

Parramatta City Centre Local Environmental Plan 2007 - Amendment No. 13 - Parramatta Square

Proposal Title : **Parramatta City Centre Local Environmental Plan 2007 - Amendment No. 13 - Parramatta Square**

Proposal Summary : **The planning proposal seeks to amend the following controls for the subject land:**
 - rezone the eastern third of the site from B4 Mixed Use to B3 Commercial Core;
 - prohibit Serviced Apartments in the B3 Commercial Core zone; and
 - delete clause 22H (Civic Place).

PP Number : **PP_2014_PARRA_003_00** Dop File No : **14/07748**

Proposal Details

Date Planning Proposal Received : **23-May-2014** LGA covered : **Parramatta**

Region : **Sydney Region West** RPA : **Parramatta City Council**

State Electorate : **PARRAMATTA** Section of the Act : **55 - Planning Proposal**

LEP Type : **Policy**

Location Details

Street :

Suburb : City : Postcode :

Land Parcel : **The land is a 3 hectare precinct bounded by Macquarie, Smith, Darcy and Church Streets, Parramatta.**

DoP Planning Officer Contact Details

Contact Name : **Lillian Charlesworth**

Contact Number : **0298601101**

Contact Email : **Lillian.Charlesworth@planning.nsw.gov.au**

RPA Contact Details

Contact Name : **Jasmina Skoric**

Contact Number : **0298065771**

Contact Email : **JSkoric@parracity.nsw.gov.au**

DoP Project Manager Contact Details

Contact Name : **Terry Doran**

Contact Number : **0298601149**

Contact Email : **Terry.Doran@planning.nsw.gov.au**

Land Release Data

Growth Centre : Release Area Name :

Regional / Sub : **Metro West Central** Consistent with Strategy : **Yes**

Regional Strategy : **subregion**

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MDP Number :

Date of Release :

Area of Release
(Ha) :

Type of Release (eg
Residential /
Employment land) :

No. of Lots : 0

No. of Dwellings : 0
(where relevant) :

Gross Floor Area : 0

No of Jobs Created : 2,500

The NSW Government Yes
Lobbyists Code of
Conduct has been
complied with :

If No, comment :

Have there been No
meetings or
communications with
registered lobbyists? :

If Yes, comment : The regional team is not aware of any meetings or communication with registered lobbyists concerning this planning proposal.

Supporting notes

Internal Supporting Notes : The planning proposal was received on 5 May 2014. Further information was requested and finalised on 23 May 2014.

External Supporting
Notes :

Adequacy Assessment

Statement of the objectives - s55(2)(a)

Is a statement of the objectives provided? Yes

Comment : The objective of the planning proposal is to reinforce the strategic vision of commercial only land uses in the eastern part of Parramatta Square and provide certainty with regard to the delivery of employment targets within the Parramatta CBD.

Explanation of provisions provided - s55(2)(b)

Is an explanation of provisions provided? Yes

Comment : The planning proposal seeks to:
- rezone the eastern third of the site from B4 Mixed Use to B3 Commercial Core;
- prohibit Serviced Apartments in that part of Parramatta Square zoned B3 Commercial Core zone; and
- delete clause 22H (Civic Place).

Justification - s55 (2)(c)

a) Has Council's strategy been agreed to by the Director General? No

b) S.117 directions identified by RPA : 1.3 Mining, Petroleum Production and Extractive Industries

* May need the Director General's agreement

Is the Director General's agreement required?

c) Consistent with Standard Instrument (LEPs) Order 2006 :

d) Which SEPPs have the RPA identified?

SEPP No 32—Urban Consolidation (Redevelopment of Urban Land)
SEPP No 55—Remediation of Land

e) List any other matters that need to be considered :

The following s.117 Directions are relevant:

1.1 Business and Industrial Zones

The proposal to rezone part of the site from B4 Mixed Use to B3 Commercial Core is consistent with this Direction as it will not reduce the total potential floor space available for employment uses.

