



Parramatta City Centre LEP 2007 - 142 to 154 Macquarie Street, Parramatta

Proposal Title : **Parramatta City Centre LEP 2007 - 142 to 154 Macquarie Street, Parramatta**

Proposal Summary : **The proposal seeks to:**
· increase the maximum permissible building height for the site to 57m,
· increase the maximum permissible floor space ratio to 7:1,
· ensure a minimum of 21% non-residential floor space and
· that development consent is not granted without approval under the Federal Airports Act 1996.

PP Number : **PP_2015_PARRA_002_00**

Dop File No : **15/04524**

Proposal Details

Date Planning
Proposal Received : **13-Apr-2015**

LGA covered : **Parramatta**

Region : **Metro(Parra)**

RPA : **Parramatta City Council**

State Electorate : **PARRAMATTA**

Section of the Act : **55 - Planning Proposal**

LEP Type : **Precinct**

Location Details

Street : **142 to 154 Macquarie Street**

Suburb : **Parramatta**

City : **Sydney**

Postcode : **2150**

Land Parcel :

DoP Planning Officer Contact Details

Contact Name : **Lillian Charlesworth**

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RPA Contact Details

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DoP Project Manager Contact Details

Contact Name : **Terry Doran**

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Land Release Data

Growth Centre :		Release Area Name :	
Regional / Sub Regional Strategy :	Metro West Central subregion	Consistent with Strategy :	Yes
MDP Number :		Date of Release :	
Area of Release (Ha) :		Type of Release (eg Residential / Employment land) :	
No. of Lots :	0	No. of Dwellings (where relevant) :	910
Gross Floor Area :	0	No of Jobs Created :	840

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

If No, comment : **The Lobbyist Contact Register was checked on 23 March, 2015 and indicated no contact with lobbyists regarding this planning proposal.**

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

If Yes, comment :

Supporting notes

Internal Supporting
Notes :

External Supporting
Notes : **The site was occupied by an industrial building with attached offices, several outbuildings and a large at grade car park. Demolition has commenced. The site was previously occupied by the Cumberland Newspaper Group for administration, printing and warehousing.**

The site area is 1.25ha.

Although the proposal was received on 12 March 2015, the receipt date shown indicates when copies of supporting contamination studies were provided by Council.

Adequacy Assessment

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

Is a statement of the objectives provided? **Yes**

Comment : **The stated objective of the planning proposal requires clarification so that it is written in a manner that can be easily understood by the general community. It is accordingly recommended that Part 1 of the planning proposal be redrafted in a more informative manner.**

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

Is an explanation of provisions provided? **Yes**

Comment : **The proposal seeks to amend either Parramatta City Centre Local Environmental Plan 2007 or the proposed consolidated principal plan, as follows:**

- increase the maximum permissible height of buildings on the site from 54m to

- 157m;
- increase the maximum permissible floor space ratio from 4:1 to 7:1;
- require a minimum of 21% of total floor space to be utilised for non-residential purposes;
- require that development consent not be granted for a controlled activity unless the applicant has obtained approval in accordance with the regulations under the Federal Airports Act 1996.

Should the proposal proceed, it is recommended that the planning proposal be amended to:

- remove the use of acronyms, including 'LEP', 'PCC' and 'PP'; and
- include real property descriptions, i.e. relevant lot and deposited plan numbers.

Justification - s55 (2)(c)

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

b) S.117 directions identified by RPA :

* May need the Director General's agreement

1.1 Business and Industrial Zones

2.3 Heritage Conservation

3.1 Residential Zones

3.4 Integrating Land Use and Transport

3.5 Development Near Licensed Aerodromes

4.1 Acid Sulfate Soils

4.3 Flood Prone Land

Is the Director General's agreement required? Yes

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

d) Which SEPPs have the RPA identified?

