



PLANNING PROPOSAL

107 George Street, Parramatta

Planning proposal drafts

Proponent versions:

No.	Author	Version
1.	Statewide Planning	July 2015
2.	Statewide Planning	January 2016

Council versions:

No.	Author	Version
1.	Parramatta City Council	May 2016 - Report to Council
2.	City of Parramatta Council	March 2017- Section 56(1) submission to the DP&E
3.	City of Parramatta Council	September 2017 – revised Section 56(1) submission addressing issues raised by the DP&E

Contents

INTRODUCTION.....	5
PART 1 – OBJECTIVES OR INTENDED OUTCOMES.....	8
PART 2 – EXPLANATION OF PROVISIONS.....	8
PART 3 – JUSTIFICATION	9
3.1 Section A - Need for the planning proposal	9
3.2 Section B – Relationship to strategic planning framework	9
3.3 Section C – Environmental, social and economic impact	18
3.4 Section D – State and Commonwealth Interests	24
PART 4 – MAPPING.....	25
4.1 Existing controls	25
4.2 Proposed controls	30
PART 5 – COMMUNITY CONSULTATION	31
PART 6 – PROJECT TIMELINE	31
Appendix: Urban Design Report	32

INTRODUCTION

This planning proposal seeks to amend the *Parramatta Local Environmental Plan (PLEP) 2011* to modify the maximum building height and floor space ratio (FSR) controls that apply to land at 107 George Street, Parramatta. These amendments are sought with the intent to erect a mixed residential and commercial use tower.

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

Background and context

On 8 July 2015, Council received a planning proposal and supporting documents from Statewide Planning Pty Ltd for land at 107 George Street, Parramatta, see Figure 1. The applicant's planning proposal sought an FSR of 20:1. On 23 May 2016 Council resolved the following:

- (a) **That** Council endorses the revised planning proposal contained at **Attachment 1** to:
 - exempt the site from Clause 7.2 sliding scale of PLEP 2011, permitting a maximum floor space ratio of 6:1 (6.9:1 with design excellence bonus);
 - apply no height limit but apply Clause 7.6 Airspace Operations to this site to require consideration of Federal Government airspace provisions;
 - require 1:1 commercial floor space (included as part of the 6:1 FSR).
- (b) **That** a revised reference design be prepared by the applicant at an FSR of 6:1 and submitted to Council.
- (c) **That** Section 117 direction (flooding) be satisfactorily addressed prior to forwarding the planning proposal to the Department of Planning and Environment seeking gateway determination.
- (d) **That** the planning proposal as amended and revised reference design be forwarded to the Department of Planning and Environment for Gateway determination.
- (e) **That** Council advise the NSW Department of Planning and Environment that the CEO will be exercising the plan-making delegations for this planning proposal as authorised by Council on 26 November 2012.
- (f) **That** Council invite the applicant to submit a Voluntary Planning Agreement (VPA) consistent with the CBD Planning Proposal and Value Sharing Policy.
- (g) **That** delegated authority be given to the CEO to negotiate the VPA on behalf of Council and that the outcome of negotiations be reported back to Council prior to its public exhibition; and
- (h) **Further, that** Council authorise the CEO to correct any minor policy inconsistencies and any anomalies of an administrative nature relating to the Planning Proposal, Draft DCP and VPA documentation that may arise during the plan amendment process.

Following the submission of the revised reference design concerns have been raised whether, due to the site constraints a built form can be accommodated on the site that provides Council's adopted position of providing 1:1 commercial floor space in keeping with the CBD

PP and aboveground car parking to satisfy 117 Direction Flood Prone Land. This matter will be resolved post gateway. This site specific planning proposal and attached reference design have been amended to reflect Council's endorsed position for the site.

Since Council adopted the planning proposal for land at 107 George Street, Parramatta the Greater Sydney Commission released the Draft West Central District Plan and *Towards Our Greater Sydney 2056*. The planning proposal has been updated to respond to the contents of these documents.

The legal description of the site is Lot 67 DP 633057. The site is 630m² in area and currently contains a 3 storey commercial building.

Figure 1 Location map

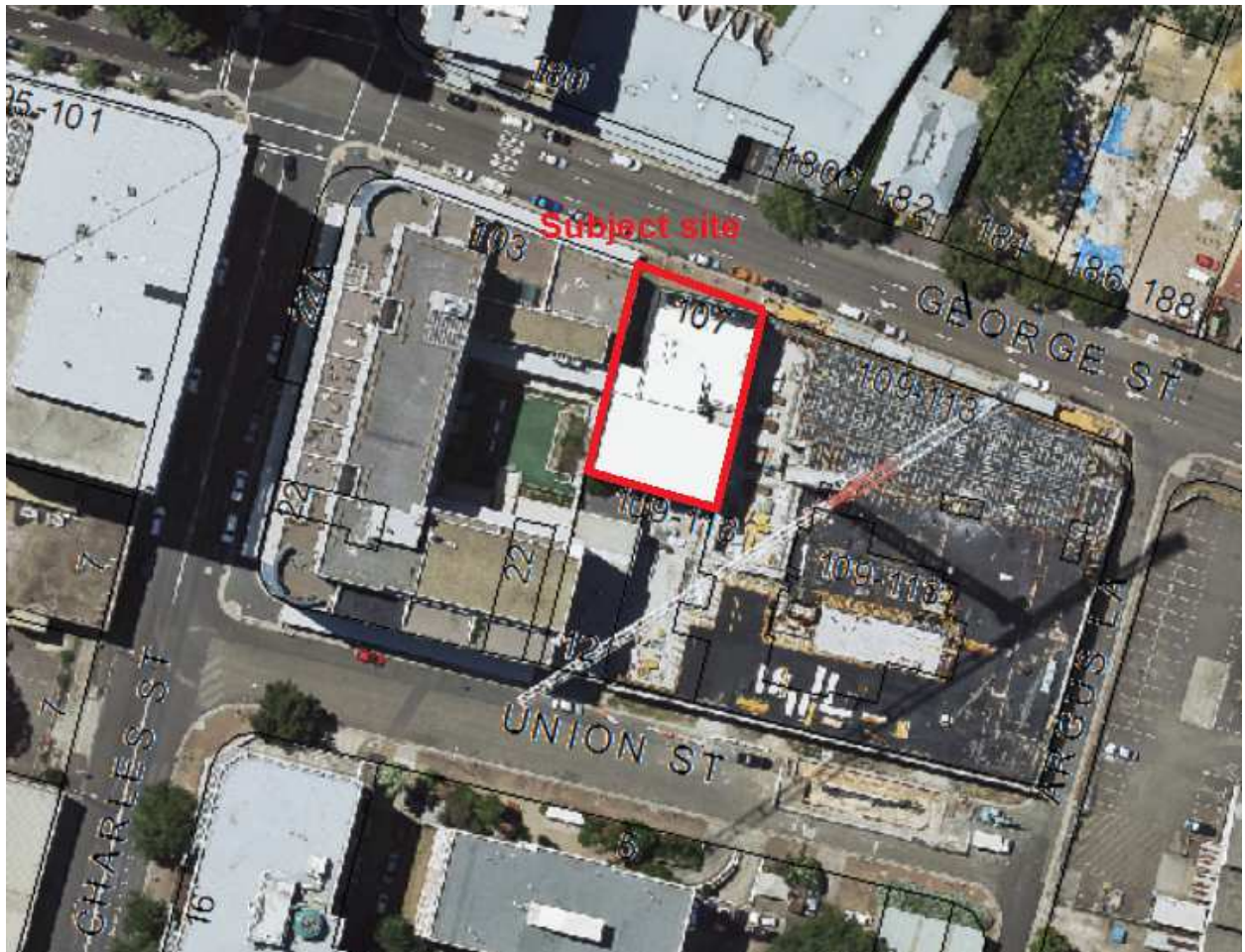




Figure 2 Street view corner of Charles Street and George Street facing south east



Figure 3 Street view subject site viewed from north west



Figure 4 Street view subject site viewed from north east

PART 1 – OBJECTIVES OR INTENDED OUTCOMES

The objective of this planning proposal is to enable the redevelopment of land at 107 George Street, Parramatta in accordance with the site's B4 Mixed Use zone for a high density mixed use development. The increased FSR and height controls proposed in this planning proposal will facilitate the growth of Parramatta's CBD.

