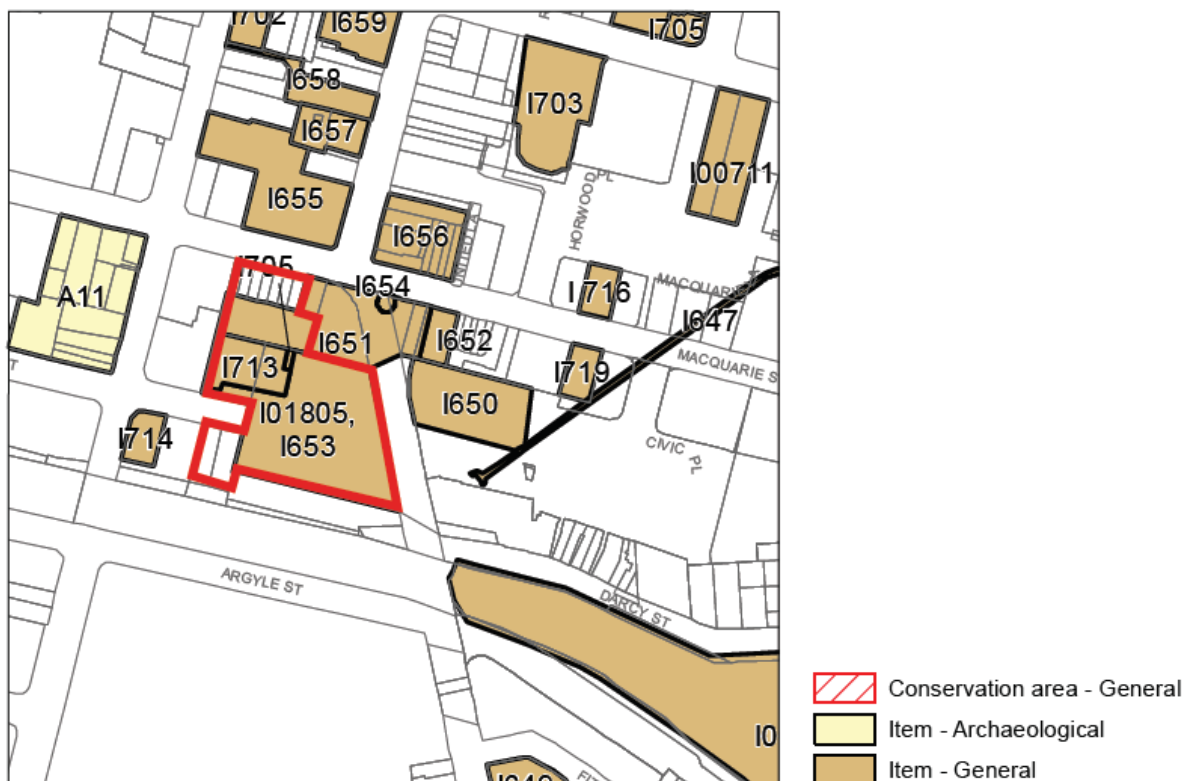


Figure 7 – Heritage items in locality (Source: Urban Design Report)

1.5 Summary of recommendation

It is recommended that the planning proposal proceed with conditions as it has the potential to result in an outcome which is consistent with the Central City District Plan. The proposal will result in additional commercial floorspace within the CBD which will strengthen the role of the Parramatta CBD while providing dwellings within proximity to public transport and services.

Amendment is required to the planning proposal in accordance with the Gateway conditions, as outlined within the report, to address heritage and solar access/protection concerns. Several minor administrative amendments are also required.

2. PROPOSAL

2.1 Objectives or intended outcomes

The planning proposal (**Attachment A**) seeks to amend the Parramatta Local Environmental Plan 2011 to facilitate the re-development of the site for the purposes of providing two towers and a publicly accessible square in-line with the proponent's 100-year master plan envisaged for the site (Figure 8). In order to facilitate the applicant's vision, as outlined in the urban design report (**Attachment D**), it is intended to demolish the locally heritage listed St John's Parish Hall. The proposal argues that the benefits derived from the proposal (A-grade office space and a publicly accessible square) offset the removal of the heritage item.

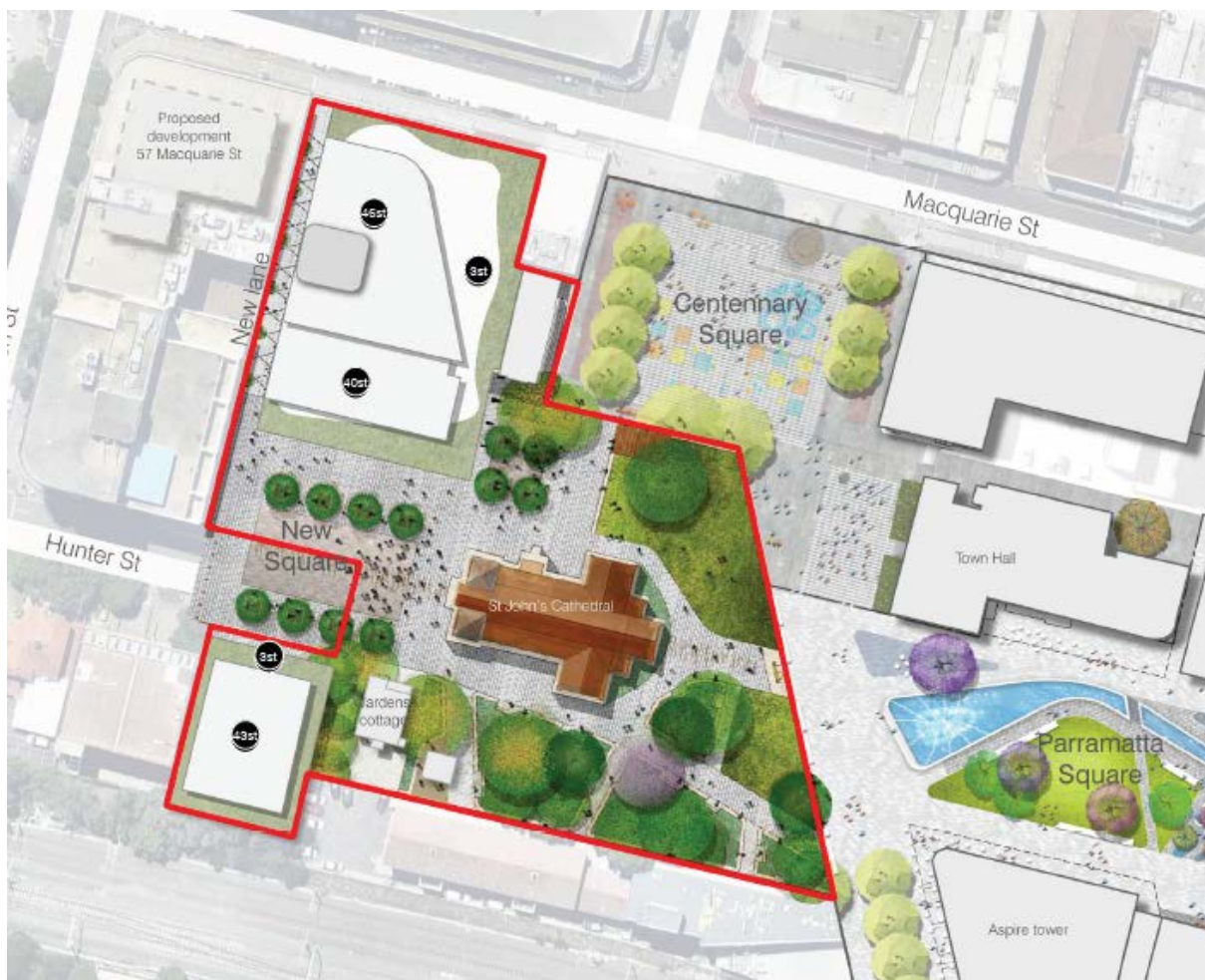


Figure 8 – Site Master Plan (Source: Urban Design Report)

The urban design report identifies a northern tower with height of 46 storeys and is intended to be used primarily for commercial floorspace (Figure 9). The intent is to provide 52,000m² of A-grade commercial floorspace (with a minimum floorplate of 1,492m²) which can generate up to 4,825 jobs based upon the proponent's calculation of 12m² per job. The northern tower is also intended to contain 3,500m² of floorspace within the podium for uses ancillary to the operation of St John's Anglican Cathedral. The urban design report also identifies retail floorspace and a café.

The southern tower is identified with a height of 43 storeys and is intended to provide approximately 168 dwellings. The urban design report also identifies retail floorspace on the ground floor within the podium base.



