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Crown Lands Reserve Trust

Old Kings School transfer of
FSR and revision of building
height restrictions
Planning proposal

November 2011

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- A SEPP Checklist
- B Section 117 Checklist

1. Introduction to the planning proposal

1.1 The site and its context

The site that is the subject of this planning proposal is located at the corner of O'Connell Street and Victoria Road, Parramatta (see Figure 1-1 and Figure 1-2 below). It has a street address of 24-26 O'Connell Street, Parramatta. It is also bounded by the Parramatta River to the south and Marsden Street to the east.

The site is known as the Old King's School (OKS) site, or otherwise as the former Marsden Rehabilitation Centre. The land is owned by the State and is reserved under the *Crown Lands Act 1989*. The Crown Lands Reserve Trust has been appointed to manage the site. Day-to-day management is undertaken by the Catchment and Lands Division of the Department of Primary Industries on behalf of the trust manager, the Lands Ministerial Corporation.

St Patrick's Cathedral and associated church buildings, owned by the Catholic Diocese of Parramatta (the Catholic Church), adjoins the site to the east and north east.

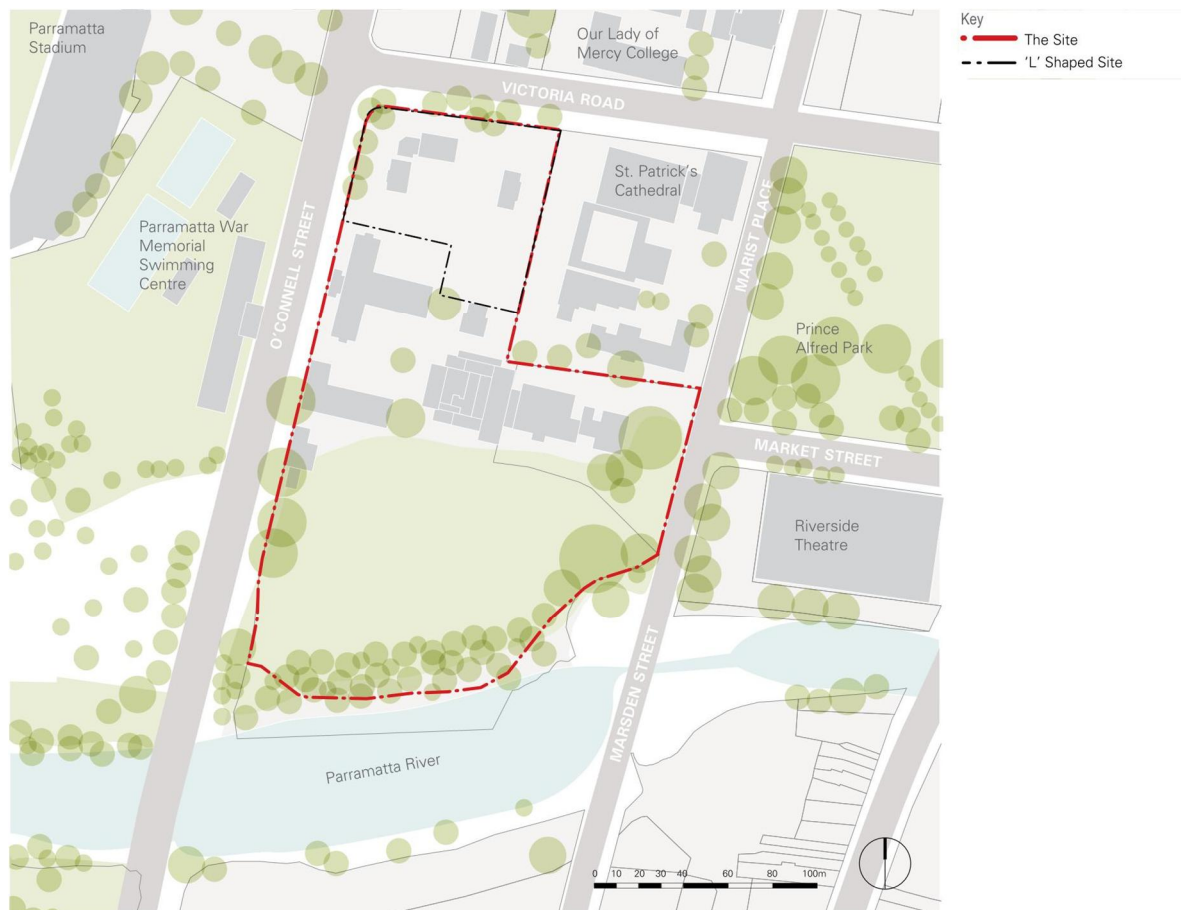


Figure 1-1 Definition of the site (Source: JBA Planning)



Figure 1-2 Aerial photograph of the site (Source JBA Planning)

The site comprises three separate lots (Lot 3 and 4 in DP 1132683 and Lot 1 in DP1112822) (refer to Figure 1-3).

There are a number of existing buildings on the site, including buildings of state heritage significance. The buildings located on Lot 1 in DP1112822 have been renovated and are used for office and administrative uses by the State Heritage Office, the Department of Planning and a private Law firm. The other buildings of heritage significance on the site are disused and are in a state of disrepair, however recent remedial works have been undertaken to secure the buildings and prevent further deterioration. There are three dilapidated empty buildings located to the north west of the site on which are of more recent construction and are not considered to be of heritage significance.

The southern part of the site is open space on Lots 3 and Lot 4 in DP 1132683.



Figure 1-3 Site Plan

1.2 The L-Shaped site and Government retained site

An L-Shaped portion of the north-western part of the site (known as the L-Shaped site) has been identified for purchase by the Catholic Diocese of Parramatta (the Catholic Church) which owns adjoining land and buildings. The remaining part of the site (the Government retained site), which contains the buildings of heritage significance, would be maintained for adaptive re-use by the Crown.

It is also intended that a shared right of way across the existing OKS site from Marist Place be provided, to give access to the rear (south) of the L-Shaped site. This would enable 'back of house' access to the area near the current boiler house and would be a pedestrian, low volume access point.

