

INNOVATIVE

ITEM NUMBER 6.3
SUBJECT Pre-Gateway: Planning Proposal for land at 114-118 Harris Street, Harris Park
REFERENCE RZ/9/2018 - D07402799
REPORT OF Project Officer Land Use

LAND OWNER: Harris Street Developments Pty Ltd

APPLICANT: Think Planners Pty Ltd

DEVELOPMENT APPLICATIONS CONSIDERED BY SYDNEY CENTRAL CITY PLANNING PANEL – NIL.

PURPOSE:

To seek the Local Planning Panel's advice on a Planning Proposal at 114-118 Harris Street, Harris Park for the purposes of seeking a Gateway Determination from the Department of Planning, Industry and Environment. This report also deals with the preparation of a site-specific Development Control Plan a draft Planning Agreement for this site.

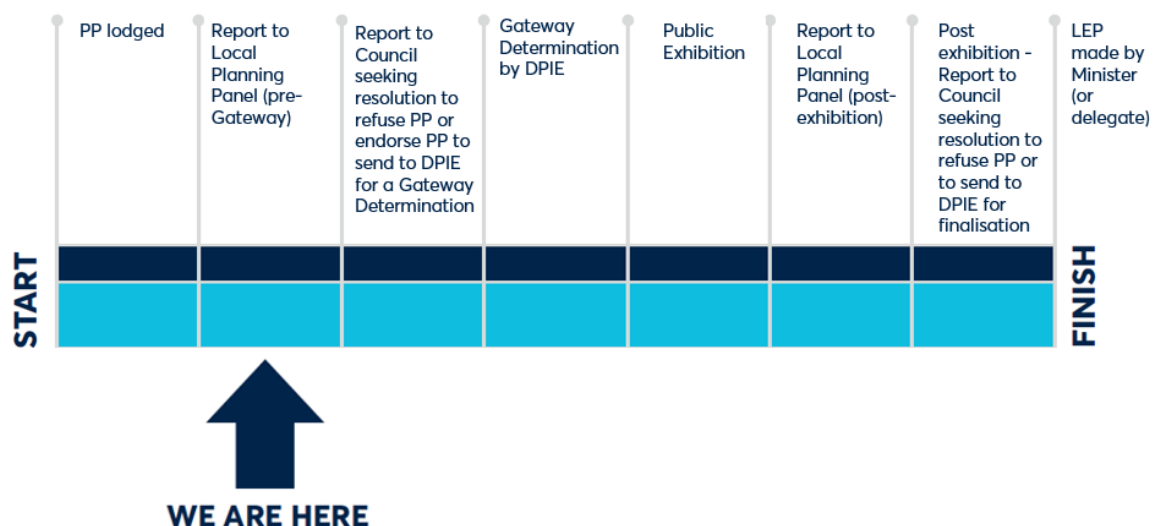
RECOMMENDATION

That the Local Planning Panel consider the following Council officer recommendation in the Panel's advice to Council:

- (a) **That** Council endorse for the purposes of seeking a Gateway Determination from the Department of Planning, Industry and Environment, the Planning Proposal at 114–118, Harris Street, Harris Park (included as **Attachment 1**) which seeks the following amendments to Parramatta Local Environmental Plan 2011 in relation to the subject site:
1. Increase the maximum building height from 54 metres (15 storeys) to 126 metres (32 storeys);
 2. Increase the maximum FSR on the Floor Space Ratio Map from 4:1 to 10:1;
 3. Inclusion of controls to deal with management of flooding including, but not limited to, provisions for safe refuge and ensure the building is capable of withstanding and does not obstruct flood flows; and
 4. Amend the Special Areas Provisions Map to identify the site and add site-specific controls that provide for the following:
 - a. Provision outlining that the mapped FSR of 10:1 is subject to the sliding scale requirements of Clause 7.2 of the draft LEP provisions of the Parramatta CBD Planning Proposal.
 - b. Requirement for minimum 1:1 commercial floor space
 - c. Maximum parking rates, in line with the resolution of the City of Parramatta Council on 26 November 2019 with regard to parking rates in the Parramatta CBD Planning Proposal.
 - d. Requirement to demonstrate Experiment Farm is not overshadowed by development of the site.

