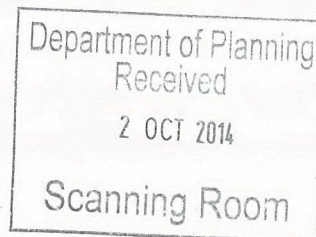


PCU56132

Our Reference: RZ/12/2014
Contact: Sue Stewart
Telephone: 9806-5550

29 September 2014

Terry Doran
Team Leader Metropolitan Delivery Office (Parramatta)
Department of Planning & Environment
GPO Box 39
SYDNEY NSW 2001



Dear Terry

Planning Proposal 163-165 George Street Parramatta

Please find attached a planning proposal seeking to amend the Parramatta LEP 2011 in respect of the above site.

Council resolved on 22 September 2014 as follows:

- (a) ***That*** Council forward the planning proposal at Attachment 1, seeking to amend the Parramatta LEP 2011 by rezoning land at 163-165 George Street, Parramatta, to the NSW Department of Planning and Environment with a request for a conditional Gateway determination that requires additional information prior to public exhibition to justify the inconsistency with the Minister's s117 Direction 4.3 Flood Prone Land.
- (b) ***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.
- (c) ***That*** Council endorse a draft amendment to section 4.3.2 Harris Park in Parramatta Development Control Plan 2011 as outlined in this report, to be placed on public exhibition concurrently with the planning proposal.
- (d) ***Further, that*** Council authorise the CEO to correct any minor anomalies of a non-policy and administrative nature that may arise during the plan- amendment process. Additionally, the CEO be authorised to prepare any amendments to the planning proposal or plan amendment to achieve the intended outcomes for the site in a

If you do not understand this letter, please ring the Telephone Interpreter Service (131 450) and ask them to contact Council (9806 5050). Office hours are 8.30am to 4.30pm, Mondays to Fridays.

ARABIC

إذا لم تستطع فهم هذه الرسالة، الرجاء الاتصال بخدمة الترجمة الهاتفية على رقم ١٣١ ٤٥٠ وأسألهم أن يتصلوا بالبلدية على رقم ٩٨٠٦٥٠٠٠. دوام ساعات العمل هي من الساعة ٨:٣٠ صباحاً إلى ٤:٣٠ بعد الظهر من الاثنين إلى الجمعة.

CHINESE

如您看不懂此信，請打電話給「電話翻譯服務台」(131 450) 請他們聯絡市政廳 (市政廳電話 9806 5050)。市政廳辦公時間，星期一至星期五，上午八點半至下午四點半。

CROATIAN

Ako ne razumijete ovo pismo, molimo nazovite Službu prevodilaca i tumača (Translating and Interpreting Service – na broj 131 450) i zamolite ih da nazovu Općinu (na 9806 5050). Radno vrijeme je od 8.30 ujutro do 4.30 popodne, od ponedjeljka do petka.

FRENCH

Si vous avez des difficultés à comprendre cette lettre, vous pouvez contacter le service d'interprètes par téléphone au 131 450 et leur demander de contacter la mairie (Council) au 9806 5050. Les bureaux de la mairie sont ouverts du lundi au vendredi de 8h30 à 16h30.

GERMAN

Wenn Sie diesen Brief nicht verstehen können, rufen Sie bitte den Telefon Dolmetscher Dienst (Telephone Interpreter Service) (131 450) an und lassen Sie sich vom Personal mit dem Gemeinderat (Council) in Verbindung setzen (9806 5050). Geschäftsstunden sind von 8:30 bis 16:30 Uhr, montags bis freitags.

GREEK

Αν δεν καταλαβαίνετε αυτό το γράμμα, σας παρακαλούμε να τηλεφωνήσετε την Τηλεφωνική Υπηρεσία Διερμηνέων (131 450) και να τους ζητήσετε να επικοινωνήσουν με το Δημοτικό Συμβούλιο (9806 5050). Τα γραφεία του είναι ανοιχτά από τις 8.30 πμ μέχρι τις 4.30 μμ, από Δευτέρα μέχρι και Παρασκευή.

HINDI

अगर आप इस पत्र को पढ़कर समझ नहीं पाते हैं तो टेलीफोन अनुवादक सेवा (फोन नंबर १३१ ४५०) को फोन कीजिए और उन्हें काउंसिल (फोन नंबर ९८०६ ५०००) से बात कराने के लिए कहिएगा। ऑफिस का समय प्रातः ८:३० से सायं ४:३० बजे प्रतिदिन सोमवार से शुक्रवार ।

ITALIAN

Se non comprendi questa lettera, telefona al Servizio traduzioni e interpreti al numero 131 450 chiedendo di essere messo in contatto con il Comune (telefono 9806 5050). Orario d'ufficio: ore 8.30-16.30, dal lunedì al venerdì.

KOREAN

만일 이 편지를 이해하지 못하시면, 전화 통역 서비스 (131 450)에 전화하여 카운슬 (9806 5050)에 연락해 달라고 부탁드립니다. 근무 시간은 월~금, 오전 8시 30분부터 오후 4시 30분까지입니다.

MALTESE

Jekk na tifhimx din-l-ittra, jekk jogħġbok ċempel lis-Servizz ta' l-Interpretù (131 450) u itlobhom biex jikkuntatjaw lill-Kunsill (9806 5050). Il-hinijiet ta' l-Uffiċċju huma mit-8.30 a.m. sal-4.30 p.m., mit-Tnejn sal-Ġimgħa.

POLISH

Jeśli nie rozumiesz treści niniejszego pisma, zadzwoń do Telefonicznego Biura Tłumaczy (Telephone Interpreter Service) pod numer 131 450 i poproś o telefoniczne skontaktowanie się w Twoim imieniu z Radą Miejską pod numerem 9806 5050. Godziny urzędowania: 08.30-16.30 od poniedziałku do piątku.

SPANISH

Si Ud. no entiende esta carta, por favor llame al Servicio Telefónico de Intérpretes (131 450) y pídale que llamen a la Municipalidad (Council) al 9806 5050. Las horas de oficina son de 8:30 am a 4:30 pm, de lunes a viernes.

TAGALOG

Kung hindi ninyo maunawaan ang liham na ito, tawagan lamang ang Telephone Interpreter Service (131 450) at makiusap na makipag-alam sila sa Konseho para sa inyong kapakanan (9806 5050). Oras ng trabaho 8.30 n.u. hanggang 4.30 n.h., Lunes hanggang Biyernes.

TURKISH

Bu mektubu anlayamazsanız, lütfen Telefonla Tercüme Servisi'ne (131 450) telefon ederek, Belediye ile (9806 5050) ilişkiye geçmelerini isteyiniz. Çalışma saatleri Pazartesi — Cuma günleri arasında saat sabah 8.30'dan öğleden sonra 4.30'a Kadardır.