PART 2 – EXPLANATION OF PROVISIONS

This planning proposal seeks to amend *Parramatta Local Environmental Plan 2011 (PLEP 2011)* in relation to the height and FSR controls. In order to achieve the desired objective, the following amendments to *PLEP 2011* are required:

1. Remove the maximum building height in the **Height of Buildings Map** (Sheet HOB_010). No maximum height limit will apply. Refer to Figure 11 in Part 4 of this planning proposal.
2. Apply the provisions of Clause 7.6 Airspace Operations of PLEP 2011 to the site by the inclusion of the site on the Special Provisions Area Map.
3. Exempt the site from clause 7.2 of PLEP 2011, applying a maximum FSR of 6:1 (a total FSR of 6.9:1 with design excellence may apply). This will be achieved through a site-specific clause (refer to Appendix 2)
4. Apply a site specific clause requiring a minimum 1:1 commercial floor space to be provided (refer to Appendix 2).
5. Inclusion of maximum parking rates in line with the resolution of Council on 10 April 2017 with regards to parking rates in the CBD Planning Proposal. This will be achieved through a site-specific clause (refer to Appendix 2).

	Existing	Proposed controls adopted by Council
FSR	6:1 on the FSR Map FSR of 4:1 applies under Clause 7.2 (sliding scale) due to the area of the site.	6:1 (6.9:1 including design excellence) 1:1 commercial FSR
Height	54m	No height limit

Table 1 Controls

PART 3 – JUSTIFICATION

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

3.1 Section A - Need for the planning proposal

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

This Planning Proposal is not the result of a site specific study or report. It was prepared in response to the emerging character of Parramatta CBD as a centre of national significance. The planning proposal was amended to reflect the Parramatta CBD Planning Strategy, now the Parramatta CBD Planning Proposal.

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

The Parramatta CBD Planning Proposal (CBD PP) was adopted by Council on 11 April 2016. The CBD PP proposes that a potential increase in height and FSR can be sought for sites within the Parramatta CBD subject to the provision of community infrastructure. This planning proposal is consistent with the controls outlined in the CBD PP.

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

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

3.2 Section B – Relationship to strategic planning framework

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

A Plan for Growing Sydney

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

Parramatta local government area is part of the West Central Subregion. The subregional strategies for the Sydney districts, which are expected to set out detailed priorities for each subregion, are yet to be finalised and exhibited. The following details are included in the mother document *A Plan for Growing Sydney* which identifies the following directions, actions and priorities for Parramatta and the West Central Subregion that are relevant to this site and planning proposal:

1.2 Grow Greater Parramatta – Sydney's Second CBD

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

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

- Deliver priority revitalisation precincts

1.7 Grow Strategic Centres – providing more jobs closer to home

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

2.1 Accelerate housing supply across Sydney

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

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

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

2.3 Improve housing choice to suit different needs and lifestyles

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

West Central Subregion

- A competitive economy – leverage investment and economic development opportunities for the whole subregion generated by the growth of Greater Parramatta and the Global Economic Corridor extension
- Accelerate housing supply, choice and affordability and build great places to live
- Provide capacity for long-term employment growth in Greater Parramatta, particularly in its CBD
- Provide capacity for additional mixed use development in Parramatta CBD and surrounding precincts including offices and retail in Parramatta CBD, arts and culture in Parramatta and housing in all precincts

The planning proposal will enable the development of residential dwellings and non-residential uses, including ground floor retail uses that will contribute towards dwelling and employment targets on a site located within the Parramatta City Centre. Approximately 39 units with a range of unit types are proposed to promote housing supply and choice. The non-residential uses on the site support Council's vision of the growing Parramatta CBD with a commercial core nurtured by mixed use developments on the periphery as stipulated by the zoning maps in PLEP 2011 and the Parramatta CBD Planning Proposal. The site will contribute to the vibrant character of the area by activating the ground floor with a retail use.

The site is located in a transport corridor with Parramatta Railway Station/Bus Interchange located within 450m. The site is in close proximity to Parramatta River along which the Parramatta cycleway is located. Additionally Robin Thomas Reserve is located

approximately 250m east. Although the details of the proposed Light Rail service are not fixed, the stations are likely to be located within close proximity to the site, potentially along Macquarie Street or in Parramatta Square. The proposal will provide accessible employment and residential uses, supporting the growing transport corridor in which Parramatta centres.

Towards Our Greater Sydney 2056

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

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

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

Draft West Central District Plan

The Draft West Central District Plan was released for exhibition by the Greater Sydney Commission from November 2016 to March 2017. This planning proposal has been assessed against the relevant overarching priorities and actions outlined in the District Plan.

- **A Productive City**

The Planning Proposal includes a site-specific clause that requires a minimum of 1:1 of the floor space ratio to be provided as commercial floor space. Due to the small site area of 107 George Street this means that approximately 630m² worth of commercial floor space will be delivered through the planning proposal. The Parramatta CBD Framework – Economic Analysis prepared by SGS and commissioned by Council in 2014 identified a rate of employment generation of 24m² per FTE (full-time equivalent employee). As such, the Planning Proposal would deliver approximately 26 FTE (full-time equivalent employees). As the existing building on site is a three-storey commercial building, it is not expected that the Planning Proposal would represent a significant increase in job numbers. As such, the 'productivity' priorities and actions are not relevant to this planning proposal however it is noted the planning proposal will contribute to the delivery of some commercial floor space.

- **A Liveable City**

Liveability priorities	Liveability actions
Deliver West Central's five-year housing targets	L2 - Identify the opportunities to create the capacity to deliver 20 year strategic housing supply targets L3 – Councils to increase housing capacity across the District

Deliver housing diversity	L4 – Encourage housing diversity
Conserve heritage and unique local characteristics	L14 -Conserve and enhance environmental heritage including Aboriginal, European and natural

The proposed increase in floor area will provide opportunity to contribute an estimated **39 units** to meet housing targets. (Note: this includes the Design Excellence bonus and reflects an FSR of 6.9:1). Although the floor plans are indicative, options have been provided that demonstrate units ranging from 1 to 3 bedrooms can be delivered. This will contribute to housing affordability.

The site is located opposite a heritage item. The indicative built form outlined in Appendix 1 demonstrates the heritage item has been adequately considered in the design. This is further discussed later in this report.

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

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

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

Parramatta 2038 Community Strategic Plan

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

The planning proposal is considered to meet the strategy and key objectives identified in the plan by allowing for an appropriate mix of residential and non-residential uses located in a centre with public transport, shops and community facilities in close proximity. The proposal will activate the street and improve the walkability of the city centre with retail on the ground floor. The development will also allow for the concentration of housing around transport nodes and contribute towards dwelling targets for NSW.

Parramatta CBD Planning Proposal

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

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

Under the CBD PP a sliding scale applies to small sites. This provides an appropriate FSR that avoids overdevelopment whilst allowing flexibility for landowners to potentially reach the maximum 10:1 FSR. The purpose of a sliding scale for FSR is to control density on small sites and encourage amalgamation. Table 2 is an extract from the CBD PP as adopted by Council.

Part A – FSR up to 6:1			
FSR Shown on Map	Site is less than or equal to 500m ²	Site is greater than 500m ² but less than 1,300m ²	Site is equal to or greater than 1,300m ²
4:1	3:1	(3+1X):1	4:1
6:1	4:1	(4+2X):1	6:1
Part 2 – FSR of 10:1 (Incentive FSR)			
FSR Shown on Map	Site is less than or equal to 800m ²	Site is greater than 800m ² but less than 1,600m ²	Site is equal to or greater than 1,600m ²
10:1	6:1	(6+4Y):1	10:1

Where $X = (\text{the site area in square metres} - 500)/800$
 $Y = (\text{the site area in square metres} - 800)/800$

Table 2: Extract from Parramatta CBD Planning Proposal, adopted at Council meeting 11 April 2016

The majority of sites in the CBD are identified on the new Incentive Floor Space Ratio Map as 10:1, this makes the 'Part 2 – FSR of 10:1' section of Table 2 applicable. Under the sliding scale provision an FSR of 6:1 or the second column in Table 2 would apply to sites that have a site area of less than 800m², the third column applies to sites with site areas between 800m² and 1,600m² and the fourth column applies to sites larger than 16,000m². As site areas become larger the FSR permitted increases.

The subject site has a site area of 630m², therefore an FSR of 6:1 applies under the sliding scale outlined in the CBD PP. This planning proposal has been amended to apply no height limit, an FSR of 6:1 and of that FSR 1:1 commercial floor space to ensure consistency with the CBD PP, Council's most recently adopted position.

Consistency with the Parramatta CBD Planning Proposal

Table 3 below clarifies the relationship between the Planning Proposal, existing controls and the CBD Planning proposal.