- (b) **That** the Planning Proposal be forwarded to the Department of Planning, Industry and Environment to request the issuing of a Gateway Determination.
- (c) **That** a draft site-specific Development Control Plan (DCP) be prepared and reported to Council prior to its public exhibition. This draft DCP should address, at a minimum:
1. Built form and massing;
 2. Building setbacks;
 3. Flooding; and
 4. Road widening.
- (d) **That** with regards to a Planning Agreement for the subject site:
1. the applicant be invited to negotiate a Planning Agreement in line with Council's policy position on Planning Agreements in the Parramatta CBD;
 2. delegated authority be given to the Chief Executive Officer to negotiate a draft Planning Agreement with the landowner in relation to the Planning Proposal on behalf of Council; and
 3. the outcome of the negotiations shall be reported back to Council prior to the draft Planning Agreement being placed on public exhibition.
- (e) **That** the Planning Proposal, DCP and Planning Agreement are concurrently exhibited.
- (f) **That** Council advises DPIE that the Chief Executive Officer will not be exercising the plan-making delegations for this Planning Proposal as authorised by Council on 26 November 2012.
- (g) **Further, that** Council delegate authority to the Chief Executive Officer to correct any minor anomalies of a non-policy and administrative nature that may arise during the Planning Proposal, DCP and / or Planning Agreement processes.

PLANNING PROPOSAL TIMELINE



INTRODUCTION

1. The Planning Proposal for 114 – 118 Harris Street is one of three Planning Proposals for land at the corner of Parkes and Harris Streets. Other Planning Proposals have been lodged for 24 Parkes Street and 26-30 Parkes Street. These three sites are shown in Figure 1. This report addresses the Planning Proposal for site 3 in Figure 1.

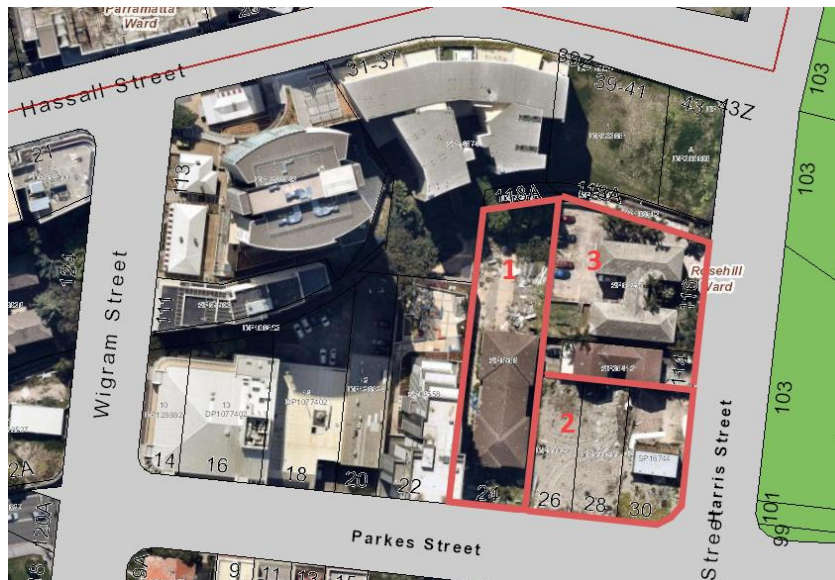


Figure 1: Three adjacent Planning Proposals, Harris Park
[1: 24 Parkes Street; 2: 26–30 Parkes Street; 3: 114–118 Harris Street]

2. The background to these three Planning Proposals extends over a period of approximately three years with extensive consultation with Council officers during that time. During this time Council staff have raised a number of issues concerning development of the sites; the main issues are summarised as follows:
 - The need to satisfactorily resolve setbacks for the sites and particularly on the western boundary of 26–30 Parkes Street. This was necessary to ensure that the adjoining site to the west at 24 Parkes Street does not suffer from site isolation and that there is adequate space between buildings.
 - Possible overshadowing impacts on the nearby conservation areas of Harris Park West, and Experiment Farm, and also Experiment Farm Cottage contained on the State Heritage Register. To establish the magnitude of possible overshadowing impacts Council officers have undertaken extensive analysis as part of the Parramatta CBD Planning Proposal.
 - Council staff have been of the consistent view that site consolidation is the best means to secure good built form and urban design outcomes and avoid site isolation of 24 Parkes Street. Also, with site amalgamation the permitted FSR for the sites would not be subject to the sliding scale restrictions under the Parramatta CBD Planning Proposal and may be able to achieve a maximum permitted FSR of 10:1.
3. Nevertheless, after consideration Council officers have reached the conclusion that 114–118 Harris Street can be reported as a stand-alone Planning Proposal. As will be discussed further in this report, this site may be developed

without amalgamation to achieve acceptable urban design and planning outcomes, and the Planning Proposal is consistent with the Parramatta CBD Planning Proposal. Urban design and planning issues are largely resolved and can be further dealt with through the preparation of a DCP for the site.