Figure 1-4 shows the indicative layout of the L-Shaped site and the Government retained site as a result of the proposed future subdivision. The L-Shaped site is marked in yellow and the proposed future shared right of way is shown in green.

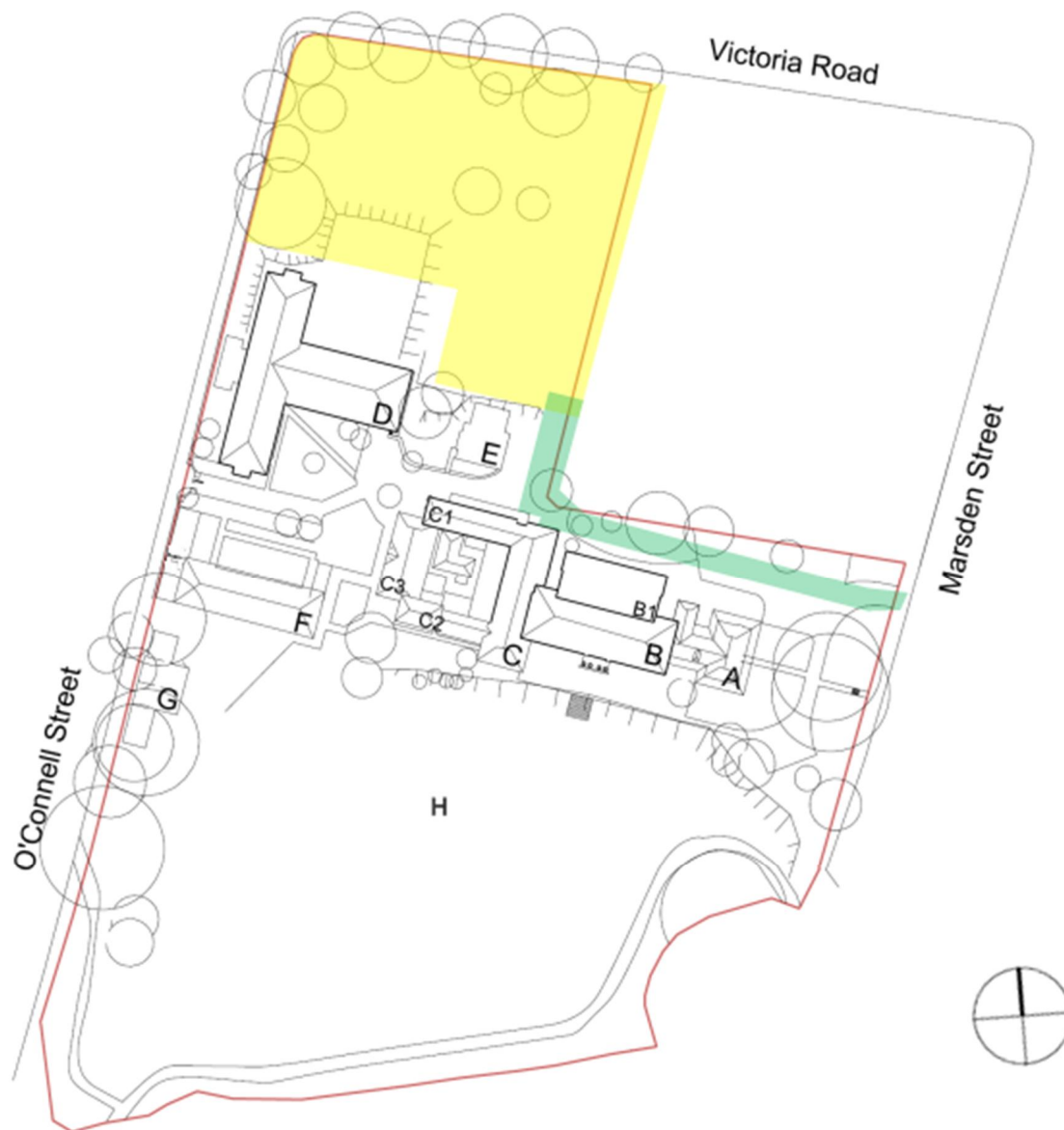


Figure 1-4 The L-Shaped site, Government retained site and proposed shared access (Source NSW Government Architects Office)

There are eight main components of the retained government heritage precinct as identified in Figure 1-4:

- Building A - The 1836 Headmaster's Residence
- Building B - The 1836 Main School Building – with later additions
- Building C - School Complex dating predominantly from the 1910s-20s
- Building D - The 1934 Dormitory Building
- Building E - The Boiler House – 1970s
- Building F - The Gymnasium and pool – 1920s & 30s with later additions
- Building G – Fives Courts¹
- Building H – Heritage Oval and pedestrian access

¹ Fives is an old tradition English game similar to handball

1.3 Current zoning

Under the *Parramatta City Centre Local Environmental Plan 2007* (Parramatta LEP 2007), the site is currently zoned B4 Mixed Use. A zone extract is at Figure 1-5.



Figure 1-5 Zoning of the site

1.4 Current and future floor space ratios

Under the Parramatta LEP 2007, the entire OKS site has a maximum permissible Gross Floor Area (GFA) of 20,180.4 m² based on a Floor Space Ratio (FSR) of 0.6:1 over Lot 1 DP 1112822 and Lot 3 DP1132683 (30,499m²) and a FSR of 0.6:1 over approximately half of the riverside Lot 4 of DP 1132683 (0.3 of 7,225 m² but conservatively estimated at 3,000m²).

The Catholic Church intends to purchase the L-Shaped site from the Crown and develop it for education and community uses, in conjunction with adjoining Church facilities including the Cathedral and educational establishments. It requires a GFA of 8,900m² to accommodate this proposed development.

The current GFA for the Government retained site is 16,656 m² based on a site area of 27,760m². The calculations for the GFA are in Table 1-1 and Table 1-2.

