

Planning Services

Gateway Determination Report

LGA	City of Parramatta
RPA	City of Parramatta
NAME	23, 25 and 27 Harold Street, Parramatta (116 dwellings, 0 jobs)
NUMBER	PP_2017_COPAR_010_00
LEP TO BE AMENDED	Parramatta Local Environmental Plan 2011 (LEP)
ADDRESS	23, 25 and 27 Harold Street, Parramatta
DESCRIPTION	Lot 3 DP 18261, Lot 4 DP 18261, Lot 5 DP 18261
RECEIVED	3 August 2017
FILE NO.	17/10832
QA NUMBER	qA416466
POLITICAL DONATIONS	There are no donations or gifts to disclose and a political donation disclosure is not required
LOBBYIST CODE OF CONDUCT	There have been no meetings or communications with registered lobbyists with respect to this proposal.

INTRODUCTION

Description of planning proposal

The planning proposal seeks to amended planning controls to increase the height of building (HOB) and floor space ratio (FSR) to permit a 22-storey residential development delivering approximately 116 dwellings (133 with design bonus).

Site Description

The site is 1,641sqm of land located at 23, 25 and 27 Harold Street, Parramatta (Lot 3 DP 18261, Lot 4 DP 18261, Lot 5 DP 18261).

Surrounding Area

The site is located on the boundary of the existing Parramatta CBD and the Sorrell Street Heritage Conservation Area, and adjacent to a local heritage item (Figure 1 overleaf). The site is within the proposed new Parramatta CBD boundary as identified in the Parramatta CBD planning proposal (Figure 2 overleaf).

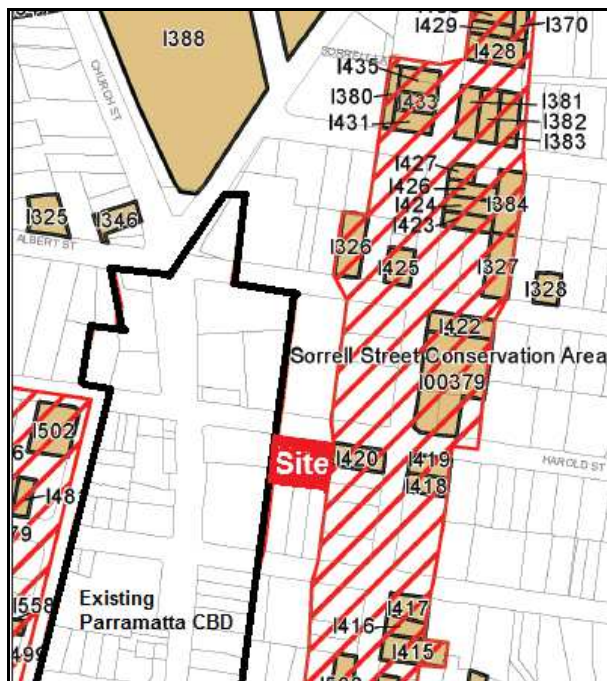


Figure 1: Location of the site

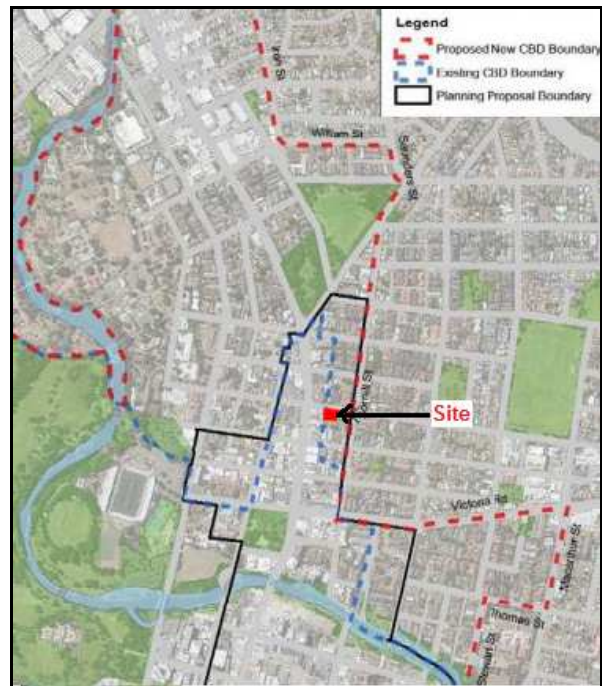


Figure 2: Proposed CBD boundary

Summary of Recommendation

Proceed to Gateway with conditions.

PROPOSAL

Objectives or Intended Outcomes

The proposal seeks to facilitate a high-density residential development at 23, 25 and 27 Harold Street. The site is close to public amenities and public transport. The proposal seeks to utilise these services while taking into consideration the neighbouring Sorrell Street Heritage Conservation Area and local heritage item 53 Sorrell Street.