SITE DESCRIPTION

4. The subject site has an area of 1,776 m² and its legal description is as follows: SP 35413 (114, Harris Street) and SP 53257 (116 – 118, Harris Street). The site is shown in **Figure 2**.

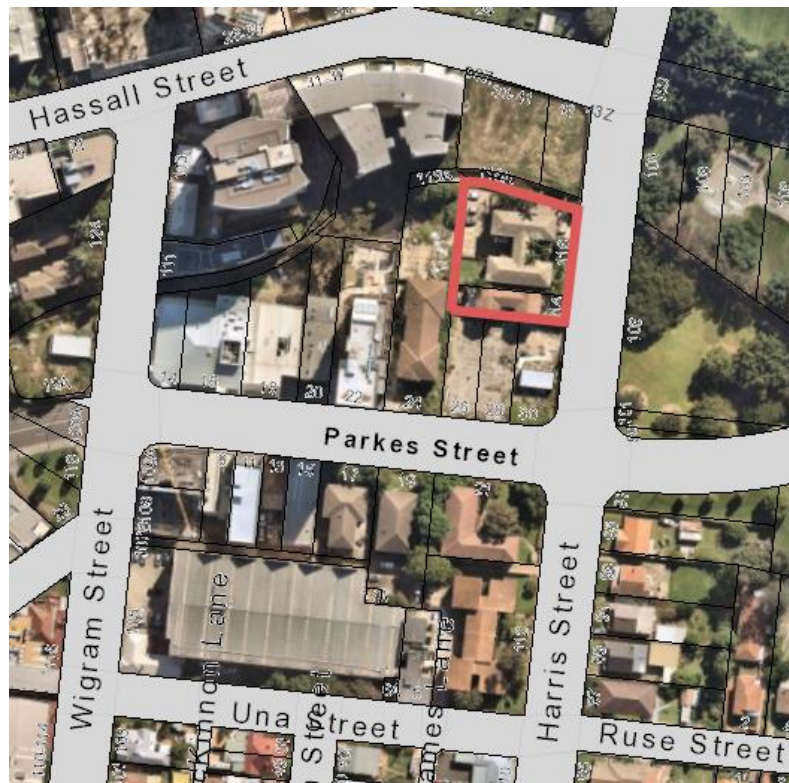


Figure 2 – Location of Site (site shown outlined in red)

5. The site is on the south eastern edge of the Parramatta CBD. To the east of the site is the Robin Thomas Reserve, which is one of the few city centre open space areas and contributes to the character and amenity of the area. Clay Cliff Creek (an open channel) adjoins the northern boundary of the site.
6. The immediate locality is characterised by a mix of uses and built form. To the west of the site is generally aged building stock that is currently undergoing a transition in character because of development approvals under construction and the recent Planning Proposal at 14 – 20 Parkes Street, Harris Park.

CURRENT PLANNING CONTROLS

7. The site is subject to Parramatta LEP 2011 and the following key provisions apply to the site:
 - zoning: B4 Mixed Use;
 - maximum Height of Buildings (HOB): 54 metres;
 - maximum Floor Space Ratio (FSR): 4:1.

8. The site is not listed as a heritage item. However, it is in close proximity to a number of heritage items and conservation areas as listed below and illustrated at **Figure 3**.

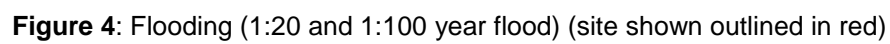
- 100768: Experiment Farm Cottage and Environs (State Significance);
- A00768: Experiment Farm Archaeological Site (State Significance);
- Experiment Farm Conservation Area.



Figure 3: Heritage properties in relation to subject site (site shown outlined in red)

Flooding

9. The site is affected by the probable maximum flood (PMF) event, as well as the 1:100 and 1:20 year flood. The northern margin of the site adjacent to Clay Cliff Creek is subject to high hazard flooding. Flood maps are shown in **Figures 4 and 5**.