3.1 Residential Zones

The planning proposal is inconsistent with this Direction as it will reduce the permissible residential density of land in a zone in which residential development is permitted. The proposed rezoning and intention to prohibit serviced apartments in that part of Parramatta Square zoned B3 Commercial Core creates a potential loss of 245 dwellings. This inconsistency is considered to be reasonable and of minor significance as:

- Parramatta's ability to provide land exclusively for business purposes is critical to ensure that it continues to develop into a true business district that is supported by residential development, rather than dominated by it;
- only 24% of land in the Parramatta CBD that is zoned for business purposes, is zoned exclusively for business uses;
- existing commercial only land within the Parramatta City Centre is highly constrained by lot fragmentation, ownership patterns, heritage, flooding and existing levels of capitalisation;
- an employment target of 21,000 new jobs by 2031 has been identified in the draft Metropolitan Strategy for Sydney. This target represents the equivalent of an additional 400,000 sq.m. of office space.

The proposal is consistent with the Standard Instrument Local Environmental Plan (SI) as the SI does not require serviced apartments to be included as 'permitted with consent' or 'permitted without consent' in the B3 Commercial Core zone.

In view of the above, it is considered that any inconsistency is a minor matter and it is recommended that the delegate agree to the proposal proceeding on this basis.

3.4 Integrating Land Use and Transport

The proposal is consistent with this Direction as it will focus residential and commercial activities within preferred areas of Parramatta Square to support public transport and improve access to jobs and services by walking, cycling and public transport.

4.1 Acid Sulfate Soils

The proposal is consistent with this Direction as it does not seek an intensification of land uses on land likely to be affected by acid sulfate soils.

6.3 Site Specific Provisions

The proposal intends to prohibit serviced apartments in that part of Parramatta Square zoned B3 Commercial Core. This is not inconsistent with the Direction, which normally applies where a planning proposal will allow a particular development proposal to be carried out.

7.1 Implementation of the Metropolitan Plan for Sydney 2036

The proposal is consistent with this Direction as it will facilitate the delivery of employment generating floor space, which will further strengthen Parramatta's role as Sydney's second CBD.

SEPP 32 Urban Consolidation

The proposal is consistent with this SEPP as it will facilitate the development of employment in an area where there is existing public infrastructure, transport and community facilities, and is close to leisure, employment and other opportunities.

Have inconsistencies with items a), b) and d) being adequately justified? **No**

If No, explain :

Item b) RPA identified s.117 directions:

While the planning proposal indicates that s.117 Direction 3.1 Residential Zones is not applicable, given the minor nature of the matter, it is not considered that the proposal requires amendment in this regard - subject to the delegate agreeing to the inconsistency being of minor significance.

Mapping Provided - s55(2)(d)

Is mapping provided? **Yes**

Comment : The mapping provided is suitable for the purpose of community consultation.

Community consultation - s55(2)(e)

Has community consultation been proposed? **Yes**

Comment : Council intends to place the planning proposal on public exhibition for a minimum of 28 days. This is supported.

Additional Director General's requirements

Are there any additional Director General's requirements? **No**

If Yes, reasons :

Overall adequacy of the proposal

Does the proposal meet the adequacy criteria? **Yes**

If No, comment :

Proposal Assessment

Principal LEP:

Due Date : **October 2011**

Comments in relation to Principal LEP :

This proposal amends the Parramatta City Centre Local Environmental Plan 2007 which is not part of the principal LEP i.e. Parramatta Local Environmental Plan 2011. A separate planning proposal is underway to amalgamate both LEPs. The planning proposal indicates that the amendment may be made to the finalised amalgamated principle LEP, as a result.

Assessment Criteria

Need for planning proposal :

The proposed rezoning of the eastern third of the site is needed to:

- reinforce the vision of commercial only land uses in that part of Parramatta Square;

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- reflect the commercial only nature of existing, approved and anticipated uses for this land; and
- ensure that a substantial concentration of commercial jobs can be delivered in this central and a highly accessible part of the Parramatta City Centre.

Land zoned for commercial only purposes has come under pressure to allow residential development. Prohibiting Serviced Apartments within the B3 Commercial Core zone of Parramatta Square will address this issue and ensure that strategically located land is available for high value-adding employment.

