

**ECONOMY AND DEVELOPMENT**

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|                    |                                                             |
|--------------------|-------------------------------------------------------------|
| <b>ITEM NUMBER</b> | 9.7                                                         |
| <b>SUBJECT</b>     | Planning Proposal for land at 11 Hassall Street, Parramatta |
| <b>REFERENCE</b>   | RZ/9/2014 - D03287487                                       |
| <b>REPORT OF</b>   | Project Officer - Land Use Planning                         |
| <b>LANDOWNER</b>   | Sonenco Parramatta & Saab Parramatta                        |

**PURPOSE:**

To seek Council's endorsement to forward a planning proposal for land at 11 Hassall Street, Parramatta to the Department of Planning and Environment for Gateway determination; and to seek endorsement to proceed with formal negotiations to prepare a Voluntary Planning Agreement between Council and the landowner in relation to this planning proposal.

**RECOMMENDATION**

- (a) **That** Council endorse the planning proposal provided at **Attachment 1** for 11 Hassall Street, Parramatta and forwards it to the Department of Planning and Environment for Gateway determination.
- (b) **That** Council proceed with negotiations for a Voluntary Planning Agreement (VPA) with the applicant in relation to the planning proposal.
- (c) **That** delegated authority be given to the CEO to negotiate the VPA on behalf of Council and that the outcome of negotiations be reported back to Council prior to its public exhibition.
- (d) **That** Council advises the 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.
- (e) **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.

**THE SITE**

1. The subject site is located in the south-eastern precinct of the Parramatta City Centre at 11 Hassall Street, Parramatta. The site is zoned B4 Mixed Use and has a total area of 1,782m<sup>2</sup> with a 20 metre frontage to Hassall Street to the north and Parkes Street to the south. It is approximately 300m from the Parramatta Transport Interchange (refer to Figure 1).



**Figure 1 – Location Map**

2. The site was previously occupied by the Saint Joannis Greek Orthodox Church and consists of two structures. The main church building is a two storey brick structure consisting of two bell towers that has a total height of three storeys. The ancillary structure has a frontage to Parkes Street and consists of a two storey brick building that was used for functions by the Church.
3. A drainage channel is located on the southern boundary along Parkes Street. Two pedestrian bridges cross the channel and provide access to the site from Parkes Street.
4. The surrounding development consists of a mixture of residential, commercial, and retail uses.

## **BACKGROUND**

5. JBA Planning lodged a planning proposal on behalf of the landowner on 15 May 2014 to increase the Maximum Building Height and Maximum Floor Space Ratio on the subject site. The purpose of the planning proposal is to facilitate a building envelope that appropriately responds to the site's characteristics.

## **CURRENT PLANNING CONTROLS**

6. The land is currently zoned B4 Mixed Use under the PCC LEP 2007 (refer to Figure 2).

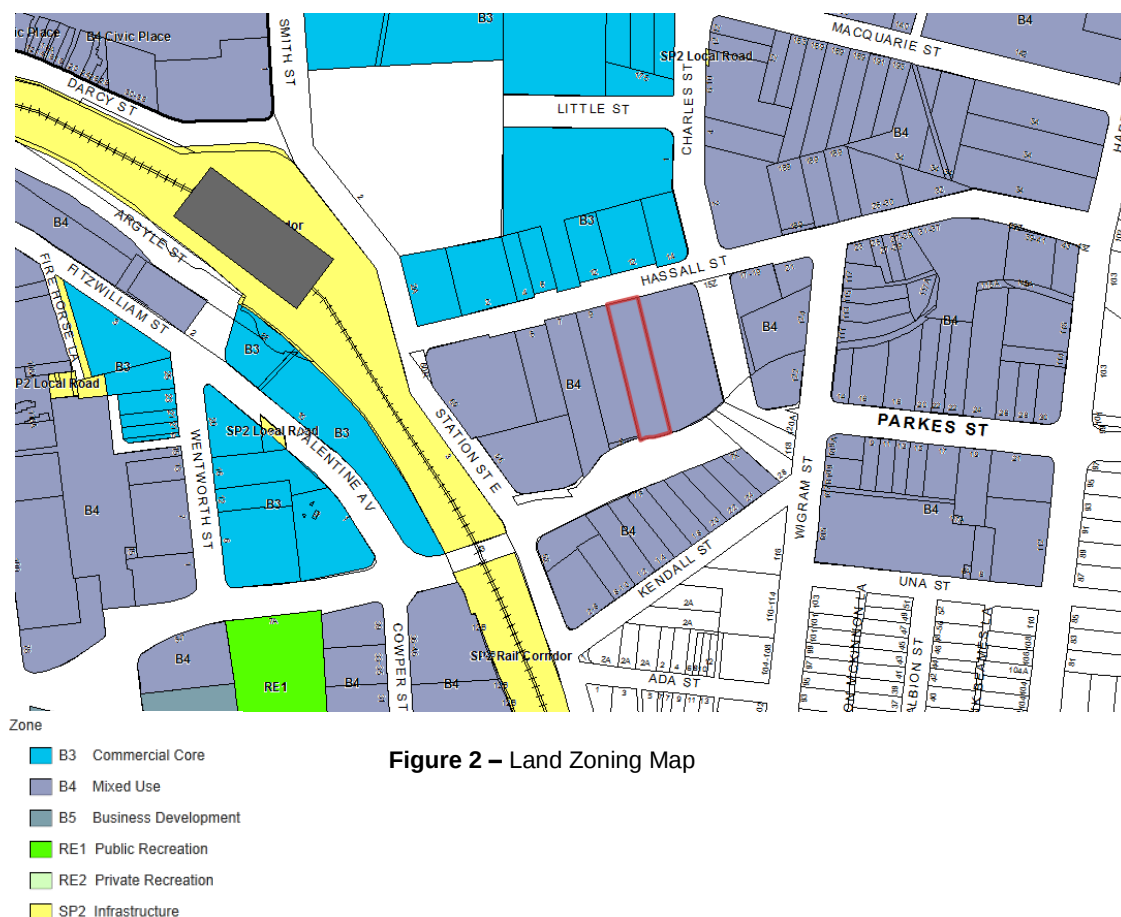


Figure 2 – Land Zoning Map

7. A Maximum Building Height of 72 metres (approximately 20 storeys) currently applies to the site under the PCC LEP 2007 (refer to Figure 3). An additional 10% can be achieved under Clause 22(B) of the PCC LEP 2007 through a Design Excellence Competition process. This would equate to a maximum building height of 79.2 metres (approximately 24 storeys).