DESCRIPTION OF THIS PLANNING PROPOSAL AND COMPARISON OF CONTROLS WITH CURRENT AND PARRAMATTA CBD PLANNING PROPOSAL

10. On 27 August 2018, a Planning Proposal was lodged for 114–118 Harris Street, Harris Park to remove the maximum height of building (HOB) under the incentive HOB map and to increase the maximum Floor Space Ratio from 4:1 to 14.5:1.
11. Following consultation with Council officers the Planning Proposal has been modified to seek the following amendments to Parramatta LEP 2011:
 - Apply a maximum building height of 145 metres
 - Apply a mapped FSR of 10:1
 - Include a provision subjecting the mapped FSR of 10:1 to the sliding scale requirements of Clause 7.2 of the draft LEP provisions of the Parramatta CBD Planning Proposal.
 - Include an additional site specific clause requiring a mandatory 1:1 of commercial floor space.
 - Include a maximum car parking rate in accordance with the Parramatta CBD Strategic Transport Study and resolution of Council of 10 April 2017.
12. The applicant's Planning Proposal is accompanied by traffic, wind and flood studies and a reference design (most recent reference design included at **Attachment 2**).
13. The Planning Proposal seeks to redevelop the site as a multi-storey mixed-use apartment building comprising one level of retail outlets, one level of commercial offices, 35 levels of residential apartments and one level of communal open space. Approximately 218 new dwellings will be delivered by the proposal. It is expected that there will be four levels of basement car parking. An illustration of the proposed design concept for the site is shown in **Figure 6** below.



Figure 6: Eastern elevation of design concept for 114 – 118 Harris Street facing Harris Street

14. Table 1 compares the key planning controls recommended for the subject site with the current controls and the Parramatta CBD Planning Proposal.

Table 1: Planning Proposal comparison to current controls and Parramatta CBD Planning Proposal

Scenario	Current Controls	Parramatta CBD Planning Proposal Controls	Recommended Site-specific Planning Proposal controls
Site Area – 1,776m²			
Land zoning	B4 Mixed Use	B4 Mixed Use	B4 Mixed Use
FSR	4:1	<p>Base: 4:1 Incentive: 10:1 (11.5 with bonus).</p> <p>However, under clause 7.2 of the draft CBD Planning Proposal LEP provisions the site is subject to a sliding scale, as resolved by Council on 24 March 2019</p>	<p>10:1</p> <p>Under the sliding scale the permissible FSR for the site is 9.88:1 (which allows 11.362:1 with design excellence. This is reflected in the reference design).</p>

HOB / solar access plane	54m (15 storeys)	Base: 54m Includes a new "Area 1 "control applied to protect Experiment Farm. Council resolved to protect solar access to Experiment Farm between 10 am and 2 pm midwinter.	The Height of Buildings map will show 126 metres 32 - storeys) (145m - 38 storeys with design excellence). A control to protect Solar Access to Experiment Farm will also affect the permitted maximum height. The control will be modelled on the Parramatta CBD Planning described in the adjoining row. Modelling suggests Experiment Farm will not be overshadowed if the building is at or below 145m. Given the height is based on preliminary modeling there is a small risk that a building at 145m could overshadow when detailed design work is completed. However this clause will ensure that a more detailed design prepared at Design Competition and Development Application stage will still comply with the requirement to keep Experiment Farm free from shadow at the specified periods of the day.
Land Acquisition	Nil	In the land reservation acquisition map for the Parramatta CBD Planning Proposal the Harris Street frontage of the site is subject to the requirement for 3.5m road widening.	It is recommended that a Planning Agreement be negotiated to secure a 3.5m widening along Harris street.
Minimum Commercial Floor Space	Nil	Minimum 1:1 commercial floor space required in mixed use development.	Insert clause that will require a minimum commercial floor space of 1:1.
Active Street Frontages	N/A	Active frontage proposed for Harris Street.	Active frontage provided on Harris Street via DCP controls.
High performing buildings (residential)	N/A	5% high performing building bonus.	High performing building bonus is not supported (refer to detailed comments below).
Parking	Parking Rates	Endorsed Parking Rates consistent with City of Sydney CBD Parking rates - Category A.	Insert clause setting parking rates as per Parramatta CBD Planning Proposal.
Yield	Approximately 89 dwellings*	Approximately 218 dwellings.	Approximately 218 dwellings.

*Based on Average Unit size of 80m²

15. In summary, the Planning Proposal recommended for the subject site seeks to amend the core planning controls of FSR and HOB in a manner that is consistent with the Parramatta CBD Planning Proposal as described in **Table 1**.