Table 1-1 Site area calculations

Lot 1 (DP 1112822)	4,990m ²
Lot 3 (DP 1132683)	25,644m ²
Lot 4 (DP 1132683)	3,000m ² (of a total 7,225m ²)
Total site area	33,634m²
L-Shaped site area	5,874m ² (GFA 3,524.4m ²)
Difference (Government retained site)	27,760m ² (GFA 16,656m ²)

Table 1-2 Proposed GFA/FSR calculations

Total site area	33,634m²
FSR	0.6:1
Total site GFA	20,180m²
L-Shaped site GFA	8,900m ² FSR = 1.52:1
Difference (Government retained site)	11,280m ² FSR – 0.4:1

The Government retained site is constrained in terms of accommodating any significant additional development by the presence of several buildings of State heritage significance. It is consequently proposed that 5,375.6m² of the surplus GFA available for the Government retained site should be transferred to the L-Shaped site to accommodate its redevelopment and achieve the net GFA of 8,900m² (assuming that all other buildings on the site are removed).

Given that the existing heritage buildings on the Government retained site occupy 6,672.1m² GFA, the transfer of 5,375.6m² GFA to the L-Shaped site will leave an additional 4,608.3m² (16,656 – (5,375.6 + 6,672.1)) which can be utilised to enhance this heritage precinct if required and is more than the estimated 3,000m² GFA currently considered desirable for this purpose.

Reducing the FSR/GFA on the Government retained site would also facilitate the conservation and future protection of the significant heritage buildings, by limiting the development capability of that part of the site in terms of its physical extent and floor space capacity.

Crown Lands intends that any existing site re-development or new building development would be carried out in a sensitive manner, taking advantage of the limited remaining FSR to enable the development of an attractive, space-efficient community facility which is supportive of this important heritage precinct.

1.5 Current and future building height restrictions

Sheet HOB_001 (Height of Buildings Map) of the Parramatta LEP 2007 shows that the site is covered by two building height restrictions. These are:

- ▶ Area P, in the north of the site, for which building heights of 18m are permissible
- ▶ Area K, covering the central part of the site including the heritage buildings, together with the land currently owned by the Catholic Church, for which building heights of 10m are permissible.

Currently in accordance with the proposed subdivision boundary for the L-Shaped site, two maximum building height limits apply, namely 10m and 18m.

2. Objectives and intended outcomes

2.1 Objectives

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 OKS 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 King School and its associated buildings and land to be beneficially revitalised and redeveloped as a community precinct.

2.2 Intended outcomes

The objectives would be achieved through an amendment of the Parramatta LEP 2007. The following FSRs and boundary changes are proposed:

- ▶ FSR of 1.52:1 to apply to the north-western part of the site (the L-Shaped site), which would be subdivided from the remainder of the site and sold for redevelopment.
- ▶ FSR of 0.4:1 to apply to the southern part of the site (the Government retained site), which contains the majority of the heritage buildings within the site, and which is intended for adaptive reuse as a community precinct using the limited remaining FSR.
- ▶ Revision of the current Height of Buildings boundary within the site to ensure that a consistent height limit of 18m applies across the whole proposed L-Shaped site area.

The existing playing field area and southern portion of the site adjacent to the Parramatta River would be maintained for open space and public access purposes.

The reallocation of FSRs would ensure that the whole site is not developed to any greater extent than the total FSR which is permissible under the current Parramatta LEP 2007.

In addition, by transferring some of the existing FSR entitlements away from the area containing the main heritage buildings to the north-western part of the site, the following outcomes would be achieved:

- ▶ The sale value of that land would be increased, with proceeds from the sale retained in the Crown Land Reserve Trust, established for the purpose of managing the remaining buildings and land for community, heritage and recreation purposes.
- ▶ The Catholic Church, as adjoining landholder, would be enabled, following potential purchase of the site, to achieve its complimentary vision of creating a community, educational and religious precinct.
- ▶ The site as a whole would not be capable of development beyond the currently allowable development limits.
- ▶ The long term future of the heritage buildings and their surroundings as an important community resource would be secured for posterity, reversing many years of neglect.

- Important state significant heritage would be revitalised through adaptive re-use for local and wider community benefit.

A Concept Plan for the potential development of the L-Shaped site is provided in Figure 2-1. A masterplan showing a high level conceptual layout of the Government retained site showing the position of existing buildings of heritage significance is provided as Figure 2-2.



Figure 2-1 Concept Plan for the L-Shaped site (Source: JBA Planning)