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

SEPP No 55—Remediation of Land

SEPP No 65—Design Quality of Residential Flat Development

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

SECTION 117 DIRECTION 1.1 BUSINESS AND INDUSTRIAL ZONES

Although the existing B4 Mixed Use Zone allows for business uses, it is not considered a business zone for the purposes of this Direction and, therefore, this Direction is not applicable.

SECTION 117 DIRECTION 2.3 HERITAGE CONSERVATION

The site is within the vicinity of State and local heritage items, including Experiment Farm Cottage (State listed), Hambledon House (local) and Tara (also known as Ellengowan - local heritage item).

Heritage Council comments:

The Heritage Council of NSW is not supportive of the proposal and has encouraged Council not to increase the FSR control applying to the site, to avoid the potential for significant impacts on the archaeology of the land (Tag A).

Further, the Heritage Council has advised that the proposal should be referred to the Federal Government for approval as the proposed towers will be visible from Old Government House and The Domain.

The Heritage Council of NSW has also indicated that the proposal will adversely affect the heritage values of the State listed Experiment Farm and Hambledon Cottage due to overshadowing impacts. These sites fall within the Harris Park National Heritage Area.

Department's comment:

It is recommended that should the proposal proceed, the planning proposal be amended to include a map showing the location of heritage items in relation to the subject site.

While the Heritage Council comments are acknowledged concerning potential impacts upon the State significant archaeology of the site, it is anticipated that these impacts can be appropriately managed at development application stage.

The resulting development will be visible from Old Government House, although Council's position that the proposal does not require Federal referral is supported. The site lies outside of the area identified as being highly sensitive or sensitive in terms of generating potential impacts on Old Government House and the Domain (Tag B - map of Areas of Sensitivity extracted from "Development in Parramatta City and the Impact on Old Government House and Domain's World and National Heritage Listed Values - Technical Report").

It is noted that the overshadowing diagrams attached (Tag C) indicate that Hambledon Cottage will not be affected by overshadowing. Overshadowing of Experiment Farm will occur only at the north-west corner of the site, with no overshadowing of the building. It should be noted that the diagrams do not take into account a potential 15% height bonus and therefore potential overshadowing of heritage items on this basis is unknown.

A heritage report prepared by NBRSP+Partners indicates that there will be adverse heritage impacts on the setting of the adjoining State listed Harrisford House (Tag N) that can be mitigated at development application stage via building materials, articulation and massing.

It is considered that the proposal is consistent with this Direction given that potential impacts on site archaeology and the setting of Harrisford House can be adequately addressed at development application stage.

SECTION 3.1 RESIDENTIAL ZONES

The proposal is consistent with this Direction as it will enable intensive infill residential development in a location in close proximity to public transport, shops, services and employment.

SECTION 3.4 INTEGRATING LAND USE AND TRANSPORT

The proposal is consistent with this Direction as it will increase the density of development within the walking catchment of a variety of transport nodes including rail, ferry and bus services.

SECTION 3.5 DEVELOPMENT NEAR LICENSED AERODROMES

An Aeronautical Study indicates that the proposed development would penetrate the future Obstacle Limitation Surface for Bankstown Airport (page 2 of the study indicates that this includes those surfaces planned to accommodate future expansion or new procedures at the airport) that is set at 156m at this location.

The proposal is for a maximum height of 157m and it would benefit from a 10% design excellence bonus under current controls that will increase to a 15% bonus under proposed changes to the design excellence provisions. With a 15% design excellence bonus the maximum potential height would be 180.5m.

This Direction requires a proposal for development that would intrude into prescribed airspace to obtain Federal government permission prior to community consultation stage. To ensure consistency with this Direction, should the proposal proceed, it is recommended that consultation be undertaken with the Department of Infrastructure and Transport prior to the commencement of community consultation.

During the consultation period, consultation should occur with the Civil Aviation Safety Authority (CASA), Sydney Airport and Bankstown Airport.

SECTION 117 DIRECTION 4.1 ACID SULFATE SOILS

The proposal is inconsistent with this Direction as an acid sulfate soils study, required when an intensification of land uses is proposed, has not been prepared.