VIETNAMESE

Nếu quý vị không hiểu thư này, xin điện thoại Telephone Interpreter Service (Dịch Vụ Thông Ngôn bằng Điện Thoại) ở số 131 450 và nhờ họ liên lạc với Council (Hội Đồng) số 9806 5050. Giờ Làm Việc từ 8 giờ 30 sáng đến 4 giờ 30 chiều, Thứ Hai đến Thứ Sáu.

National Relay Number: 133 677

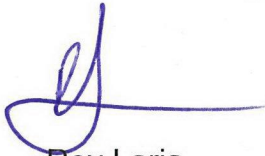
Callers who are deaf or have a hearing impairment or speech/communication impairment may call through the National Relay Service using modem or textphone (TTY) by dialling 133 677 and quoting Parramatta City Council's Customer Service Number, 9806 5050.

different manner, should the Department of Planning and Environment determine an alternate approach.

Please find attached a copy of the planning proposal and Council report detailing the assessment of the planning proposal by Council's planning officers.

If you have any queries in relation to this matter please contact Sue Stewart on 9806-5550.

Yours sincerely



Roy Laria

Acting Service Manager Land Use Planning

Planning Proposal for 163-165 George Street, Parramatta (former Parramatta Workers Club)

The Hellenic Orthodox Community of Parramatta and Districts



August 2014

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1. Executive summary

This planning proposal explains the intended effect of and justification for a proposed site specific amendment to Parramatta Local Environmental Plan (LEP) 2011 for No. 163-165 George Street, Parramatta (the site).

The planning proposal has been prepared in accordance with Section 55 of the Environmental Planning and Assessment Act 1979 and the relevant Department of Planning and Environment “*A Guide to Preparing Local Environmental Plans*” and “*A Guide to Preparing Planning Proposals*”.

Hellenic Orthodox Community of Parramatta and Districts, a not for profit charitable institution, has purchased the site, (the former Parramatta Workers Club) after disposing its current church site within the Parramatta CBD at 11 Hassall Street.

The church is not limited to the single function of religious services, but undertakes a variety of related educational, social, cultural, charitable and administrative functions. Accordingly, the vision for the site includes the following range of activities:

- A place of public worship
- A Greek Orthodox primary school
- Greek language school incorporated within the school
- Function centre associated with the church, such as weddings, funerals, christenings and other events
- Child Care Centre
- Greek Welfare Centre Office and other charitable institutions
- Community Hall and Youth Centre
- Café to serve both a charitable and commercial role
- Office premises

The site is currently zoned RE2 Private Recreation under the Parramatta LEP 2011. This zone is not appropriate for the proposed future land uses which are not predominantly recreational in nature. The Planning Proposal seeks to amend the LEP to rezone the land to SP1 Special Activities (Place of Public Worship/Educational Establishment), together with additional permitted uses to facilitate the range of proposed future land uses on the site.

The site offers the opportunity to provide religious, community and educational facilities on a scale that supports Parramatta city as Sydney’s largest regional city and also the broader western Sydney region, expected to house the majority of Sydney’s projected population growth over the next 25-30 years.

2. The Site

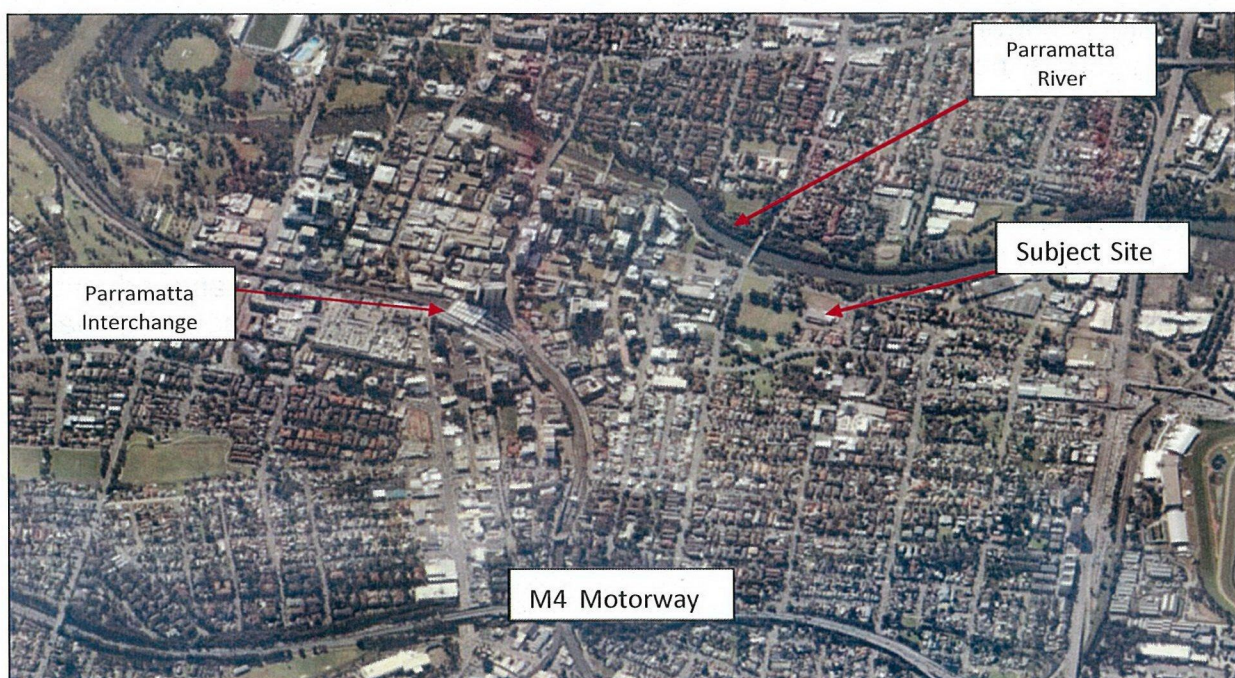
The site is located at 163-165 George St, Parramatta and is legally described as Lot 1 in DP 78716, Lot 1 DP 113513, Lot 1 DP 650704 and Lot 3 in DP 10735. It is a significant land parcel, being 13,425m² in size. It is a corner site with frontage to George Street and Purchase Street.

The site currently accommodates a large 1960s era building that was the former

Parramatta Workers Club situated on the southern portion of the site, with bowling greens to the north and at-grade parking (refer to photos in **Appendix 1**).

The site is just outside the eastern fringe of the Parramatta CBD and is a large site that plays a transitional role between commercial land uses in the CBD and residential land uses to the east.

The site overlooks the Parramatta River to the north, adjoins Robin Thomas Reserve to the west and a mix of low and medium density residential dwellings to the south and east. The site adjoins a heritage item of local significance (153 George Street) and Robin Thomas Reserve archaeological site, both at its western boundary. Photographs provided below show the site in its local context.



In addition to its proximity to the Parramatta CBD, the site is also in proximity of the

Camellia renewal investigation precinct (to the east) and recently approved high density residential development sites at the riverfront, including 2 Morton Street and 2-12 River Road West.