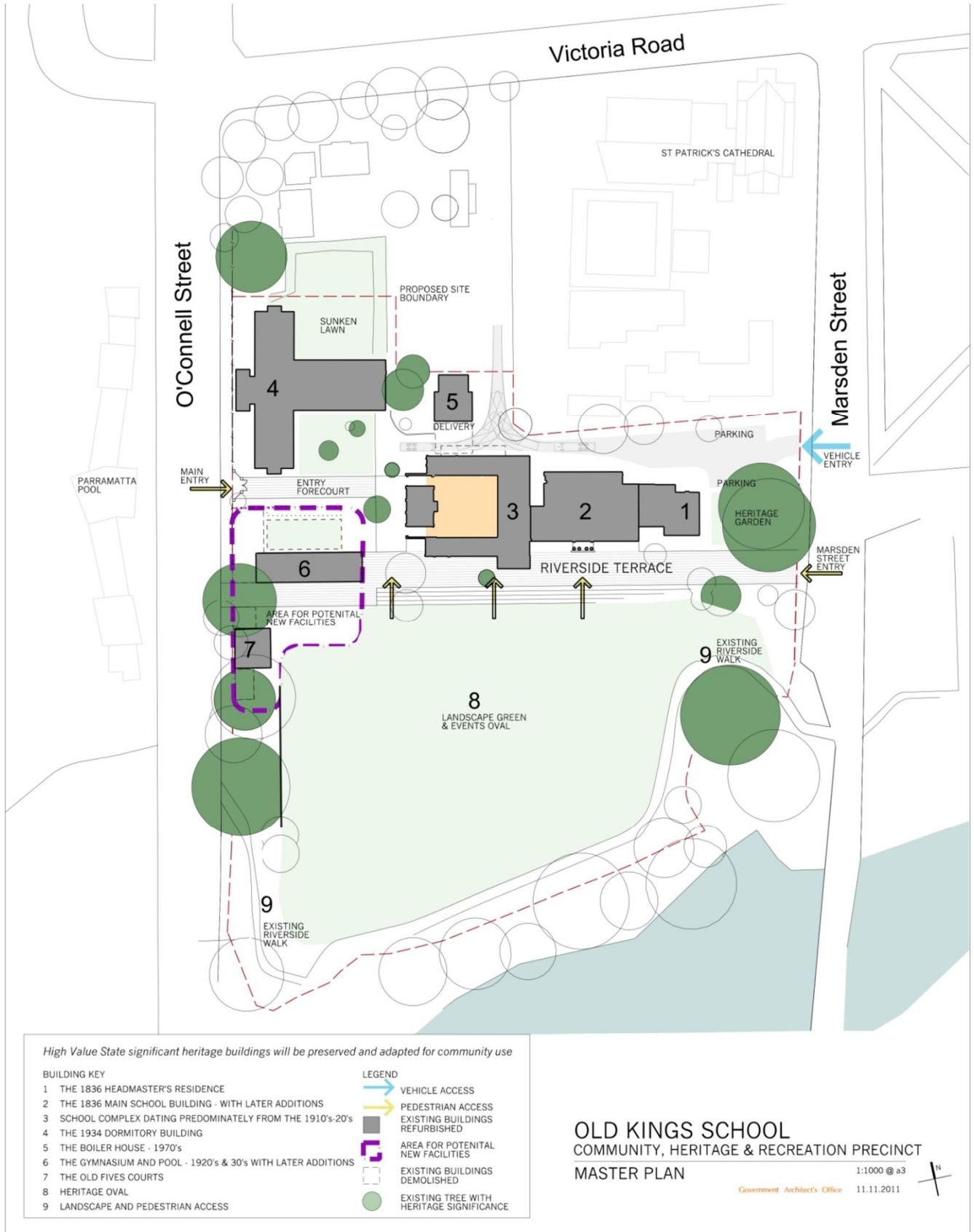


Figure 2-2 Conceptual layout of the site

3. Explanation of provisions

The site is constrained by heritage features, including buildings and mature specimen trees, together with significant areas which are to remain undeveloped and in recreational use. Consequently, it is considered to be logical and appropriate in planning terms to re-allocate FSR to where it can be most beneficially utilised, namely the north-western part of the site and to retain sufficient FSR on the rest of the site to enable the existing former school buildings to be enhanced as an integral part of any proposed community facility. No additional FSR is being sought by this planning proposal.

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.

Overall, the maximum gross floor area permissible under an FSR of 0.6:1 will be maintained across the whole of the site (the L-Shaped site plus the Government retained site). The reallocation of FSR across the site is summarised in Figure 3-1 and Figure 3-2.

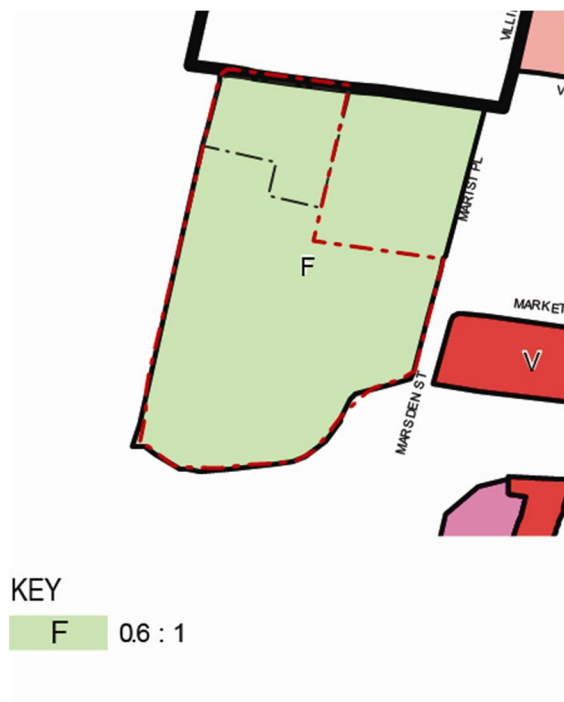


Figure 3-1 Existing FSR across the site (source JBA Planning)

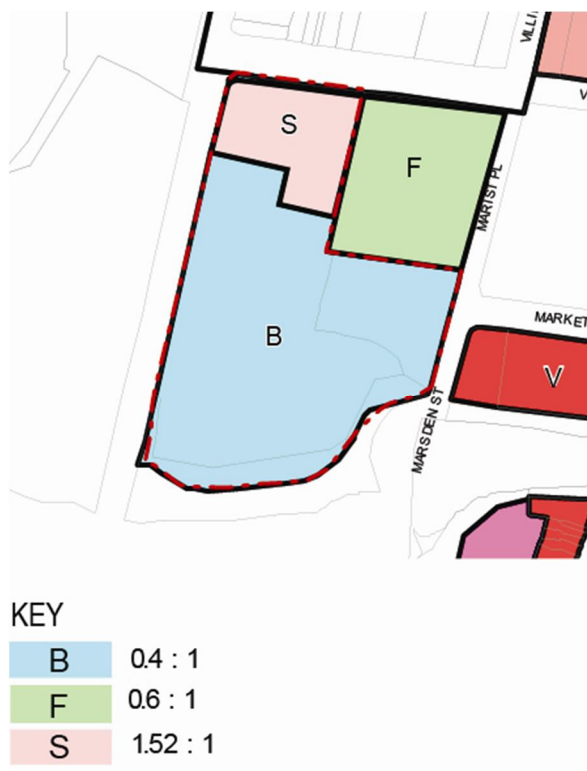


Figure 3-2 Proposed FSR across the site (Source JBA Planning)

It is also proposed that the Height of Buildings Map (Sheet HOB_001 of the Parramatta LEP 2007) (refer to Figure 3-3) be revised in accordance with the following plan (refer to 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.