This inconsistency is considered to be justified on the basis of minor significance,

given that:

- (a) the affectation is by class 4 and 5 acid sulfate soils; and
- (b) the matter will be further considered at development application stage under clause 33B Acid Sulfate Soils of Parramatta City Centre Local Environmental Plan 2007 or clause 6.1 of Parramatta Local Environmental Plan 2011.

SECTION 117 DIRECTION 4.3 FLOOD PRONE LAND

The south western corner of the site is affected by the 100 year flood event.

The proposal is inconsistent with this Direction as it specifies that proposals should not permit a significant increase in the development of land within flood planning areas.

The proposal is considered to be justifiably inconsistent on the basis of minor significance given that only a very small corner area of the site falls within the flood planning area (Tag D - Flood Map).

SECTION 117 DIRECTION 7.1 IMPLEMENTATION OF A PLAN FOR GROWING SYDNEY

The proposal is consistent with this Direction as it is in keeping with developing Greater Parramatta as Sydney's second CBD and will increase residential development and provide for employment generating uses in an area well serviced by public transport and with access to employment, services, shops and infrastructure.

Should the proposal proceed in its current form, it should be amended prior to public exhibition to address this Direction.

However, the planning proposal is not considered to be in keeping with protecting and enhancing open space land as envisaged by A Plan for Growing Sydney. This issue is discussed in this report under the heading 'consistency with strategic planning framework.'

SYDNEY REGION ENVIRONMENTAL PLAN (SYDNEY HARBOUR CATCHMENT)

Sydney Region Environmental Plan (Sydney Harbour Catchment) 2005 applies to Parramatta, although its application and/or consistency with this Plan has not been considered within the Planning Proposal.

As the site is located in close proximity to the Parramatta River and foreshore, should the proposal proceed, it is recommended it be amended to address the regional plan.

STATE ENVIRONMENTAL PLANNING POLICY NO 55 - REMEDIATION OF LAND

The site was used for the manufacture of newspapers and had up to six underground storage tanks and one flammable goods tank installed on the site. A contamination assessment by Douglas Partners and a recent review of the assessment by Environmental Investigations Australia indicate that the site can be made suitable for the purpose of mixed use development, including high density residential land use. As such, the proposal is consistent with this policy.

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

If No, explain :

Given the concerns raised by the Heritage Council of NSW, it is uncertain whether the proposal is fully consistent with Section 117 Direction 2.3 - Heritage Conservation. Should the proposal proceed, it is recommended that the planning proposal be amended to clarify the situation.

Pre-exhibition consultation is required with the Department of Infrastructure and Transport, should the proposal proceed, to ensure consistency with Section 117 Direction 3.5 - Development Near Licensed Aerodromes.

Mapping Provided - s55(2)(d)

Is mapping provided? **No**

Comment : There is no mapping included within the planning proposal. Should the proposal proceed, it is recommended that the planning proposal be amended to include maps indicating the location of the site, the relationship of the site with relevant heritage items, flooding affectation, an illustration of the proposed development concept and diagrams illustrating existing and proposed planning controls.

Community consultation - s55(2)(e)

Has community consultation been proposed? **Yes**

Comment : Community consultation is likely to include a newspaper advertisement, information on Council's website and letters to adjoining land owners.

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 : **Yes - subject to recommended amendments.**

Proposal Assessment

Principal LEP:

Due Date : **October 2011**

Comments in relation to Principal LEP : This proposal seeks to amend Parramatta City Centre Local Environmental Plan 2007. However, the planning proposal notes that it may amend either the Parramatta City Centre Local Environmental Plan 2007 or the amalgamated Parramatta Local Environmental Plan, depending upon the timing of the proposed consolidation of these two instruments.

Assessment Criteria

Need for planning proposal : The proposal, as amended in accordance with the recommendations, is the appropriate course of action to allow higher order development of the site. The proposal will enable a higher density of development to cater for the projected increase in the local population and to assist in the provision of employment opportunities.