ASSESSMENT OF THE SUBJECT PLANNING PROPOSAL

Sliding Scale / Amalgamation Issues

16. As noted earlier, this Planning Proposal is one of three Planning Proposals at the corner of Parkes and Harris Streets. Other proposals are for 24 and 26 – 30 Parkes Street (see **Figure 7**- labelled 1 and 2 respectively). The other two Planning Proposals sites also are below 1,800m² in area and trigger the sliding scale provisions. In both cases the applicants have requested that sliding scale provision not be applied to their site.

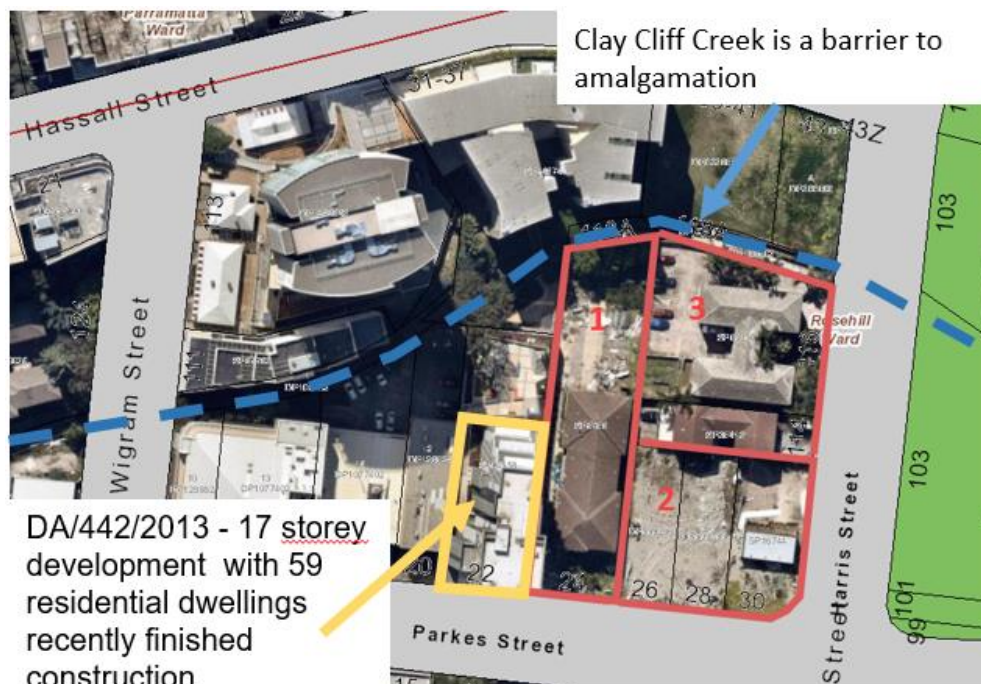


Figure 7– Adjoining land subject to site-specific Planning Proposals

17. Officers consider that amalgamation of these sites would maximise the FSR that can be achieved as the sliding scale controls would not be applied to sites that are amalgamated to achieve an area of 1,800m² or greater. It would also allow for the FSR to be achieved with more generous tower setbacks and separations which are desirable from an urban design viewpoint.
18. Council Officers met with all the applicants to determine whether amalgamation arrangements could be agreed. The applicants were unable to reach an agreement and have requested that their respective Planning Proposals be reported to Council with each application assessed separately assuming the sites will be developed as individual sites. The Planning Proposals for the adjoining sites are expected to be reported to the Local Planning Panel and Council once further information submitted by these applicants has been assessed.

19. If the Parramatta CBD Planning Proposal is finalised as per Council's current policy framework then each of these site will be permitted to be developed individually subject to application of the sliding scale. Given this Council Officers consider that it is acceptable to proceed with individual assessments for these site-specific Planning Proposals.

Setback Issues in absence of site amalgamation

20. **Figure 7** also shows the amalgamation options for the subject site are limited to the two adjoining sites that are the subject of the other applications due to the creek.
21. If this site is developed independently the only way the adjoining sites can achieve the minimum 1,800m² to avoid the application of sliding scale is for those two sites to amalgamate (i.e. sites 1 and 2). If they were to amalgamate in the future the "L" shaped site created is not an efficient shape for a redevelopment and setbacks and tower separations that can be achieved whilst still allowing a viable floor plate are more limited. If the sites are all developed independently setback and separation limitations are exacerbated.