3. Current Planning Controls



The site is currently zoned RE2 Private Recreation under Parramatta LEP 2011. The LEP does not prescribe a maximum FSR control. The LEP prescribes a maximum building height of RL 14.

4. Objectives and Intended Planning Outcome

The purpose of the planning proposal is to rezone the site at 163-165 George St, Parramatta from its current RE2 Private Recreation zoning under Parramatta LEP 2011 to SP1 Special Activities (Place of Public Worship/ Educational Establishment). In addition, it is proposed include additional permissible land uses on the site, these being *child care centre, community facilities, function centre, office premises, restaurant or cafe*.

There is no proposed change to the building height controls, which apply a maximum building height of RL14 to the site. There is no FSR applied to the site.

The key objectives of the planning proposal include:

- To permit the development of a strategically located and significantly sized parcel of land in a prominent location adjacent the Parramatta City Centre, by providing a range of special uses;
- To contribute to the social and community fabric of the Parramatta CBD and surrounds;
- To support the social, community and religious needs of the community; and
- To provide a development framework that enhances the urban environment of the site and surrounds.

5. Explanation

The planning proposal seeks to amend the Parramatta LEP 2011 by:

- (a) Amending the Land Zoning Map in accordance with the proposed zoning map shown at **Appendix 2**.
- (b) Including the following in Schedule 1 Additional Permitted Uses for the site: *childcare centre, community facilities, office premises, restaurant or café, function centre*; OR alternatively, adding a new local provisions clause in the LEP to make provision for the permissibility of these additional land uses on the subject site.

6. Justification

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

The planning proposal is not the result of a strategic study or report. However, as discussed in this planning proposal, the proposal supports the role of Parramatta as Sydney's premier regional city and second CBD and also the growth and development of the Western Sydney region, as reflected in the Draft Metropolitan Strategy for Sydney to 2031.

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

It is necessary to amend the Parramatta LEP 2011 to achieve the intended outcomes for the site.

Given the limitation of the zones under the Standard Instrument LEP, on which Parramatta LEP 2011 is based, there is no zone that fits all the proposed requirements for the proponent's specialised range of activities, without also including land uses that are not intended to be part of the site's special use purpose.

The B4 Mixed Use zone, whilst permitting the range of proposed land uses, also permits residential accommodation including residential flat buildings as well as commercial premises. The land uses that would be permitted under the term commercial premises include business premises, funeral homes, office premises, retail premises, bulky good premises, cellar door premises, food and drink premises, pubs, restaurants or cafes, takeaway food or drink premises, garden centres, hardware and building supplies, kiosks, landscaping material supplies, markets, plant nurseries, roadside stalls, rural supplies, shops, neighbourhood shops, timber yards, vehicle sales or hire premises. Other land uses permissible in the B4 zone include tourist and visitor accommodation, (including backpackers accommodation, bed and breakfast accommodation, hotel or motel accommodation, serviced apartments), entertainment facilities, amusement centres, restricted premises, service stations, veterinary hospitals, vehicle repair stations, car parks.

The zone objectives also include the integration of residential with business, retail and other development, which is not intended for the site.

The B4 zone is considered to be too broad in both its objectives and range of land uses to apply to the site's special purposes and also unsuited to a site that does not have an existing or proposed floor space ratio.

The current market results in predominantly residential flat development in the Mixed Use zones. Whilst there could be a limit placed on the extent of residential development on the site under the LEP, such development standards are able to be varied and there could be pressure to include more residential development on the site over time. Additionally, it would be necessary to prohibit a substantial number of land uses normally permitted in a Mixed Use zone.

The RE2 Private Recreation zone does not permit the proposed predominant land uses - place of public worship and educational establishment and the zone objectives relate to recreation land uses and therefore do not support the proposed activities.

The SP1 Special Activities zone specifies the special land uses provided for and is the most readily adaptable zone to suit the proposal for the site. In Parramatta LEP 2011, the SP1 zone has already been applied to 46 sites used for places of public worship, some with educational establishments, that would otherwise have been zoned R2 Low Density Residential, (under which zoning places of public worship are prohibited). Whilst the subject site differs in that the current zoning is RE2 Private Recreation, the underlying basis for seeking to apply the SP1 Special Activities zone is the same, i.e. the RE2 zone does not permit a place of public worship or educational establishment.

The SP1 Special Activities zone permits development that is ordinarily incidental or ancillary to the special land uses – place of public worship and educational establishment. However, the proponent wishes to stage the development of the site and may seek to carry out some of the range of land uses independently of the church and/or school.

The inclusion of additional permitted land uses for the site under Schedule 1 Additional Permitted Uses would make the additional land uses permissible without the need to be ancillary or incidental to the special land uses (place of public worship and educational establishment). Alternatively, a new local provisions clause could be added to the LEP to make provision for the permissibility of these additional land uses on the subject site. **Appendix 3** outlines the proposed land uses and the reasons these are proposed as permitted land uses.

The unique characteristics of the site and proposed land uses are best facilitated by rezoning the site to SP1 Special Activities (Place of Public Worship/Educational Establishment), together with the additional permitted land uses detailed in this planning proposal, so as to sustain a compatible mix of land uses that best support the economic use of the site, consistent with a CBD fringe location. The use of other zones would potentially permit a range of other land uses that are not appropriate on the site.

7. Relationship to Strategic Planning Framework

Is the planning proposal consistent with the objectives contained within the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)?

Draft Metropolitan Strategy for Sydney to 2031

In March 2013 the NSW Government published the draft Metropolitan Strategy for Sydney to 2031. This draft strategy was on public exhibition in 2013. Once adopted, it will replace the Metropolitan Plan for Sydney 2036.

Balanced Growth

Objective 2: Strengthen and grow Sydney's centres:

The proposal will provide important services, facilities and activities that will provide a cultural and social service to the local population and visitors to Parramatta.

Productivity and Prosperity - Provide capacity for jobs growth and diversity across Sydney:

The proposal provides the opportunity to make a tangible contribution to the employment opportunities in the area.

Metropolitan Plan for Sydney 2036 & Draft West Central Subregional Strategy 2007

Under the Metropolitan Plan for Sydney 2036, Parramatta has been identified as Sydney's second CBD and is to play a major role in the growth and development of the wider Sydney Metropolitan region, especially within western Sydney. The subject site is located adjacent to the Parramatta CBD and is close to the Parramatta transport interchange (bus and rail), Parramatta Ferry Wharf and the proposed light rail. The development of the site will contribute to the provision of a mix of uses that are elements sought in making a sustainable city.