Consistency with
strategic planning
framework :

CURRENT PLANNING CONTEXT

The existing controls that apply to the site allow for a maximum building height of 54m (approximately 17 to 20 storeys) and a maximum FSR of 4:1. These current controls are considered to be:

- . consistent with the scale of adjoining high rise CBD development (including a 20 storey mixed use development [currently under construction] on the adjoining site at 109 to 113 George Street, Parramatta), and
- . allow a transition to adjoining sensitive areas and minimise impacts on the public domain.

An annotated height of buildings map (supporting Parramatta LEP 2007) is attached, illustrating this relationship to adjoining land. In addition, existing zoning, height and FSR map extracts are also provided at Tag E.

LOCAL STRATEGIC FRAMEWORK

Council's Parramatta CBD Planning Strategy (adopted by Council on 27 April, 2015):

This Strategy does not propose to alter/extend the existing city centre boundary in this vicinity, although it recommends a maximum FSR of 10:1 to the west of Harris Street. The planning proposal seeks an increase in FSR from 4.1 to 7.1 for the site, and is therefore consistent with Council's intentions in this regard.

The strategy proposes that there be no height limits within the CBD except as limited by sun access from 12pm to 2pm to nominated open space areas (A2.4.1 on page 13 refers) and as required by aviation restrictions (see A2.5 on page 16). The proposal is consistent in this regard as it will not overshadow any open space areas identified in the strategy and the proposal will be referred to aviation authorities for approval regarding the proposed height.

As the adjoining Robin Thomas Reserve and James Ruse Reserve fall outside the boundaries of the City Centre LEP, these sites are not nominated for solar access protection, irrespective of the potential for adverse overshadowing impacts from CBD development.

Council's Parramatta Open Space Plan 2003:

This Plan indicates "the value of open space in Parramatta cannot be understated, as it is essential to the social, economic and environmental prosperity of the City (page 2).

The overshadowing diagrams at Tag C show that the adjoining reserves (the Robin Thomas Reserve and the James Ruse Reserve) will be overshadowed from late autumn, through winter to early spring as a result of the cumulative overshadowing impacts of both this proposal and a second planning proposal for land located at 184 to 188 George Street, Parramatta (which is also at Gateway determination stage - see PP_2015_PARRA_003_00).

In summary, overshadowing impacts will commence after 12 noon and by 3pm, the majority of both reserves will be in shadow during winter months.

Comment: While it is acknowledged the open space plan is not contemporary (dated 2003), it is noted that the planning proposal is not fully in accord with the intent of Council's open space plan as the value of the open space may be undermined by adverse overshadowing impacts.

Parramatta City Centre LEP 2007:

It is also noted that proposal may be inconsistent with the height of building objectives at clause 21 (1)(a),(c),(e) and (f) of Parramatta LEP 2007 (see extract at Tag F).

These objectives address the relationship between building height and seek:

- . satisfactory sky exposure and daylight to existing buildings and parks;
- . the achievement of a responsive transition of building heights, and;

- . consideration of heritage properties, their views and visual interconnections.

The inconsistencies may particularly arise owing to:

- the proposed 60 storey tower contributing to an adverse sense of enclosure and lack of sky exposure for students and teachers at the adjoining Rowland Hassall School; and
- the removal of the element of transition in building heights and the creation of a sharp built edge to the city centre boundary, thereby increasing potential impacts on sensitive adjoining land uses.

It is also noted that the Heritage Council of NSW has expressed concern that the proposal will negatively impact on State listed heritage items (refer to discussion under the heading: Section 117 Direction 2.3 Heritage Conservation).

Similarly, the general aims of Parramatta City Centre Local Environmental Plan 2007 are relevant - see clause 2(2)(g),(h) and (i)(Tag F).

These aims seek to:

- . ensure the city centre achieves sustainable social and environmental outcomes;
- . protect and enhance environmentally sensitive areas and natural and cultural heritage, and;
- . emphasise the role of Parramatta River and its foreshore as an important natural focus.