Application of High Performing Building Bonus

22. The applicant is seeking to apply the high performing building bonus to this site. The bonus allows the developer to achieve an additional 5% bonus if they are able to achieve higher environmental performance criteria than would otherwise be required. However the site does not meet the criteria to be eligible for this bonus as the site must have a site area of 1,800m² and the subject site is 1,776m².
23. The applicant's justification for this variation is:
- The subject site is 24m² under the minimum 1,800m² required to be eligible for the 0.5 high performing building floor space ratio bonus. The site represents an insignificant shortfall in the minimum area required to obtain this bonus.
 - In this case, a superior environmental outcome can be achieved if the clause is applied to this slightly undersized lot. The benefits of the high performing building which result in a development that achieves lower energy and water usage will bring a larger public benefit to the City of Parramatta.
 - Rigid application of this control in this circumstance is unwarranted and does not achieve the overall intentions and objectives of the high performing building provisions.
24. If permitted it would allow a design for the site with base FSR of 9.8:1 (applying sliding scale), plus design excellence (15% of base FSR), together with high performing building bonus (5% of base FSR) to achieve an FSR of 11.8:1. Compared to the FSR of 11.4:1 which is being recommended for the subject Planning Proposal.
25. Council officers do not support the application of this bonus because it would undermine the sliding scale provisions that are being applied to encourage higher FSR bonuses to be available if amalgamation occurs to achieve larger lots. Allowing the high performing building bonus without meeting the site criteria would set an unacceptable precedent which would undermine the

sliding scale provisions as developers could achieve higher FSR without having to amalgamate. Promotion of amalgamation via the sliding scale mechanism is a critical objective that underpins the achievement of the broader objective of the Parramatta CBD Planning Proposal

Built form and urban design

26. Council's City Design Unit has reviewed the applicant's urban design reports and reference design drawings. **Table 2** below compares the setbacks currently being considered by Council Officers given urban design and flooding issues and those proposed by the applicant.

Table 2: Comparison of setbacks proposed by Council and those in most recent reference design

Council officer proposed setbacks	Applicant's setbacks
a. Podium	
0m to south	0m to south
1.5m to east	1m to east
6m to the north	6m to the north
0m to west	0m
b. Tower	
9m to south	9m to south
4.5m from east podium along Harris Street	Levels 5-34, 2m and Levels 35-37, 11m from east podium along Harris Street
1.5m to 2 m from north podium	0m from north podium
9m to west	9m to west

27. The applicant argues their proposed setbacks are acceptable and this demonstrates they can achieve an FSR of up to 11.8:1. Council's City Design Unit are yet to accept the setbacks proposed but are committed to continue discussions on what the appropriate setback might be and whether their current recommended setbacks might be relaxed. Currently the key concern of Council officers is that reducing the setbacks will impact on the streetscape and perceived mass of the buildings and where they bring buildings closer to adjoining sites may impact on the amenity of residents of adjoining future buildings at 24 and 26 – 30 Parkes Street.

28. One of the principles of the Parramatta CBD Planning Proposal is that height should only be limited in cases where there are overshadowing or other factors that require a specific height control to be imposed. Otherwise the only restriction on height are aeronautical constraints. Due to the overshadowing of Experiment Farm this is one of the sites where height has been limited. This means that larger setbacks potentially impacts on the ability of the applicant to achieve a higher FSR on this site because the height of the building cannot be increased to retain the maximum FSR. Therefore the setbacks negotiation will have a significant impact on the maximum FSR achievable on this site

29. A draft DCP reflecting the outcome of these further discussion on setbacks will be reported to Council for endorsement so it can be exhibited with the Planning Proposal. This report recommends Council permit the maximum FSR in accordance with the Parramatta CBD Planning Proposal so if the applicant is able to satisfy Council Officers that their setbacks are appropriate that they can then achieve this maximum FSR without having to amend the Planning Proposal. This approach allows an appropriate level of flexibility.

Heritage

30. It is noted that the subject site does not contain any heritage items or is within a conservation area. However, the impact of future development must ensure that solar access to Experiment Farm is protected.
31. The proposed building envelope and indicative architectural plans within the Urban Design Analysis show the development does not overshadow Experiment Farm. Council Officers are satisfied that there is no overshadowing impact to Experiment Farm under the proposed indicative massing. Further refinement and detail will need to be provided during the Design Excellence process and later at the Development Application stage to ensure this matter is appropriately managed.