Figure 9 – View of towers from Parramatta Square (Source: Urban Design Report)

A key element of the planning proposal is the intent to provide a publicly accessible square (and pedestrian linkages) on the western side of St John's Anglican Cathedral and between the two proposed towers (Figure 10) as detailed in **Attachment E**. Part of Hunter Street is intended to be closed and sold to the proponent in order to facilitate the future development of the site. The proposed publicly accessible square will remain in private ownership and public access will be provided in a manner not yet determined.



Figure 10 – Publicly accessible square (Source: Urban Design Report).

The part closure of Hunter Street also facilitates the connection of the two towers via a common basement underneath the proposed publicly accessible square (Figure 11). A site-specific provision within the site's SP1 zone is proposed to allow car parking (not for the use of the Cathedral) within this zone. The shared basement will allow access to the southern tower from Macquarie Street. The urban design report also identifies a possible connection to the Queensland Arcade (and other buildings), however this has not been elaborated on in the planning proposal.

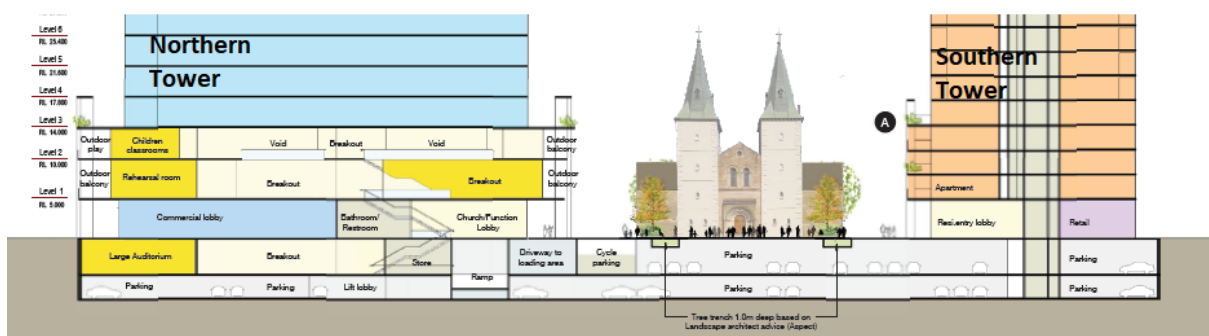


Figure 11 – Section showing common basement (Source: Urban Design Report).

The urban design report identifies the measures in the reference design to ensure that solar access is maintained to Parramatta Square where possible. The planning proposal also seeks to rely upon the request under the CBD Planning Proposal to protect overshadowing to Parramatta Square in mid-winter, which is discussed further in section 5.5 of this report.

2.2 Explanation of provisions

The planning proposal (**Attachment A**) contains the following wording describing how the Parramatta LEP 2011 is to be amended:

- amend the existing zoning mapping to part B3 Commercial Core, part B4 Mixed Use and part SP1 Special Activities (Place of Public Worship) (Figure 12);
- amend the maximum FSR mapping to 10:1 and part no maximum FSR controls for the portion of the site containing the Cathedral (Figure 12);
- the sliding-scale local provisions contained within the existing Parramatta LEP 2011 remain applied to the subject site (see note 1);
- inclusion of a site-specific provision that enables unlimited FSR for commercial development on a portion of the site (corresponding to the northern tower);
- amend the maximum building height to apply part RL211, part 12m and part no height controls for the portion of the site containing the Cathedral (Figure 12);
- amend the special provisions mapping so that Clause 7.6 Airspace Operations applies to the site (see note 2);
- amendment to Schedule 5 Environmental Heritage to remove reference to St Johns Parish Hall (Item1713) resulting in the item having no statutory heritage listing (see note 3);
- amend land reservation acquisition mapping to apply clause 5.1 Relevant acquisition authority to identify a portion of 41, 43 and 45 Hunter Street to facilitate the creation of a 6 metre wide laneway to provide future vehicle access to these three sites and 181 Church Street, Parramatta (see note 4);
- inclusion of a site-specific provision that enables car parking as a permissible use on a small portion of the land zoned SP1 – Special Activities;
- land must not result in any additional overshadowing between the hours of 12pm to 2pm within the nominated area on Parramatta Square during midwinter on 21 June (see note 5); and
- inclusion of a site-specific provision which imposes maximum parking rates within the CBD.

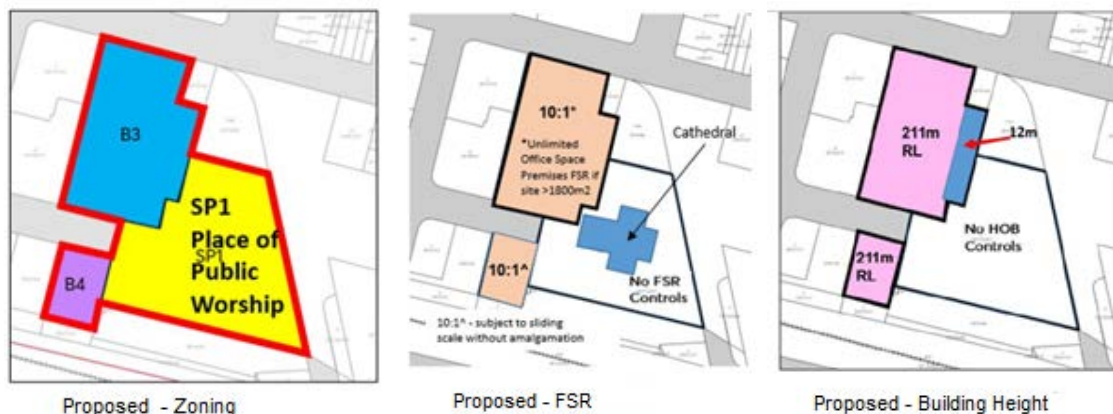


Figure 12 – Proposed zoning, FSR and Building Height (Source: Council Report)

Notes:

1. The explanation of provisions outlines that the sliding scale provisions currently contained in the Parramatta LEP 2011 are to remain applicable to the site. The planning proposal does not seek to alter any controls as a result of this commentary in the explanation of provisions.
2. The explanation of provisions refers to identifying the site on the special provisions area map to permit the application of Clause 7.6 Airspace Operations. The planning proposal must amend clause 7.6 also to reference a new area.
3. The explanation of provisions does not reference the need to amend the heritage mapping even though amended mapping has been identified in the planning proposal (Part 4 Mapping).
4. The planning proposal will need to be amended to identify the relevant acquisition authority within the mapping and explanation of provisions.
5. Council were requested to provide advice on what the planning proposal is seeking to amend in respect to this matter as the planning proposal is not clear. Council officers consider that, if this site-specific Planning Proposal were to be finalised before CBD Planning Proposal, then it would be introducing a different position to the current PLEP 2011 via a site-specific clause. However, if it is finalised after the CBD Planning Proposal, it would be consistent, and a clause would not be required when it came time for drafting of the final instrument.

The Gateway determination includes conditions to address the discrepancies.

2.3 Mapping

The proposal seeks to amend the following mapping:

- Land Zoning Map (LZN_010);
- Height of Buildings Map (HOB_010);
- Floor Space Ratio Map (FSR_010);
- Heritage Map (HER_010);
- Key Sites Map Special Provisions Map Sun Access Protection Map (CL1_10);
and
- Land Reservation Acquisition Map (LRA_010).

Mapping has been provided to demonstrate the proposed amendments and is considered generally suitable for exhibition.

3. NEED FOR THE PLANNING PROPOSAL

This planning proposal (**Attachment A**) is in response to an owner-initiated request to increase the development potential of the site. The CBD Planning Proposal did not investigate uplift on this site to the extent proposed in this site-specific planning proposal.

A planning proposal seeking to amend PLEP 2011 is the most effective way of providing certainty for Council, the local community and the landowner and allows for orderly and economic development of the subject site. The existing height and FSR standards would not permit the development as envisaged in the planning proposal or allow the site to capitalise on its central location in the Parramatta CBD.

While there are some aspects to the planning proposal which are not supported, requiring amendment prior to community consultation, the outcomes being sought by the planning proposal are generally acceptable and will give effect to the District plan.

4. STRATEGIC ASSESSMENT

4.1 Regional / District

Central City District Plan

The Central City District Plan provides a 20-year plan to manage growth to achieve the vision of Greater Sydney. It is a guide for implementing the Greater Sydney Region Plan at a district level and forms a line of sight between metropolitan and local planning.