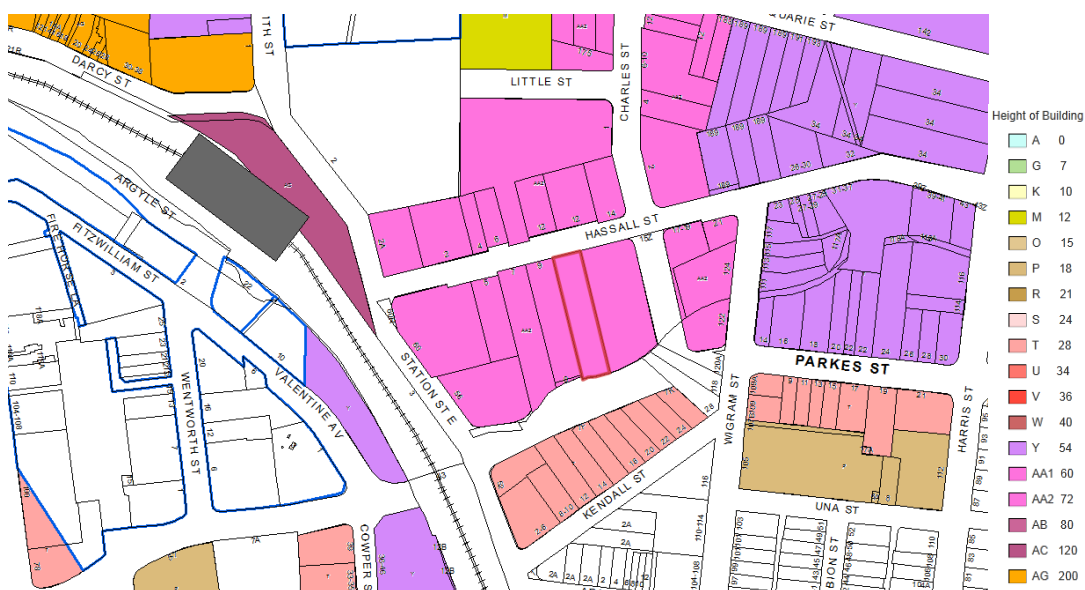


Figure 3 – Height of Building Map

8. A Maximum Floor Space Ratio of 8:1 applies to the site (refer to Figure 4). However as outlined in Clause 22 'Floor Space Ratio' of the PCC LEP 2007, the FSR permitted on an individual site in the City Centre is dependent on land size with a minimum of 2,500sqm required to achieve the maximum FSR. As

the site has a total area of 1,782sqm, the Maximum Floor Space Ratio permitted on the site is 6.56:1 as calculated under Clause 22(3)(b) of the PCC LEP 2007. An additional 10% can be achieved under Clause 22(B) of the PCC LEP 2007 through a Design Excellence Competition process. This would equate to a maximum FSR of 7.2:1.

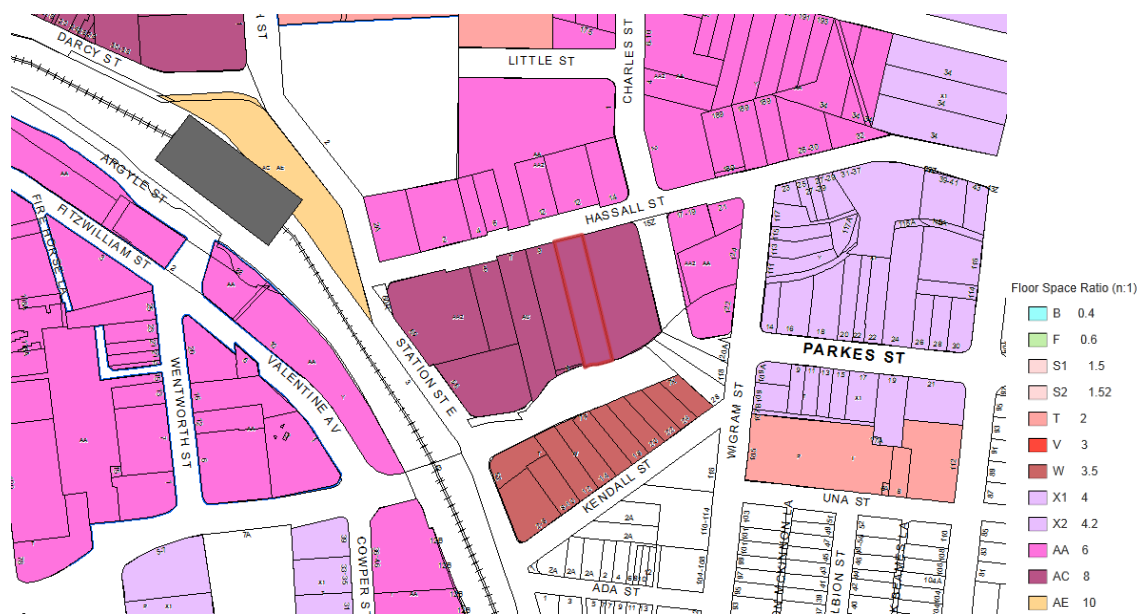


Figure 4 – Maximum Floor Space Ratio Map

9. The subject site does not contain a heritage item under PCC LEP 2007 nor are there heritage items immediately adjoining the subject site.

## PLANNING PROPOSAL

10. The planning proposal seeks to increase the Maximum Building Height from 72m to 130m (approximately 41 storeys) and the Maximum Floor Space Ratio from 6.56:1 to 10.2:1. This figure is exclusive of the additional 10% that can be achieved under Clause 22(B) of the PCC LEP 2007 through a Design Excellence Competition process.
11. The increase in density is to permit the development of a 41 storey single tower to provide 215 residential dwellings and a 2 storey podium fronting Hassall Street with sleeved retail and office floorspace. The design of the building will be subject to a Design Excellence Competition required under Clause 22B of the Parramatta City Centre Local Environmental Plan (PCC LEP 2007).
12. The planning proposal is provided at **Attachment 1**.

## ASSESSMENT OF PLANNING PROPOSAL

13. An assessment of the planning proposal is provided below.

### Land Use Planning

14. The indicative development to result from the planning proposal will adhere to the objectives of the B4 Mixed Use zone. The proposal will integrate high density residential development with commercial and retail uses in an accessible location within the Parramatta CBD and near a major transport interchange.

15. The proposed density is considered appropriate and compatible for the inner city high-density urban environment on the south-eastern edge of the Parramatta CBD. It also presents the opportunity to enhance the public domain through street level activation, landscaping, and open space on top of the proposed 2 level podium facing Hassall Street.
16. This planning proposal is consistent with the applicable Section 117 Ministerial Directions and the State Government's strategic planning framework. *The Metropolitan Plan for Sydney 2036* has a policy position to continue strengthening Parramatta's role as Sydney's premier regional city and to locate new homes around existing transportation hubs and urban centres. The proposed increase in density on the subject site aligns with this policy position.

### Urban Design

17. The site is constrained due to its 20m street frontage along Hassall Street and the small side boundary setbacks imposed by the neighbouring properties. The adjacent twin-tower development at 13-15 Hassall Street is setback from the side boundary by 3m, and the approved twin-tower development at 9 Hassall Street similarly provides a 3m side boundary setback.
18. The Residential Flat Building Code (in response to the State Environmental Planning Policy 65) requires that there be a minimum 12m separation between the habitable rooms and balconies of adjacent buildings. To achieve this 12m separation a 9m side setback would be required on both sides of the subject site. Due to the 20m frontage of the site, this would leave only 2m for development. Therefore compliance to this requirement is not feasible and a concession needs to be made by Council for the design and configuration of any future development on the subject site.
19. The applicant has undertaken a built form study of the site. The study recognises the issues involved with the constraints of the site and proposes a built form consisting of a single tower on a 2-3 storey podium. The tower is located and orientated in a way that will minimise privacy issues between the existing and proposed developments. The applicant has demonstrated that privacy can be maintained by the strategic location of the tower, the size of the floor plate/gross building area (600sqm), and the location of balconies and windows.
20. Due to these constraints, there is merit to having a single tower development with a 600sqm floor plate as proposed in the indicative plans submitted with the planning proposal. The proposed building configuration and orientation will minimise privacy issues, and deliver a better design outcome than what would be permitted under the existing controls. In addition, a taller single tower development at 11 Hassall Street will emphasise the uniqueness of the site against the skyline as the adjoining sites both have 22 storey twin tower developments either approved or constructed. The single tower will differentiate the skyline and provide the necessary separation required between the developments. Figure 5 shows the indicative building design and its positioning amongst the existing and future short term development along Hassall Street, Parramatta.