Inconsistencies of the proposal with the aims and 'sensitive' areas include:

- overshadowing impacts upon the quality of adjoining open space and its enjoyment by the community;
- possible adverse impacts upon visual elements of the Parramatta River foreshore.

METROPOLITAN STRATEGIC FRAMEWORK

A Plan for Growing Sydney indicates that Greater Parramatta has the potential to reach 100,000 jobs over the next 20 years (p.30) and within 25 years Western Sydney will be home to more than half of all Sydneysiders. Significant growth will occur in the North West and South West Growth Centres and around Parramatta (p.36).

Other relevant population growth matters are:

- . the new University of Western Sydney Campus, to be situated in the core of the CBD, is to cater for over 10,000 students in 2017 (see page 30 - A Plan for Growing Sydney);
- . Council's Draft Parramatta City Centre Planning Framework Study estimates that under a high growth scenario, there is potential for the creation of 47,000 additional jobs and 7,500 additional dwellings within the CBD by 2026 (p.28);
- . Arthur Phillip High School in Parramatta (approx. 420m from the Robin Thomas Reserve) is to be rebuilt by 2019 as the State's first public high rise school. The adjoining Parramatta Public School will also be rebuilt, and together, the new schools will cater for 3,000 students (Tag G).

The proposal is consistent with regional, metropolitan and local strategies in terms of facilitating additional housing and employment in an area well served by public transport, schools and infrastructure. This will assist in strengthening Parramatta's role as Sydney's second CBD.

The metropolitan plan also aims to improve the quality of green spaces and the public domain (p.85 & p.88) and recognises the social benefits involved (p.87). In addition, the plan supports the long-term planning for social infrastructure, including open spaces (p.36 & p.60).

Further, it is noted the current and previous metropolitan plans have identified Parramatta as Sydney's second CBD and encouraged the provision of supporting facilities to support

this role. These facilities include 'expanded arts, culture and entertainment activities to increase its appeal as a dynamic and diverse place to work, live and play' (p.30).

Comment:

With intense, foreshadowed housing and employment growth within the immediate area there is a challenge to provide not only a range of accessible facilities but a need to provide quality facilities and structures to match Parramatta's second CBD role. Council has, in part, addressed this in including building design completion provisions in its city centre local environmental plan.

It is considered, however, that while the above provisions are appropriate for built forms, there is concern that consideration of overshadowing impacts upon sensitive areas i.e. in this case - significant open space and a significant heritage item, have not been given sufficient weight in the planning proposal.

The proposed redevelopment of the site will overshadow the following nearby sensitive uses:

1. Robin Thomas and James Rouse Reserves, and
2. the State heritage listed Experiment Farm.

These sites are shown on the shadow diagrams (Tag C) and the locality map (Tag H).

1. Robin Thomas and James Rouse Reserves:

It is anticipated that the use of the Robin Thomas and James Rouse reserves will increase with an expected rapid and sustained rise in residential densities, as well as, as a result of growing student and working population numbers within the Parramatta CBD (refer above).

Robin Thomas Reserve is located directly opposite the site on Harris Street and adjoins the James Ruse Reserve - which is diagonally opposite the subject land.

Robin Thomas Reserve is one of a limited number of large public spaces in this locality serving the CBD and the only reserve offering playing fields in the immediate area. The reserve is utilised by local schools and can be booked for weekend cricket (refer Tag J).

James Ruse Reserve offers a range of recreational facilities including a children's playground and water play area, picnic tables and shelters, as well as, a skate park (refer Tag I - James Ruse Reserve).

While Parramatta Park is a substantial open space area of regional significance (located at the western boundary of the CBD), it is a complementary recreational facility to the Robin Thomas and James Ruse Reserves. These reserves offer other recreational experiences than are currently on offer in Parramatta Park, e.g. a water park and skate board area, in a location to the east of the CBD.