The planning proposal is broadly consistent with the key Planning Priorities as outlined in the District Plan:

- C1 Planning for a city supported by infrastructure

The planning proposal encourages growth to support existing, planned and new infrastructure (e.g. public transport projects).

The proximity of the site to Parramatta Station, the Parramatta light rail route and a range of bus services ensures that the planning proposal is consistent with this clause. The delivery of a combination of commercial, retail and residential floor space will encourage effective usage of the relevant infrastructure.

- C5 Providing housing supply, choice and affordability, with access to jobs, services and public transport

The planning priority seeks to increase housing supply in suitable locations with an aim of increasing affordability and diversity.

The planning proposal and the urban design report identifies a residential tower on the southern side of the site with a total of 168 dwellings of varying sizes. The site is the Parramatta CBD and near the Parramatta rail station, Parramatta light rail and bus interchange area. In this regard, the planning proposal is consistent with this priority.

- C6 Creating and renewing great places and local centres, and respecting the District's heritage

Council have identified that they have taken a place-based approach in the preparation of the planning proposal. Council recognised the underutilised space in front of the St Johns Anglican Cathedral and have proposed a people friendly publicly accessible square in the centre of the site. Council suggest that the planning proposal, and its supporting masterplan, will help complement Bicentenary Square and Parramatta Square, and produce a superior outcome than what is currently present and permissible under the existing controls.

The planning proposal identifies that Council are of the view that the removal of the heritage item is necessary to facilitate the redevelopment of the site including the provision of the publicly accessible square and its associated place creation which on-balance will result in a net public benefit through the provision of the square and A-Grade commercial floorspace.

The priority encourages sympathetic respectful built form outcomes that demonstrate a shared value which contributes to a sense of place and identity. The priority notes that it is particularly important for transitional areas, places experiencing significant urban renewal and where it is necessary to take account of the cumulative impacts of development on heritage values.

This priority seeks to create and renew places and local centres while respecting the District's heritage. An objective of the District Plan is to identify, conserve and enhance the environmental heritage of the District. The planning proposal seeks to delist an item of local heritage significance facilitating its future removal. The planning proposal is not consistent with this aspect of the priority and not supported (refer to 5.2 for discussion). It is noted, that while in the future a development application could be made to demolish the heritage item it is not considered appropriate to de-list the item without more rigorous assessment of potential development outcomes.

Excluding the removal of the heritage item, the likely urban design outcome is an improvement in terms of built form outcome and delivery of open space in the locality.

- C7 Growing a stronger and more competitive Greater Parramatta

This priority seeks to encourage growing a stronger and more competitive Greater Parramatta. The planning proposal seeks to deliver more A-grade office space within the CBD strengthening the role of the CBD as the core of the Central River City. The planning proposal also seeks to deliver more housing choice within the CBD which will support commercial operations and jobs within the CBD.

At the focal point of the Parramatta CBD is Parramatta Square which will offer opportunities for new activities and social connections. The planning proposal may compromise the ability of Parramatta Square to perform this function due to a loss of amenity and attractiveness from a decline in solar access (noting that only 31.5% of Parramatta Square has any solar access protection in place and the planning proposal would facilitate additional overshadowing at the Spring and Autumn Equinoxes).

To ensure that a reasonable level of solar access is maintained it is recommended that a condition be imposed which requires consistency with the CBD Planning Proposal with respect to the overshadowing of Parramatta Square. This matter is discussed further in Section 5.5 of this report.

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

The vision for Greater Sydney is one where people can access jobs and services in their nearest metropolitan and strategic centre.

The planning proposal seeks to provide office and residential floor space within the Parramatta CBD and near public transport. The proximity to public transport will provide easy access to and from the site in a manner which is consistent with this priority.

- C16 Increasing urban tree canopy cover and delivering Green Grid connections

This priority seeks to increase the urban tree canopy as a means of providing amenity and reducing the impact of heat waves and extreme heat. Council have suggested that the priority has been met as the urban design report identifies that only two of the sites existing 20 trees will be removed and replaced with 12 new trees.

The proposal provides little additional opportunity in achieving tree canopy goals outlined in the Planning Priority. The proposed planting spaces will be largely overshadowed and diminished by basement design and may not provide a suitable environment for trees of scale. However, it is likely that this matter can be suitably addressed as part of any development application process.

- C17 Delivering high quality open space

This priority seeks to deliver high quality open space for the Central River City through both enhancing existing space and expanding through new opportunities.

Council have suggested that this priority is met as the planning proposal seeks to expand the existing underutilised open space and create a new publicly accessible civic square responding to the needs of the community. Council also suggest that the planning proposal will provide a high level of connectivity with the adjoining Bicentenary and Parramatta Squares.

While the planning proposal does not provide public open space, the land will be publicly accessible and aid in enhancing and connecting the existing open spaces in the locality.

The planning proposal gives effect to the District Plan by delivering housing and employment opportunities in the locality as required by section 3.8(2)(a) of the *Environmental Planning and Assessment Act 1979*.

4.2 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 of Sydney. The plan formalises several big and transformational ideas for the City.

The planning proposal is generally consistent with the plan in that it will:

- provide additional employment opportunities;
- provide additional housing opportunities; and
- encourage development of the city centre contributing to the importance of the CBD as the focal point of the district.

Local Strategic Planning Statement

Council's Local Strategic Planning Statement: City Plan 2036 (LSPS) outlines Greater Parramatta's 20-year vision for land use planning, population, housing, economic growth and environmental management.

The proposal is consistent with the priorities and actions of the LSPS which seek to build the economic focus and liveability of Sydney's central CBD. Specifically, the proposal will facilitate the growth of housing in the GPOP area (Priority 4) and deliver

a mix of housing to support the diverse needs of the community (Priority 7) ultimately supporting the Parramatta CBD in becoming increasingly competitive and productive (Priority 11). The proposal also seeks to deliver a publicly accessible open space which is generally consistent with Priority 6.

Priority 9 aims to enhance Parramatta's heritage and cultural assets to maintain the City's authentic identity. The planning proposal seeks to delist a heritage item facilitating its eventual removal through a future development application. It is recommended that the planning proposal be amended to remove this component of the planning proposal to ensure the demolition of the heritage item is considered with full understanding of the development outcome and any potential interpretation.

The Department is satisfied that the proposal gives effect to the local strategic planning statement.

Local Planning Panel

The planning proposal was required to be referred to local planning panel for advice under the Local Planning Panels Direction.

The planning proposal and panel assessment report (**Attachment F**) were considered by the City of Parramatta Local Planning Panel on 16 July 2019. The Panel provided advice (**Attachment F**) to Council which is considered below:

- Heritage

The panel assessment report contained the following recommendation to the panel:

“vii. The existing heritage item identified as St. John's Parish Church Hall (Item 1713) be de-listed from Schedule 5 of the LEP.”

The Panel did not consider the delisting of a heritage item as an appropriate course of action and as a result did not adopt this recommendation. The Council report noted that the Panel considered that the planning assessment associated with the merits of demolishing a listed heritage item should be tested further as part of a future development application by the Applicant.

Council have formed the opinion that there has been comprehensive heritage advice provided on this matter and several reports and ultimately the decision to de-list the heritage item comes down to the benefits derived by the proposal outweighing the impact upon heritage. Council have reported that the benefits include a larger new civic space, better activation of the existing civic space, and the provision of A-grade office space and have formed the view that in this instance the benefits and contribution to growing the Parramatta CBD outweigh the loss of the heritage item.

Consideration of the proposal's likely impacts upon heritage in the locality are discussed further in Section 5.2 of this report.

- Consultation

The Panel recommended that the planning proposal be submitted after consultation with property owners of 41 and 43 Hunter Street. This is in response to the planning proposal seeking to apply the Land Reservation Acquisition Map to facilitate the creation of a 6-metre-wide laneway to provide future vehicle access to these three sites and 181 Church Street, Parramatta.

The Council report (**Attachment G**) formed the opinion that following the Panel's advice would result in delays to the process and this consultation can occur when the planning proposal is publicly exhibited.

The *Environmental Planning and Assessment Act 1979* does not require the consent of landowners for the preparation of a planning proposal of their respective land. While consultation may allow the issues to be resolved at an early stage in the process, it is not required.

Parramatta CBD Planning Proposal

A Gateway determination has been issued for the Parramatta CBD Planning Proposal (PP_2017_COPAR_002_00) which seeks to deliver the vision of the Central River City through a revision of development controls. The planning proposal has since been endorsed for exhibition by the Department.