	Existing PLEP 2011	CBD PP	Subject PP
Height of Buildings – map	54m	54m No height limit under Incentive Height Map	Removed from HOB Map
Height of Buildings – clause	N/A	Clause 7.6 – Airspace operations	Clause 7.6 – Airspace operations
Floor Space Ratio – Map	6:1	6:1 10:1 (Incentive FSR)	6:1
Floor Space Ratio - clause	<u>4:1</u> (under Clause 7.2 – sliding scale to reflect small lot size)	<u>6:1</u> (under draft Clause 7.2 – sliding	<u>6:1</u> - Site specific clause to exempt the site from Clause 7.2

		scale to reflect small lot size)	subject to minimum commercial provisions of 1:1.
Design excellence bonus	15% increasing the potential FSR to 4.6:1	15% increasing the potential FSR to 6.9:1	15% increasing the potential FSR to 6.9:1
Minimum commercial provision	N/A	FSR of 1:1 under draft clause 7.11	FSR of 1:1 under draft site specific clause

Table 3: Comparison between the existing controls that apply to the site under PLEP 2011, the proposed controls under the CBD Planning Proposal and those proposed under the subject Planning Proposal.

The table above demonstrates that the subject Planning Proposal arrives at the same floor space ratio control as the Parramatta CBD Planning Proposal. The mechanism for arriving at the relevant FSR differs slightly between the two Planning Proposals, however, the outcome is the same. The Design Excellence Bonus of 15% applies equally to all three scenarios above and would increase the floor space ratio to **6.9:1**.

With regard to the Height of Buildings control, the subject Planning Proposal is equivalent to the Incentive Height control under the CBD Planning Proposal (ie. No height limit subject to the application of Clause 7.6 Airspace Operations).

The subject Planning Proposal mirrors the requirement of the CBD Planning Proposal for the site to provide a minimum commercial floor space area of 1:1 within the total floor space ratio. The subject Proposal achieves this through a site-specific clause (refer to Appendix 2), however, the CBD Planning proposal achieves this through the proposed Additional Local Provisions Map. Again, while the mechanism differs from the CBD Planning Proposal, the outcome is the same.

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

The following State Environmental Planning Policies are of relevance to the site.

State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Development

The objective of SEPP 65 is to ensure high density residential development is created to a high quality taking into consideration the function and impact of the proposal along with aesthetic appeal. SEPP 65 requires that the Apartment Design Guide (published by the Department of Planning and Environment) is a matter for consideration as part of the assessment process for residential flat buildings.

SEPP 65 is required to be considered during the assessment of any future development on a site that includes three or more storeys and four or more dwellings. It is reasonable to expect that a design concept supporting a planning proposal demonstrates compliance with the Apartment Design Guide.

The built form presented in the original urban design report with an FSR of 20:1 demonstrates compliance with the SEPP 65 Apartment Design Guidelines cannot be achieved. The reference design highlights that the site is too small to provide naturally lit and ventilated hallways. Additionally, to achieve a tower form zero lot setbacks are required and blank walls are utilised in order to respond to building separation and privacy

requirements. As a result, the onus is placed on neighbouring landowners to provide the required setbacks.

The planning proposal has been revised and an FSR of 6:1 is being sought. At the time of submitting this planning proposal to the Department of Planning and Environment for gateway determination a reference design demonstrating to Council's satisfaction how an FSR of 6:1 can be achieved on the site was yet to be submitted. The reference design at Appendix 1 provides some indication of the scale of a development within the height and FSR parameters outlined in this planning proposal. Though it is noted design options for the subject site are limited due to the small site area, should a built form with a reduced floor plate be proposed for the site, compliance with the ADG and a better design outcome can likely be realised.

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

In accordance with Clause 117(2) of the *EP&A Act 1979* the Minister issues directions for the relevant planning authorities to follow when preparing planning proposals for new LEPs. The directions are listed under the following categories:

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

The following directions are considered relevant to the subject planning proposal.

Employment and Resources - 1.1 Business and Industrial Zones

Business and Industrial Zones The objectives of this direction are to:

- a) *encourage employment growth in suitable locations,*
- b) *protect employment land in business and industrial zones, and*
- c) *support the viability of identified strategic centres.*

The planning proposal will maintain the existing zone which allows for a mix of residential and non-residential uses. The proposal will support the mixed use character of the area and the nearby commercial core, by activating the street front with a retail use, provide commercial uses and increasing the residential population delivering homes close to employment.

Housing, infrastructure and urban development - 3.1 Residential Zones

The objectives of this direction are:

- a) *to encourage a variety and choice of housing types to provide for existing and future housing needs,*
- b) *to make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services, and*
- c) *to minimise the impact of residential development on the environment and resource lands.*

The planning proposal is consistent with the objectives of this direction as it will increase residential densities and housing choice in a location that is close to public transport, shops, employment and recreational opportunities.

Housing, Infrastructure and Urban Development - 3.4 Integrating Land Use and Transport

The objective of this direction is to ensure that urban structures, building forms, land use locations, development designs, subdivision and street layouts achieve the following planning objectives:

- a) improving access to housing, jobs and services by walking, cycling and public transport, and*
- b) increasing the choice of available transport and reducing dependence on cars, and*
- c) reducing travel demand including the number of trips generated by development and the distances travelled, especially by car, and*
- d) supporting the efficient and viable operation of public transport services, and*
- e) providing for the efficient movement of freight.*

Increasing the density of development within the walking catchment of transport nodes, namely Charles Street Ferry Wharf, the proposed light rail service and Parramatta Railway Station and Bus Terminal will support the viability of existing and proposed public transport services and reduce dependence on cars.

Housing, Infrastructure and Urban Development - 3.5 Development near Licensed Aerodromes

The objectives of this direction are:

- a) to ensure the effective and safe operation of aerodromes,*
- b) to ensure that their operation is not compromised by development that constitutes an obstruction, hazard or potential hazard to aircraft flying in the vicinity, and*
- c) to ensure development for residential purposes or human occupation, if situated on land within the Australian Noise Exposure Forecast (ANEF) contours of between 20 and 25, incorporates appropriate mitigation measures so that the development is not adversely affected by aircraft noise.*

Sydney and Bankstown Airports are subject to the federal *Airports Act 1996* and the *Airports (Protection of Airspace) Regulations 1996*. Airspace above the Parramatta CBD is affected by operational requirements for those airports. A building that penetrates the Obstacle Limitation Surface (OLS) requires approval under that legislation, via the Commonwealth Department of Infrastructure and Regional Development.

The reference design indicates a height of 51m. as such, this planning proposal with a proposed FSR of 6:1 is unlikely to penetrate the OLS of 156AHD. The planning proposal satisfies this direction.

Hazard and risk - 4.1 Acid Sulfate Soils

The objective of this direction is to avoid significant adverse environmental impacts from the use of land that has a probability of containing acid sulfate soils.

With the exception of several small blocks, the majority of Parramatta City Centre (including the site) is affected by Class 4 or Class 5 Acid Sulfate soils.

Despite this constraint, Parramatta has accommodated medium to high density development throughout the CBD. This application for a planning proposal acknowledges that the site is affected by Class 4 Acid Sulfate Soils. An Acid Sulfate Soils Management Plan will be required to support any future DA in accordance with the existing provisions of PLEP 2011.

Hazard and risk - 4.3 Flood Prone Land

This direction applies where a planning proposal creates, removes or alters a zone or a provision that affects flood prone land. The planning proposal seeks to increase the density in an area identified as being flood prone.

The objectives of this direction are:

- a) *to ensure that development of flood prone land is consistent with the NSW Government's Flood Prone Land Policy and the principles of the Floodplain Development Manual 2005, and*
- b) *to ensure that the provisions of an LEP on flood prone land is commensurate with flood hazard and includes consideration of the potential flood impacts both on and off the subject land.*

A large portion of the site is impacted by the 100 year Average Recurrence Interval (ARI) events, see Figure 10. The entire site is also impacted by a Probable Maximum Flood (PMF) event.

Council's flooding officers have raised concerns about the safety implications of basement car parking on flood prone land. This was in relation to the eight level basement car park demonstrated in Appendix A. However, it is noted that Council has resolved to apply lower car parking rates within the CBD under its resolution dated 10 April 2017. The lower car parking rate will be implemented through a site-specific clause (refer to Appendix 2). This is discussed in more detail below under the heading of Transport and Accessibility.

The application of the lower rate would result in a maximum car parking rate for the development of 24 spaces. The indicative basement plan included within the Reference Design at Appendix 1 indicates that 13 car parking spaces can be accommodated per basement level. This may result in a reduction from 8 levels of basement parking to approximately 2 levels which may have a significantly reduced impact on flooding.

