

Old Kings School - transfer of FSR and revision of building height restrictions - O'Connell St, Parramatta

Proposal Title :	Old Kings School - transfer of FSR and revision of building height restrictions - O'Connell St, Parramatta		
Proposal Summary :	The Planning Proposal is to amend the Parramatta City Centre LEP 2007 to allow a re-distribution of the maximum allowable floor space ratio and height limits on the former Kings School site at 24 O'Connell Street (corner of Victoria Road), Parramatta.		
PP Number :	PP_2011_PARRA_004_00	Dop File No :	11/21314

Proposal Details

Date Planning Proposal Received :	06-Dec-2011	LGA covered :	Parramatta
Region :	Sydney Region West	RPA :	Parramatta City Council
State Electorate :	PARRAMATTA	Section of the Act :	55 - Planning Proposal
LEP Type :	Spot Rezoning		

Location Details

Street :	24-26 O'Connell Street		
Suburb :	Parramatta	City :	Parramatta
		Postcode :	2150
Land Parcel :	Lot 3 and 4 in DP 1132683 and Lot 1 in DP 1112822		

DoP Planning Officer Contact Details

Contact Name :	Michael Druce
Contact Number :	0298738564
Contact Email :	michael.druce@planning.nsw.gov.au

RPA Contact Details

Contact Name :	Sue Stewart
Contact Number :	0298065550
Contact Email :	sstewart@parracity.nsw.gov.au

DoP Project Manager Contact Details

Contact Name :	
Contact Number :	
Contact Email :	

Land Release Data

Growth Centre :	N/A	Release Area Name :	
Regional / Sub Regional Strategy :	Metro West Central subregion	Consistent with Strategy :	Yes

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MDP Number :

Date of Release :

Area of Release (Ha)
:

Type of Release (eg
Residential /
Employment land) :

No. of Lots : 0

No. of Dwellings : 0
(where relevant) :

Gross Floor Area : 0

No of Jobs Created : 0

The NSW Government Yes

Lobbyists Code of
Conduct has been
complied with :

If No, comment :

Have there been No
meetings or
communications with
registered lobbyists? :

If Yes, comment :

Supporting notes

Internal Supporting
Notes :

External Supporting Notes : To the best of the Regional team's knowledge, this planning proposal complies with the Department of Planning and Infrastructure's Code of Practice in relation to communications and meetings with lobbyists. The Lobbyist Contact Register was checked on the 8/12/2011.

Adequacy Assessment

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

Is a statement of the objectives provided? Yes

Comment : There are three principal objectives of the Planning Proposal:
1. To ensure an appropriate redistribution of FSRs between separate parcels of land within the current curtilage of the Old Kings School site in order to facilitate redevelopment of the north-western part of that site (the L-Shaped site).
2. To revise the Height of Buildings boundary, which traverses the northern part of the site, to accommodate buildings of a sufficient height to ensure that the necessary FSR can be achieved within the L-Shaped site.
3. To ensure the future of the State-significant heritage of the whole site, and to enable the restoration of the Old Kings School and its associated buildings and land to be beneficially revitalised and redeveloped as a community precinct.

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

Is an explanation of provisions provided? Yes

Comment : FSR Provisions:
It is proposed that the Parramatta LEP 2007 be amended by modifying the current 0.6:1 maximum FSR limit which is currently permitted for the whole site. This FSR limit would be redistributed across the site to reflect both the existing characteristics and desired future use of the land and buildings.
It is proposed that the revised FSR limits across the site would comprise:
- FSR of 1.52:1 to apply to the L-Shaped site. This would allow buildings with a potential net maximum GFA of 8,900m² to be built on that part of the site. This anticipates that the

existing buildings within this parcel, which are of no architectural or historic merit, will be demolished in anticipation of comprehensive redevelopment of the L-Shaped site.

□ FSR of 0.4:1 to apply to the Government retained site. This would permit a maximum GFA of 11,280m² across the whole Government retained site. According to a site survey conducted in October 2011, this part of the site currently has a GFA of 6,672m² within the existing heritage buildings. The Government retained site has limited new development opportunities due to its heritage importance and the requirement to maintain public access to the Parramatta River foreshore at its southern fringe.