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

Parramatta City Council's Community Strategic Plan is *Parramatta 2038*. Of relevance to the current planning proposal are the following strategies that are embodied within the strategic plan:

- *Parramatta's economic growth will help build the City as a centre of high, value-adding employment and the driving force behind the generation of new wealth for Western Sydney.*
- *Parramatta will be an eco-efficient city that effectively manages and uses the City's growth to improve and protect the environment.*
- *Parramatta will be a world-class city at the centre of Sydney that attracts a diversity of people; a city where people can learn, succeed and find what they need; a city where people live well, get together with others, feel like they belong and can reach their potential.*
- *Parramatta will be a place where people want to be: a place that provides opportunities to relate to one another, the City and the local area; a place that celebrates its cultural and sporting heritage; and a place that uses its energy and cultural richness to improve the quality of life and drive positive growth and joy.*

The subject site is adjacent to Parramatta CBD and is ideally located to make its

educational, cultural, social and religious contribution to Parramatta residents and visitors.

The site is a large landholding in single ownership that presents substantial opportunity to build on the principles for the cultural, social and economic development of Parramatta.

The planning proposal is consistent with Council's strategic plan.

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

The consistency of the Planning Proposal with relevant State Environmental Planning Policies (SEPPs) is outlined in the table below.

State Environmental Planning Policy	Comment
State Environmental Planning Policy No 1— Development Standards	Not Applicable to Parramatta LEP 2011
State Environmental Planning Policy No 4— Development Without Consent and Miscellaneous Exempt and Complying Development	Not Applicable to Parramatta LEP 2011
State Environmental Planning Policy No 6—Number of Storeys in a Building	Standard Instrument definitions apply
State Environmental Planning Policy No 32—Urban Consolidation (Redevelopment of Urban Land)	The proposal is consistent in providing the opportunity for development in an area close to the Parramatta CBD where there is existing public infrastructure, transport, services and facilities.
State Environmental Planning Policy No 55— Remediation of Land	Consistent. The planning proposal does not contravene the objectives of this SEPP
State Environmental Planning Policy No 64— Advertising and Signage	May be relevant to future development of the land.
State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004	May be relevant to future development of the land.
State Environmental Planning Policy (Exempt and Complying Development Codes) 2008	May be relevant for future development of the land.
State Environmental Planning Policy (Infrastructure) 2007	May be relevant to future development of the land.
Deemed SEPP	Comment
Sydney Regional Environmental Plan No 18—Public Transport Corridors	Not Applicable to Parramatta LEP 2011
Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005	Not Applicable

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

The Planning Proposal has been assessed against relevant Section 117

directions as shown in the table below.

Direction	Comment
2.3 Heritage Conservation	The site is not identified as a heritage item or within a heritage conservation area.
3.4 Integrating Land Use and Transport	Consistent The subject site is within walking distance to Parramatta Train and Bus Interchange and Ferry Terminal.
4.1 Acid Sulfate Soils	Consistent. The site is identified as having Class 4 Acid Sulfate Soils. The Planning Proposal does not propose any works and as such the requirement for consideration for works of 2m excavation or greater is not relevant. However, future development of the site will require consideration of this issue, which is a matter that can be addressed and dealt with at the DA stage.
4.3 Flood Prone Land	Inconsistent - S117 Direction does not permit rezoning of land zoned Recreation to Special Use, Special Purpose, Residential, Business, or Industrial. Also inconsistent with Council's Flood Risk Management Plan Floodplain Matrix, which classifies educational establishments and child care centres as being unsuitable land uses in Low, Medium and High Flood Risk Precincts. The site has limited flood inundation affectation, although additional research is required to show whether the site has no, or only limited flood inundation issues in the 1:100 year flood event and hence either the site lies just within a Low flood risk precinct or occupies a combination of Low and Medium Flood risk precincts. In either risk category, the proponent must demonstrate that all proposed land uses, based on a merits-based assessment, are appropriate from a floodplain development and related risk perspective. As a result of this further analysis, the inconsistencies with the s117 Direction and Council's Flood Risk Management Plan may be established to be of minor significance. At this stage the proponent has not provided sufficient information justifying the inconsistency. Further information will be required post-Gateway to address this matter to Council's satisfaction.

6.3	Site Specific Provisions	Inconsistency considered to be justified. The planning proposal seeks to apply the land use zone most applicable to the development outcomes sought. Due to limitations of the standard instrument zones included in Parramatta LEP 2011, the planning proposal makes provision for additional permitted land uses that are site specific. These are however, minimized and are necessary to achieve a range of land uses that best support the economic use of the site, consistent with a CBD fringe location.
7.1	Implementation of the Metropolitan Plan for Sydney 2036	Consistent The proposal provides for implementation of key Actions contained within the Metropolitan Strategy and Draft West Central Subregional Strategy.

8. Environmental, Social and Economic Impact

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

The site is not identified as containing critical habitat or threatened species.

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

Traffic and Parking Matters

The planning proposal seeks to make a range of land uses permissible on the site. Traffic impact assessments will be provided with future development applications for the site.

Building Form

The existing built form is intended to remain on the site. Development applications will be required and assessment made of future built form additions.

Site Contamination

The site has historically been utilised for recreational / club purposes and therefore the risk of land contamination is minimal. This matter would be further considered at the DA stage.

Heritage

Development on the site will need to consider the way in which the proposal relates to the adjoining heritage building and archeological site. A heritage impact assessment report is to be considered for future development applications.

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

The proposal is seeking to introduce a number of uses that can contribute to the social fabric of the area through the provision of a place of worship, educational, social and cultural activities undertaken by the Hellenic Orthodox Community of Parramatta and Districts.

The social and economic impacts arising from the proposal will contribute to the revitalisation of a strategically located parcel of land and will widen the range of social and cultural activities on offer in the city of Parramatta.

9. State and Commonwealth Interests

Is there adequate public infrastructure for the planning proposal?

Public Transport - The subject site is within walking distance to Parramatta rail and bus Interchange, nearby bus stops and the Parramatta Ferry Terminal.

Roads - The site is well located in proximity of key arterial roads.

Cycleways/Pedestrians - The site and locality is highly 'walkable' given proximity to public transport and services. The Parramatta River pedestrian / cycle pathway is in close proximity to the site and provides excellent connections to the CBD, Ferry Terminal and the University of Western Sydney.

Utilities - The site has access to relevant utilities including water, telecommunications, electricity and reticulated sewer.

Health and Emergency Services - The site is adjacent the Parramatta CBD which has a variety of health and emergency services. In a broader context the site has proximity to Westmead Hospital.

Open Space- The site is in proximity to the Parramatta River open space corridor and adjoins a large public reserve.

What are the views of State and Commonwealth Public Authorities consulted in accordance with the Gateway determination?

Relevant government authorities will be consulted as required by the Gateway determination.

The following authorities are proposed to be consulted:

- Endeavour Energy
- Sydney Water
- Office of Environment and Heritage

10. Community Consultation

Community consultation will occur as part of the formal planning proposal process following Gateway determination allowing the proposal to proceed.

The consultation will include:

- Newspaper Advertising in local papers;
- Website information; and
- Letters to adjoining land owners and surrounding properties.