Explanation of Provisions

The planning proposal as submitted to the Department includes the neighbouring heritage item at 53 Sorrell Street, as part of the site. However as there are no proposed changes to the planning controls on this site (see Figure 3 overleaf), a condition of the Gateway determination has been included to require this parcel of land be removed from the planning proposal.

On 3 August 2017, Parramatta City Council confirmed their preference not to revise and resubmit the proposal, instead requesting the Gateway determination be conditioned accordingly.

The planning proposal seeks to increase the HOB and FSR controls applying to 23, 25 and 27 Harold Street, Parramatta, by amending the:

- HOB Map from 11m to 70m (approximately 22 storeys); and
- FSR Map from 0.8:1 to 6:1 plus design excellence, resulting in a total FSR of 6.9:1.

As discussed above, the site is within the proposed new Parramatta CBD boundary and the proposed controls are aligned to the CBD Planning Strategy and subsequent planning proposal (Figure 4 overleaf) which is currently under assessment by the Department.

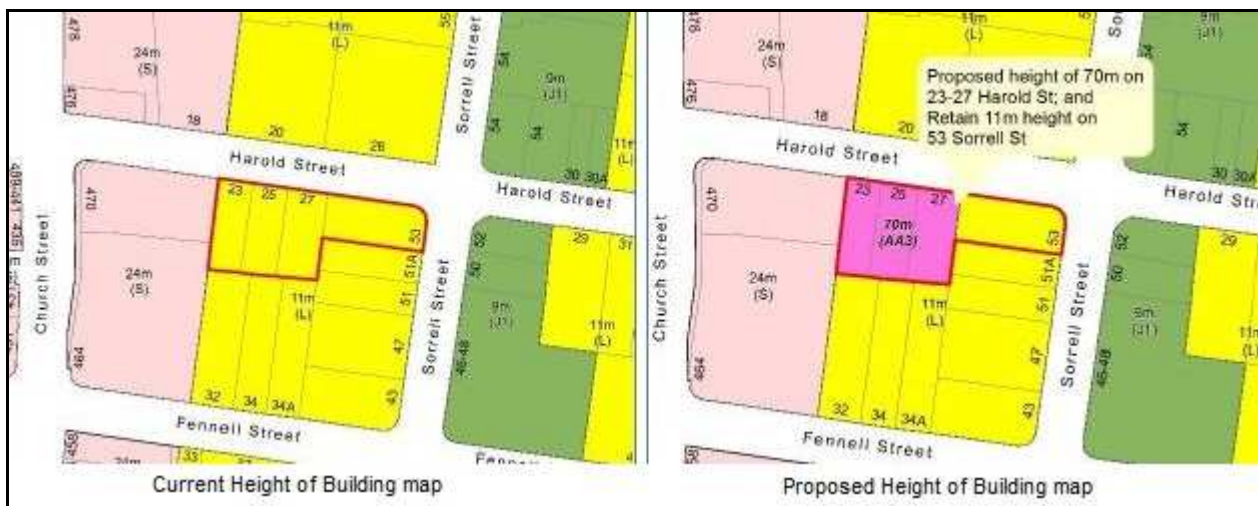


Figure 3: Incorrect identification of the site.

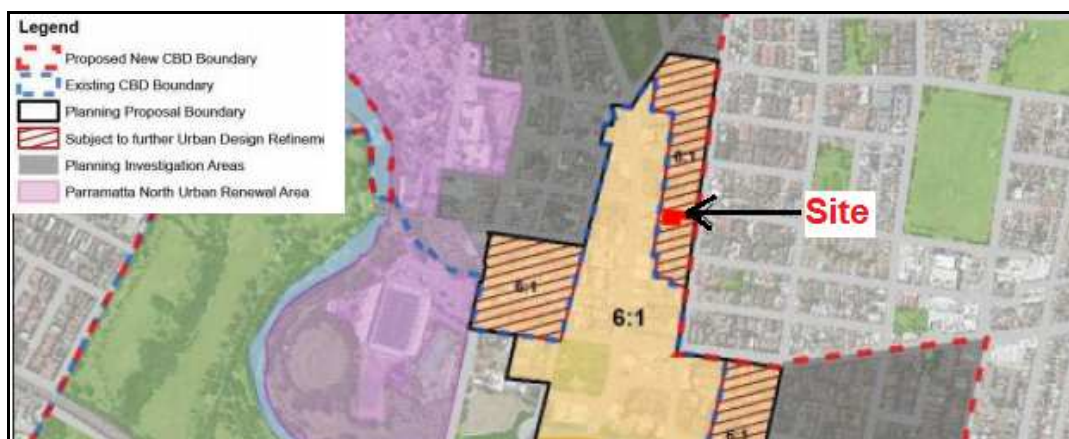


Figure 4: The site is within a location requiring further design refinement.