It should also be noted that the Planning Proposal does not include any change to the zoning of the land or the permissible land uses. The increase in permissible density is relatively modest considering the role of the Parramatta CBD. Council's Catchment Engineer has noted that much of the flood issues on the site can be resolved at the development application stage and has raised no objection to the Planning Proposal.

Regional planning – 5.1 Implementation of Regional Strategies

The objective of this direction is to give legal effect to the vision, land use strategy, policies, outcomes and actions contained in regional strategies.

As discussed in 3.2.1 the planning proposal is consistent with *A Plan for Growing Sydney* and the West Central Subregion strategy. Additionally, the planning proposal is consistent with NSW's State Environmental Planning Policies as outlined in 3.2.3.

Local Plan Making - 6.3 Site Specific Provisions

The objective of this direction is to *discourage unnecessarily restrictive site specific planning controls*.

This planning proposal recommends a site specific provision as contained in Appendix 2 which provides for the following:

- Exempts the site from the sliding scale under Clause 7.2 which prescribes floor space ratio for sites based on their area. In its place, this clause applies a floor space ratio of 6:1.
- Requires the site to provide a minimum floor space ratio of 1:1 commercial floor space.

The Parramatta CBD Planning Strategy as endorsed by Council on 27 April 2015 states a *minimum non-residential FSR of 1:1 must be achieved for all sites in the mixed use zone of the Parramatta CBD*. The Parramatta CBD Planning Proposal as adopted on 11 April 2016 clarifies the intent of this proposed control. *A local provision is proposed which requires a minimum of 1:1 FSR of commercial development to be provided as part of a mixed use development on some sites zoned B4 Mixed Use*. The policy objective of this control is to contribute employment generating floor space consistent with Parramatta's role as a key employment centre in western Sydney. The current market conditions have seen the majority of B4 zoned sites obtain approvals for and be developed for almost entirely residential purposes.

The Urban Design Report as originally submitted demonstrated a design option that includes no commercial floor space. A site specific clause ensures a minimum 1:1 commercial floor space is realised in accordance with Council's latest position, as outlined in the CBD PP.

3.3 Section C – Environmental, social and economic impact

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

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

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

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

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

- Heritage impacts
- Urban Design and Built Form
- Flooding – addressed in 'Hazard and Risk - 4.3 Flood Prone Land', Section B3.2
- Transport and Accessibility Assessment

- Acid Sulfate Soils – addressed in 'Hazard and Risk - 4.1 Acid sulphate Soils', Section B3.2

Heritage

The subject site is located opposite 'Harrisford' House, listed on the State Heritage Register, located at 182 George Street, Parramatta. Harrisford House is one of the oldest houses remaining in the Parramatta CBD. High-rise development is an expected consequence of the Parramatta City context. The subject site is located south of the heritage item and will cause no additional shadow impacts. The planning proposal should be referred to the NSW Heritage Office for comment at the public exhibition phase.

Urban Design and Built Form

The Parramatta Development Control Plan 2011 identifies front, side and rear building setbacks for sites along George Street. Buildings above 54m (17 storeys), such as that proposed on the subject site are required to provide a 20m front setback, 6m side setback and 12m rear setback. To comply with these controls, the built form on the site would be a tower approximately 1-2m wide, refer to Figure 5. Due to the size of the site it is highly unlikely a tower form can be developed that complies with the setback controls.

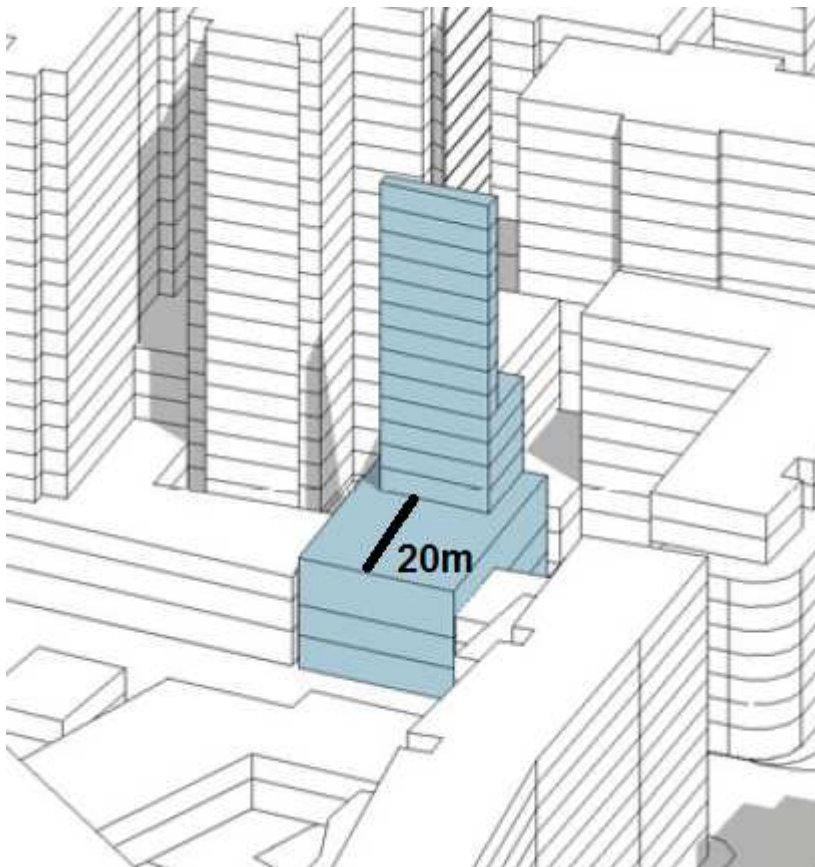


Figure 5 Built form currently permissible under PLEP 2011 and PDCP 2011

The objectives of the DCP setback controls are to provide privacy and solar access for residents and help establish character, improving the streetscape. The DCP identifies George Street as a street in which Council aims to minimise driveways to increase pedestrian usage and safety. George Street is an important commercial and historical

locality with a number of heritage items lining the street. The upper level building setback of 20m at the street frontage is intended to reinforce the historic alignment of the street.

Due to the site conditions the site cannot practically accommodate a tower form without amalgamation and comply with the existing controls of the PDCP 2011. A site specific DCP is required that guides a developable built form, taking into consideration the site conditions and the current objectives of the DCP.

Council's urban design team have reviewed the planning proposal and assessed the context of the site. At a minimum the following controls will form part of a site specific DCP:

- 3 storey street wall consistent with the street walls to the east and west of the subject site.
- The tower element above the 3 storey street wall is to have setbacks without any overhang or encroachment of the air space as follows
 - 3m from the street frontage.
 - 3m from the side boundaries and
 - Rear setback of 9m.
- Minimise street frontage dedicated to vehicular entry and services
- Should above ground car parking be used, the street frontage is to be 'sleeved' with habitable uses consistent with the adjoining street walls.
- Communal open space to be provided that has good amenity and solar access. If located on the podium or roof top, should be designed to address wind impact.
- Minimisation of blank walls and façade treatment to be demonstrated to Council's satisfaction.

A site specific draft DCP will be reported to Council responding at a minimum to the controls above and exhibited alongside this planning proposal. The site specific DCP will inform the design excellence process which will support the future Development Application complying with SEPP 65's Apartment Design Guidelines.

Amalgamation and site isolation

Council's assessment of the Planning Proposal considered the issue of amalgamation and the potential to create an isolated site. Council's adopted position for the CBD Planning Proposal envisages that smaller sites will be amalgamated with adjoining sites to allow for better design outcomes. There is some potential to amalgamate with the small site to the rear (12 Union Street), however, there are limited opportunities to amalgamate with the sites to the east and west. Both sites immediately adjoining the subject site to the east and west have been recently developed and provide little opportunity for future amalgamation. Figure 6 below demonstrates.

No. 12 Union Street to the rear (shown below in blue) has a site area of 300m² and contains a two storey commercial building with development opportunity. Amalgamation of the two sites would improve access to the site by providing two street frontages noting that Council's DCP discourages unnecessary driveway access to George Street. The applicant for the original Planning Proposal has indicated that they are not pursuing amalgamation as they consider there to be minimal urban design benefits. However, Council's consideration of the Planning Proposal noted that the access issue itself would be significant enough to improve the design outcome.

Should the development of the site proceed without amalgamation, compliance with the Apartment Design Guide will be difficult to achieve. Council's urban Design Unit has recommended that a site-specific Development Control Plan (DCP) be prepared and

exhibited concurrently with the Planning Proposal. (Refer to Appendix 3). As described above, the DCP will respond to the site constraints and guide future development to assist with compliance with the Apartment Design Guide.