The changes which the Parramatta CBD Planning Proposal (CBD PP) have proposed for the site will not enable the level of development anticipated by this site-specific planning proposal. Consideration of the relevant matters for the site-specific planning proposal compared with the CBD PP is provided below.

- Zone

Figure 13 identifies that the CBD PP does not seek to alter the sites existing zoning.

The site-specific planning proposal seeks to rezone a portion of the land currently zoned B4 Mixed Use and SP1 Place of Public Worship to B3 Commercial Core. The intent of the amendment is to allow the erection of a tower within the B3 Commercial Core zone which will consist entirely of commercial floor space (including ground floor retail uses).

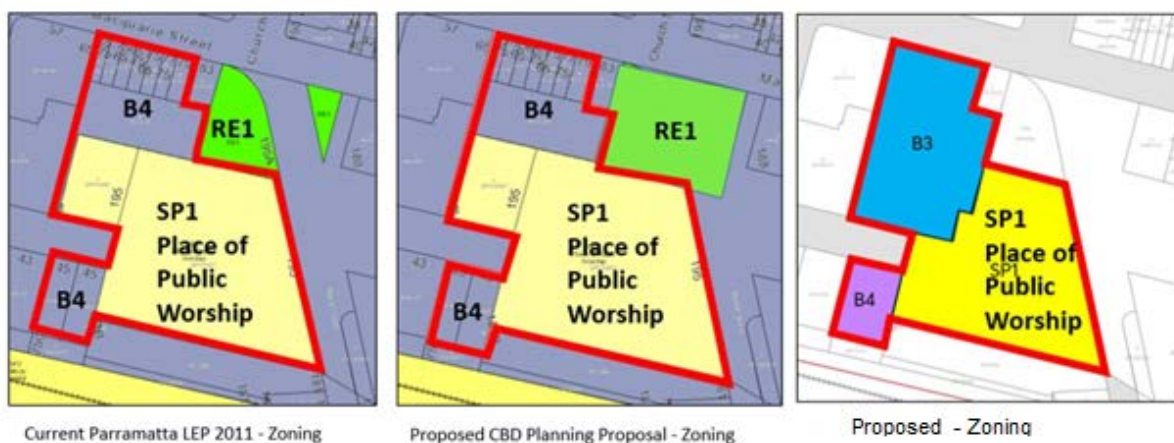


Figure 13 – Comparison of existing, CBD PP and subject proposal zones (Source: Council Report)

- Density

The CBD PP sought to increase the permitted FSR on the southern portion of the site to 10:1 to be consistent with adjoining western properties (Figure 14). On the northern part of the site, the CBD PP sought to retain the current FSR of 3:1 (while extending the mapping south towards Hunter Street) to provide a scaled buffer to St Johns Cathedral.

The site-specific planning proposal seeks to apply a maximum FSR of 10:1 over the northern and southern parts of the site. The FSR mapping is proposed over parts of

the site which will contain the publicly accessible square and Hunter Street road reserve (which is proposed to be purchased by the proponent).

The site-specific planning proposal also seeks to insert a site-specific provision which will allow unlimited FSR on the northern portion of the site for the purposes of providing office floor space.

The planning proposal notes that the existing sliding scale provisions of PLEP 2011 (aimed at site amalgamation and a better outcome for the site in terms of building design) will continue to apply to the southern part of the site.

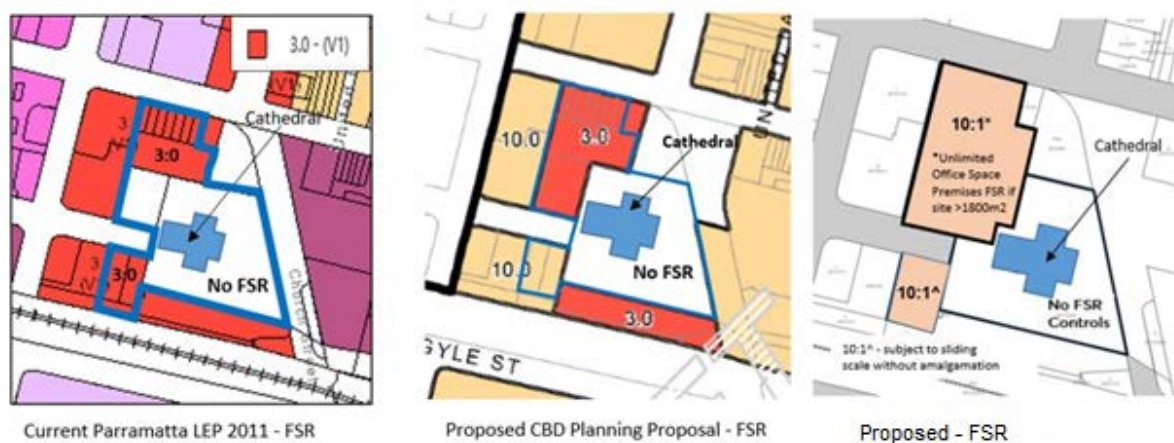


Figure 14 – Comparison of existing, CBD PP and subject PP FSR (Source: Council Report)

- Height

Figure 15 identifies that on the northern part of the site the CBD PP sought to retain the existing height controls, except for a small portion of the site adjoining Bicentennial Square which was reduced to 12m (to match in with the setbacks of Church Street for heritage conservation purposes). The adjoining western properties were proposed at RL211. On the southern part of the site the CBD PP sought to provide a maximum building height of RL211.

On the southern part of the site, the site-specific planning proposal is consistent with the CBD PP with respect to height at RL211. On the northern part of the site the site-specific planning proposal has sought to apply RL211 to the site except for the portion of the site adjoining Bicentennial square which is proposed to be a maximum of 12m.

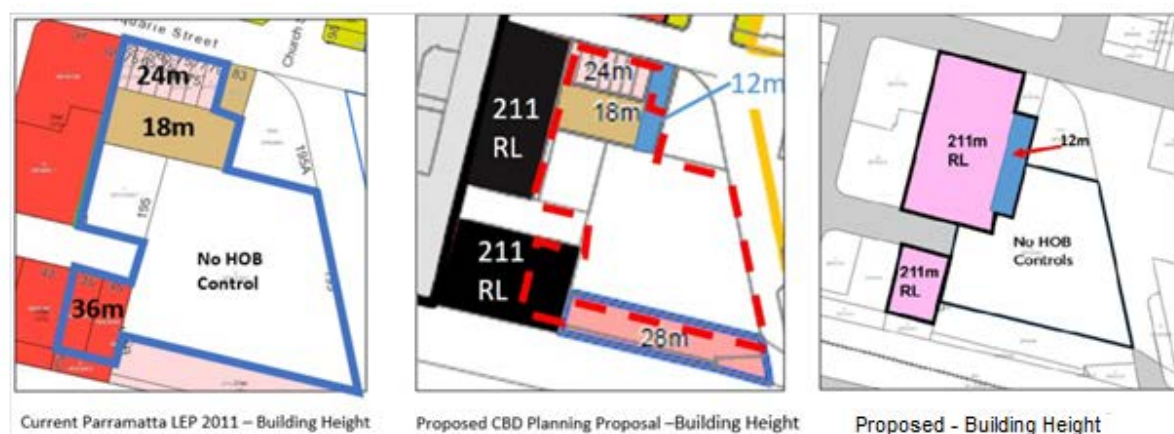


Figure 15 – Comparison of existing, CBD PP and subject PP height (Source: Council Report)

- Overshadowing (Parramatta Square)

The existing provisions of PLEP 2011 state that development must not result in any additional overshadowing of the protected area of Parramatta Square between 12 noon and 2pm.

The CBD Planning Proposal seeks to limit the solar protection of Parramatta Square to the hours of 12pm to 2pm at midwinter on 21 June. This will result in additional overshadowing being permitted at other times of the year, particularly at the Spring and Autumn Equinox.

This site-specific planning proposal seeks to adopt the solar access provisions of the CBD Planning Proposal which unlocks development potential for this site. This issue is discussed further in Section 5.5 of this report.

4.3 Section 9.1 Ministerial Directions

The proposal's consistency with relevant section 117 Directions is addressed below.

Direction 1.1 – Business and Industrial Zones

This direction seeks to protect business and industrial zones to encourage employment generation. The planning proposal seeks to rezone a portion of the site from B4 Mixed Use Zone to B3 Commercial Core. The planning proposal is consistent with this direction as it will provide additional employment opportunities in the proposed B3 Commercial Core.

Direction 2.3 – Heritage Conservation

The objective of this Direction is to conserve items, areas, objects, places of environmental heritage significance and indigenous heritage significance.