The planning proposal states that a site-specific Development Control Plan (DCP) for the site will address future built form controls, such as setbacks and building separation, and that voluntary planning agreements (VPA) negotiations are underway. Council proposes to exhibit both the DCP and VPA together with the planning proposal during the public exhibition period.

Mapping

The mapping provided throughout the planning proposal, and in the supporting studies will need to be revised to exclude 53 Sorrell Street from the site. It is recommended that the updated proposal be resubmitted to the Department for endorsement prior to community consultation.

NEED FOR THE PLANNING PROPOSAL

The planning proposal is supported by multiple local and NSW State Government strategic plans that will enable Parramatta to grow into Sydney's second CBD by increasing density, offering diverse housing options and assisting in the delivery of affordable housing.

STRATEGIC ASSESSMENT

Regional/District

A Plan for Growing Sydney

The planning proposal is generally consistent with A Plan for Growing Sydney and Draft Towards Our Greater Sydney 2056 (draft amendment to A Plan for Growing Sydney), as the proposal will provide additional residential dwellings within the Parramatta CBD within close proximity to the future light rail corridor, and protect a heritage conservation area.

Draft West Central District Plan

The planning proposal is consistent with productivity and liveability actions, increasing dwellings through urban renewal.

Greater Parramatta and the Olympic Peninsula (GPOP)

The planning proposal is consistent with the GPOP vision to design Parramatta as a 30-minute city, providing higher-density dwellings within proximity to jobs, amenities, schools and services.

Local

Parramatta 2038 Community Strategic Plan

The planning proposal is consistent with Council's local strategy as it aims to maintain the heritage significance of the Sorrell Street Heritage Conservation Area ensuring that future development aligns with the cultural and heritage values of the area.

Parramatta CBD Strategy

The planning proposal is consistent with this proposal, adopting an FSR of 6:1 for the site.

Parramatta LEP 2011

Due to the size of the site, being under 1800m², it is therefore subject to the sliding scale clause 7.2 floor space ratio. This means, the FSR for the site will be reduced. As the planning proposal specifically seeks to achieve an FSR of 6:1 (plus 0.9:1 design excellence bonus), it is recommended that the explanation of provisions be updated to confirm whether Council intends the site to be exempt from clause 7.2 floor space ratio of the LEP.

Section 117(2) Ministerial Directions

The planning proposal is consistent with all relevant S117 Directions, except for the following:

2.3 Heritage Conservation

The planning proposal indicates a 21m buffer zone between the proposed building envelope and heritage item. However, the concept plan, Urban Design Study and Statement of Heritage Impact do not clearly reflect this. Therefore, the proposal is inconsistent with this Direction.

It is considered that these supporting studies be revised and the planning proposal updated prior to public exhibition, to more accurately reflect the proposed changes to the planning controls, and the associated impacts of the proposed development (height, layout, setback/separation distances with the heritage item), including the effects of overshadowing of neighbouring properties and conservation of the Sorrell Street Heritage Conservation Area and neighbouring heritage item at 53 Sorrell Street. Following these amendments, the Department will be able to assess the proposals consistency with this Direction.

4.1 Acid Sulfate Soils

The proposal is inconsistent with this Direction as an acid sulfate soils study, required when an intensification of land uses is proposed, has not been prepared. This inconsistency is considered to be justified on the basis of minor significance, given that:

- (a) the affection is by class 5 acid sulfate soils; and
- (b) the matter will be further considered at development application stage under clause 6.1 of Parramatta Local Environmental Plan 2011.

It is recommended that the Secretary's delegate agrees that the inconsistency of the S117 Direction 4.1 – Acid Sulfate Soils, is of minor insignificance.

State Environmental Planning Policies

The proposal is considered consistent with the following relevant State Environmental Planning Policies (SEPPs).

- SEPP No 32—Urban Consolidation (Redevelopment of Urban Land);
- SEPP No 65—Design Quality of Residential Flat Development;
- SEPP (Building Sustainability Index: BASIX) 2004;
- SEPP (Exempt and Complying Development Codes) 2008; and
- SEPP (Infrastructure) 2007.

SITE SPECIFIC ASSESSMENT

Social

Urban Design Report

The concept plans presented in the Urban Design Report present a number of options for the site but do not accurately reflect the height, layout, setbacks and shadow diagrams of the proposed development indicated in the planning proposal.

It is recommended that the Urban Design Report be revised and submitted to the Department for approval, prior to public exhibition. Council notes that they have worked closely with the proponent to amend the Urban Design Report and acknowledge that further revision will be required prior to exhibition.