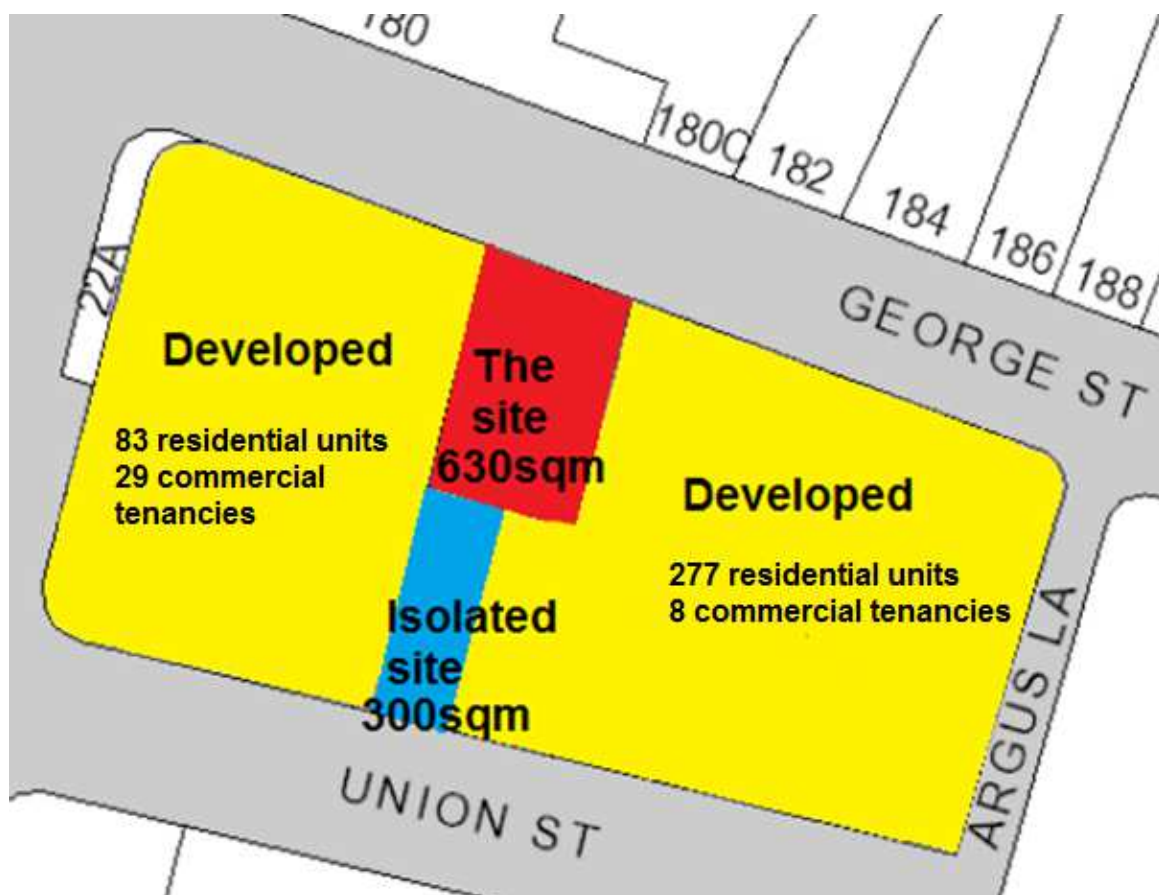


Figure 6 Potential for lot amalgamation

Transport and Accessibility

The planning proposal has been reviewed by Council's traffic and transport section and concerns were raised regarding the driveway connection between the car lifts and the street. This issue can be resolved as part of the development application.

Also of relevance is Council's recent resolution on 10 April 2017 to endorse the Strategic Transport Study which is a key supporting document for the CBD Planning Proposal. Resolutions (b) and (c) below are of particular relevance to the site:

- (b) **That** Council endorses the action recommended by the Parramatta CBD Strategic Transport Study to reduce maximum car parking rates to levels currently used by City of Sydney CBD and that the Parramatta CBD Planning Proposal be amended to reflect this prior to public exhibition.
- (c) **That** Council applies the recommended parking rates proposed in this report to existing site-specific Planning Proposals and Design Competitions within the Parramatta CBD as a provision applicable to each proposal or competition to ensure future development will be consistent with the strategic direction to reduce maximum car parking rates. (N.B. Only those site-specific planning

proposals which are imminent to finalisation (gazetted), that is they have been endorsed by the Council to proceed to finalisation following public exhibition, will be exempt from this provision)."

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

Residential development

Type of Apartment	Spaces/unit
3-bedroom	1 space/unit
2-bedroom	.7 spaces/unit
1-bedroom	.3 spaces/unit
Studio	.1 spaces/unit

Commercial development (If the FSR > 3.5:1)

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

where:

M = maximum number of parking spaces;

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

A = Site Area (m²);

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

The current reference design indicates a total of 39 apartments; the unit mix and resulting maximum residential parking spaces under the Council-resolved rates are described in the table below.

Residential component

Type of Apartment	Spaces/unit	Units indicated in design	Total
4-bedroom	1 space/unit	0	0
3-bedroom	1 space/unit	4	4
2-bedroom	.7 spaces/unit	19	13
1-bedroom	.3 spaces/unit	16	5
TOTAL			22

The current reference design indicates 631.2m² of commercial floor space. Applying the above formula to the current reference design yields a maximum of 2 car parking spaces for the commercial floor space, as follows:

$$\begin{aligned} M &= (G * A) / (50 * T) \\ M &= (631.2 * 631.2) / (50 * 4,355) \\ M &= 398,413.44 / 217,750 \\ M &= 1.82 \text{ (round to 2)} \end{aligned}$$

The total number of **24** car parking spaces indicated above is far less than the (approximately) 104 spaces indicated on the reference design. It is recommended that a site-specific clause can ensure compliance with the above maximum parking rates, as previously resolved by Council, as shown in the draft clause included within Appendix 2 of the Planning Proposal. Council's traffic and transport team have concurred with this approach, advising that this Planning Proposal should assume a parking rate that is consistent with the rate in the CBD Planning Proposal resolved by Council in April 2017.

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

Parramatta Light Rail

The proposed Parramatta Light Rail is a NSW Government commitment with Stage 1 connecting Westmead with Carlingford via Parramatta and Camellia. The proposed route is within proximity to the subject site and runs along Macquarie Street which is one block to the south. As such, the site will benefit from the proximity to the light rail service, however, will not be directly impacted by the route.

The site is not affected by any road widening.

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

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

The commercial components of the development will contribute to the creation of employment in Parramatta CBD. The ground floor use will contribute to providing the daily needs for the increased residential population whilst activating the streetscape with vibrant retail uses.

The dominant residential use will deliver a range of housing options located in close proximity to public transport, employment and community facilities.

3.4 Section D – State and Commonwealth Interests

3.4.1 Is there adequate public infrastructure for the planning proposal?

The site is located in a transport corridor with Parramatta Railway Station/Bus Interchange located within 450m. The site is in close proximity to Parramatta River along which the Parramatta cycleway is located. Additionally Robin Thomas Reserve is located approximately 250m east. Although the details of the proposed Light Rail service are not fixed, the stations are likely to be located within close proximity to the site, potentially along Macquarie Street or in Parramatta Square. The proposal will provide accessible employment and residential uses, supporting the growing transport corridor in which Parramatta centres.

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

Due to the close proximity of the site to an item listed on the State Heritage Register the planning proposal should be referred to the NSW Heritage Office for comment as part of the public exhibition process.