Height of Buildings Provisions:

It is proposed that the Height of Buildings Map (Sheet HOB_001 of the Parramatta LEP 2007) be revised in accordance with the plan referred to in the planning proposal document as Figure 3-4. It is proposed that the boundary between the two height zones of 10m and 18m correlate with the intended boundary of the proposed future subdivision of the site. The revised height controls would ensure that the L-Shaped site would be subject to a single control of 18m across the site. The balance of the site (the Government retained site) would have a 10m height limit.

Justification - s55 (2)(c)

a) Has Council's strategy been agreed to by the Director General? **Yes**

b) S.117 directions identified by RPA :

2.3 Heritage Conservation

* May need the Director General's agreement

3.4 Integrating Land Use and Transport

4.1 Acid Sulfate Soils

4.3 Flood Prone Land

5.1 Implementation of Regional Strategies

6.3 Site Specific Provisions

7.1 Implementation of the Metropolitan Plan for Sydney 2036

Is the Director General's agreement required? **No**

c) Consistent with Standard Instrument (LEPs) Order 2006 : **Yes**

d) Which SEPPs have the RPA identified?

SEPP No 6—Number of Storeys in a Building

SEPP (Exempt and Complying Development Codes) 2008

SEPP (Infrastructure) 2007

SEPP (Major Projects) 2005

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

The planning proposal is not inconsistent with the applicable S117 directions listed in b) above and is consistent with the applicable SEPPs listed in d) above.

Have inconsistencies with items a), b) and d) being adequately justified? **N/A**

If No, explain :

Mapping Provided - s55(2)(d)

Is mapping provided? **Yes**

Comment :

The maps provided are sufficient for public exhibition of the planning proposal.

Community consultation - s55(2)(e)

Has community consultation been proposed? **Yes**

Comment :

The proponent argues that the proposal is of low impact and a consultation period of 14 days is proposed. Due to the high heritage significance of the site it is suggested that this be extended to a 28 day consultation.

Additional Director General's requirements

Are there any additional Director General's requirements? No

If Yes, reasons :

Overall adequacy of the proposal

Does the proposal meet the adequacy criteria? Yes

If No, comment :

Proposal Assessment

Principal LEP:

Due Date :

Comments in relation to Principal LEP : Parramatta LEP 2011 was made 7 October 2011.

Assessment Criteria

Need for planning proposal :

The former Kings School site (also the site of the former Marsden Rehabilitation Centre), occupies an area of approximately 3.36 hectares between Victoria Road, O'Connell Street and the Parramatta River. The site is owned by the Crown. It adjoins St Patrick's Cathedral located on the corner of Victoria Road and Marsden Street, owned by the Catholic Diocese of Parramatta.

An L-shaped portion of the north western corner of the Old Kings School site has been identified for purchase by the Catholic Diocese of Parramatta (the Church) for the future development of education and community uses in conjunction with the Church's adjoining facilities. This would be achieved by subdividing the land to create a new L-shaped portion of land with an area of 5,874 sqm. The remainder of the Crown site would contain the buildings of heritage significance for community, adaptive reuse of heritage and recreational uses. The area of the Crown site would be 27,760sqm (2.776ha).

To facilitate the future development of the L-shaped land, it is proposed that the maximum allowable floor space ratio (FSR) under the Parramatta City Centre LEP, which is currently 0.6:1, be redistributed to provide additional allowable floor space on the L-shaped site (proposed maximum FSR of 1.52:1) and to reduce the maximum allowable FSR on the remainder of the Crown site to 0.4:1.

The planning proposal states that the revenue expected to be raised from the sale of the northwest corner of the site (the L-Shaped site) would be held by the Crown Lands Reserve Trust for ongoing upgrade and maintenance of the heritage buildings on the remainder of the site.

Consistency with strategic planning framework :

The proponent argues that the planning proposal is generally consistent with the Metropolitan Plan for Sydney 2036 and the draft West Central Subregional Strategy. The Department agrees that the proposal can contribute to the heritage and open space objectives of these strategies.

The proponent also argues that the planning proposal is consistent with Council's strategic plans and direction. The planning proposal provides information to support this.