11. Project Timeline

An indicative timeline for the planning proposal is as follows:

- Referral to NSW Planning and Environment for Gateway Determination: September 2014
- Gateway Determination: October 2014
- Public Exhibition: November 2014
- Consideration of submissions: December 2014
- Post exhibition report to Council: December 2014
- Date of submission to NSW Planning and Environment to draft the LEP: December 2014
- Anticipated date for notification of the LEP amendment: first quarter of 2015

12. Conclusion

The Planning Proposal seeks a site specific amendment to the LEP that will encourage the revitalisation and re-development of the Parramatta Workers Club site by permitting a range of uses that will contribute to the social and cultural fabric of Parramatta City and surrounds.

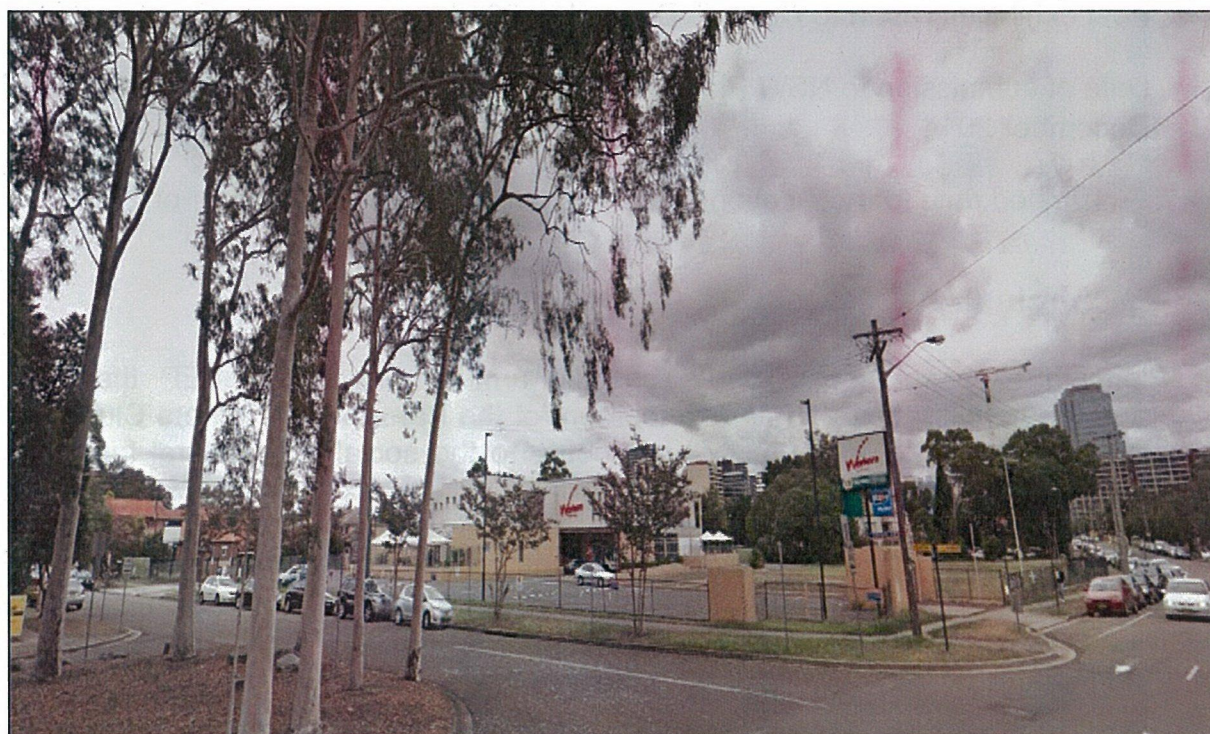
The unique characteristics of the site and proposed land uses are best facilitated by rezoning the site to SP1 Special Activities (place of public worship and educational establishment), together with the additional permitted land uses detailed in this planning proposal, so as to sustain a compatible mix of land uses.

The planning proposal is recommended for referral to the Department of Planning & Environment for Gateway determination, seeking that a condition be included in the Gateway determination that the inconsistency with the Minister's section 117 Direction 4.3 Flood Prone Land is to be justified by a flood analysis report addressing the suitability of the site for all proposed land uses from a floodplain development and related risk perspective prior to undertaking community consultation.

APPENDIX 1 – SITE PHOTOGRAPHS



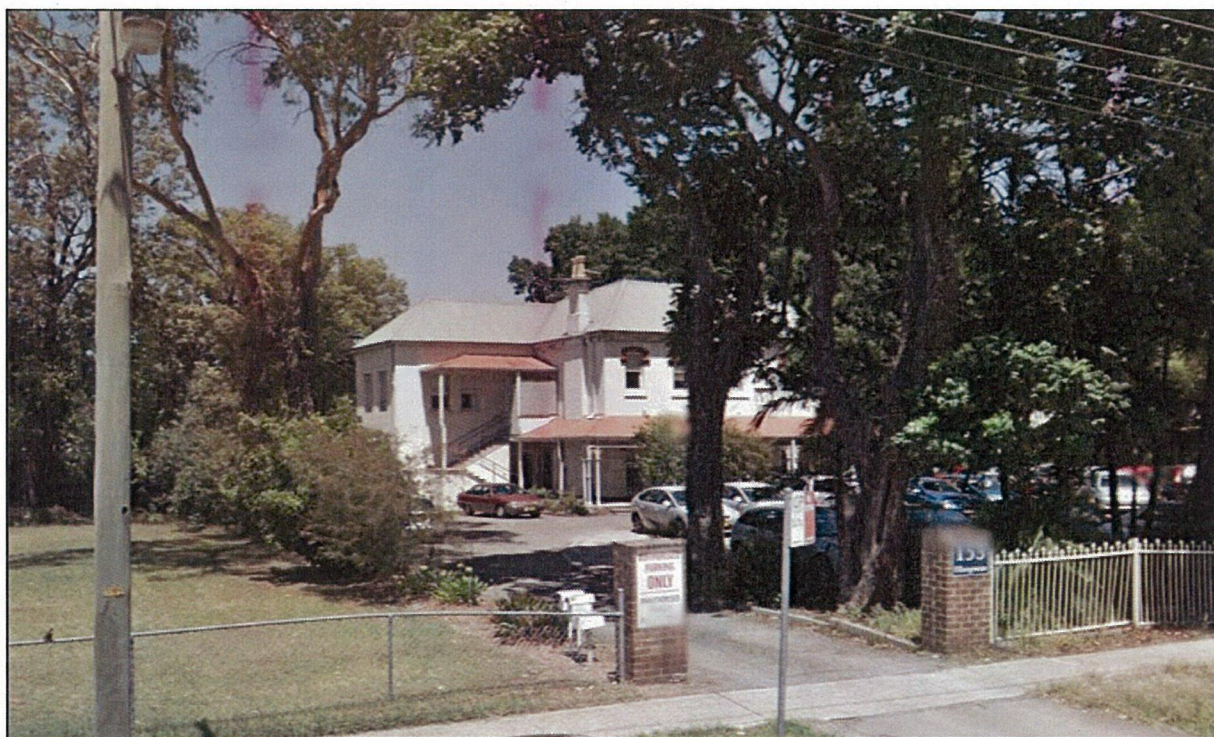
Photograph 1 shows the site as viewed from George Street.