21. Modelling the proposed height of 130m (approximately 41 storeys) has demonstrated that the proposal would not generate a significantly greater impact on solar access than the current permitted maximum building height.

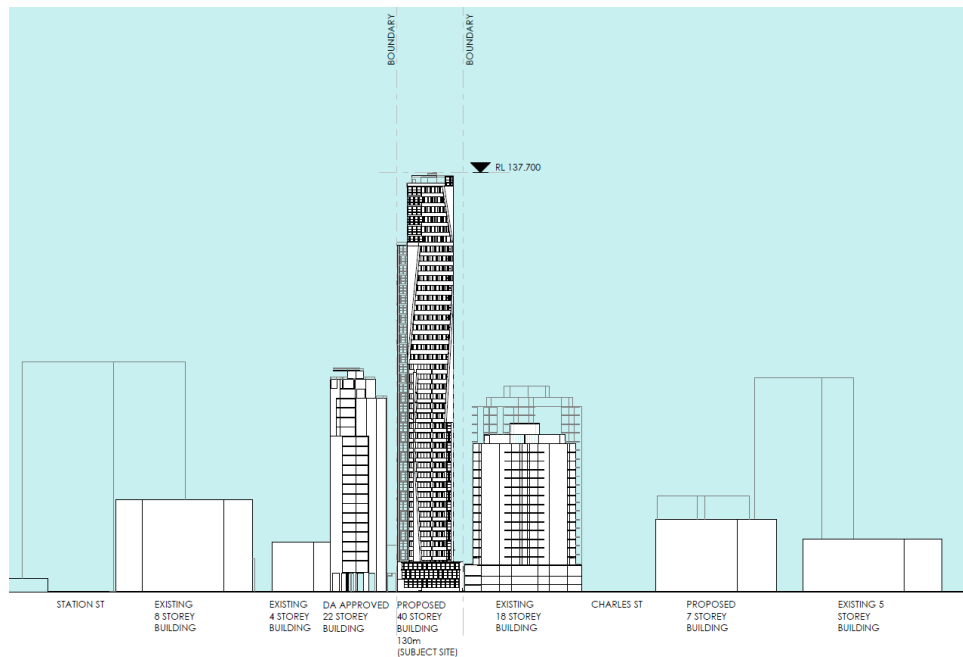


Figure 5 – Indicative building design

### Catchment Management

22. The subject site is flood affected (refer to Figure 6). The southern half of the site would be inundated in both the 20 year and 100 year flood events. Almost all of the property would be inundated in the Probable Maximum Flood event. The southern half of the property (closely following the 100 year flood extent line) is in the High Hazard zone (refer to Figure 7).

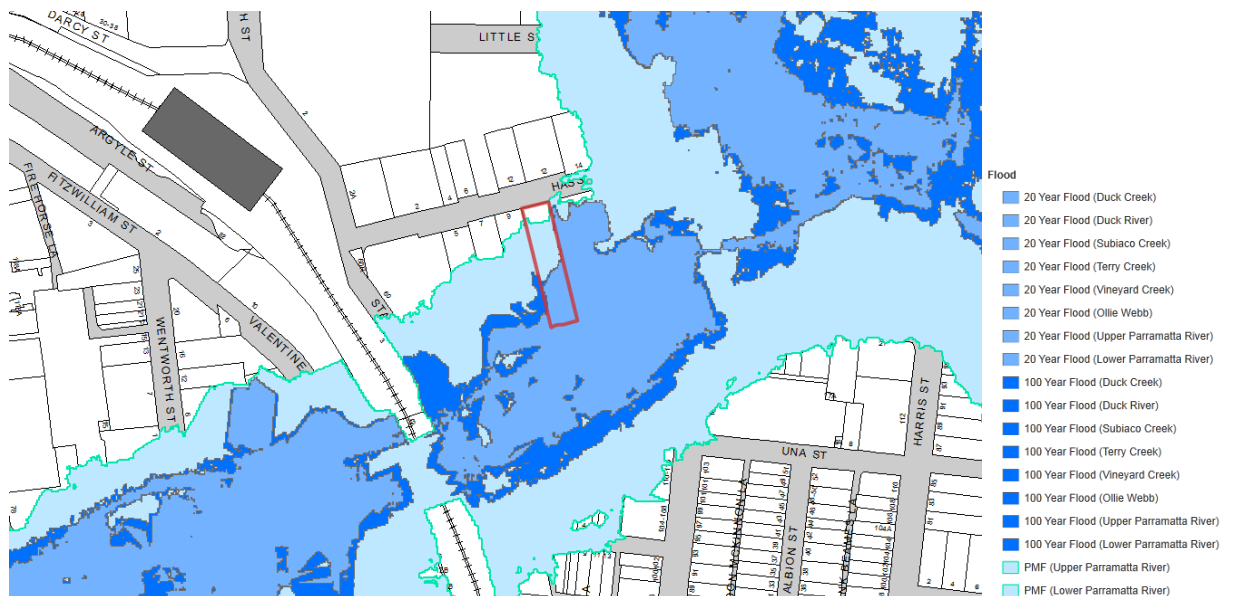


Figure 6 – Flood Inundation Map

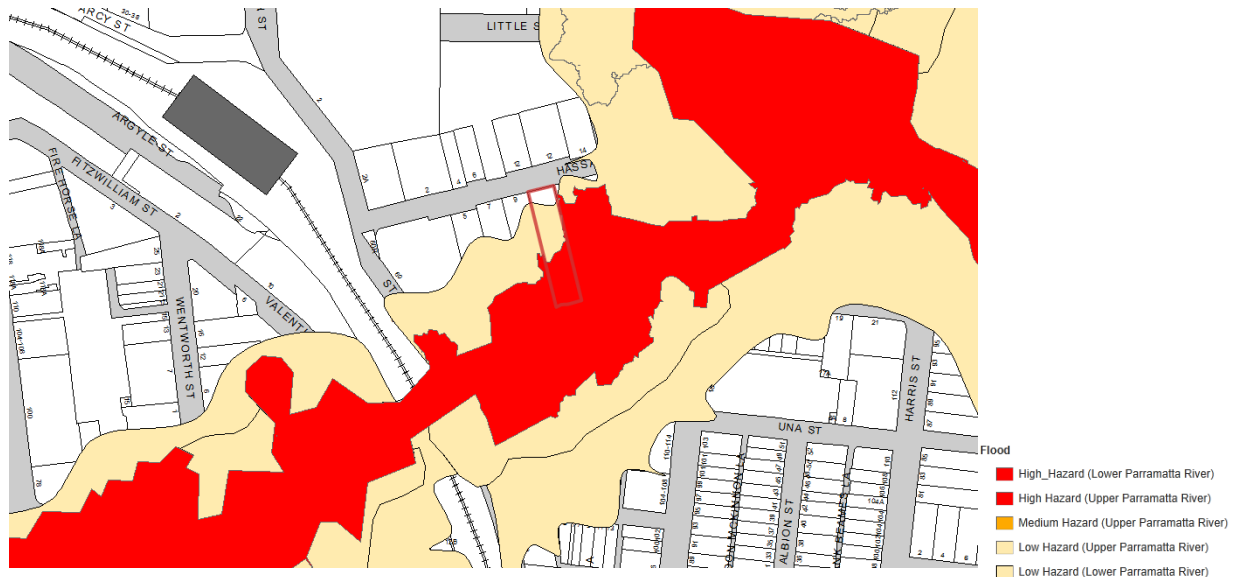


Figure 7 – Hydraulic Hazard Map

23. The site lies within the Clay Cliff Creek floodplain, with the west-to-east flowing Clay Cliff Creek running along the rear boundary of the site through an open drainage channel.
24. The supporting flood report provides that the development of the site is consistent with the Floodplain Development Manual 2005. The planning proposal is considered to be consistent with s117 Direction 4.3 Flood Prone Land as certain design features will be implemented in the development including the setback of the ground floor level car park fronting Parkes Street from the drainage channel to the 20 year flood extent. This treatment would provide a path allowing flood waters to flow without obstruction.