Environmental social economic impacts :

The planning proposal identifies a number of environmental issues. These along with potential impacts are shown below.

□ Heritage – The site is a State heritage listed site and any development on the site should be sympathetic to the significant buildings. The proposed site boundaries between the L-Shaped site and the Government retained site have taken into consideration appropriate setbacks from heritage listed buildings. The heritage significance of the site will also be

considered in the adaptive reuse of the Government retained site.

- Views - Views of the former main Kings School buildings can be obtained from Old Government House, Parramatta Park (the Crescent) and should be retained.
- Flood Prone Land - The southern portion of the site (the playing fields) is identified as flood prone, however no development is earmarked for this area.
- Acid sulphate soils – The majority of the site is identified as Class 5 under the Parramatta LEP 2007 and is therefore not a constraint to development.
- Traffic and Access – The site currently has access points from Victoria Road, Marist Place and O'Connell Street. Vehicular access is to be provided to the L-Shaped site via Victoria road, and via the proposed right of way from Marist Place. Pedestrian access to the heritage precinct on the Government retained site will be from O'Connell Street.
- Aboriginal heritage - sites may be in the locality, particularly near the foreshore area. The area of the site that has been earmarked for redevelopment is highly disturbed and has a low probability of containing sites. However an assessment of Aboriginal heritage would be undertaken in perusing any future development approval for the site.

The proponent argues that the proposal will have positive social effects in that the proposal will facilitate the conservation of the heritage buildings on the site and provide for appropriate adaptive reuse opportunities. In doing so the site will be opened up the public and will increase the potential for its public appreciation.

It is also argued that the proposed redevelopment of the L-Shaped site by the Catholic Church for community and education purposes will provide additional social benefit by providing additional services to the local community. Accompanying this would be economic benefits from increased employment on the site by the Catholic Church in delivering services.

The proposal identifies the economic benefits as including making use of an underutilised Crown resource, for the benefit of the local and wider community.

It is stated that funds from the sale of the L-Shaped site will be applied by the Crown to the heritage precinct. It is expected that there would be further positive economic impacts through jobs during any further development and some ongoing employment opportunities in conjunction with the end use of both the sites.

The above views are supported by the Department.

Assessment Process

Proposal type : **Minor** Community Consultation Period : **28 Days**

Timeframe to make LEP : **9 Month** Delegation : **DDG**

Public Authority Consultation - 56(2)(d) : **Office of Environment and Heritage**

Is Public Hearing by the PAC required? **No**

(2)(a) Should the matter proceed ? **Yes**

If no, provide reasons :

Resubmission - s56(2)(b) : **No**

If Yes, reasons :

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Identify any additional studies, if required. :

If Other, provide reasons :

Identify any internal consultations, if required :

No internal consultation required

Is the provision and funding of state infrastructure relevant to this plan? **No**

If Yes, reasons :

Documents

Document File Name	DocumentType Name	Is Public
Letter to DP&I Old Kings School site seeking gateway determi.pdf	Proposal Covering Letter	Yes
Planning Proposal former Kings School site.pdf	Proposal	Yes
Heritage Impact Assessment Old Kings School Site Govt Archit.pdf	Study	Yes
Council report Old Kings School site 5 December 2011.doc	Proposal Covering Letter	Yes

Planning Team Recommendation

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

S.117 directions: 2.3 Heritage Conservation
 3.4 Integrating Land Use and Transport
 4.1 Acid Sulfate Soils
 4.3 Flood Prone Land
 5.1 Implementation of Regional Strategies
 6.3 Site Specific Provisions
 7.1 Implementation of the Metropolitan Plan for Sydney 2036

Additional Information : It is recommended that the planning proposal proceed with the following conditions:
 1. That the planning proposal have a community consultation period of 28 days.
 2. That the Office of Environment and Heritage be formally consulted regarding the planning proposal.
 3. That 9 months be given for the planning proposal to be completed.

Supporting Reasons : The redistribution of FSR and the minor adjustment of the height boundary are not substantive changes to the planning controls for the site. These changes would, however, facilitate the future use and development of this precinct for significant cultural, community, educational and recreational activities and enhance opportunities for the maintenance and conservation of this important heritage precinct.

Signature: _____

Printed Name: _____

Date: _____