Photograph 2 shows the subject site from the intersection of George Street and Purchase Street.



Photograph 4 shows the site as viewed from Purchase Street



Photograph 5 shows the adjoining heritage item (153 George Street) to the north west.



Photograph 6 shows existing residential land uses along the eastern side of Purchase Street, as viewed from the subject site.

APPENDIX 2

Proposed Amendment to Land Zoning Map

Existing zone: RE2 Private Recreation



Proposed zone: SP1 Place of Public Worship/Educational Establishment



APPENDIX 3

Table of proposed permissible land uses

	Definition	Reason for Inclusion
1	place of public worship means a building or place used for the purpose of religious worship by a congregation or religious group, whether or not the building or place is also used for counseling, social events, instruction or religious training.	The Hellenic Orthodox Community of Parramatta and Districts is a religious group that intend to erect a purpose built place of public worship on the site in the future. It is anticipated that ancillary activities such as library, rectory, youth and cultural centre, offices to facilitate pastoral care and counseling, social welfare services and events, religious instruction and training will also occur on the land.
2	educational establishment means a building or place used for education (including teaching), being: (a) a school, or (b) a tertiary institution, including a university or a TAFE establishment that provides formal education and is constituted by or under an Act.	The church intends to establish a small Greek school on the site that caters for Kindergarten through to Year 6 + an early childhood learning centre. A separate Orthodox Christian Day School is also intended to operate from the same premises.
3	office premises means a building or place used for the purpose of administrative, clerical, technical, professional or similar activities that do not include dealing with members of the public at the building or place on a direct and regular basis, except where such dealing is a minor activity (by appointment) that is ancillary to the main purpose for which the building or place is used.	The existing facility allows for the use of part of the site for office premises. Having regard to the proximity to the city centre and the nature of the site and surrounding land uses the use is appropriate. In the short term the church will be able to lease / rent existing floor space for offices. In the long term the church intends to use office space for its own operations and other not for profit organisations.
4	child care centre means a building or place used for the supervision and care of children that: (a) provides long day care, pre-school care, occasional child care or out-of-school-hours care, and	The church intends in the future to operate a child care centre from the site. Child care is synonymous with the churches vision and activities.

(b) does not provide overnight accommodation for children other than those related to the owner or operator of the centre, but does not include: (c) a building or place used for home-based child care, or (d) an out-of-home care service provided by an agency or organisation accredited by the Children's Guardian, or (e) a baby-sitting, playgroup or child-minding service that is organised informally by the parents of the children concerned, or (f) a service provided for fewer than 5 children (disregarding any children who are related to the person providing the service) at the premises at which at least one of the children resides, being a service that is not advertised, or (g) a regular child-minding service that is provided in connection with a recreational or commercial facility (such as a gymnasium), by or on behalf of the person conducting the facility, to care for children while the children's parents are using the facility, or (h) a service that is concerned primarily with the provision of: (i) lessons or coaching in, or providing for participation in, a cultural, recreational, religious or sporting activity, or (ii) private tutoring, or (i) a school, or (j) a service provided at exempt premises (within the meaning of Chapter 12 of the <u>Children and Young Persons (Care and</u>	
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	<i>Protection) Act 1998</i>), such as hospitals, but only if the service is established, registered or licensed as part of the institution operating on those premises.	
5	restaurant or cafe means a building or place the principal purpose of which is the preparation and serving, on a retail basis, of food and drink to people for consumption on the premises, whether or not liquor, take away meals and drinks or entertainment are also provided.	The site is ideally located for a small café or restaurant to service local needs. In time the church may run a café as an ancillary use, but seeks the opportunity to run a café as an independent permissible use on the site in an effort to activate the site and return a modest income.
6	community facility means a building or place: (a) owned or controlled by a public authority or non-profit community organisation, and (b) used for the physical, social, cultural or intellectual development or welfare of the community, but does not include an educational establishment, hospital, retail premises, place of public worship or residential accommodation.	Having regard to the church being a non-profit community organisation that undertakes various activities that relate to the physical, social, cultural and intellectual development or welfare of the community; it is appropriate that “community facility” is a permissible use on the land. The church is currently considering activities such as “youth centre”; “language classes”, “Greek cultural centre”, etc that would be appropriately classified as a “community facility”.
7	function centre means a building or place used for the holding of events, functions, conferences and the like, and includes convention centres, exhibition centres and reception centres, but does not include an entertainment facility.	The site has previously been used for various functions as the Parramatta Workers Club. While the church is not looking to maintain the permissibility of a Club on the land, it is requested that the opportunity for “function centres” be included as the site is an appropriate venue for functions such as birthdays; family gatherings; wakes; business meetings; boardroom facilities; weddings etc.

ECONOMY AND DEVELOPMENT

ITEM NUMBER	7.13
SUBJECT	Planning Proposal for land at 163-165 George Street, Parramatta
REFERENCE	RZ/12/2014 - D03305283
REPORT OF	Senior Project Officer - Land Use Planning

PURPOSE:

This report seeks a resolution from Council to refer a planning proposal to amend the Parramatta LEP 2011 to rezone land at 163-165 George Street, Parramatta to the NSW Department of Planning and Environment, seeking a conditional Gateway determination.

The planning proposal relates to the former Parramatta Workers Club site and proposes to permit a range of land uses including a place of public worship and educational establishment.

Additionally, Council's endorsement is sought to a draft amendment to Parramatta Development Control Plan 2011.

RECOMMENDATION

- (a) **That** Council forward the planning proposal at **Attachment 1**, seeking to amend the Parramatta LEP 2011 by rezoning land at 163-165 George Street, Parramatta, to the NSW Department of Planning and Environment with a request for a conditional Gateway determination that requires additional information prior to public exhibition to justify the inconsistency with the Minister's s117 Direction 4.3 Flood Prone Land.
- (b) **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.
- (c) **That** Council endorse a draft amendment to section 4.3.2 Harris Park in Parramatta Development Control Plan 2011 as outlined in this report, to be placed on public exhibition concurrently with the planning proposal.
- (d) **Further, that** Council authorise the CEO to correct any minor anomalies of a non-policy and administrative nature that may arise during the plan-amendment process. Additionally, the CEO be authorised to prepare any amendments to the planning proposal or plan amendment to achieve the intended outcomes for the site in a different manner, should the Department of Planning and Environment determine an alternate approach.