It is also intended to delete clause 22H (Civic Place) as this clause is redundant in view of:

- the Civic Place Master Plan 2003 being superseded by the site specific provisions for Parramatta Square in Parramatta DCP 2011;
- the proposed rezoning for Parramatta Square will govern the desired mix of land uses; and
- the Parramatta DCP 2011 contains objectives and controls for the Parramatta Square public domain.

Note: Clause 22H sets controls for Civic Place regarding the provision of public open space, the mix of uses and implementation of the Civic Place Master Plan. Civic Place has since been renamed Parramatta Square. An extract of the clause is attached in 'Documents'.

Consistency with strategic planning framework :

The Metropolitan Plan for Sydney 2036 and draft Metropolitan Strategy for Sydney to 2031

The proposal is consistent with these documents as the provision of land exclusively for business purposes will help to ensure that the Parramatta CBD continues to develop into a true business district and meets its employment targets.

Parramatta 2038

The proposal is consistent with Council's strategic plan as it allows for the concentrated growth of jobs in the Parramatta CBD with residential accommodation at the western end of Parramatta Square to allow housing close to jobs and support the viability of the CBD.

Environmental social economic impacts :

The proposal will have a positive social and economic impact on the Parramatta CBD. It will provide certainty that a substantial concentration of commercial jobs will be delivered to this central and highly accessible part of the Parramatta CBD. The western side of Parramatta Square will offer a genuine mix of uses to ensure that the precinct is activated outside of office hours.

Assessment Process

Proposal type :	Precinct	Community Consultation Period :	28 Days
Timeframe to make LEP :	9 months	Delegation :	DDG
Public Authority Consultation - 56(2) (d) :	Department of Education and Communities Office of Environment and Heritage Transport for NSW - Sydney Trains Transport for NSW - Roads and Maritime Services Sydney Water Other		

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Is Public Hearing by the PAC required? **No**

(2)(a) Should the matter proceed ? **Yes**

If no, provide reasons :

Resubmission - s56(2)(b) : **No**

If Yes, reasons :

Identify any additional studies, if required. :

If Other, provide reasons :

Identify any internal consultations, if required :

No internal consultation required

Is the provision and funding of state infrastructure relevant to this plan? **No**

If Yes, reasons :

Documents

Document File Name	DocumentType Name	Is Public
Covering Letter_Planning Proposal - Parramatta Square_.pdf	Proposal Covering Letter	Yes
Planning Proposal - Parramatta Square.pdf	Proposal	Yes
Extract - Parramatta City Centre LEP 2007 - Clause 22H Civic Place.pdf	Study	Yes

Planning Team Recommendation

Preparation of the planning proposal supported at this stage : **Recommended with Conditions**

S.117 directions: **1.3 Mining, Petroleum Production and Extractive Industries**

Additional Information : **DELEGATION OF PLAN-MAKING FUNCTION**

Council has advised that it will not exercise the plan making delegations in this instance as it is an affected landowner.

Note: the Director, Metropolitan Delivery (Parramatta) is of the view that the proposal is outside her Gateway delegation and it is appropriate that the planning proposal be submitted to the LEP Panel for attention.

RECOMMENDATION

It is recommended that the Acting Secretary's delegate agree that any inconsistency with s.117 direction 3.1 Residential Zones is of minor significance to allow the Planning Proposal to proceed.

Further, it is recommended that the Planning Proposal proceed subject to the following conditions:

1. Community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act (EP&A Act) 1979 as follows:

(a) the planning proposal must be 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 identified in section 5.5.2 of 'A Guide to Preparing LEPs Department of Planning and Infrastructure 2012).

2. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act:
- Department of Education and Communities
 - Office of Environment and Heritage
 - Transport for NSW - Road and Maritime Services
 - Transport for NSW - Sydney Trains
 - Sydney Water
 - Endeavour Energy

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.

3. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the EP&A Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for instance in response to a submission or if reclassifying land).

4. The timeframe for completing the LEP is to be 9 months from the week following the date of the Gateway determination.

Supporting Reasons : The proposal is supported as it will strengthen the role of the Parramatta CBD as a business district and assist in achieving employment targets.

Signature:



Printed Name:

T DORAN

Date:

23/5/14