### Traffic Management

25. A traffic assessment of the planning proposal was conducted by Council's Traffic Management team. It is considered that any future development under the provision of the revised planning controls will not result in any adverse traffic impacts.

### PLAN-MAKING DELEGATIONS

26. New delegations were announced by the then Minister for Planning and Infrastructure 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.
27. Should Council resolve to proceed with this planning proposal, Council will be able to exercise its plan-making delegations. This means that after the planning proposal has been to Gateway, undergone public exhibition and adopted by Council, Council officers will deal directly with the Parliamentary Counsel Office on the legal drafting and mapping of the amendment. When the planning proposal is submitted to Gateway, Council advises the Department of Planning and Environment that it will be exercising its delegation.

**VOLUNTARY PLANNING AGREEMENT**

28. A planning agreement can be made under section 93F of the EP&A Act and is a voluntary agreement between Council and the developer, under which the developer is required to dedicate land free of cost, pay a monetary contribution or provide other material public benefit, or any combination of these, to be used towards a public purpose. This may be in lieu of a s94A development contribution, as a part substitution or an additional benefit.
29. The Act specifies that a public purpose includes the provision of public amenities or public services, the provision of affordable housing, the provision of transport or other infrastructure relating to the land, the funding of recurrent expenditure relating to any of these, the monitoring of the planning impacts of a development and the conservation or enhancement of the natural environment.
30. Council has an adopted VPA policy which sets out the principles governing such agreements, matters that Council will consider in negotiating agreements, steps in the negotiating process, public probity, notification requirements and implementation. The EP&A Act and Regulation sets out the legal and procedural framework for planning agreements.
31. The negotiation of a planning agreement is at Council's discretion. Key principles of Council's policy are that:
  - planning decisions will not be bought or sold through planning agreements,
  - development that is unacceptable on planning grounds will not be permitted because of the benefits of a planning agreement,
  - the benefits of the planning agreement will bear a relationship to the application,
  - Council will not give undue weight to a planning agreement when making a decision on a development application, and
  - Council will not improperly rely on its position in order to extract unreasonable public benefits under planning agreements.
32. Procedurally, Council's policy requires:
  - a Council resolution to undertake negotiations on a planning agreement,
  - appointment of a Council officer with delegated authority to negotiate a planning agreement on behalf of Council (this is not to be an officer with a key responsibility for the development application),
  - consideration of whether an independent person is required to facilitate the negotiations,
  - public exhibition of the draft agreement, once prepared, and
  - the elected Council will ultimately make the decision as to whether to approve the planning agreement.
33. A Voluntary Planning Agreement offer has been made by the landowner under Section 93F of the Environmental Planning and Assessment Act 1979.
34. A letter of offer was made to Council on 23 July 2014 to dedicate \$200,000 to Council to be used for the implementation of the Robin Thomas Reserve Masterplan (Refer to **Attachment 2**). **This monetary contribution is in**

**addition to Section 94A development contributions.** The recommended actions within the masterplan are to be implemented progressively over time and funded on a staged basis through Council's annual capital works programs. The applicant has recognised that a monetary contribution, as proposed in the letter of offer, would assist in the faster delivery of the works required under the masterplan which is beneficial to the community.

35. There are potential planning and public benefits in the draft VPA proposal that should be further explored. The VPA offer will need to be fully investigated and assessed under the terms of Council's policy & the Act and Regulations. As part of this process, the following will need to be assessed:
  - The likely uplift in land value as a result of the increase in FSR;
  - An analysis of value uplift verses public benefit and whether the proportion of public benefit (contribution) proposed is acceptable;
  - Defining to what purpose the contribution would be committed on (including other options); and
  - The public benefits of the proposed contribution.
36. If Council wishes to continue with the process, a cross functional team will be established to assess all aspects of the proposed VPA and to report back to Council for endorsement prior to exhibition.
37. Accordingly, this report recommends that, as required by Council's VPA policy, a formal resolution be made to proceed with negotiations and an appropriate officer be given delegated authority to negotiate the VPA on Council's behalf. It is recommended that delegation be given to the CEO of Council to negotiate the VPA. Following the negotiations, the draft VPA will need to be prepared by Council's legal representative.
38. VPAs must be notified publicly under the EP&A Act and Council's policy. Following the negotiation and assessment of the VPA, the matter will be reported back to Council for a decision about whether to proceed with public exhibition of the VPA.

## **NEXT STEPS**

39. Should Council endorse the planning proposal provided at Attachment 1 it will be forwarded to the Department of Planning and Environment for Gateway determination.
40. Once a Gateway determination is received, the planning proposal will be placed on public exhibition and the outcomes of same will be reported to Council. The draft VPA should be exhibited concurrently with the planning proposal. A report on the outcomes of the VPA negotiations will be put to Council before it is publicly exhibited.

Sonia Jacenko  
**Project Officer - Land Use Planning**

**ATTACHMENTS:**

- |          |                                    |          |
|----------|------------------------------------|----------|
| <b>1</b> | Planning Proposal                  | 17 Pages |
| <b>2</b> | Voluntary Planning Agreement Offer | 1 Page   |

**REFERENCE MATERIAL**

# Planning Proposal

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11 Hassall Street, Parramatta

Parramatta City Council

August 2014

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### **A** Indicative Architectural Drawings

*PTI Group Architects*

### **B** Flood Impact Report

*Mott MacDonald*

## 1.0 Introduction

This Planning Proposal seeks to amend the *Parramatta City Centre Local Environmental Plan 2007* (City Centre LEP) to modify the maximum building height and FSR controls that apply to the site at 11 Hassall Street. The Planning Proposal is required to facilitate a feasible building envelope on the site.

The proposed amendment may be made to the amalgamated Parramatta City Centre LEP 2007 and Parramatta LEP 2011 which is currently subject to a separate planning proposal.

## 2.0 The Site

The site is located at 11 Hassall Street, Parramatta. The site is located at the south-eastern part to the city centre and has frontage to Hassall and Parkes Streets. The site is legally described as Lot 1 in DP 951181 and has a total area of 1,782m<sup>2</sup>.

The site is bound by the Clay Cliff Drainage Channel to the south. The Channel is uncovered for approximately 100m along Parkes Street (south). Access to the site from the south is provided via two pedestrian bridges crossing over the channel. A site map is provide in **Figure 1** below.