PART 4 – MAPPING

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

4.1 Existing controls

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

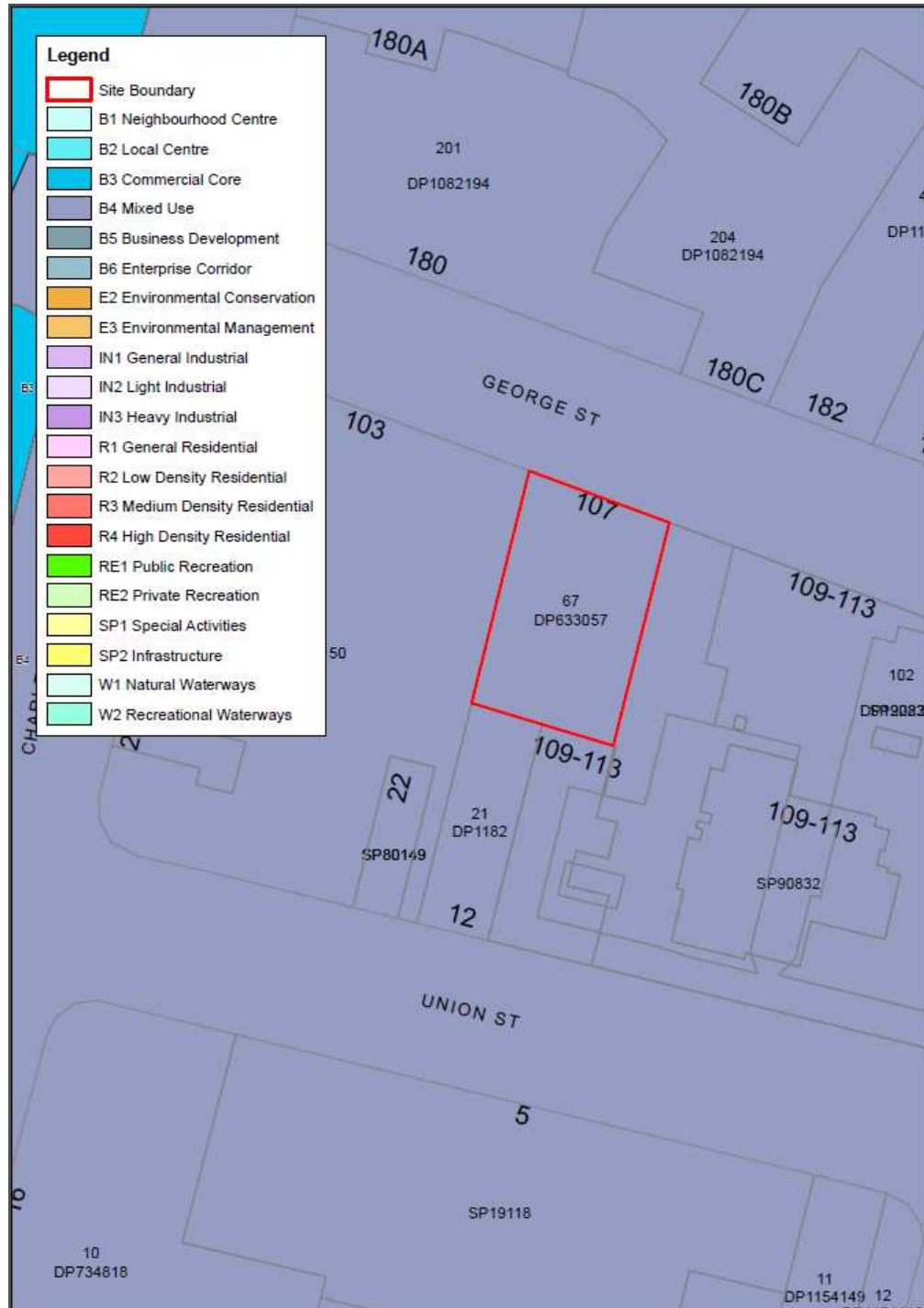


Figure 6 Existing zoning extracted from the *PLEP 2011* Land Zoning Maps

Figure 6 above illustrates the existing B4 Mixed Use zone over the site.

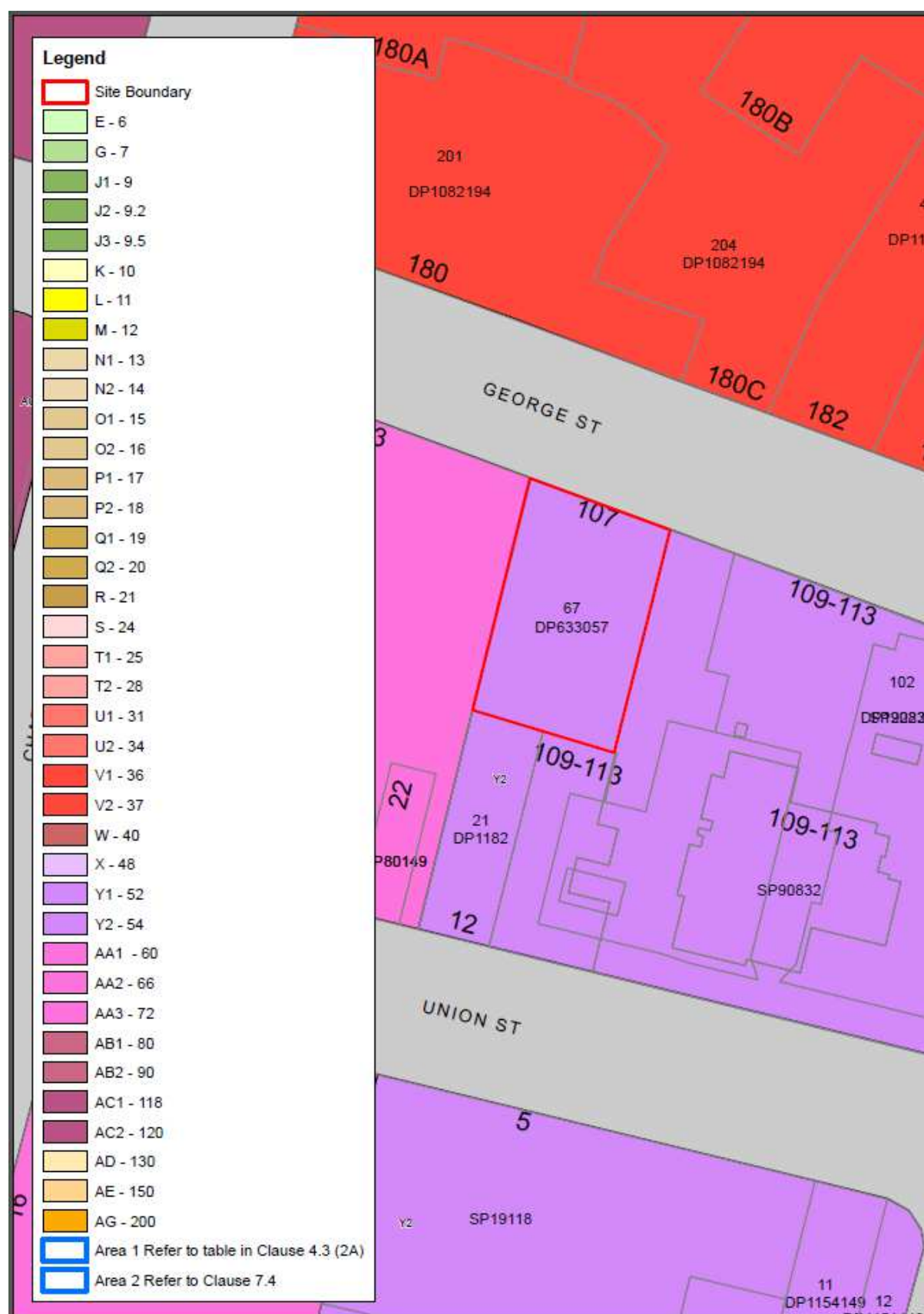


Figure 7 – Existing building heights extracted from the PLEP 2011 Height of Buildings Maps
 Figure 7 above illustrates the existing 54 metre height limit applying to the site.