In particular, given:

- . the size of the reserves (over 5 ha. in total),
- . its location near three schools (i.e. located within 420m walking distance of these recreation facilities, which currently have limited play areas, which are mainly hard stand surfaced - refer to Tag H), and the Parramatta CBD, as well as,
- . a lack of similar facilities in the vicinity,

it is considered that the recreational value of the reserve is of a high order and will continue to be of increasing importance in view of the foreshadowed growth in the housing and employment populations and associated demand for this type of facility. Consequently, it is considered that the reserves are of regional recreational importance.

Comparison with the City of Sydney:

In view of the status of Parramatta - as a second Sydney CBD, consideration was given to the manner in which the City of Sydney treats overshadowing and the public domain.

It was noted that:

- clause 6.19 of Sydney Local Environmental Plan 2012 seeks to ensure that nominated public places are protected from any additional overshadowing during specified times (Tag K). Times nominated are generally from 12noon to 2pm, although some key public spaces are protected from 10am to 4pm. It is acknowledged, however, that these controls also address preservation of sandstone building materials.
- Further, clause 6.17 of the Sydney Local Environmental Plan 2012, seeks to maximise sunlight access to certain public places to maintain the amenity of those areas (Tag L).

The application of sunlight controls within the Sydney CBD supports the contention that Parramatta (as a major CBD), should give further consideration to this aspect within the proposal.

2. Heritage Items - Experiment Farm and Hambledon Cottage:

The Heritage Council of NSW has raised concern about overshadowing of the heritage items: Experiment Farm and Hambledon Cottage.

It is noted, the shadow diagrams illustrate that Hambledon Cottage may not be affected by overshadowing mid winter between 9am and 3pm, although it is unknown whether overshadowing will occur should a 15% height bonus be obtained by way of a design excellence competition.

Although overshadowing of the heritage item is not considered to be as critical as impacts on the two reserves, any significant loss of amenity is of concern.

CONCLUSION

The proposal holds merit as it is consistent with regional, metropolitan and local strategies in terms of facilitating additional housing and employment in an area well served by public transport and infrastructure. This will assist in strengthening Parramatta's role as Sydney's second CBD.

Although the proposal will have overshadowing impacts on the adjoining reserves, Experiment Farm and potentially on Hambledon Cottage (should a 15% height bonus be approved), on balance, it is considered that the planning proposal should proceed, provided that overshadowing impacts are determined and thoroughly investigated and considered during the plan making process.

NATIONAL HERITAGE PLANNING FRAMEWORK

Although the site lies outside of the area identified as being highly sensitive or sensitive in terms of generating potential impacts on Old Government House and the Domain, it lies immediately adjacent to the boundary of that area (Tag B - extract from Development in Parramatta City and the Impact on Old Government House and the Domain's World and National Heritage Listed Values - Technical Report).

The Heritage Council of NSW is of the view that the proposal requires referral to the Federal government to determine whether the action should proceed, on the basis of the potential for significant impact on the natural heritage values of a World Heritage property as outlined on pages 16 and 17 of the Significant Impact Guidelines (Tag M).

It is therefore recommended that the proposal be referred to the Federal Department of the Environment during the consultation period.

Environmental social
economic impacts :

TRAFFIC

A traffic review by TTM Consulting Pty Ltd has been prepared. Council's Traffic Management Team are confident that the proposal will not result in any adverse traffic impacts. However, Council's Traffic Management Team have also raised an issue in relation to the planning proposal for 184 to 188 George Street, Parramatta, that would equally apply to this site i.e. that a study has not yet been undertaken into the cumulative

impacts of additional traffic generation from the increased development potential in the CBD.

Accordingly, Council should be encouraged to give a high priority to completion of this work, given the rising number and significance of planning proposals within the CBD.

Should the proposal proceed, it is recommended that consultation occur with Transport for NSW, Roads and Maritime Services, Sydney Ferries and bus operators that provide services within the CBD.

OVERSHADOWING

As discussed in the foregoing section of this report, overshadowing is a significant issue and it is recommended that, should a gateway determination be issued for the planning proposal to proceed, it be appropriately conditioned to address this issue.