Heritage

The Heritage Issues Identification Report and Heritage Impact Statement identify the need to address the Sorrell Street Heritage Conservation Area and local heritage item 53 Sorrell Street. However, these documents will need updating having regard to the updated Urban Design report discussed above, and be submitted to the Department for endorsement prior to exhibition.

Traffic and Parking

Council has confirmed that the site will not be directly affected by light rail and that no road widening on Harold Street or Sorrell Street is proposed. Council recently adopted reduced parking rates on 10 April 2017 to enable certain proposals to proceed ahead of the mesoscopic traffic study being undertaken for the Parramatta CBD planning proposal. Council advises that their traffic and transport team agree with applying the rates to this planning proposal. The Gateway determination has been condition to require consultation with the Transport for NSW and RMS. Therefore, it is considered that this proposal may proceed ahead of the mesoscopic traffic study. The planning proposal is to

be updated to reflect the adoption of the reduced parking rates in the explanation of provisions.

Environmental

It is considered that there is no impact to critical habitat, threatened species, populations or ecological communities.

Economic

The proposed development has potential to provide more diverse housing options, contributing towards housing choice and affordability. The increase in the residential population base has potential to increase demand for local neighbourhood shops and businesses.

Infrastructure

The site is approximately 200m walking distance from existing bus stops along Church Street and adjoins the proposed Parramatta Light Rail route. Council advises that civil and utility infrastructure is available to service the proposed yield of approximately 116 dwellings.

CONSULTATION

Community

A 28-day exhibition period is proposed.

Agencies

It is considered appropriate that the following agencies be consulted:

- Transport for NSW – Roads and Maritime Services; and
- NSW Office of Environment and Heritage – Heritage Division.

TIMEFRAME

The timeframe for completing the LEP is to be 12 months following the date of the Gateway determination

DELEGATION

Council has requested delegation of the plan-making function in relation to this planning proposal and it is recommended that, due to the Parramatta CBD location, delegation of the Greater Sydney Commission not be issued in the instance.

CONCLUSION

It is recommended that the planning proposal be supported to proceed, and that a Gateway determination be issued with conditions to revise the planning proposal and its supporting studies to identify the site, the preferred urban design outcomes, and associated impacts. This will also enable the Department to assess the proposal against S117 Direction 2.3 – Heritage Conservation.

The revised planning proposal is to be submitted to the department for endorsement, prior to community consultation.

RECOMMENDATION

It is recommended that the delegate of the Secretary:

1. agree any inconsistencies with Section 117 Direction 4.1 – Acid Sulfate Soils are minor; and
2. note that the consistency with Section 117 Direction 2.3 – Heritage Conservation is unresolved and will require justification.

It is recommended that the delegate of the Greater Sydney Commission, determine that the planning proposal should proceed subject to the following conditions:

1. Prior to community consultation:
 - (a) the planning proposal is to be revised to:
 - remove 53 Sorrell Street from the subject site and update mapping and the explanation of provisions accordingly; and
 - include in the explanation of provisions;
 - i. the maximum parking rates, in line with the resolution of City of Parramatta council on 10 April 2017 with regards to the parking rates in the CBD Planning Proposal; and
 - ii. to confirm if the site is to be exempt from clause 7.2 floor space ratio of the LEP.
 - (b) amend the supporting studies to be consistent with the revised planning proposal. In particular:
 - the Urban Design Report should identify the updated site, a preferred concept option, including overshadowing diagrams, consistent with the planning proposal; and
 - the heritage study should address the heritage impact of the preferred concept option in the revised Urban Design Report; and
 - (c) a copy of the revised planning proposal and supporting studies is to be submitted to the Department for endorsement.
2. Community consultation is required under sections 56(2)(c) and 57 of the *Environmental Planning and Assessment Act 1979* (the Act) as follows:
 - (a) the planning proposal must be made publicly available for a minimum of 28 days; and
 - (b) the relevant planning authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in section 5.5.2 of *A guide to preparing local environmental plans* (Department of Planning and Environment 2016).
3. Consultation is required with the following public authorities and/or organisations under section 56(2)(d) of the Act and/or to comply with the requirements of relevant Section 117 Directions:
 - Transport for NSW;
 - Roads and Maritime Services; and
 - NSW Office of Environment and Heritage – Heritage Division.

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material, and given at least 21 days to comment on the proposal.

4. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the Act. This does not discharge Council from any

obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).

5. The timeframe for completing the LEP is to be 12 months following the date of the Gateway determination.



24/8/17

Adrian Hohenzollern
Team Leader, Sydney Region West



6/08/17

Catherine Van Laeren
Director Regions,
Sydney Region West
Planning Services

Contact Officer: Stuart McIntosh
Planning Officer, Sydney Region West
Phone: 9860 1551