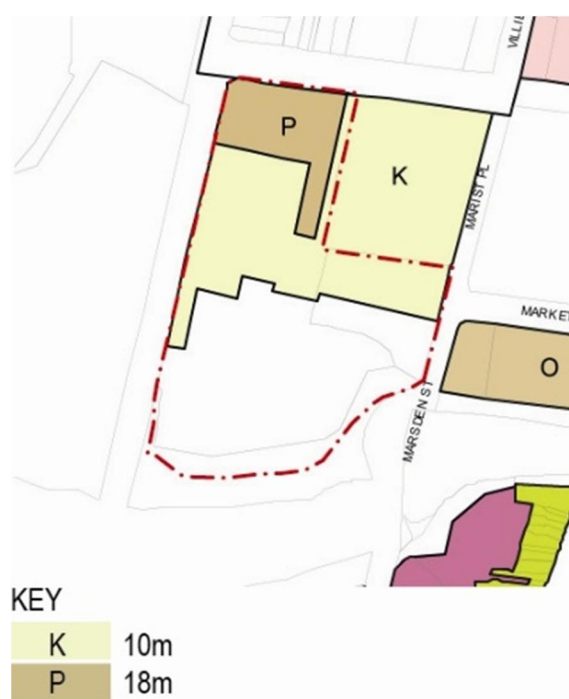


Figure 3-3 Current Height of Buildings boundaries (Source: JBA Planning)

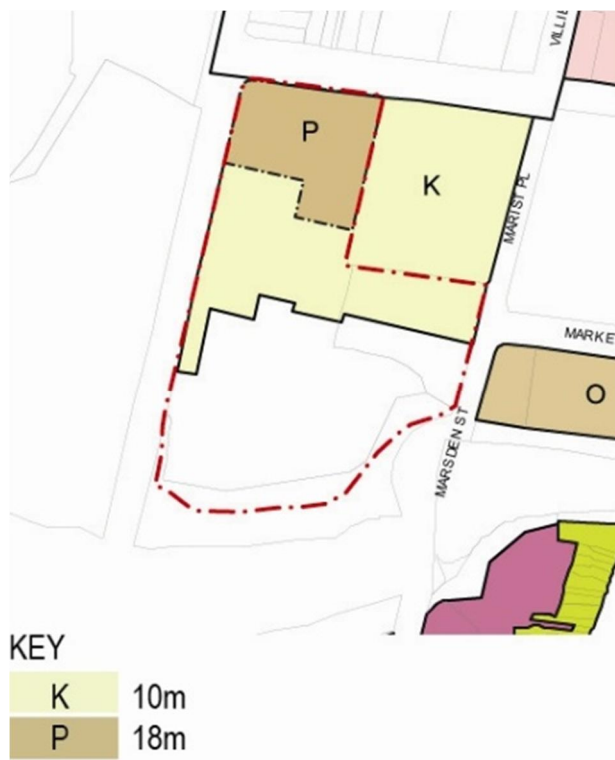


Figure 3-4 Proposed Height of Building boundaries (Source JBA Planning)

Overall the amended provisions would see the controls outlined in Table 3-1 applicable for the site.

Table 3-1 Proposed controls

Site	FSR (max)	Height (max)
L-shaped site	1.52:1	18m
Government retained site	0.4:1	10m

4. Justification

4.1 Section A: Need for the planning proposal

Is the planning proposal a result of any strategic study or report?

The Government-owned Old Kings School site was reserved in March 2011 under the *Crown Lands Act 1989* for the community purposes of “*public purposes of environmental protection, community purposes, government purposes, heritage purposes and public recreation*”.

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.

The whole site is listed on the *State Heritage Register*, under the *Parramatta LEP 2007* as local heritage, and on the Section 170 Register of the Department of Health (former site owner). The range of historic buildings on the site are of ‘high’ and ‘very high’ state heritage significance; and the site as a whole, with its river frontage and heritage listed oval, is of particular cultural, landscape and historic significance to the community and Parramatta Council.

The planning proposal is also in line with the 2006 *Parramatta Council 2025 Strategic Plan* endorsed by Planning NSW. This identified the site as part of a planned ‘Cultural Precinct’ for Metropolitan Parramatta, for development by 2025.

Subsequently, the *The Sydney Metropolitan Strategy 2036* identified Parramatta as the second Sydney CBD, and as a major social and employment hub for Western Sydney. Parramatta supports 90,000 employees per day, 160,000 residents and 16,000 businesses. The provision of cultural, community and educational services close to home is a key platform of the Strategy insofar as it relates to Parramatta

Lastly, the planning proposal is based on a series of previous reports and studies concerning the subdivision of the site. In particular the proposal has been based on the *Marsden Rehabilitation Site, Parramatta – Master Plan Guidelines* (May 2006) prepared by Tanner & Associates.

Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

The planning proposal is the most effective way of achieving the intended future outcomes of the site for community, heritage and recreation purposes. The proposal seeks to protect the important, existing state heritage significance of the site as a whole. It would ensure that access to and use of its facilities would be enhanced for the benefit of the community in the longer term.

The site was declared surplus to Government requirements by the Government Asset Management Committee (GAMC) in 2003 and again in 2008. The site was offered for sale in August 2005. However the sale was unsuccessful with bids being well below valuation. GAMC endorsed the disposal of the whole site for a second time by open market tender in August 2008. However the Government put a stop to the process in order to explore options for community use.

The proposed sale of the whole site would have alienated it from potential future community use, and may have resulted in more intense commercial development. The current proposal for partial sale of the site, which would preserve the more significant state heritage portion of the site for community benefit, constitutes a better public outcome for the people of Parramatta and Western Sydney.

The Old Kings School is one of Parramatta's most important historic assets. It has the potential for adaptation as a recreation and community space with minimal disruption to its character and historic and visual/aesthetic significance. Site investigations undertaken by the Government Architect have confirmed the suitability of the site and buildings for adaptive re-use for community, recreation and cultural facilities, together with accommodation and commercial facilities to support the operation of any new facility.