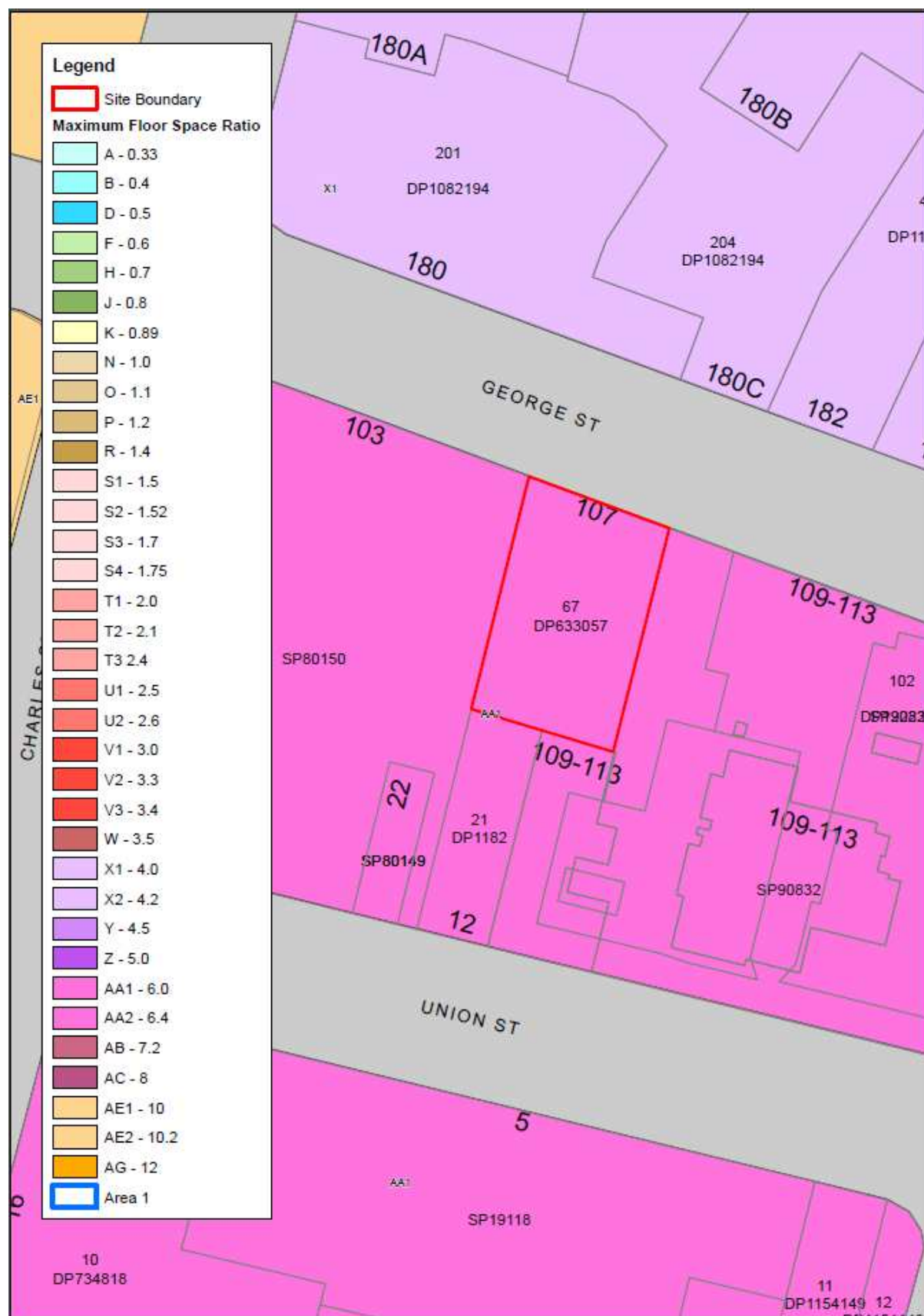


Figure 8 – Existing floor space ratio extracted from the PLEP 2011 Floor Space Ratio Map

Figure 8 above illustrates the existing FSR of 6:1 which applies to the site. The above map does not take into consideration the application of the sliding scale.

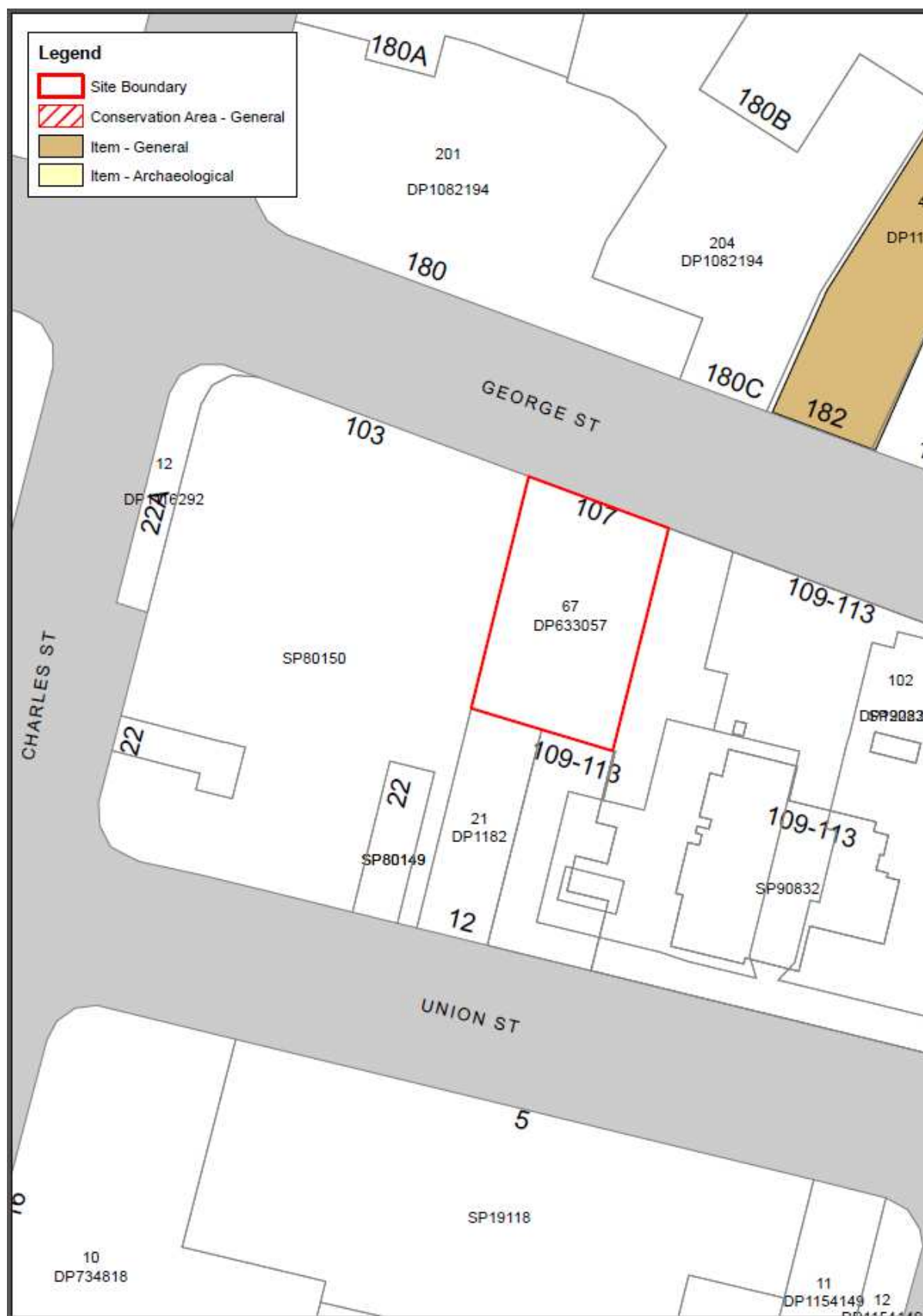


Figure 9 – Existing heritage items extracted from the *PLEP 2011* Heritage Maps

Figure 9 above illustrates the heritage site located in the vicinity of the site.