Several local and State listed heritage items are located within the site and within the vicinity of the site. The Heritage Impact Assessment (**Attachment H**) supporting the proposal considers the impact on heritage items in the vicinity and suggests there will be no impact as the setting for these items is currently being redefined through the transformation of the CBD.

The proposal seeks to de-list a heritage item to allow for its eventual demolition through a future development application. The de-listing of a heritage item is not consistent with this Direction.

Council noted that several reports have been prepared in considering the planning proposal. The reports do not come to a consistent view on whether the de-listing of the heritage item (and its ultimate removal) is appropriate. Council have formed the view that the benefits of the planning proposal outweigh the loss of the heritage item.

The proposed delisting of the St John's Parish Hall is not supported as discussed in section 5.2 of this report. The planning proposal is to be amended to remove this component of the planning proposal which results in consistency with this Direction.

Direction 2.6 - Remediation of Contaminated Land

The objective of this direction is to reduce the risk of harm to human health and the environment by ensuring that contamination and remediation are considered when making the planning proposal.

This direction has not been specifically addressed the planning proposal. The planning proposal has suggested that under the current controls site contamination could be considered with any future development application that is lodged over the site.

The direction contains specific wording requiring consideration of the state and suitability of the site for the anticipated use prior to a planning proposal rezoning land. It is recommended that this Direction remain unresolved to allow Council to address this matter.

Direction 3.1 – Residential Zones

This direction applies where a planning proposal will affect an existing or proposed residential zone. This planning proposal is inconsistent with this direction as the planning proposal seeks to rezone a portion of the land from a B4 Mixed Use Zone which would allow some residential uses to occur to a B3 Commercial Core Zone which does not allow residential uses.

This inconsistency is of minor significance as the planning proposal also seeks to increase the permitted density on another part of the site which will provide for additional housing opportunities within the Parramatta CBD in proximity to existing infrastructure and services.

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

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 near a future stop of the Parramatta Light Rail (Stage 1), Parramatta rail station and bus interchange area. The proposal is consistent with the Direction.

Direction 3.5 Development Near Licensed Aerodromes

The site is located within prescribed airspace surfaces. A proposed height of RL211 exceeds the Bankstown Airport Obstacle Limitation Surface of 156 AHD. Therefore, consultation with the Commonwealth Department of Infrastructure and Regional Development and Civil Aviation Safety Authority must take place to address this Direction.

It is recommended that this Direction remain unresolved pending further consultation, noting that Clause 7.6 Airspace Operations will be required to be applied to the site should a maximum building height greater than 156 AHD be proposed and as such the planning proposal reflects this.

Direction 4.1 Acid Sulfate Soils

The site is mapped as having Class 4 and 5 acid sulfate soils under PLEP 2011. The proposal is inconsistent with this Direction as an acid sulfate soils study has not been submitted with the planning proposal to support the intensification of development.

This inconsistency is considered to be of minor significance as this matter can be appropriately considered and addressed at the development application stage in accordance with Clause 6.1 of PLEP 2011 (which requires an acid sulfate soils management plan to be submitted at the development application stage if certain development thresholds are met).

It is therefore 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. 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.

The CBD PP requires occupants of buildings within the PMF area to be able to seek shelter in place above the PMF level or to safely evacuate. This matter can be addressed at the design competition and development application stage.

It is recommended that NSW State Emergency Services are consulted during public exhibition.

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

Direction 6.2 Reserving Land for Public Purposes

The relevant objective of this Direction is to facilitate the provision of public services and facilities by reserving land for public purposes.

The planning proposal envisages the closure of a portion of Hunter Street to facilitate the proposed publicly accessible square. In order to minimise pedestrian conflicts with vehicles to the square, a 6m strip of land at the southern end of 41, 43 and 45 Hunter Street between Marsden Street and the western boundary of 181 Church Street on the Land Reservations and Acquisitions Map in Parramatta LEP 2011 is proposed.

Council has not nominated an acquisition authority for this land and to ensure consistency with this Direction, the proposal must be amended to do so. It is noted that the land to which the acquisition is to apply is not subject to amendment through this planning proposal and is under separate land ownership. Council should endeavour to make early contact with the landowner to discuss this proposal.

Consistency with this Direction is proposed to be left unresolved until the proposal is amended to demonstrate an acquisition authority.

Direction 6.3 - Site Specific Provisions

The objective of this Direction is to discourage unnecessarily restrictive site-specific planning controls. The planning proposal seeks inclusion of a site-specific provision which deals with maximum car parking rates, unlimited commercial floor space for a portion of the site and carparking as an additional use on a portion of the site. The planning proposal may also require site-specific provisions relating to protecting the

solar access of Parramatta Square (should finalisation be sought prior to the CBD PP being made).

The site-specific provisions are considered necessary to ensure an appropriate outcome. 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 (LUIIP)

This Direction seeks to ensure development within the Greater Parramatta Priority Growth Area is consistent with the Greater Parramatta Priority Growth Area Interim (LUIIP) dated July 2017.

The Interim LUIIP also recognises the need for additional regional infrastructure to support growth and this is proposed to be implemented via a Special Infrastructure Contribution (SIC). At this stage, a SIC has not been formally exhibited for Greater Parramatta.

It is recommended that Council request the proponent to begin discussions with the Department regarding State infrastructure needs. Council should also raise the matter of State infrastructure needs generated by the proposal when consulting State Agencies.

This may ultimately lead to the requirement for a concurrence role for the Department for any subsequent development application. The Department would consider whether any applicable development application has made suitable contributions to meet the State and regional infrastructure needs generated by the proposal in the locality. It is recommended that this Direction remain unresolved until this matter has been further interrogated as the planning proposal progresses.

4.4 State environmental planning policies (SEPPs)

SEPP No.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.

The planning proposal (**Attachment A**) notes that SEPP 65 will apply to the southern portion of the site where residential uses are proposed. There have been no issues identified by Council in their internal assessment that would prevent consistency with the SEPP and Apartment Design Guide.

Any future development application lodged over the site will be required to comply with the requirements of the SEPP and Apartment design guide and can be considered through the assessment process.

4.5 Premier's Priorities

In June 2019, NSW Premier unveiled 14 Premier's Priorities which represent the NSW Government's commitment to making a significant difference to enhance the quality of life of the people of NSW. The two relevant priorities to this planning proposal are:

- Greener public spaces

Increase the proportion of homes in urban areas within 10 minutes' walk of quality green, open and public space by 10 per cent by 2023.

The priority identifies that quality green, open and public space is important to promote healthier lifestyles while bringing people together. A network of welcoming and connected public spaces will create communities where people love to live.

The planning proposal seeks to deliver the opportunity for additional dwellings and commercial floorspace within the locality. The existing open space within the immediate locality is Bicentenary and Parramatta Squares. Parramatta Park is located within 10 minutes' walking distance.

The planning proposal is generally consistent with this priority.

- Greening our city

Increase the tree canopy and green cover across Greater Sydney by planting one million trees by 2022.

The priority identifies that trees play an important role in creating great open spaces for communities and enhance the experience of outdoor recreation and exercise. The priority also notes that green canopy enhances the amenity of local parks and streets and is crucial in providing vital shade that reduces ambient temperatures and mitigates the urban heat island effect while providing habitat and improving air quality.

The planning proposal identifies that only two of the sites existing 20 trees will be removed and replaced with 12 new trees. The additional trees will aid in providing tree canopy and green areas in the locality.

The planning proposal is generally consistent with this priority.

5. SITE-SPECIFIC ASSESSMENT

5.1 Social

The planning proposal will deliver social benefits in the form of A-grade office space leading to employment opportunities, additional housing and publicly accessible open space. The planning proposal will also aid in the renewal of the Parramatta CBD and land adjacent to Parramatta Square which is the focal point of the CBD. The development will likely aid in the transformation of Parramatta and significantly increase its attractiveness to workers, students and residents to ensure it functions as the focal point of the district.

5.2 Heritage

The Central City District Plan notes that heritage and history are important components of local identity and contribute to Bicentennial square. The planning proposal seeks to de-list the St John's Parish Hall which will facilitate its eventual removal (via a future development application) to enable the development in accordance with the proponent's vision for the site.

The planning proposal was accompanied by a heritage impact statement (**Attachment H**) which considers three possible development options for the site as outlined by the urban design report (**Attachment D**) relating to the treatment of St John's Parish Hall and its impact upon the St John's Cathedral, being:

- Option 1 – Retain St John's Parish Hall (Figure 16);
- Option 2 – Undertake major adaption of St John's Parish Hall and include it into a future design with upper level cantilever element (Figure 17); and
- Option 3 – Demolish St John's Parish Hall to allow redevelopment of the site (Figure 18).