The portion of the site proposed for retention for community use (the Government retained site) contains the most significant heritage constraints to new development. Therefore the development potential of the site as a whole is mainly limited to the north west corner which is occupied by derelict and undistinguished residential buildings and disused open space.

The high level of historic significance of the buildings, coupled with applicable conservation guidelines place serious restrictions on development with a requirement for 'adaptive re-use' of the existing heritage and some limited, permissible and complementary development. The transfer of the surplus FSR to the L-Shaped site would enhance the opportunities on the L-Shaped site for more meaningful and viable development. This would be further supported through the adjustment of the height limits boundary to ensure that the height limit provides for the site was consistent across the whole L-Shaped site. The transfer of the FSR and the adjustment of the boundary may only be achieved via amendment of the Parramatta LEP, through a planning proposal.

As a whole, the site has a relatively large FSR. Transfer of some FSR entitlements to the north-western part (L-Shaped site) has been envisaged for many years. This is because these FSR rights have limited application to the Government retained site due to the extent and nature of the current built heritage envelope.

Is there a net community benefit?

The Old Kings School site is centrally located within an important local cultural and recreation precinct including Parramatta Park, Parramatta Stadium, the Riverside Theatre, Parramatta Heritage Centre, Prince Alfred Park, a section of Parramatta River and the restaurant and hospitality strip on Church Street. The future community use and vision for the site within this context is critical to Parramatta's development and status as Sydney's second CBD.

The site includes a heritage-listed oval and a river frontage, which will be preserved for use for outdoor performances, festivals and other community events and recreation. The oval is being used as part of the Sydney Festival Program in January 2012. In addition, over the longer term, the site's built heritage will provide additional community facilities for the people of Parramatta and Western Sydney.

While two of the most significant heritage buildings (the main School Building and Headmaster's house) have been refurbished and generate income for the site, the rest of the heritage buildings on site are in poor repair; and there are considerable ongoing costs which must be incurred to maintain the property.

Proposed sales of the entire site would have alienated the site from public usage. This planning proposal makes the partial sale of the site a viable option and would ensure the longer term future of the site as a community facility. Use of the site as a community facility has been supported by key organisations such as the Tourism and Transport Forum and Parramatta City Council and by local community and arts organisations including the 'Save The Old Kings School' group. Sale of the north-western portion of the site would provide funds for the upkeep of the retained Crown land.

As the adjoining land holder the Catholic Church has long held an interest in acquiring part of the site for its own community, education and religious purposes, in view of its limited options for expansion of St

Patrick's Cathedral. Its proposal for the L-Shaped site is complementary to the envisaged future uses of the Government-retained portion of the site, and would also be of significant benefit to the community.

4.2 Section B: Relationship to strategic planning framework

Is the planning proposal consistent with the objectives and actions contained within the Metropolitan Plan for Sydney 2036 and the draft West Central Subregional Strategy 2007?

Metropolitan Plan for Sydney 2036

The proposal is not a specific outcome or action within the Metropolitan Plan for Sydney 2036 (Metropolitan Plan), but may be consistent with a number of actions:

Achieving equity, liveability and social inclusion

- Identify heritage landscapes in Sydney and develop appropriate responses to plan for their protection and interpretation in the preparation of Subregional Strategies and LEPs.
- Ensure Western Sydney's cultural and artistic life is strengthened and encouraged to support future urban growth
- Strengthen cultural and related activities through identification and protection of appropriate venues, places and clusters

Comment: The proposal seeks to provide an appropriate response to protect the heritage significance of the OKS site in the Parramatta LEP 2007. The proposal will help strengthen and encourage cultural and community related uses through encouraging appropriate development and adaptive reuse of the site.

Draft West Central Subregional Strategy 2007

The draft West Central Subregional Strategy (draft) applies to the Parramatta LGA. The proposal is consistent with a number of actions identified in the draft strategy:

Environment, Heritage and Resources

- Recognise where Sydney's cultural heritage contributes to its unique character and quality and manage change appropriately

Comment: The OKS site has been recognised as a significant cultural heritage site and the proposal seeks to maintain and enhance its significance by effectively managing the development potential of the site. The proposal seeks to manage and balance the need for additional development by transferring the floor space away from the significant buildings to the L-Shaped site.

Parks, Public Places and Culture

- Increase the quality of local open space.
- Investigate Future Options for Open Space Provision and Management

Comment: As a specific action under parks, public places and culture section of the subregional strategy, it is identified that "NSW Government and Parramatta Council continue to promote Parramatta as a River City linking Parramatta's CBD with the Parramatta River". This proposal will directly aid in delivery of this action, by limiting significant development on the Government retained site and promoting the southern end of the site as public open space maintaining direct access to the Parramatta River foreshore.

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

Yes - The *Parramatta Twenty25* strategy responds to the Metropolitan Plan and State 2021 Plan by identifying how Parramatta will manage the expected growth over the next 20 years while the *Civic Improvement Plan for the Parramatta city centre* provides a description of civic infrastructure to support the growth and development of the city centre.

Parramatta Twenty25

One of the 'key destinations' in this strategy is 'a society that is healthy and companionate'. This includes the provision of social services and support such as health, education and training.

By allowing an increase to the development potential of the northern part of the site, on the L-Shaped site, the Catholic Church would be able to support educational and community activities for the local community.

Another key destination of the strategy is 'a community that is diverse and cohesive. Under this key destination strategies are identified to 'protect and celebrate Parramatta's rich multilayered built and cultural heritage'.

The planning proposal is consistent with this strategy as it transfers development potential away from the part of the site of heritage significance enabling further protection of the site from any considerable additional development. The proposal would also facilitate the sale of the site, which will make funds available to the Crown to further restore and protect the heritage buildings on the Government retained site.