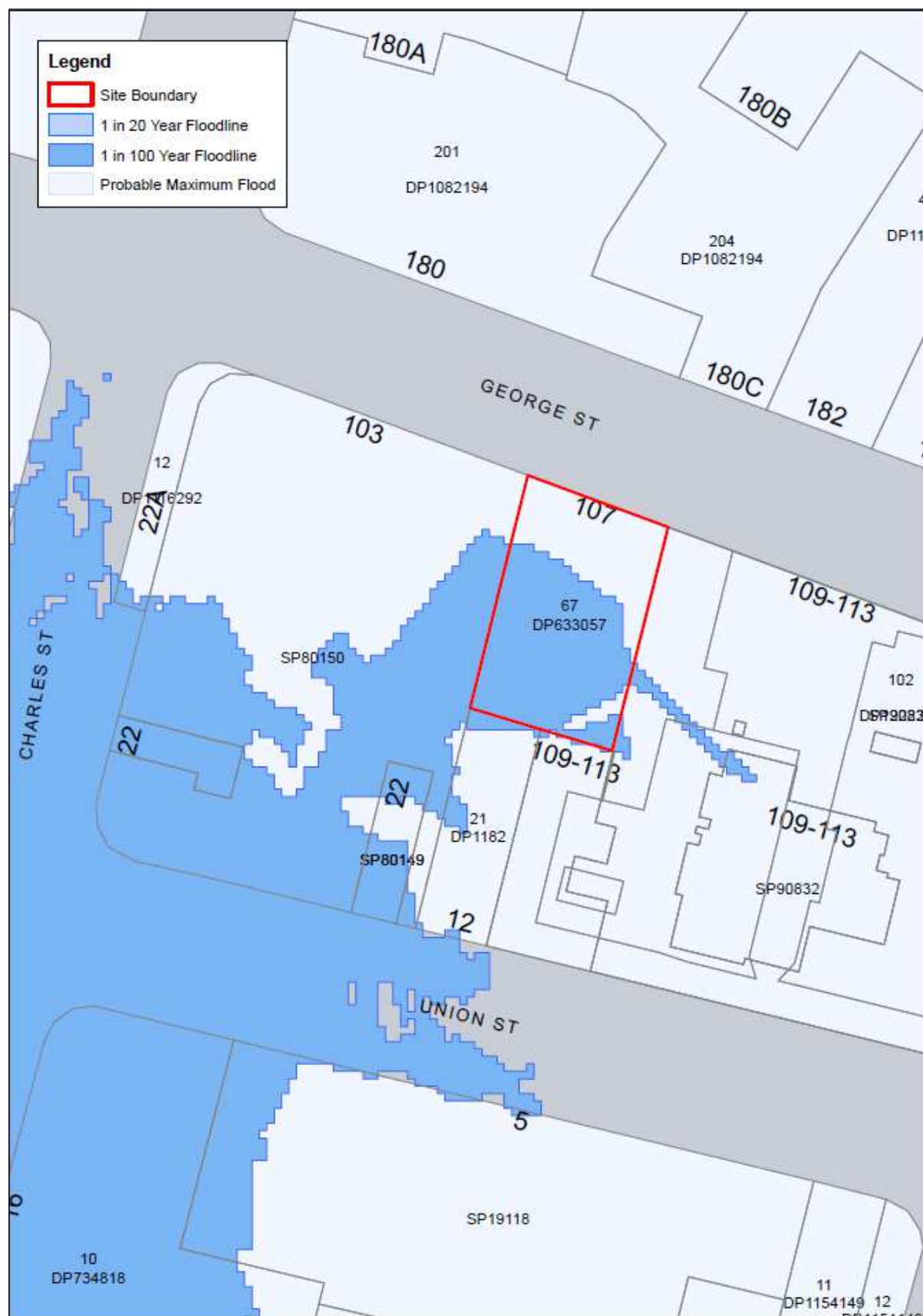


Figure 10 – Existing flooding extant extracted from the *PLEP 2011* Flooding Maps

Figure 10 above illustrates the flooding extant of the site.

4.2 Proposed controls

Figure 11 in this section illustrates the proposed building height control sought by this planning proposal.

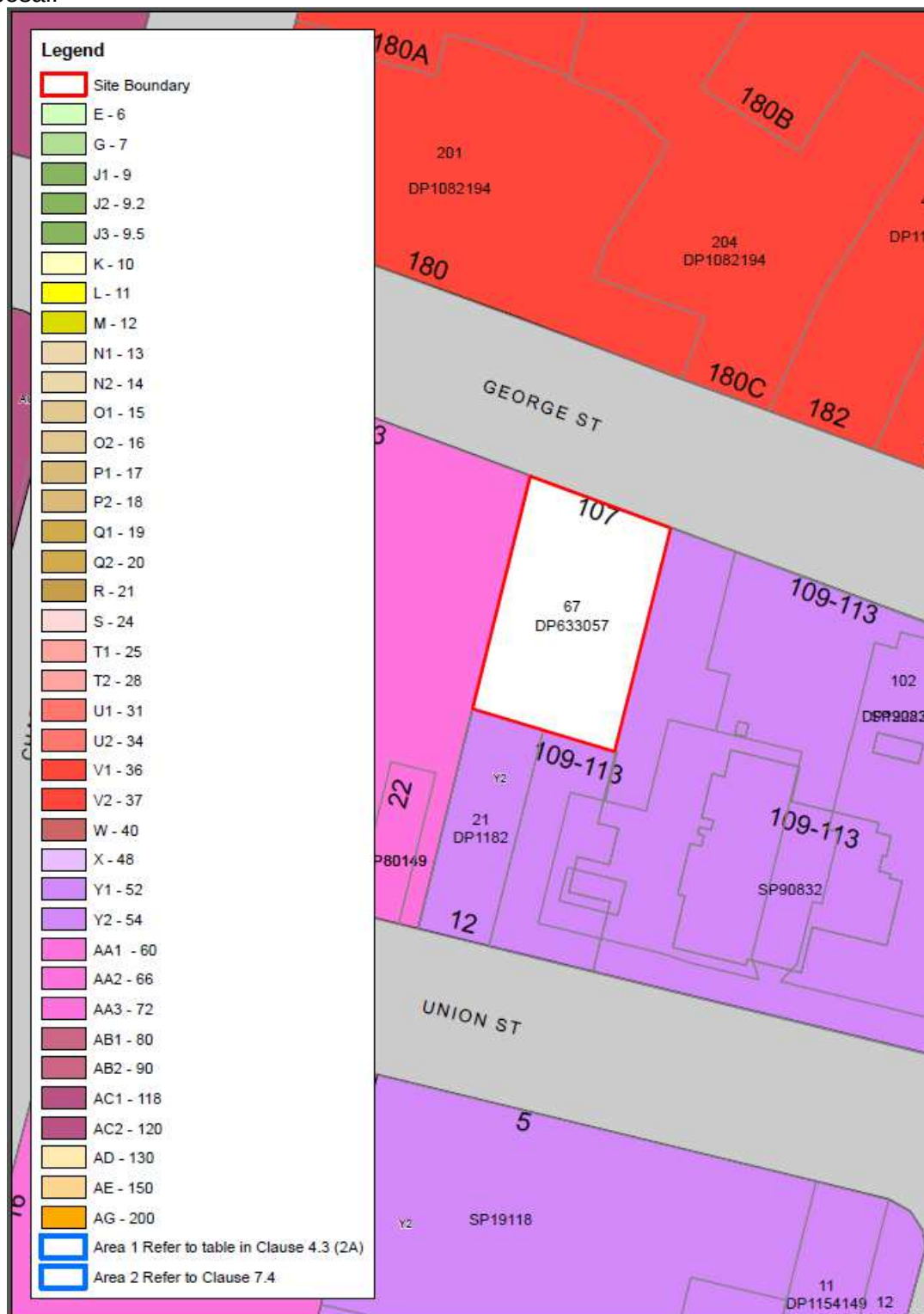


Figure 11 – Proposed amendment to the *PLEP 2011* Height of Building Map

Figure 11 above illustrates no maximum building height applying to the subject site.

PART 5 – COMMUNITY CONSULTATION

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

Public exhibition is likely to include:

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

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

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

PART 6 – PROJECT TIMELINE

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

The following steps are anticipated:

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

Appendix 1: Reference Design

Refer separate attachment.

Appendix 2: Draft Site-specific clause

Proposed to be inserted into the Parramatta Local Environmental Plan 2011:

Part 7 Additional Local Provisions – Parramatta City Centre

Clause 7.xx Development on land at 107 George Street, Parramatta

(1) This clause applies to land at 107 George Street, Parramatta, being Lot 67 DP 633057 and identified as area ### on the Special Provisions Area map.

- a. Despite the provisions of Clause 7.2, the consent authority may grant consent to development involving the construction of a new building with a floor space ratio of up to 6:1 if commercial floor space of at least 1:1 floor space ratio is included in the development.

(2) The maximum parking rates for any development proposed under this clause are as follows:

- a. The maximum parking rates which apply to any part of the building used as a dwelling are:
 - i. For each studio dwelling – 0.1 spaces, and
 - ii. For each 1 bedroom dwelling – 0.3 spaces, and
 - iii. For each 2 bedroom dwelling – 0.7 spaces, and
 - iv. For each 3 or more bedroom dwelling – 1 space.

- b. The maximum parking rates for any part of a building used for the purposes of commercial or community uses is established by the following formula:

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

Where:

M is the maximum number of parking spaces,

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

A is the site area in square metres, and

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

Appendix 3: Draft Site-specific Development Control Plan

Refer separate attachment.

[The draft site-specific DCP will be prepared and reported to Council prior to the exhibition of the Planning Proposal. It is noted that Council's preferred process is to exhibit the Development Control Plan and the Voluntary Planning Agreement concurrently with the Planning Proposal.]

Appendix 4: Draft Voluntary Planning Agreement

Refer separate attachment.

[The draft Voluntary Planning Agreement will be negotiated with the applicant and reported to Council prior to the exhibition of the Planning Proposal. It is noted that Council's preferred process is to exhibit the Development Control Plan and the Voluntary Planning Agreement concurrently with the Planning Proposal.]



Prepared by City of Parramatta Council

PARRAMATTA WE'RE BUILDING **AUSTRALIA'S NEXT GREAT CITY**