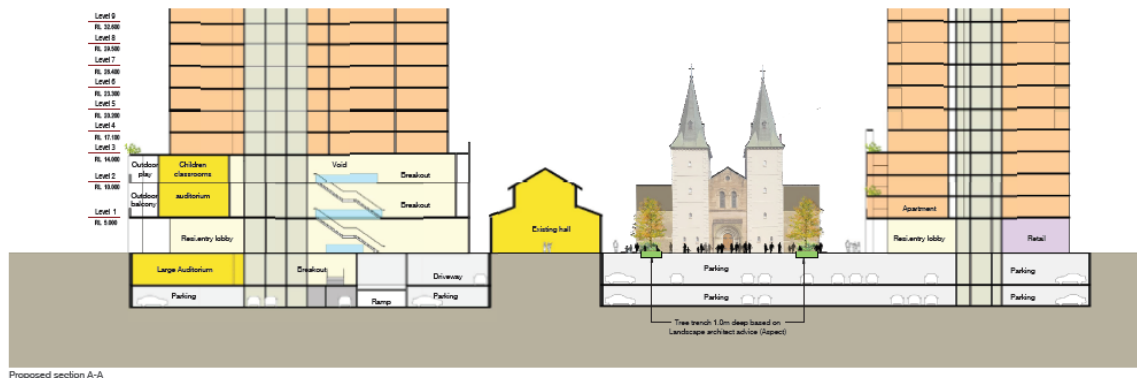


Figure 16 – Section showing development option 1 (Source: Planning proposal)

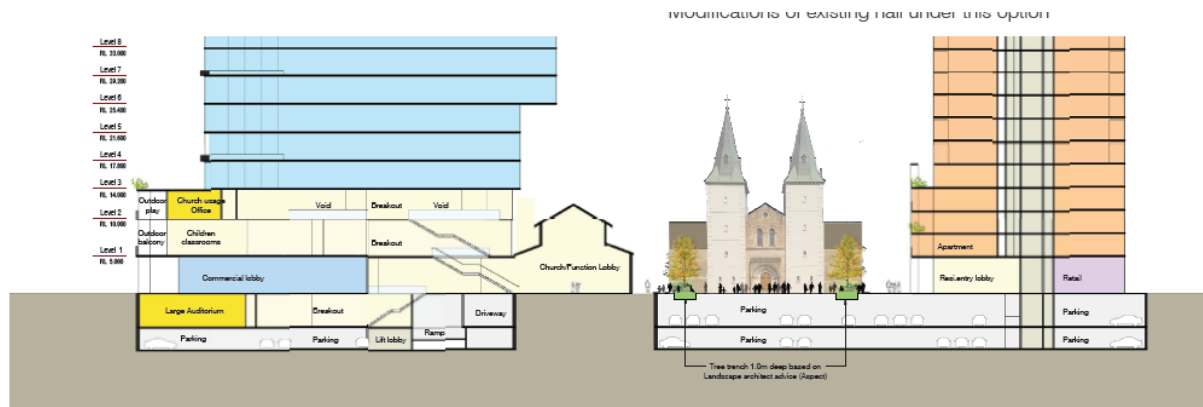


Figure 17 – Section showing development option 2 (Source: Planning proposal)

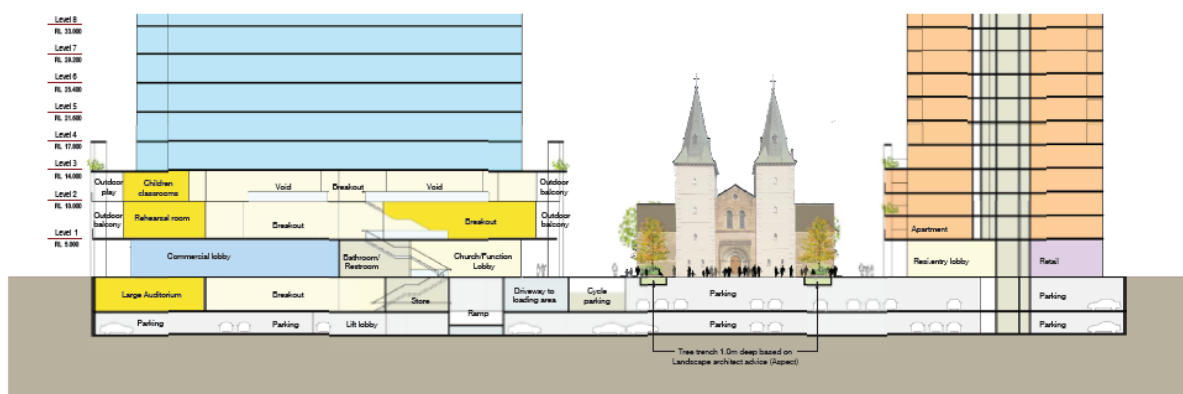


Figure 18 – Section showing development option 3 (Source: Planning proposal)

The heritage impact statement noted that there is a strong and convincing argument to look at the site within a larger context and to potentially recover core heritage values for the city by replacing the hall building with a new third generation church facility. This is consistent with the heritage values of the place, established patterns of use and development on the site, good urban design and potentially will achieve a

high-level outcome for the city. The proposal's preferred option is the demolition of the church hall (option 3).

The heritage impact statement advised that that all three options for the church hall can be supported in relation to the heritage values of the Cathedral site. In relation to the heritage impact of the future proposal, it will be necessary to set out a detailed study and report for the final design solution that is proposed and how that design responds to both the physical fabric of the heritage features and the spatial arrangement of the site.

Council's staff report (**Attachment G**) outlined that Council's Heritage Advisor and Heritage Advisory Committee do not support the demolition of the church hall. The committee noted their grave concern with the potential impact of the development outlined in the planning proposal on the locality.

Council engaged an independent heritage assessment (**Attachment I**) to consider the proposal and the three development options outlined by the proponent. The independent assessment found that the church hall possessed enough merit to be listed and the site will not benefit from the demolition of the church hall. On this basis there were objections to scenario 3 which included the demolition of the St John's Parish Hall.

The independent assessment did raise concerns with option 2 on the basis that it had a cantilever element above the church hall (as roofs should have sky above them). The independent assessment did not raise any concerns with concept of an increase in density or tower height and found that it would not likely have an impact upon the significance of items in the locality. The independent assessment found that option 1 is supportable in terms of heritage impact.

Council's Heritage Advisory Committee noted the findings of the independent heritage assessment and resolved to support the findings to allow an increase in density next to the church whilst retaining church hall without any cantilevering.

At the foundation of the planning proposal is the delivery of A-grade office space and the creation of a new publicly accessible square. Council engaged an architectural consultant to undertake a review as to whether A-grade office space can be provided while meeting the needs of the proponent if the church hall is retained. They were also requested to investigate if the quality of the publicly accessible square would be improved if the church hall is removed.

The consultant produced a report (**Attachment J**) which concluded that:

- an A-grade office building can only be achieved if the church hall is removed or the new tower is able to cantilever over the church hall. The floorplate achievable if the church hall is retained without cantilevering is not enough to accommodate an A-grade office building;
- the church's needs can still be accommodated and integrated within a redevelopment if the church hall is retained. However, the integration of the facilities will increase the design complexity;
- cantilevering over the church hall and integrating all the church's activities when the church hall is retained means a more complex design exercise to resolve the design issues arising and will result in greater costs in constructing the development; and

- activation of the publicly accessible square is possible with the church hall retained, but it will be easier to achieve a better activation outcome if the church hall is removed.

The proponent reviewed Council's independent heritage assessment, Heritage Advisory Committee comments and the architectural consultant's report and reiterated their position on the proposal being:

- the church hall has continuously evolved over time to support the needs and function of the church. The current church hall does not meet those needs;
- the church would prefer the new building to contain all their meeting spaces and ancillary rooms rather than being split over two areas if the church hall is retained;
- the cost of constructing an A-grade office tower incorporating a cantilever over the top of the church hall will add to the design complexity and development costs;
- the removal of the church hall will enable the delivery of a larger more functional publicly accessible space;
- the proposal would result in the development of a-grade office space which will be of benefit to the locality;
- retaining the church hall would limit the ability to achieve a continuous functional basement; and
- the public benefit from the new publicly accessible square and the additional A-grade office space will outweigh the loss of the St John's Parish Hall.

The comments offered by the proponent have been supported by Council where they noted in their report to the local planning panel (**Attachment F**) that they feel that the public benefit offered by the planning proposal outweighs the loss the community will experience by having a locally listed heritage item demolished.