Civic Improvement Plan for the Parramatta city centre

This plan identifies the southern portion of the site as an area to be used to promote city events and street life, and in particular events/ festivals. The site is also earmarked as part of the 'Prince Alfred Park Cultural Precinct'. The plan identifies that city cultural, social and recreational strategies aim to further support the development of such precincts for production, presentation and consumption of arts and culture.

This is in line with the potential adaptive reuse opportunities identified for the heritage buildings on the Government retained site. The reduced maximum FSR limit on the Government retained site will also help protect the southern part of the site as open space area to be used to promote city events and the like.

Is the planning proposal consistent with applicable state environmental planning policies?

The proposal is consistent with applicable state environmental planning policies. Refer to the checklist against these policies contained in Appendix A.

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

The proposal is consistent with applicable Section 117 Directions. Refer to the checklist against these Directions at Appendix B.

4.3 Section C: Environmental, social and economic impact

Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?

Although the site is located in a highly disturbed urban centre, there are several significant mature plantings across the site. A draft ecological assessment was prepared by Connell Wagner Pty Ltd in June 2004 in relation to the redevelopment of the OKS site.

This assessment concluded that there would be no adverse impact on any critical habitat or threatened species, population or ecological communities or their habitats if the site was redeveloped for community and educational purposes.

There is not considered to be any adverse impacts to threatened species, populations, ecological communities or their habitats as a result of the planning proposal. However ecological impacts would need to be reconsidered as part of any application to develop the site in the future.

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

A masterplan for the development of the L-Shaped site is currently being prepared by JBA Planning. They have undertaken an analysis of the constraints of the site in preparing the masterplan. Some key points of consideration include:

- ▶ 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.

These and any other, potential environmental impacts will be taken into further consideration in finalising the masterplan for the L-shaped site and any future plans for redevelopment of the site. A heritage assessment of the site is currently being finalised by NSW Government Architects Office and also supports the objects of this proposal.

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

As previously noted, the site is listed on the State Heritage Register. A heritage assessment of the proposed subdivision is currently being finalised by NSW Government Architects Office.

The positive social effects are 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 to the public and will increase the potential for public appreciation.

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.

Economic benefits include making use of an underutilised Crown resource, for the benefit of the local and wider community. 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.

4.4 Section D: State and Commonwealth interests

Is there adequate public infrastructure for the planning proposal?

The site is well located in relation to existing public transport infrastructure, utility services, roads and essential services. Being located within the Parramatta city centre, all essential services, including medical and emergency services, security and sporting facilities are also available.

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

The State government will need to be consulted in relation to the works on Crown Land. The Heritage Branch of the Office of Environment and Heritage will need to be consulted as the site is listed on the State Heritage Register and the proposal relates to potential redevelopment around items of heritage significance. The Office of Environment and Heritage will need to be consulted in relation to the Parramatta River.

There are no Commonwealth public authorities directly impacted by the planning proposal.

5. Community consultation

This part outlines the community consultation that is to be undertaken in respect of the proposal, having regard to the requirements set out in the Department of Planning and Infrastructures guide for preparing planning proposals.

The community consultation will be carried out in accordance with Section 4.5 of *A Guide to Preparing LEPs* (Department of Planning 2009).

The consultation program will include:

- ▶ Newspaper advertising through local media to inform the community:
 - that the exhibition has started
 - how long it will run
 - how information can be obtained
 - how to make a submission
- ▶ Website information, including copies of the planning proposal and supporting documents that can be downloaded
- ▶ Letters to adjoining land owners and those in the surrounding area advising of the exhibition of the planning proposal and details of where it can be viewed.

If the Department of Planning and Infrastructure confirm that the proposal is of low impact, the proposal would be placed on exhibition for 14 days. Alternatively exhibition will be for a period of 28 days.

It is also recommended that key stakeholders, including the Catholic Church, adjoining landowners and relevant state authorities and agencies be advised that the planning proposal is on exhibition and encouraged to make a submission.

6. Reference List

Connell Wagner Pty Ltd. 2004. 'Marsden Rehabilitation Centre: Flora and Fauna Assessment', *Department of Commerce*.

Department of Planning. 2011. 'Parramatta Civic Improvement Plan (CIP) (Amendment No. 1)', *Department of Planning and Parramatta City Council*.

Department of Planning. 2007. 'Draft West Central Subregional Strategy', *Department of Planning*.

NSW Government Architect's Office. 2011. 'Former Marsden Hospital Parramatta (Old Kings School Site) Heritage Impact Statement', *Department of Architect's Office*. October 2011.

NSW Government. 2010. 'Metropolitan Plan for Sydney 2036', *NSW Government Department of Planning and Infrastructure*.

NSW Government. 2009. 'A guide to preparing local environmental plans', *NSW Government Department of Planning*. Sydney.

NSW Government. 2009a. 'A guide to preparing planning proposals', *NSW Government Department of Planning*. Sydney

Parramatta City Council. 2006. '2025 Strategic Plan', *Parramatta City Council*.

Tanner & Associates. 2006. 'Marsden Rehabilitation Site, Parramatta – Master Plan Guidelines', prepared by *Tanner & Associates*, May 2006.

Appendix A

SEPP Checklist

Consistency with SEPPs

State Environmental Planning Policy	Consistency
SEPP No. 1 – Development Standards	N/A
SEPP No. 4 – Development Without Consent and Miscellaneous Exempt and Complying Development	N/A
SEPP No. 6 – Number of Storeys in a Building	Consistent The interpretation of the proposed height of building will be consistent with this SEPP
SEPP No 14 – Coastal Wetlands	N/A
SEPP No. 15 – Rural Landsharing Communities	N/A
SEPP No. 19 – Bushland in Urban Areas	N/A
SEPP No. 21 – Caravan Parks	N/A
SEPP No. 22 – Shops and Commercial Premises	N/A
SEPP No. 26 – Littoral Rainforests	N/A
SEPP No. 29 – Western Sydney Recreation Area	N/A
SEPP No. 30 – Intensive Agriculture	N/A
SEPP No. 32 – Urban Consolidation (Redevelopment of Urban Land)	N/A
SEPP No. 33 – Hazardous and Offensive Development	N/A
SEPP No. 36 – Manufactured Home Estates	N/A
SEPP No. 39 – Spit Island Bird Habitat	N/A
SEPP No. 41 – Casino Entertainment Complex	N/A
SEPP No. 44 – Koala Habitat Protection	N/A
SEPP No. 47 – Moore Park Showground	N/A
SEPP No. 50 – Canal Estate Development	N/A
SEPP No. 52 – Farm Dams and Other Works in Land and Water Management Plan Areas	N/A
SEPP No. 55 – Remediation of Land	N/A
SEPP No. 59 – Central Western Sydney Regional Open Space and Residential	N/A
SEPP No. 60 – Exempt and Complying Development	N/A
SEPP No. 62 – Sustainable Aquaculture	N/A
SEPP No. 64 – Advertising and Signage	N/A