 The Site

**Figure 1** – Site map

## 3.0 Existing Planning Controls

The *Parramatta City Centre Local Environmental Plan 2007* (City Centre LEP) is the primary environmental planning instrument applying to the site. This Planning Proposal seeks to amend the height and FSR controls that currently apply to the site to facilitate a feasible future residential redevelopment. The key current and draft planning controls that apply to the site are summarised in **Table 1** below.

**Table 1** – Key Planning Controls

| Control                                                                 | City Centre LEP                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Consolidated LEP                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
|-------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Zoning</b>                                                           | B4 Mixed-use                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | B4 Mixed-use                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| <b>Height</b>                                                           | 72 metres                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | 72 metres (82.2m with 15% uplift)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| <b>FSR</b>                                                              | 6.56:1<br><i>Calculated in accordance with Clause 22(3)(b). It is noted that this is to be amended under the consolidated LEP.</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | 7.56:1<br><i>Calculated in accordance with the consolidated LEP.</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| <b>Building Street Frontage</b>                                         | <ul style="list-style-type: none"> <li>One street frontage of 20m or more</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | <ul style="list-style-type: none"> <li>One street frontage of 20m or more</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| <b>Building Separation</b><br>(As per the Residential Flat Design Code) | <ul style="list-style-type: none"> <li>Up to 4 storeys (12m): <ul style="list-style-type: none"> <li>12m between habitable rooms/balconies;</li> <li>9m between habitable &amp; non-habitable rooms; and</li> <li>6m between non-habitable rooms.</li> </ul> </li> <li>5 to 8 storeys (up to 25m) <ul style="list-style-type: none"> <li>18 m between habitable rooms/balconies</li> <li>13 m between habitable rooms/balconies &amp; non-habitable rooms</li> <li>9 m between non-habitable rooms</li> </ul> </li> <li>9 storeys and above (over 25m) <ul style="list-style-type: none"> <li>24m between habitable rooms/balconies</li> <li>18m between habitable/balconies &amp; non-habitable rooms;</li> <li>12m between non-habitable rooms</li> </ul> </li> </ul> | <ul style="list-style-type: none"> <li>Up to 4 storeys (12m): <ul style="list-style-type: none"> <li>12m between habitable rooms/balconies;</li> <li>9m between habitable &amp; non-habitable rooms; and</li> <li>6m between non-habitable rooms.</li> </ul> </li> <li>5 to 8 storeys (up to 25m) <ul style="list-style-type: none"> <li>18 m between habitable rooms/balconies</li> <li>13 m between habitable rooms/balconies &amp; non-habitable rooms</li> <li>9 m between non-habitable rooms</li> </ul> </li> <li>9 storeys and above (over 25m) <ul style="list-style-type: none"> <li>24m between habitable rooms/balconies</li> <li>18m between habitable/balconies &amp; non-habitable rooms;</li> <li>12m between non-habitable rooms</li> </ul> </li> </ul> |
| <b>Flooding</b>                                                         | <ul style="list-style-type: none"> <li>Clause 33A outlines the specific requirements for development on flood prone land. The key flooding constraints of the site and the flood affectation of the proposed development in accordance with the LEP and Councils Flood Plain risk Management Policy are detailed in the Flood Impact Report (<b>Appendix B</b>) prepared for the site and addressed later in this planning proposal.</li> <li>The flood impact report finds that the flooding constraints on the site are able to accommodate the proposal subject to the recommendations outlined later in this planning proposal.</li> </ul>                                                                                                                          | <ul style="list-style-type: none"> <li>Clause 6.3 of the Parramatta LEP 2011. The clause includes the specific flood planning controls that must be addressed which are detailed in the Flood Impact Report prepared for the site and addressed later in this planning proposal.</li> <li>The flooding constraints on the site are able to accommodate the proposal subject to the recommendations outlined later in this planning proposal.</li> </ul>                                                                                                                                                                                                                                                                                                                 |
| <b>Architectural Roof Features</b>                                      | <ul style="list-style-type: none"> <li>Clause 21A of the City Centre LEP applies to the site and permits architectural roof features that: <ul style="list-style-type: none"> <li>comprises a decorative element on the uppermost portion of a building, and</li> <li>is not an advertising structure, and</li> <li>does not include floor space area and is not reasonably capable of modification to include floor space area, and</li> <li>will cause minimal overshadowing, and</li> </ul> </li> </ul>                                                                                                                                                                                                                                                              | <ul style="list-style-type: none"> <li>Clause 5.6 of the Parramatta LEP 2011 permits architectural roof features that: <ul style="list-style-type: none"> <li>comprises a decorative element on the uppermost portion of a building, and</li> <li>is not an advertising structure, and</li> <li>does not include floor space area and is not reasonably capable of modification to include floor space area, and</li> <li>will cause minimal overshadowing,</li> </ul> </li> </ul>                                                                                                                                                                                                                                                                                      |

| Control | City Centre LEP                                                                                                                                                                                                                                         | Consolidated LEP                                                                                                                                                                                                                                                   |
|---------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|         | <p>— any building identification signage or equipment for servicing the building (such as plant, lift motor rooms, fire stairs and the like) contained in or supported by the roof feature is fully integrated into the design of the roof feature.</p> | <p>and</p> <p>— any building identification signage or equipment for servicing the building (such as plant, lift motor rooms, fire stairs and the like) contained in or supported by the roof feature is fully integrated into the design of the roof feature.</p> |

## 4.0 The Planning Proposal

### 4.1 Part 1 - Objectives or Intended Outcomes

To facilitate a taller single tower structure that achieves a high level of residential amenity and reinforces the built form shape of the Parramatta CBD whilst ensuring that there are no significant adverse environmental impacts.

### 4.2 Part 2 – Explanation of Provisions

#### Height

It is proposed to amend the City Centre LEP to permit a maximum building height of 130m (RL 137.70). The proposed building height map is provided at **Section 4.4**.

#### FSR

It is proposed to amend the City Centre LEP to permit a maximum FSR of 10.2:1 across the site, calculated on a site area of 1,782m<sup>2</sup>. This figure is exclusive of the additional 10% that can be achieved under Clause 22(B) of the PCC LEP 2007 through a Design Excellence Competition process. The proposed FSR map is provided at **Section 4.4**.

### 4.3 Part 3 - Assessment of Planning Proposal against NSW Department of Planning and Infrastructure Guidelines

#### 4.3.1 Need for a Planning Proposal

##### Q1 – Is the planning proposal a result of any strategic study or report?

This planning proposal is not the result of any strategic study or report however has been the subject of detailed site testing to determine the most appropriate development for the site and the building height limit that is most appropriate for the site's location within the city centre.

##### Q2 – Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

This planning proposal is the best means of achieving the intended outcome of the development, which is to facilitate a residential development on the site with a maximum building height of 130m. The current height control does not permit the redevelopment of the site whilst providing an appropriate built form or residential amenity outcome.

#### 4.3.2 Relationship to strategic planning framework

##### Q3 – Is the planning proposal consistent with the objectives and actions of the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)?

The Draft Metropolitan Strategy and Draft West Central Draft Subregional Strategy strengthens the stated policy of the NSW State Government that Parramatta should continue to develop as Greater Sydney's second CBD. The proposed development facilitated by this Planning Proposal supports this policy by creating additional housing and employment growth within the Parramatta CBD.

##### Q4 – Is the planning proposal consistent with a council's local strategy or other local strategic plan?

The planning proposal is consistent with Council's community strategic plan, *Parramatta 2038*. The plan outlines a series of goals for Parramatta's economy, environment, connectivity, people, culture and leadership. The proposed development will help to achieve these goals by facilitating an integrated mixed-use development in close proximity to public transport and employment.