Heritage NSW were given an opportunity to comment on the planning proposal. They commented that any development of the site must ensure that the heritage values of the State Heritage Register listed St John's Anglican Cathedral are protected through appropriate building separation, connectivity, materiality and improved views of its southern façade and exposure of its significant elements.

It is noted that the planning proposal seeks to extend the B3 Commercial Core zoning and development standards beyond the extent of the existing Church Hall and into the area of the proposed new square (Figure 19). This demonstrates that alternative options beyond that depicted in the scheme may be delivered in the future.

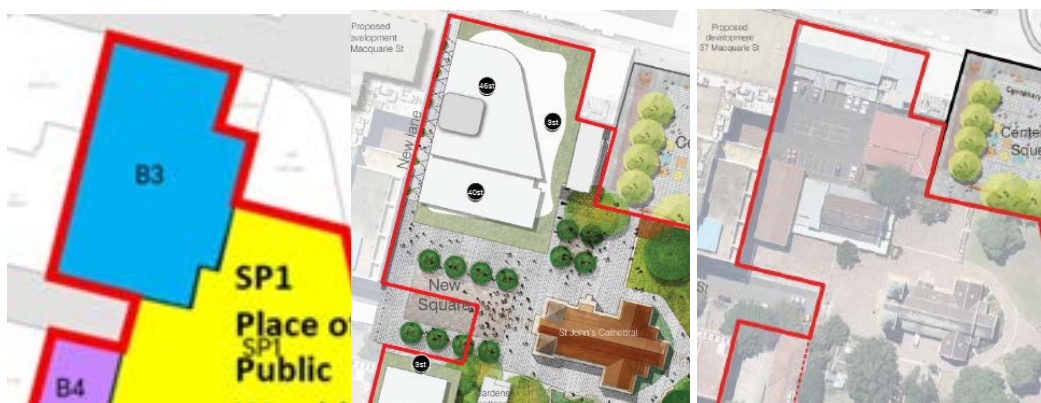


Figure 19 – Proposed zoning, concept scheme and aerial photo (Sources: Council Report and Urban Design Report)

While much of the comments of Heritage NSW can be addressed through appropriate design and consideration through the DA process, the extent of the proposed zone and development standards must be considered through the planning proposal. Heritage NSW also noted that the Department should satisfy itself that the public benefit outweighs the loss of this local heritage item.

There has been a great emphasis on public benefit outweighing the loss of the heritage item. The benefits identified by Council as being derived are not truly public benefits being A-grade office space and publicly accessible open space, both of which remain in private ownership. The other arguments offered by the proponent relate to a preferred usage pattern and ease of development.

It is acknowledged that the delivery of A-grade office space will aid in the economic uplift of the Parramatta CBD, the development of the site will likely be an improved built form outcome and the publicly accessible open space will provide an enhanced setting for the locality. It is suggested that the activation of the locality and provision of A-grade office space in the locality is not entirely dependent upon this planning proposal. There are other planning proposals which will deliver A-grade office space and result in improved built form outcomes.

There have been several reports prepared which offer conflicting views in the value of preservation or removal of the heritage item. The de-listing of the heritage item is not supported at this stage as there is no strong clear evidence that the removal of the item is appropriate, will result in a superior outcome for the site and necessary to achieve redevelopment of the site.

This matter could be revisited by the proponent and Council through a future development application where the proponent's ultimate plans and ultimate site outcomes can be fully considered. This is considered of importance particularly as the proposed development standards extend beyond the proposed concept scheme. Further, the likely impacts upon the state listed heritage item being St Johns Anglican Cathedral can also be considered at this stage.

Any future development application will be required to undergo a design excellence process (including a design competition which may result in improved/alternative built form outcomes) under the existing provisions of the PLEP 2011 including any heritage and archaeological issues and urban design constraints or opportunities. Further, PLEP 2011 requires consideration of heritage issues as part of any development assessment process.

It is noted that due to the likely cost of works associated with the redevelopment of the site, the likely consent authority is the Sydney Central City Planning Panel who are an independent body. The Panel will be able to consider the proposal and decide whether the likely outcomes will result in a suitable outcome for the locality in an impartial manner. It is recommended that this component of the planning proposal be removed.

5.3 Economic

The planning proposal (**Attachment A**) and accompanying urban design study (**Attachment D**) identifies approximately 57,900m² commercial and retail floor area which may generate up to 4,825 jobs (based on the assumption of 12m² per job). The planning proposal will provide additional floorspace for employment purposes which supports the vision for Parramatta CBD and the broader area.

5.5 Overshadowing

The current provisions of PLEP 2011 do not allow any additional overshadowing to occur in the protected area of Parramatta Square at any time of the year between 12-2pm. The protected area makes up 31.5% of the entire square shown hatched in blue in Figure 20.

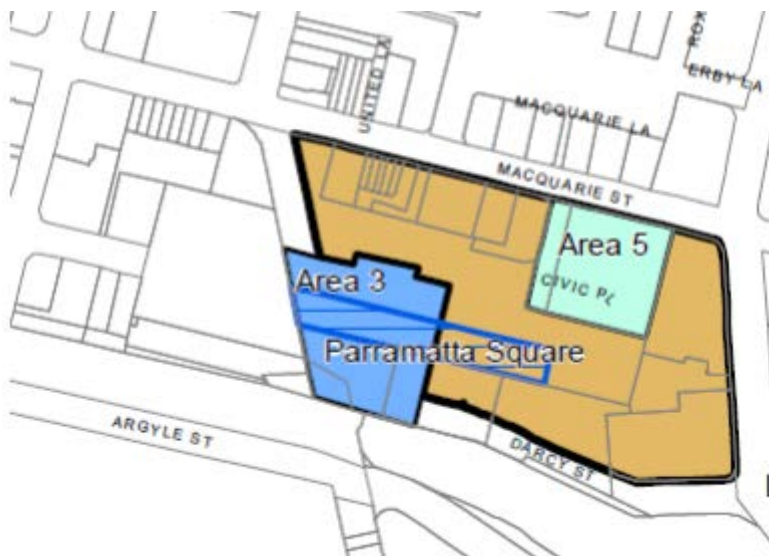


Figure 20 – The protected area of Parramatta Square is shown hatched blue on the sun access protection CL1_10 map of the Parramatta LEP 2011 (source: NSW Legislation)

The planning proposal seeks to protect solar access to Parramatta Square at midwinter only, therefore allowing additional overshadowing at other times of the year. The proponent prepared a submission supporting this position (**Attachment K**) which is consistent with the CBD Planning Proposal.

To support their position in the CBD Planning Proposal, Council have undertaken shadow analysis which shows that the subject site and adjoining land would be captured by the sun access plane for Parramatta Square at the Spring and Autumn equinoxes. This means that development at the scale proposed by the planning proposal would result in overshadowing of the protected area at the equinoxes.

Council advocates for this position as it enables land in the CBD to be developed while delivering the greatest benefit to amenity within the Parramatta Square protected area for mid-winter, with marginal improvements through other time periods.

The Department has considered the request to alter the solar access to Parramatta Square and an additional condition has been included in the CBD Planning Proposal Gateway determination to allow overshadowing to occur at the spring and autumn equinoxes provided that a compensatory area is offered to off-set the overshadowing impact which occurs.

In applying this condition, the Department sought to balance allowing for increased development potential in the core of the CBD while providing for amenity to workers and visitors in a key public area.

This planning proposal is recommended to be updated to contain a condition which requires consistency with the CBD Planning Proposal with respect to a compensatory area with protected solar access. Without protection applied to this area, solar access may be eroded by overshadowing from future development.

5.6 Orderly Development

The block in which the planning proposal site is located is bound by Macquarie Street to the north, Church Street (including Bicentenary and Parramatta squares) to the east, the rail corridor to the south and Marsden Street to the west.

Development in the locality has significant complications from the numerous heritage items, overshadowing considerations, ownership patterns, the road network and view corridors. A review of the planning proposal indicates that it is unlikely to hinder the attainment of orderly development on adjoining parcels of land.

5.7 Traffic, Parking and Access

Traffic

The planning proposal is accompanied by a traffic report (**Attachment L**). The planning proposal notes that as the proposal is largely seeking a commercial use, and that residential development of the site is generally consistent with the CBD Planning Proposal, there will be limited impact with respect to traffic for the locality. Council's Traffic and Transport Team have raised no objections to the proposal.

It is likely that most workers will utilise the various public transport options in the vicinity to travel to work. Transport for NSW will be given an opportunity to comment on the planning proposal as part of the public agency consultation process as a condition of the Gateway determination.