Flooding

32. A Flood Impact Assessment has been prepared for the applicant by Cardno Pty Ltd with the report demonstrating the storm water flooding extent and behavior for the Planning Proposal.
33. Council's Senior Catchment and Development Engineer has reviewed the applicant's flood study, along with flood studies for the adjacent Planning Proposals at 24 and 26 to 30 Parkes Street and has commented as follows:
- There are potentially two sources of flooding: 1. From Clay Cliff Creek, for which Council's adopted flood levels may be used. 2. From overland flow (rainfall) in the local catchment above the site.
 - The applicable flood planning level is the higher of these flood levels for the critical 1% AEP flood event plus 0.5m freeboard.
 - Minimum floor levels for habitable floors/rooms shall be the flood planning level.
 - Development / buildings must not obstruct the floodway. There is a floodway beyond the channel of Clay Cliff Creek that is a critical issue but should be resolvable by design.
 - The provision of a 6 metres setback from the canal edge at ground level (and at least 4 metres overhead clearance above the surface) is considered important to allow for floodwaters to pass alongside and above the channel. This is important in ensuring that the floodway is not unreasonably obstructed by the development and will in turn help to satisfy the requirements of the Minister's Section 9.1 Direction.
 - Council prefers that there are no basements. If basements are pursued (for car parking only), the basement driveway entry must be provided with a flood barrier crest at or above the flood planning level. Wingwalls to this level and other passive measures such as raised entries to stairs to prevent flood waters entering the basement must be provided to the flood planning level. Additionally floodwaters higher than the flood planning

level up to the Probable Maximum Flood (PMF) must be excluded from the basement. This can be done with bund walls, self-actuating flood gates on the driveway crest and elsewhere, flood doors on stairwells etc and other measures as needed.

- The Applicants have begun to address Flood Emergency Response Plans, including 'shelter in place' facilities and evacuation. This can be taken further as details are developed.
- Under DCP 2011 and the Council Floodplain Risk Management Policy, Council does not permit 'Sensitive Uses', including centre-based child care, in flood prone land (that is affected by the PMF).

34. It is concluded that the site is generally suitable for residential development from a flood risk perspective. The Planning Proposal is considered to be capable of being consistent with Section 4.3 Flood Prone Land of the Section 9.1 Ministerial Direction subject to inclusion of controls described below.

35. There are two nearby sites that all front onto Clay Cliff Creek where the approach to applying the flood controls likely to be introduced as part of the Parramatta CBD Planning Proposal have been managed differently over time.

Site	Controls
12A Parkes Street	Planning proposal was finalised with controls included in LEP
14-20 Parkes Street	Council initially proposed some controls in the DCP but as part of the Planning Proposal finalisation process they intend to include these controls in the LEP

36. Given the Department of Planning most recent decision on 14-20 Parkes Street it is recommended that provisions be added to the Planning Proposal that require the development to address floodplain risk management in a manner consistent with the approach proposed in the Parramatta CBD Planning Proposal. The controls will require safe areas for refuge and ensure the building is capable of withstanding and does not obstruct flood flows.

Traffic and Transport

37. Council's Traffic and Transport Section has reviewed the subject Planning Proposal, along with the adjacent Planning Proposals for 24 Parkes Street and 26 – 30 Parkes Street. The section supports the maximum parking provision for each site in line with the rates of the strategic transport study for the Parramatta CBD that Council endorsed on 10 April 2017. Council resolved to include reduced parking rates in the CBD Planning Proposal, pending results of the forthcoming detailed (mesoscopic) study. This resolution was in part to allow site-specific Planning Proposals to proceed ahead of the detailed modelling. The rates will be those included in the Draft Parramatta CBD Planning Proposal when it was endorsed on 26 November 2019 and include the following generic rates for residential and commercial uses as well as other rates for specific uses:

a. Residential parking rates

Type of Apartment	Spaces/unit
3-bedroom	1 space/unit

2-bedroom	0.7 spaces/unit
1-bedroom	0.3 spaces/unit
Studio	0.1 spaces/unit

b. Commercial parking rates

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)

38. The Section has also commented that traffic modelling is not required to be conducted as part of the Traffic Analysis submitted as part of the Planning Proposal given Council is conducting a detailed traffic study that investigates the cumulative impact of traffic generation under the 15:1 FSR growth scenario.
39. The Planning Proposal is required to take into consideration a provision on the Local Reservation Acquisition (LRA) Maps of the draft Parramatta CBD Planning Proposal that provides for local road widening on the western side of Harris Street. The width of the widening is approximately 3.5 metres. The widening has been incorporated into the strategic traffic modelling for the CBD Planning Proposal, and at this stage it has been jointly agreed by Transport for NSW and Council to facilitate the creation of a potential additional lane along the west side of Harris Street. Therefore, it has been included in the Local Reservation Acquisition Maps for the draft CBD Planning Proposal. This is discussed further in the section of this report relating to a Planning Agreement.