##### Q5 – Is the planning proposal consistent with applicable State Environmental Planning Policies?

An assessment of the planning proposal against applicable State Environmental Planning Policies (SEPPs) is provided in the **Table 2** below.

**Table 2 – Consistency with relevant SEPPs**

| State Environmental Planning Policies (SEPPs)                                            | Consistent |    | N/A | Comment                                                                                                                                                                                                                                                                                                                                                         |
|------------------------------------------------------------------------------------------|------------|----|-----|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                                                          | YES        | NO |     |                                                                                                                                                                                                                                                                                                                                                                 |
| SEPP No 1 Development Standards                                                          |            |    | ✓   | SEPP 1 does not apply to Parramatta City Centre City Centre LEP.                                                                                                                                                                                                                                                                                                |
| SEPP No 4 Development Without Consent and Miscellaneous Exempt and Complying Development |            |    | ✓   | SEPP (Exempt and Complying Development Codes) 2008 applies to the site.                                                                                                                                                                                                                                                                                         |
| SEPP No 6 Number of Storeys                                                              |            |    | ✓   | Standard instrument definitions apply.                                                                                                                                                                                                                                                                                                                          |
| SEPP No 32 Urban Consolidation (Redevelopment of Urban Land)                             | ✓          |    |     | The planning proposal is consistent with SEPP 32 in providing for the opportunity for the development of additional housing in an area where there is existing public infrastructure, transport, and community facilities, and is close to employment, leisure and other opportunities.                                                                         |
| SEPP No 55 Remediation of Land                                                           |            |    | ✓   | A place of public worship has occupied the site for a number of years. This type of use is not listed in Table 1 to the Contaminated Land Planning Guidelines. Therefore the site is unlikely to be contaminated however this will be further addressed at the DA stage.                                                                                        |
| SEPP No 60 Exempt and Complying Development                                              |            |    | ✓   | SEPP (Exempt and Complying Development Codes) 2008 applies to the site.                                                                                                                                                                                                                                                                                         |
| SEPP No 64 Advertising and signage                                                       |            |    | ✓   | Not relevant to proposed amendment. May be relevant to future DAs.                                                                                                                                                                                                                                                                                              |
| SEPP No 65 Design Quality of Residential Flat Development                                | ✓          |    |     | Detailed compliance with SEPP 65 will be demonstrated at the time of making a development application for the site facilitated by this planning proposal. During the design development phase, detailed testing of SEPP 65 and the Residential Flat Design Code was carried out and the indicative scheme is capable of demonstrating compliance with the SEPP. |
| SEPP No.70 Affordable Housing (Revised Schemes)                                          |            |    | ✓   | Not relevant to proposed amendment.                                                                                                                                                                                                                                                                                                                             |
| SEPP (Affordable Rental Housing) 2009                                                    |            |    | ✓   | Not relevant to proposed amendment.                                                                                                                                                                                                                                                                                                                             |
| SEPP (BASIX) 2004                                                                        | ✓          |    |     | Detailed compliance with SEPP (BASIX) will be demonstrated at the time of making a development application for the site facilitated by this planning proposal.                                                                                                                                                                                                  |
| SEPP (Exempt and Complying Development Codes) 2008                                       | ✓          |    |     | May apply to future development of the site.                                                                                                                                                                                                                                                                                                                    |
| SEPP (Infrastructure) 2007                                                               | ✓          |    |     | May apply to future development of the site.                                                                                                                                                                                                                                                                                                                    |
| SEPP (State and Regional Development) 2011                                               | ✓          |    |     | The future development of the site is likely to be deemed as 'regional development' (meeting the relevant thresholds under Schedule 4A of the EP&A Act), with the JRPP acting as the determining authority.                                                                                                                                                     |
| Sydney Regional Environmental Plan No 18–Public Transport Corridors                      |            |    | ✓   | Although this SREP applies to Parramatta LGA, no public transport corridors are located on or adjacent to the site.                                                                                                                                                                                                                                             |

| State Environmental Planning Policies (SEPPs)                      | Consistent |    | N/A | Comment                                                                                                                                                                                                                                          |
|--------------------------------------------------------------------|------------|----|-----|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                                    | YES        | NO |     |                                                                                                                                                                                                                                                  |
| Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005 | ✓          |    |     | The proposed development is not located directly on the Sydney Harbour Catchment foreshore. Any potential impacts as a result of development on the site, such as stormwater runoff, will be considered and addressed appropriately at DA stage. |

#### Q6 – Is the planning proposal consistent with applicable Ministerial Directions (s.117 directions)?

The planning proposal is consistent with the relevant directions for planning proposals issued by the Minister for Planning under Section 117(2) of the EP&A Act. The relevant S.117 directions are addressed in **Table 3** below.

**Table 3** – Assessment against the relevant S.117 directions

| Section                                                 | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Consistency |
|---------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|
| <b>1. Employment and Resources</b>                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |             |
| <b>1.1 Business and Industrial Zones</b>                | <ul style="list-style-type: none"> <li>The planning proposal does not propose to change the zoning of the site and will facilitate commercial uses in the future development of the site.</li> <li>Whilst the proposal includes mixed uses, this is consistent with the mixed use zoning.</li> </ul>                                                                                                                                                                                                                                                                                          | ✓           |
| <b>2. Environment and Heritage</b>                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |             |
| <b>2.3 Heritage Conservation</b>                        | <ul style="list-style-type: none"> <li>The planning proposal will not provide a detrimental impact on the surrounding heritage items.</li> <li>The future development of the site will not provide significant overshadowing impact to the Harris Park West Heritage Conservation Precinct.</li> <li>A number of other items of heritage significance are within the general locality of the site. The planning proposal will not affect the conservation of these items.</li> <li>Historic views and view corridors will also be preserved in accordance with the Parramatta DCP.</li> </ul> | ✓           |
| <b>3. Housing, Infrastructure and Urban Development</b> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |             |
| <b>3.1 Residential Zones</b>                            | <p>The planning proposal is consistent with this direction, in that it:</p> <ul style="list-style-type: none"> <li>facilitates additional housing in the Parramatta City Centre that is currently not provided on the site</li> <li>provides residential development in an existing urban area that will be fully serviced by existing infrastructure</li> <li>does not reduce the permissible residential density of land</li> <li>will facilitate a high level of residential amenity and provide a high quality design.</li> </ul>                                                         | ✓           |
| <b>3.4 Integrating Land Use and Transport</b>           | <p>The planning proposal is consistent with this direction, in that it:</p> <ul style="list-style-type: none"> <li>will provide new dwellings in close proximity to existing public transport links</li> <li>will enable residents to walk or cycle to work if employed in the Parramatta CBD</li> <li>will provide new commercial premises in proximity to existing transport links</li> <li>makes more efficient use of space and infrastructure by increasing densities on an underutilised site</li> </ul>                                                                                | ✓           |
| <b>3.5 Development Near Licensed Aerodromes</b>         | <ul style="list-style-type: none"> <li>The Bankstown Airport OLS for the Parramatta CBD is a horizontal plane situated at 156m AHD. The planning proposal is consistent with this direction as the proposed height of 130m (RL 137.70) is below the Bankstown OLS.</li> </ul>                                                                                                                                                                                                                                                                                                                 | ✓           |
| <b>4. Hazard and Risk</b>                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |             |