HERITAGE

This issue is discussed under the heading: Section 117 Direction 2.3 Heritage Conservation. The site contains archaeological relics of State significance and the Heritage Council of NSW does not support the proposal on the basis of potential impacts on archaeological items within the site, overshadowing impacts on a State heritage item and potential impacts on Old Government House and the Domain.

Should the planning proposal proceed, it is recommended it be amended to take these matters into consideration and provide further advice over the consistency, or otherwise, of the planning proposal with the direction.

CONTAMINATION

The site is contaminated due to previous use of the site for newspaper production. Supporting studies indicate that the site can be made suitable for high density residential development.

AIR SAFETY

The planning proposal, in its current form, will facilitate development that will potentially impact on aviation safety. Consultation with the Department of Infrastructure and Regional Development is required prior to exhibition in accordance with section 117 direction 3.5. Consultation with other relevant aviation bodies, is recommended during the exhibition period.

VEGETATION

The majority of the 12,500sqm site is hard surfaced and generally devoid of vegetation with the exception of perimeter/street planting. As such, the proposal is unlikely to generate any adverse impact on site vegetation.

Assessment Process

Proposal type :	Precinct	Community Consultation Period :	28 Days
Timeframe to make LEP :	12 months	Delegation :	DDG
Public Authority Consultation - 56(2) (d) :	NSW Aboriginal Land Council Department of Education and Communities Office of Environment and Heritage Transport for NSW - Sydney Trains Transport for NSW - Roads and Maritime Services Sydney Water Telstra Other		

Parramatta City Centre LEP 2007 - 142 to 154 Macquarie Street, Parramatta

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. :

Heritage

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? **Yes**

If Yes, reasons : **Council's report notes that due to the scale of the proposed development, significant pressure is expected to be placed on existing infrastructure. As such, consultation with relevant service providers is recommended during the exhibition period.**

Documents

Document File Name	DocumentType Name	Is Public
Planning Proposal 142-154 Macquarie St, Parramatta.pdf	Proposal	Yes
Tag B - Old Government House and Domain - Areas of Sensitivity.pdf	Map	Yes
Tag A - Heritage Council of NSW comments.pdf	Determination Document	Yes
Flooding information.pdf	Study	Yes
Arborist report (overshadowing effects).pdf	Study	Yes
Aeronautical study.pdf	Study	Yes
Traffic study.pdf	Study	Yes
Skyline diagrams.pdf	Drawing	Yes
Council covering letter.pdf	Proposal Covering Letter	Yes
Review of Contamination Report.pdf	Study	Yes
Contamination Report.pdf	Study	Yes
Tag C - Shadow Diagrams.pdf	Determination Document	Yes
Tag K - Sydney LEP2012 clause 6.19.pdf	Determination Document	Yes
Council Report - 184-188 George Street, Parramatta.pdf	Proposal Covering Letter	Yes
Tag D - Flood Map.pdf	Map	Yes
Tag E - Existing planning controls.pdf	Map	Yes
Tag F - Extract from Parramatta City Centre LEP 2007.pdf	Determination Document	Yes
Tag G - Expansion of Parramatta schools.pdf	Determination Document	Yes
Tag H - Locality Map.pdf	Map	Yes
Tag J - Robin Thomas Reserve.pdf	Determination Document	Yes
Tag L - Sydney LEP 2012 clause 6.17 - sun access planes.pdf	Determination Document	Yes
Tag M - Significant Impact Guidelines.pdf	Determination Document	Yes
Tag I - James Ruse Reserve.pdf	Determination Document	Yes
Tag N - Heritage Report.pdf	Study	Yes

Planning Team Recommendation

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

S.117 directions:

- 1.1 Business and Industrial Zones
- 2.3 Heritage Conservation
- 3.1 Residential Zones
- 3.4 Integrating Land Use and Transport
- 3.5 Development Near Licensed Aerodromes
- 4.1 Acid Sulfate Soils
- 4.3 Flood Prone Land

Additional Information : **SECTION 117 DIRECTIONS**

It is considered that the inconsistency with Section 117 Directions 4.1 - Acid Sulfate Soils and 4.3 Flood Prone Land is justified due to minor significance.