State Environmental Planning Policy	Consistency
SEPP No. 65 – Design Quality of Residential Flat Development	N/A
SEPP No 70 – Affordable Housing (Revised Schemes)	N/A
SEPP No. 71 – Coastal Protection	N/A
SEPP (Affordable Rental Housing) 2009	N/A
SEPP (Building Sustainability Index: BASIX) 2004	N/A
SEPP (Exempt and Complying Development Codes) 2008	Consistent The proposal is consistent with the aims and objective of this SEPP
SEPP (Housing for Seniors or People with a Disability) 2004	N/A
SEPP (Infrastructure) 2007	Consistent The proposal does not contravene the aims and objectives of this SEPP.
SEPP (Kosciuszko National Park – Alpine Resorts) 2007	N/A
SEPP (Major Development) 2005	Consistent The proposal does not contravene the aims and objectives of this SEPP.
SEPP (Mining, petroleum Production and Extractive Industries) 2007	N/A
SEPP (Rural Lands) 2008	N/A
SEPP (SEPP 53 Transitional Provisions) 2011	N/A
SEPP (State and Regional Development) 2011	N/A
SEPP (Sydney Drinking Water Catchment) 2011	N/A
SEPP (Sydney Region Growth Centres) 2006	N/A
SEPP (Temporary Structures) 2007	N/A
SEPP (Urban Renewal) 2010	N/A
SEPP (Western Sydney Employment Area) 2009	N/A
SEPP (Western Sydney Parklands) 2009	N/A

Appendix B

Section 117 Checklist

Consistency with Section 117 Directions

Ministerial Directions	Comment
1. Employment and Resources	
1.1 Business and Industrial Zones	Consistent The proposed transfer of FSR and adjustments of building heights is consistent with objectives of the direction as it supports the viability of the strategic centre of Parramatta
1.2 Rural Zones	N/A
1.3 Mining Petroleum Production and Extractive Industries	N/A
1.4 Oyster Aquaculture	N/A
1.5 Rural Lands	N/A
2. Environment and Heritage	
2.1 Environment Protection Zones	N/A
2.2 Coastal Protection	N/A.
2.3 Heritage Conservation	Consistent One of the main objectives of the proposal is to ensure that the heritage significance of the OKS site is protected. In addition the relevant provisions of the Parramatta LEP 2007 require a detailed assessment of heritage impacts as part of any future development application made. The Government Architects Office has also recently prepared a Heritage Impact Assessment to assess the impacts of a proposal to subdivide the site.
2.4 Recreation Vehicle Areas	N/A
3. Housing, Infrastructure and Urban Development	
3.1 Residential Zones	N/A
3.2 Caravan parks and Manufactured Home Estates	N/A
3.3 Home Occupations	N/A
3.4 Integrating Land Use and Transport	Consistent. The site has sufficient capacity to provide access to transport for users of the land
3.5 Development Near Licensed Aerodromes	N/A
Shooting Ranges	N/A

Ministerial Directions	Comment
4. Hazard and Risk	
4.1 Acid Sulphate Soils	Consistent. The Parramatta LEP 2007 requires consideration and appropriate mitigation of impacts from ASS prior to development.
4.2 Mine Subsidence and Unstable Land	N/A
4.3 Flood Prone Land	Consistent. The Parramatta LEP 2007 requires consideration of impacts on flood prone land and appropriate mitigation of impacts prior to development, which would be undertaken
4.4 Planning for Bushfire Protection	N/A
5. Regional Planning	
5.1 Implementation of Regional Strategies	Consistent The proposal will directly aid in delivery specific actions identified in the Draft West Central Subregional Strategy 2007, particularly relating to provision of quality open space and management of unique and important cultural heritage. This is discussed further in Section 4 of the planning proposal
5.2 Sydney Drinking Water Catchments	N/A
5.3 Farmland of State and Regional Significance on the NSW Far North Coast	N/A
5.4 Commercial and Retail development along the Pacific Highway, North Coast	N/A
5.5 Development in the vicinity of Ellalong, Paton and Millfield (Cessnock LGA) (Revoked)	N/A
5.6 Sydney to Canberra Corridor (Revoked)	N/A
5.7 Central Coast (Revoked)	N/A
5.8 Second Sydney Airport: Badgerys Creek	N/A
6. Local Plan Making	
6.1 Approval and referral requirements	N/A
6.2 Reserving Land for Public Purposes	N/A
6.3 Site Specific Provisions	Consistent

Ministerial Directions	Comment
	The proposal is proving controls that will allow for the best future use the land.
7. Metropolitan Planning	
Implementation of the Metropolitan Plan for Sydney 2036	Consistent The proposal is consistent of the Metropolitan Plan for Sydney 2036 as it seeks to provide an appropriate response to protect the heritage significance of the OKS site in the Parramatta LEP 2007 by helping to strengthen and encourage cultural and community related uses through encouraging appropriate development and adaptive reuse of the site.

GHD

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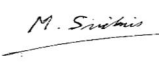
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2	D. Meenachi-Sunderam	M. Svikis		Kate Day		15/11/11
3	D. Meenachi-Sunderam	M. Svikis		Kate Day		18/11/11
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