|                                                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |   |
|--------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|
| <b>4.1 Acid Sulfate Soils</b>                                      | <ul style="list-style-type: none"> <li>The site is identified as Class 4 and Class 5 on the Acid Sulfate Soils Map in <i>Parramatta City Centre Local Environmental Plan 2007</i>. Acid sulfate soils are generally not found in Class 5 areas however this will be addressed further at the development application stage.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | ✓ |
| <b>4.3 Flood Prone Land</b>                                        | <p>The proposal is consistent with the relevant objectives as outlined below.</p> <ul style="list-style-type: none"> <li>The Flood Impact Report (<b>Appendix B</b>) prepared for the development provides that the development of the site is consistent with the NSW Government's Flood Prone Land Policy and the principles of the Floodplain Development Manual 2005;</li> <li>The flooding impacts of the proposal have been assessed with consideration of the potential flood impacts both on and off the site and have considered the future development of surrounding areas;</li> <li>The flood impact report finds that the proposal will not significantly alter flood waters within the area and is provided with floor levels and free board requirements above that required in the NSW Government's Flood Prone Land Policy and the Floodplain Development Manual.</li> <li>The proposal (as provided in the indicative architectural drawings) will provide finished floor levels in accordance with the requirements of the NSW Floodplain Development Manual.</li> <li>Development on the site is required to provide a crest to the basement entry that will ensure a 500mm freeboard above the PMF level. Due to the site levels on Hassall Street this is a desired outcome that is easily achievable and will not have an adverse effect on the design of the development.</li> <li>The planning proposal will not create any additional impact on flooding hazards that will result in a substantially increased requirement for government spending on flood mitigation measures, infrastructure or services. The proposed development seeks to setback the ground floor level car park fronting Parkes Street from the drainage channel to the 20 year flood extent. This treatment would provide a path allowing flood waters to flow without obstruction.</li> <li>It is noted that the proposal will permit an increase in development potential of the land, however as outlined in the Flood Impact Report, the indicative building footprint will not have any significant impact on flood waters up stream or downstream of the site.</li> <li>Further and additional flood mitigation works will be assessed during the DA stage.</li> </ul> | ✓ |
| <b>6. Local Plan Making</b>                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |   |
| <b>6.1 Approval and Referral Requirements</b>                      | The planning proposal does not introduce any provisions that require any additional concurrence, consultation or referral.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | ✓ |
| <b>6.3 Site Specific Provisions</b>                                | This planning proposal does not propose any site specific provisions other than maximum height and FSR controls to be shown on the standard LEP maps.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | ✓ |
| <b>7. Metropolitan Planning</b>                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |   |
| <b>7.1 Implementation of the Metropolitan Plan for Sydney 2036</b> | The planning proposal is consistent with the <i>Metropolitan Plan for Sydney 2036</i> – this is discussed in this planning proposal.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | ✓ |

### 4.3.3 Environmental, social and economic impact

#### Q7 – 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 planning proposal will not result in any impact on critical habitat or threatened species, populations or ecological communities or their habitats, given the site's urban location.

#### Q8 – Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?

##### Residential Amenity

An indicative development scheme has been prepared by PTI Architects and is provided at **Appendix A**. The indicative scheme has been designed to reflect the Planning Proposal and has been designed to respond to the site's location within the south-eastern portion of the Parramatta City Centre, solar access constraints, existing vehicle access arrangements and residential amenity considerations for a mixed use development in close proximity to the neighbouring developments.

As provided in the Architectural Drawings (**Appendix A**), a residential scheme compliant with the current City Centre LEP controls best accommodates a design with two tower forms, similar to the existing neighbouring building at 13 Hassall Street and the future scheme at 9 Hassall Street. Due to the minimal setbacks and building separation distances provided by the neighbouring developments the redevelopment of the subject site provides constraints in regards to the direct overlooking of primary living areas as well as solar access and natural ventilation. As indicated in the Architectural Drawings (**Appendix A**), a scheme providing a single tower form will provide greater residential amenity than that of a dual tower form, as outlined in **Table 4** below.

**Table 4** – Impact on living spaces of adjoining properties

| Property      | Number of units affected (Single Tower Scheme) | Number of units affected (Dual tower scheme) |
|---------------|------------------------------------------------|----------------------------------------------|
| 13 Hassall St | 15                                             | 47                                           |
| 9 Hassall St  | 34                                             | 52                                           |
| <b>Total</b>  | <b>49</b>                                      | <b>99</b>                                    |

As such the redevelopment of the site for residential purposes best accommodates a single tower form. The proposed built form will create a minimal amount of additional overshadowing of Jubilee Park during mid-winter; however this will only occur for approximately 30 minutes in the early morning and will be entirely redistributed away from the park by 10am.

The height of the proposal has been derived from the Parramatta CBD Height Study (**Appendix A**) which includes a number of building massing diagrams. The height study provides an assessment of the proposed building height within the wider context of the Parramatta CBD as well as the micro context of the site and the relationship with the south-eastern edge of the city.

The results of the height study find that the existing and future development throughout the CBD will reiterate the desired 'bell-curve' skyline with the 'Aspire Tower' and Parramatta Square developments being the landmark centre of the city. The proposed building height will complement the desired CBD skyline. The proposed building height will serve as a marker to the south-eastern portion of the CBD whilst reinforcing the CBD skyline.

##### Overshadowing

A shadow analysis of the site is provided in the Architectural Drawings (**Appendix A**). It is noted that the site does not fall within the Lancer Barracks or the Jubilee Park sun access plane. The shadow studies indicate that the proposal will not provide any significant adverse overshadowing impact on Jubilee Park.

The proposed building height will provide additional overshadowing to Jubilee Park for approximately 30 minutes during the winter solstice (June 22<sup>nd</sup>). The additional overshadowing will be to a minor portion of the park and will be completely gone by 10am.

## Built Form

A height analysis of the Parramatta CBD has been prepared and is included in the indicative Architectural Drawings provided at **Appendix A**. The analysis includes an assessment of the existing, proposed and potential future development within the Parramatta CBD and provides that the proposed additional height control for the site will be commensurate with the desired 'bell curved' shape of the CBD. Specifically, the increased building height on the site will achieve the following built form outcomes:

- The increased building height is subservient to the taller buildings in the City Centre and reinforces the desired 'bell curve' shape of the CBD skyline;
- the planned building heights and current and future development of the street blocks to the south-east of the site will appropriately step down the building heights between the city centre and Harris Park to the west; and
- The proposed amendments will facilitate a taller single tower structure that will provide improved residential amenity outcomes for both the neighbouring buildings and the future tenants on the site.

### Consistency with height objectives

The proposal's consistency with the objectives for building heights under the City Centre LEP is demonstrated in **Table 5** below.