Parking

The planning proposal seeks to apply maximum parking rates to the site to limit traffic associated with future development. The maximum parking rates is consistent with the existing maximum parking rates contained in clause 7.14 of the Parramatta Local Environmental Plan 2011.

While this position has previously been accepted by the Department it is recommended that Transport for NSW be given an opportunity to comment as part of the public authority consultation process.

Access

A pedestrian link is proposed from Macquarie Street to the publicly accessible square through the development site to aid in pedestrian movement. The method of delivery is unknown at this stage.

The planning proposal envisages the closure of a portion of Hunter Street to facilitate the proposed publicly accessible square. In order to minimise pedestrian conflicts with vehicles to the square a 6m strip of land at the southern end of 41, 43 and 45 Hunter Street between Marsden Street and the western boundary of 181 Church Street on the Land Reservations and Acquisitions Map in Parramatta LEP 2011 is proposed (Figure 21). Certainty regarding delivery of this land is required to be provided as the planning proposal progresses.

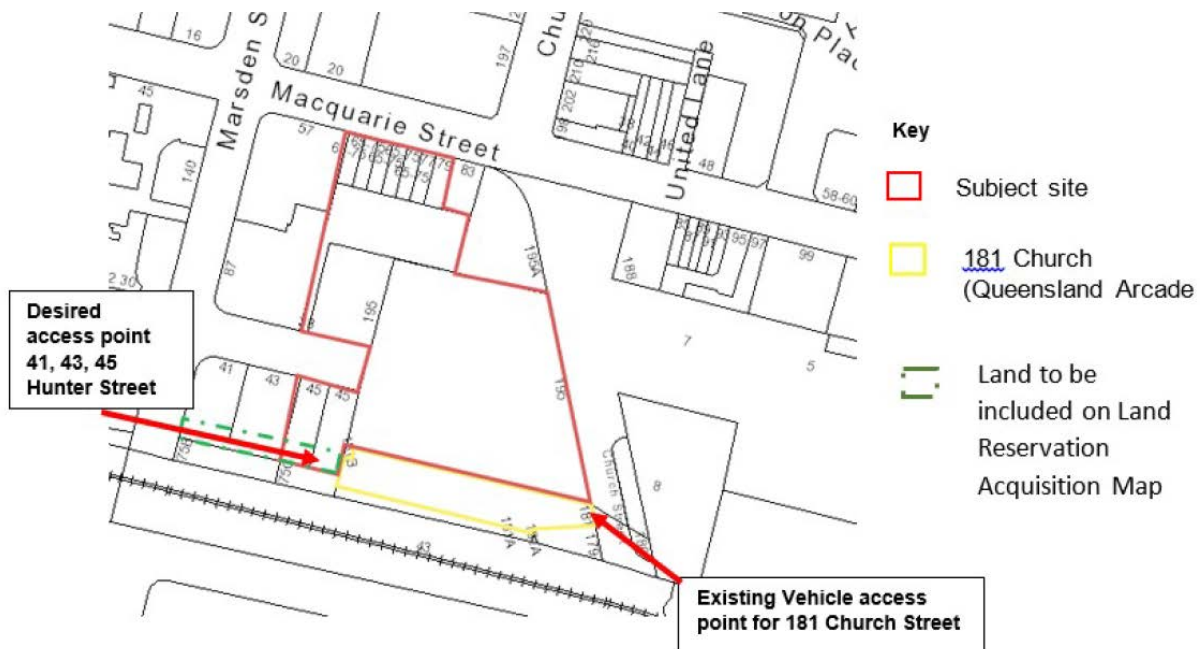


Figure 21 – Location of land to be included in Land Reservation Acquisition Map (Source: Council report)

5.8 Environment

The site is in the Parramatta City Centre and there are no critical habitats, threatened species, population of ecological communities on the site or in the immediate locality. The planning proposal is unlikely to have any detrimental impacts upon the natural environment.

5.7 Infrastructure

Local Planning Agreement

Council has resolved to commence negotiations on a Planning Agreement following an offer from the applicant lodged with the planning proposal. Council's Planning Report (**Attachment G**) identifies that the proponent has agreed to include the following in a Planning Agreement should Council be supportive of their proposal including the delisting and demolition of the church hall:

- New civic space - Creation of a new civic space and a new pedestrian through-site link between Macquarie Street and the new civic space near Hunter Street and an agreement to allow public access over this new space. The exact method of delivering public access is unknown at this stage as the land is to be retained in private ownership.

- Temporary vehicle access - Temporary vehicle access to 181 Church Street until more permanent access arrangements via the creation of a new laneway over 41, 43 and 45 Hunter Street can be put in place.
- Permanent vehicle access - Dedicate to Council a 6-metre-wide portion at the southern end of 45 Hunter Street to allow for the new proposed laneway from Marsden Street.

Council will require the Planning Agreement to be in place prior to the plan being made.

State Planning Agreement

While a special infrastructure contributions (SIC) levy is not in place for Greater Parramatta, it has been identified as part of the Greater Parramatta Interim Land Use and Infrastructure Implementation Plan as a potential funding mechanism. It is recommended that the proponent enter early discussion with the Department to address the State infrastructure generated by the proposal.

6. CONSULTATION

6.1 Community

A community consultation period of 28 days is considered an appropriate amount of time to gauge the community's response.

Council may need to consider how to respond to changing circumstances resulting from COVID 19.

6.2 Agencies

Council proposed that consultation with relevant authorities will form part of the consultation requirements. It is recommended that the following agencies are consulted:

- NSW State Emergency Services,
- DPIE – Environment, Energy and Science Group,
- NSW Heritage;
- Transport for NSW;
- Civil Aviation Safety Authority;
- Commonwealth Department of Infrastructure and Regional Development; and
- Utility providers.

7. TIME FRAME

The proposed time frame to finalise this planning proposal is 12 months, which is considered appropriate given the scale and complexity of the project. This is consistent with the time frame identified in the planning proposal.

8. LOCAL PLAN-MAKING AUTHORITY

Given the complex nature of the planning proposal, and its reliance upon aspects of the CBD Planning Proposal, it is recommended that Council not be authorised as the local plan making authority.

9. CONCLUSION

The planning proposal is recommended to proceed, subject to conditions, as it is considered to have sufficient strategic and site-specific merits and has the potential to give effect to the Central City District Plan. The proposed removal of the local heritage item of St Johns Hall is not supported and recommended to be removed. The proposal has potential to facilitate redevelopment of the site to provide additional homes and jobs while contributing to the vision of Parramatta as the Central River City.

10. RECOMMENDATION

It is recommended that the delegate of the Secretary:

1. agree that any inconsistencies with section 9.1 Directions 3.1 – Residential Zones, 4.1 Acid Sulfate Soils, 4.3 - Flood Prone Land and 6.3 - Site Specific Provisions are minor or justified; and
2. note that the consistency with section 9.1 Direction 2.6 Remediation of Contaminated Land, 3.5 Development Near Licensed Aerodromes, 6.2 Reserving Land for Public Purposes and 7.5 Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan is unresolved and will require justification.

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

1. Prior to public exhibition, Council is to amend the planning proposal and supporting documentation as follows:
 - a) amend to ensure protection of compensatory area of solar access at the eastern end of Parramatta Square at the Spring and Autumn equinox;
 - b) all references regarding the removal of St John's Parish Hall as an item of local heritage significance are to be removed;
 - c) update the explanation of provisions to identify the site is to be included in the areas specified in Clause 7.6 Airspace Operations;
 - d) identify the relevant acquisition authority for land reservations where appropriate; and
 - e) updated to address Direction 2.6 Remediation of Contaminated Land.
2. The planning proposal should be made available for community consultation for a minimum of 28 days.
3. Consultation is required with the following public authorities:
 - NSW State Emergency Services,
 - DPIE – Environment, Energy and Science,
 - NSW Heritage;
 - Transport for NSW;
 - Civil Aviation Safety Authority;

- Commonwealth Department of Infrastructure and Regional Development; and
- Utility providers.

Council should raise the possibility of State infrastructure needs generated by the proposal when consulting State Agencies and forward their comments to the Department upon receipt.

4. The time frame for completing the LEP is to be 12 months from the date of the Gateway determination.
5. Prior to finalisation, the planning proposal is to be consistent with the Parramatta CBD Planning Proposal's position in relation to solar access to Parramatta Square.
6. Given the nature of the planning proposal, Council should not be authorised to be the local plan-making authority to make this plan.



28/08/2020

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2/9/2020

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