Should the planning proposal proceed, it is recommended the delegate agree that these inconsistencies are of minor significance.

DELEGATION OF PLAN MAKING FUNCTIONS

Council has requested that it exercise the Minister's plan making functions for this planning proposal. This is not supported as:

- the proposal applies to a large 12,500sqm site that covers 80% of a street block within the Parramatta CBD;
- the proposed development will generate 910 dwellings and approximately 840 jobs, and is therefore of a regional scale;
- the Heritage Council of NSW advises that it does not support the proposal and has requested that Council consider not increasing the site FSR; and
- the proposed development, as proposed by the planning proposal, will encroach into prescribed airspace (given the maximum potential height of buildings of over 180m) and resolution of this matter may occur at a State level.

Accordingly, it is recommended that the delegate agree NOT to issue authorisation for Council to exercise the Minister's delegation in this instance.

RECOMMENDATION

It is further recommended the planning proposal proceed subject to the following conditions:

1. Prior to exhibition, Council is to amend the planning proposal to:

(a) include overshadowing diagrams that address the Robyn Thomas and James Ruse Reserves and indicate:

- i. the extent of overshadowing that would currently apply resulting from development of relevant sites in accordance with the existing maximum height provisions; and
- ii. the extend of cumulative overshadowing that would arise from both this proposal and the planning proposal for 184 to 188 George Street, Parramatta(PP_2015_PARRA_003_00), assuming that both proposals achieve a 15% height and FSR bonus.

(b) include maps/diagrams:

- . illustrating the site and existing and proposed planning controls,
- . a flood map of the site with corresponding legend, as well as,
- . a locality map - particularly showing the relationship between the site, the Robin Thomas and James Ruse Reserves and nearby schools; and
- . an appropriate diagram(s) illustrating potential built form on the site and the relationship to the wider area, to demonstrate the strategic building form context of this proposal; and
- . include the location of nearby heritage items.

(c) include comments within the planning proposal on the consistency (or

otherwise) of the proposal with Section 117 Direction 7.1 Implementation of a Plan for Growing Sydney, within the appropriate section of the planning proposal, that deals with section 117 directions; and

(d) attach flooding, heritage, contamination, traffic advice and revised overshadowing diagrams, as appendices to the proposal.

2. Prior to the commencement of community consultation, Council is to consult with the Department of Infrastructure and Transport, as required by Section 117 Direction 3.5 Development Near Licensed Aerodromes. The proposal is to be amended, if required, prior to exhibition, in accordance with the outcome of that consultation.

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

(a) the planning proposal must be made publicly available for a minimum of 28 days; and

(b) the relevant planning authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in section 5.5.2 of A Guide to Preparing LEPs (Department of Planning and Environment 2013).

4. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act, as follows:

- NSW Aboriginal Land Council
- Department of Education and Communities
- Office of Environment and Heritage
- Transport for NSW - Sydney Trains
- Transport for NSW - Roads and Maritime Services
- Sydney Water
- Telstra
- Endeavour Energy
- State Emergency Service
- NSW Office of Sport
- Civil Aviation Safety Authority
- Sydney Airport
- Bankstown Airport
- Airservices Australia
- Department of Infrastructure and Transport

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.

5. 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 example, in response to a submission or if reclassifying land).

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

Supporting Reasons :

The proposal is supported as it is consistent with regional, metropolitan and local strategies in terms of facilitating additional housing and employment in an area well served by public transport, infrastructure and services. It will assist in strengthening Parramatta's role as Sydney's second CBD in accordance with A Plan for Growing Sydney.

Signature:			
Printed Name:	<u>T DORAN</u>	Date:	<u>10/6/15</u>