THE SITE AND SURROUNDS

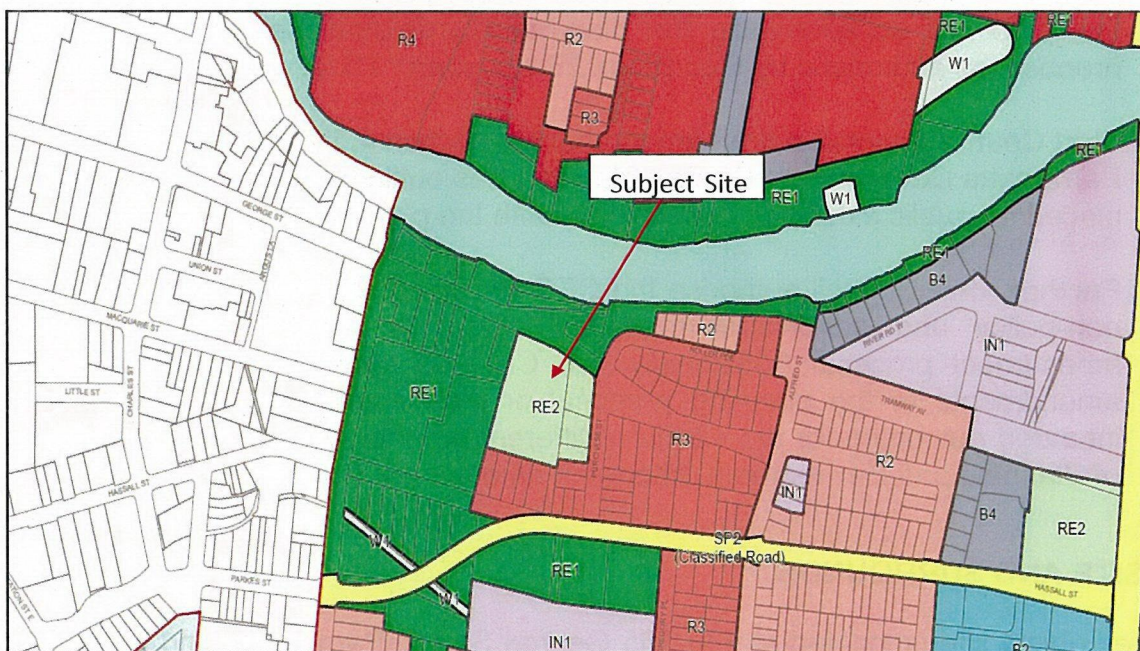
1. The subject site is located at 163-165 George Street, Parramatta and comprises four allotments totalling 13,425 square metres. It is a corner site with frontage to George Street and Purchase Street.

2. The site was most recently occupied by the Parramatta Workers Club and accommodates a large 1960s era club building, with bowling greens and at-grade parking.
3. The site is just outside the eastern fringe of the Parramatta CBD and overlooks the Parramatta River to the north, adjoins Robin Thomas Reserve to the west and a mix of low and medium density residential dwellings to the south and east.
4. The site adjoins a heritage item of local significance (153 George Street) and Robin Thomas Reserve archaeological site, both at the western boundary
5. The site has recently been purchased by Hellenic Orthodox Community of Parramatta and Districts, a not for profit charitable institution, which has held its church and related activities at 11 Hassall Street, until its recent sale.

PROPOSED ACTIVITIES ON THE SITE

6. The proposed activities on the site are not limited to the single function of religious services, but over time, are proposed to include a variety of related educational, social, cultural, charitable and administrative functions as follows:
 - A place of public worship
 - A Greek Orthodox primary school
 - Greek language school incorporated within the school
 - Function centre associated with the church, such as weddings, funerals, christenings and other events
 - Child Care Centre
 - Greek Welfare Centre Office and other charitable institutions
 - Community Hall and Youth Centre
 - Café to serve both a charitable and commercial role
 - Office premises

CURRENT PLANNING CONTROLS



7. The site is currently zoned RE2 Private Recreation under Parramatta LEP 2011.

The LEP does not prescribe a maximum FSR control. The LEP prescribes a maximum building height of RL 14.

8. The RE2 Private Recreation zone does not permit the proposed land uses of place of public worship and educational establishment and the zone objectives relate to recreation land uses and therefore do not support the proposed activities.

PLANNING PROPOSAL

9. The planning proposal seeks to amend the Parramatta LEP 2011 by:
- (a) Amending the Land Zoning Map to rezone the site to SP1 Special Activities (Place of public worship and educational establishment).
 - (b) Including the following in Schedule 1 Additional Permitted Uses for the site:
childcare centre, community facilities, office premises, restaurant or café, function centre.
10. There is no proposed change to the building height controls, which apply a maximum building height of RL14 to the site.
11. There is no proposal to apply an FSR for the site. In this locality and Harris Park there is an area with no FSR control currently applied under Parramatta LEP 2011, reflecting the previous planning controls of Sydney Regional Environmental Plan (SREP) 28, which are now embodied in Parramatta Development Control Plan (DCP) 2011.

ASSESSMENT OF PLANNING PROPOSAL

Appropriate Zone:

12. Given the limited range of the zones under the Standard Instrument LEP, on which Parramatta LEP 2011 is based, there is no zone that fits all the proposed requirements for the proponent's proposed activities.
13. The B4 Mixed Use zone, whilst permitting the range of proposed land uses also permits residential accommodation including residential flat buildings and a broad range of commercial premises including retail premises. The zone objectives also include the integration of residential with business, retail and other development, which is not intended for the site.
14. The current market results in predominantly residential flat development in the Mixed Use zones. Whilst there could be a limit placed on the extent of residential development on the site under the LEP, such development standards are able to be varied and there could be pressure to include more residential development on the site over time. Additionally, it would be necessary to prohibit a substantial number of land uses normally permitted in a Mixed Use zone, including the majority of land uses falling under the umbrella term of commercial premises, including retail premises.
15. The B4 zone is considered to be too broad with both its objectives and range of land uses to apply to the site's special purposes and also unsuited to a site that does not have an existing or proposed floor space ratio. If the site was zoned B4, it may come under increasing pressure for other uses, different to the intended outcome of this planning proposal.