Summary of Assessment

40. The redevelopment of the site without amalgamation does not result in optimal urban design and planning outcomes but the Planning Proposal recommended by Council Officers will be generally consistent with the CBD Planning Proposal as endorsed by Council and will deliver acceptable outcomes and so can be supported.
41. Council officers also recommend that Council advise DPIE that the CEO will not be exercising the plan-making delegations for this Planning Proposal. This is on the basis that Council is also advancing the Parramatta CBD Planning Proposal (which affects this site), and the Parramatta CBD Planning Proposal has not yet been approved by DPIE for finalisation.

SITE-SPECIFIC DEVELOPMENT CONTROL PLAN

42. It is recommended that a site-specific DCP be prepared that will deal with issues including, but not limited to, built form and massing, setbacks, flooding and road widening.

PLANNING AGREEMENT

43. It is expected that a Planning Agreement will be negotiated in line with the Parramatta CBD Community Infrastructure framework. Council's negotiating position for the Planning Agreement will be based on the endorsed value sharing rates for the Parramatta CBD, namely \$150/m² of residential floor space. The basis of the amount for payment is set out in the table below.

Table xx: Calculations for payment of monetary contribution

Development parameters	
Site area	1776 m ²
Base Gross Floor Area	4:1 = 4 x 1,776 m ² = 7104 m ²
Incentive Floor area (Phase 1)	9.88:1 = 9.88: x 1776 m ² =17,546.88 m ²
Uplift in Gross Floor Area	(17,546.88 – 7104) = 10,442.88 m ²
Community infrastructure payment required at \$150 /m ²	\$1,566,432 (Mixed use development with commercial and residential use)

44. The landowners of the site have submitted a letter of offer (**Attachment 3**) proposing to make voluntary financial contributions consistent with the Phase 1 Value Sharing methodology that will provide contributions towards Community Infrastructure.
45. As noted above, the Parramatta CBD Planning Proposal LRA map contains provisions for a 3.5 metre road widening along Harris Street at this site. It is recommended that Council seek to negotiate inclusion of this road widening in the subject Planning Agreement for the site, noting that Council's policy position is to assign a nominal value (\$1) to land dedicated where the Applicant receives the benefit of the FSR from that land.
46. In order to progress a Planning Agreement Council Officers require delegation from Council to negotiate a Planning Agreement in association with this Planning Proposal. It is recommended that delegated authority be given to the Chief Executive Officer to negotiate a Planning Agreement with the landowners on behalf of Council and that the outcome of negotiations be reported back to Council before its public exhibition. These negotiations are to be undertaken in line with Council's recently endorsed Planning Agreement Policy 2018.
47. In addition, Council Officers recommend the negotiation of a draft Planning Agreement should take into account the following matters:
- Addressing the potential circumstance in which the rate in the Parramatta CBD Community Infrastructure framework changes;
 - Addressing the potential circumstance where this site proceeds in whole or in part as a non-residential use (in which case the framework would not apply to non-residential floorspace); and
 - Addressing the potential circumstance in which Council decides not to proceed with the Community Infrastructure framework, and instead pursues amendments to its other contributions plans.

NEXT STEPS

48. Council officers recommend that Council:
- Progress the Planning Proposal described in this report, and included at Attachment 1;
 - prepare a site-specific DCP;
 - invite the applicant to commence negotiations for a Planning Agreement associated with the Planning Proposal;
 - exhibit the Planning Proposal, Planning Agreement and site-specific DCP concurrently; and
 - endorse other administrative matters as outlined in the recommendation.
49. Pending Council's endorsement, the next step would be to send the Planning Proposal to the Department of Planning, Industry and Environment with a request for a Gateway Determination.

FINANCIAL IMPLICATION FOR COUNCIL

50. This report recommends progression of a Planning Agreement process in line with Council's policy position for the Parramatta CBD, in order to support the delivery of community infrastructure in the Parramatta CBD. An indicative estimate of the monetary contribution that Council will seek to negotiate is \$1,566,432.

Paul Kennedy
Project Officer Land Use

Robert Cologna
Land Use Planning Manager

David Birds
Group Manager, City Planning

Jennifer Concato
Executive Director City Planning and Design

ATTACHMENTS:

- | | | |
|---|-------------------|----------|
| 1 | Planning Proposal | 36 Pages |
| 2 | Refence Design | 51 Pages |
| 3 | Letter of offer | 1 Page |

REFERENCE MATERIAL