16. The RE2 Private Recreation zone, which currently applies to the site, does not permit the proposed land uses of place of public worship and educational establishment and the zone objectives relate to recreation land uses and therefore do not support the proposed activities.
17. The SP1 Special Activities zone specifies the special land uses provided for and is the most readily adaptable zone to suit the proposal for the site. In Parramatta LEP 2011, the SP1 zone has already been applied to 46 sites used for places of public worship, some with educational establishments, that would otherwise have been zoned R2 Low Density Residential (under which zoning places of public worship are prohibited). Whilst the subject site differs in that the current zoning is RE2 Private Recreation, the underlying basis for seeking to apply the SP1 Special Activities zone is the same, i.e. the RE2 zone does not permit a place of public worship or educational establishment.
18. The SP1 Special Activities zone permits development that is ordinarily incidental or ancillary to the special land uses – place of public worship and educational establishment. However, the proponent wishes to stage the development of the site and may seek to carry out some of the range of land uses independently of the church and/or school.
19. The inclusion of additional permitted land uses for the site under Schedule 1 Additional Permitted Uses would make the additional land uses permissible without the need to be ancillary or incidental to the special land uses (place of public worship and educational establishment). Alternatively, a new local provisions clause could be added to the LEP to make provision for the permissibility of these additional land uses on the subject site. The Planning Proposal (**Attachment 1** to this report) outlines the proposed land uses and the reasons these are proposed as permitted land uses in Appendix 3.
20. The unique characteristics of the site and proposed land uses are best facilitated by rezoning the site to SP1 Special Activities (Place of Public Worship/Educational Establishment), together with the additional permitted land uses detailed in the planning proposal, so as to sustain a compatible mix of land uses that best support the economic use of the site, consistent with a CBD fringe location. The use of other zones would potentially permit a range of other land uses that are not appropriate on the site.
21. The planning proposal therefore seeks to apply the SP1 Special Activities zone, with Schedule 1 Additional Permitted Uses as the most appropriate way to achieve the intended planning outcomes for the site.

Traffic and transport

22. The range of activities sought for the site will have different patterns of traffic generation and parking requirements. The site has a large area that contains existing car parking. Should the rezoning proceed, future development applications for the site would be required to address traffic impacts and where necessary submit a traffic impact assessment report. Being on the periphery of the Parramatta CBD, traffic is able to access the site from the surrounding regional road network without having a large impact on the CBD road network.
23. The site is well located in walking distance of rail, ferry and bus services.

Built form

24. The proponent proposes to retain the existing former club building on the site and in the future to additionally construct a new church building on a vacant area of the site. The site must first be rezoned before development applications can be submitted for future land use and building activities involving a place of public worship and educational establishment.

Flooding

25. The site is partially affected by the 1:100 year flood event in the north west corner of the site and lies within a Low Flood Risk precinct. The degree of flood affectation is relatively minor according flood studies carried out for Council and is related to the overbank flowpath activated between Clay Cliff Creek and the Parramatta River.
26. The planning proposal must demonstrate consistency with the Ministerial section 117 Direction 4.3 Flood Prone Land. This Direction does not support rezoning of land zoned Recreation to Special Use, Special Purpose, Residential, Business, or Industrial. As such the planning proposal for the subject site is contrary to this direction.
27. The proposal is also inconsistent with Council's Flood Risk Management Plan Floodplain Matrix, which classifies educational establishments and child care centres as being unsuitable land uses in Low, Medium and High Flood Risk Precincts.
28. These inconsistencies need to be addressed to demonstrate that all proposed land uses, based on a merits-based assessment, are appropriate from a floodplain development and related risk perspective. As a result of this analysis, the inconsistencies with the s117 Direction and Council's Flood Risk Management Plan may be established to be of minor significance.
29. At this stage the proponent has not provided sufficient information justifying the inconsistency with s117 Direction 4.3 Flood Prone Land. Further information will be required post-Gateway to address this matter to Council's satisfaction.

PARRAMATTA DCP 2011

30. The site is within the Harris Park Precinct in section 4.3.2 of Parramatta DCP 2011, which is a large precinct extending from the Parramatta River, to James Ruse Drive, the M4 motorway and the railway line. This precinct contains important sites of Parramatta's heritage, including Elizabeth Farm House, Experiment Farm and Hambledon Cottage. Important considerations for development in this precinct include protection of the visual qualities of the Parramatta River and foreshore and conservation of the heritage character and historic views.
31. Within this precinct, eight Key Development Blocks are identified, these being areas where redevelopment is likely to occur. The DCP includes design controls for some of the key blocks and for others a statement of vision relating to future redevelopment highlighting opportunities and constraints. The subject site is included as Key Block Five: Parramatta Workers Club and refers to potential long term use of this site for medium density residential (refer to **Attachment 2**). This reference reflects previous planning controls under SREP 28 when part of

the site fronting Purchase Street was zoned for medium density residential development.

32. The Key Block provisions in the DCP relating to this site should be removed in conjunction with this planning proposal, as they will not be relevant under the proposed future zoning. This report therefore recommends that Parramatta DCP 2011 be amended to delete Key Block Five: Parramatta Workers Club from the Harris Park Special Precinct in section 4.3.2.

PLAN-MAKING DELEGATIONS

33. New delegations were announced by the Minister for Planning in October 2012, allowing councils to make LEPs of local significance. On 26 November 2012 Council resolved to accept the delegation for plan making functions. Council also resolved that these functions be delegated to the Chief Executive Officer (CEO).
34. Should Council resolve to proceed with this planning proposal, Council should exercise its plan-making delegations. This means that after the planning proposal has been to Gateway, undergone public exhibition and been adopted by Council, Council officers will deal directly with the Parliamentary Counsel Office in the drafting of the LEP amendment, which is then signed by the CEO before being notified on the NSW Legislation web-site.

NEXT STEPS

35. The planning proposal will be submitted to the DP&E for Gateway determination should Council resolve to support and proceed with this proposal.
36. Subject to a favourable Gateway determination, the proponent will be requested to provide additional information justifying the inconsistency with section 117 Direction 4.3 Flood Prone Land before the planning proposal is placed on public exhibition to enable community consultation.
37. During the community consultation period, the planning proposal will be placed on public exhibition, together with the draft amendment to Parramatta DCP 2011 outlined in this report.
38. Council will receive a further report following the community consultation period to determine the finalisation details for the LEP amendment.

Sue Stewart
Senior Project Officer

ATTACHMENTS:

- | | |
|---|--------|
| 1 Planning Proposal dated August 2014 | 22 |
| | Pages |
| 2 Parramatta DCP 2011 - Harris Park Special Precinct Key Block Five:
Parramatta Workers Club | 1 Page |

REFERENCE MATERIAL

Extract from Parramatta DCP 2011

Section 4.3.2 Harris Park – Key Development Blocks

The following is proposed to be deleted from the DCP:

Key Block Five: Parramatta Workers Club

This large flat site on the corner of George and Purchase Streets is currently used as a club. It has bowling greens to the north and a large 1960s era building set well back from the street frontages in the south-western portion of the site. It is within a short walk to the City Centre and has an attractive setting, with the Parramatta River foreshore sitting immediately to the north across George Street, and a large area of open space to the west. The current form of development is fairly benign, but any new development on this site has the potential to have a significant impact, in particular on the streetscapes of George and Purchase Streets and to a lesser degree on the public open space to the west. The site consists of several allotments.

Vision:

The most appropriate long-term use of this site is probably for medium-density residential, including the land immediately to the south of the site. Both these sites will require rezoning. Any rezoning proposal would be critically dependent on an appropriate design response to the identified flooding constraints and would also have to be preceded by an examination of the general suitability of the land for the proposed purpose. Any future development should address the two street frontages, and the frontage to the public open space to the west, but the scale, form, and setback of development should be such that it does not dominate these frontages.