**Table 5** – Consistency with height objectives of City Centre LEP

| Objective                                                                                                                                                                                    | Proposal                                                                                                                                                                                                                                                                                                                                                           | Consistency |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|
| (a) to allow sunlight access to key areas of the public domain by ensuring that further overshadowing of parks, the river and community places is avoided or limited during nominated times, | The proposed height amendment will facilitate the future development of the site in a single slender tower form that will not provide any significant overshadowing impacts to Jubilee Park or surrounding areas of public domain.                                                                                                                                 | ✓           |
| (b) to provide high quality urban form for all buildings,                                                                                                                                    | The proposal will facilitate the redevelopment of the site making a positive contribution to the Parramatta CBD skyline and the local urban form.                                                                                                                                                                                                                  | ✓           |
| (c) to maintain satisfactory sky exposure and daylight to existing buildings, to the sides and rear of tower forms and to public areas, including parks, streets and lanes,                  | The proposal will facilitate the redevelopment of the site as a single tower form, hence providing a level of residential amenity that is greater than what is currently permitted under the LEP controls. The neighbouring dual tower forms are built with minimal setbacks to the site and as such cater for a taller single tower form development on the site. | ✓           |
| (d) to ensure that taller development occurs on sites capable of providing appropriate urban form and amenity,                                                                               | The proposal will enable a taller mixed-use residential building to be provided on the site. The proposed height is commensurate with the site's city centre location and the scale of surrounding built form. Further, the site is located in close proximity to existing major transport infrastructure.                                                         | ✓           |
| (e) to nominate heights that will provide a transition in built form and land use intensity within the area covered by this Plan,                                                            | The proposed building height steps up appropriately from the surrounding development to the south east of the site and responds to the current and future building heights in the CBD.                                                                                                                                                                             | ✓           |
| (f) to require the height of future buildings to have regard to heritage sites, and their settings, their views and their visual interconnections,                                           | The proposed height will not have a detrimental impact on any heritage items. The site is not located within a nominated view protection corridor.                                                                                                                                                                                                                 | ✓           |
| (g) to ensure the preservation of historic views shown in the City Centre Development Control Plan.                                                                                          | The site is not located within a historic view corridor.                                                                                                                                                                                                                                                                                                           | N/A         |

### Consistency with FSR objectives

The proposal's consistency with the objectives for FSR under the City Centre LEP is demonstrated in **Table 6** below.

**Table 6** – Consistency with FSR objectives of the City Centre LEP

| Objective                                                                                                                                                                  | Proposal                                                                                                                                                                                                                                                                      | Consistency |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|
| (a) to ensure a degree of equity in relation to development potential for sites of different sizes and for sites located in different parts of the Parramatta city centre, | The proposal will not result in a reduction in development potential on any nearby sites. The size of the site and the neighbouring development warrants an increased FSR for the site in order to accommodate a future development with a high level of residential amenity. | ✓           |
| (b) to ensure that proposals for new buildings are assessed with due regard to the design excellence and built form provisions of this Plan,                               | Built form has been a key consideration in this proposal. The proposed FSR amendment facilitates the high quality redevelopment of the site. Future development of the site will require a design competition and will hence be required to demonstrate design excellence.    | ✓           |
| (c) to provide sufficient floor space for high quality development for the foreseeable future,                                                                             | The indicative building plans have been prepared by PTI Architects to ensure that the proposed FSR is capable of accommodating a quality mixed-use residential development that provides a high level of residential amenity.                                                 | ✓           |
| (d) to regulate density of development and generation of vehicular and pedestrian traffic,                                                                                 | Parking rates and traffic generation studies will be in accordance with the LEP rates and will be further investigated at Development Application stage. The proposed development will also take advantage of the multitude of transportation modes in the local area.        | ✓           |
| (e) to encourage increased building height and site amalgamation at key locations.                                                                                         | The site is appropriately located to accommodate a building of increased height. Amalgamation with the neighbouring sites is not achievable and as such the redevelopment of the site requires an increase in the height and FSR controls.                                    | ✓           |

### Flood Impacts

A Flood Impact Report has been prepared for the proposal by Mott MacDonald and is provided at **Appendix B**. The report identifies the site, in accordance with Council's flood risk/hazard map as a *High Risk* category during 1% Annual Exceedance Probability (AEP) Storm Event. During the 1% AEP storm waters currently enter the site from the overtopping of the Clay Cliff Creek Channel and overland flow from the west, along Parkes Street.

The report has considered the indicative Architectural Drawings (**Appendix A**) and finds that the proposal will result in a reduction in the total site flood storage of 32m<sup>3</sup>. The report considers this to be minor loss on flood affectation in the surrounding area and is not considered to be a critical factor in the development of the site.

The assessment has considered the impact of the proposal to increase the water surface level of approximately 0-7mm within the immediate vicinity of the site and immediately downstream. Increases of up to 17mm are anticipated to occur within small isolated areas upstream of the site. The increase in water surface level corresponds with local topography undulations and not considered to be significant or to have any adverse impact on any private properties or developable areas within the precinct. The assessment considers the overall flooding conditions resulting from the proposal to be of a similar magnitude to that of the existing scenario.

The report finds that the entrance to the basement levels from Hassall Street, as provided in the indicative Architectural Drawings, is appropriate as the entry level can be designed above the Probable Maximum Flood Level (PMF) including a 500mm freeboard.

The following are recommendations informed by Council and the Flooding Impact Assessment Report for the proposed redevelopment of the site:

- the basement/car park walls are to be designed to be flood tolerant in both material and design;
- the entrance to the basement is to be designed with a crest that includes a 500mm freeboard height above the PMF level to prevent water inundation;
- a ground level setback commensurate with that provided by the approved neighbouring building at 9 Hassall Street to avoid obstructing the 100 year flood event. The setback will essentially correspond with the 20 year flood inundation limit;
- the floor level of the relevant building elements are to be provided in accordance with the following
  - Ground floor level fronting Hassall Street - RL. AHD 10;
  - Ground floor fronting Parkes Street - RL. AHD10;
  - Lowest Habitable Floor Level - RL. AHD 16.10; and
  - Basement entry ramp Hassall Street – RL. AHD 10.
- the 'ultimate' flooding conditions within the area surrounding the site and within the local food regime, including future development at 20-24 Kendall Street, are considered to have no significant increase in flood levels; and
- the flooding impact on the proposal in the event that the Clay Cliff Creek Culvert experienced a 50% blockage factor finds that the lowest habitable floor level provided in the indicative architectural drawings provides a 7.64m clearance distance above the modelled water level, therefore demonstrating compliance with the NSW Floodplain Development Manual.

The Flood impact Report provides a detailed assessment of Council's *Local Floodplain Risk Management Policy* in accordance with the medium flood risk precinct planning controls and finds that, with the results obtained from the detailed flood modelling, the development provided in the indicative architectural drawings complies with the relevant floodplain risk management objectives.

Mott MacDonald find that the proposal, despite being identified as a *high flood risk precinct*, complies with the relevant objectives of the *Local Floodplain Risk Management Policy* and the indicative design of the proposal and risk management procedures constitute a 'suitable land use' for the site. Mott MacDonald recommends that the site is suitable for the proposal in regards to flooding constraints.

#### Q9 – Has the planning proposal adequately addressed any social and economic effects?

The proposed development will result in positive economic and social flow-on effects for the local area. The renewed commercial components of the development will contribute to employment and commerce in the area by providing new spaces for local businesses in an appropriate location. The residential component will deliver valuable housing in a location close to public transport, community facilities and jobs. Overall, the proposed development will support the viability of Parramatta as Sydney's premier regional CBD.

### 4.3.4 State and Commonwealth Interests

#### Q10 – Is there adequate public infrastructure for the planning proposal?

The site is located in an established urban area and has access to a range of existing services. Further investigations will be undertaken as part of the DA stage to determine whether any upgrade of existing facilities is required.

#### Q11 – What are the views of State and Commonwealth public authorities consulted in accordance with the Gateway determination?

State and Commonwealth authorities will have the opportunity to provide comment on the planning proposal as part of its formal exhibition. Any future DA will be referred to the relevant authorities as required.

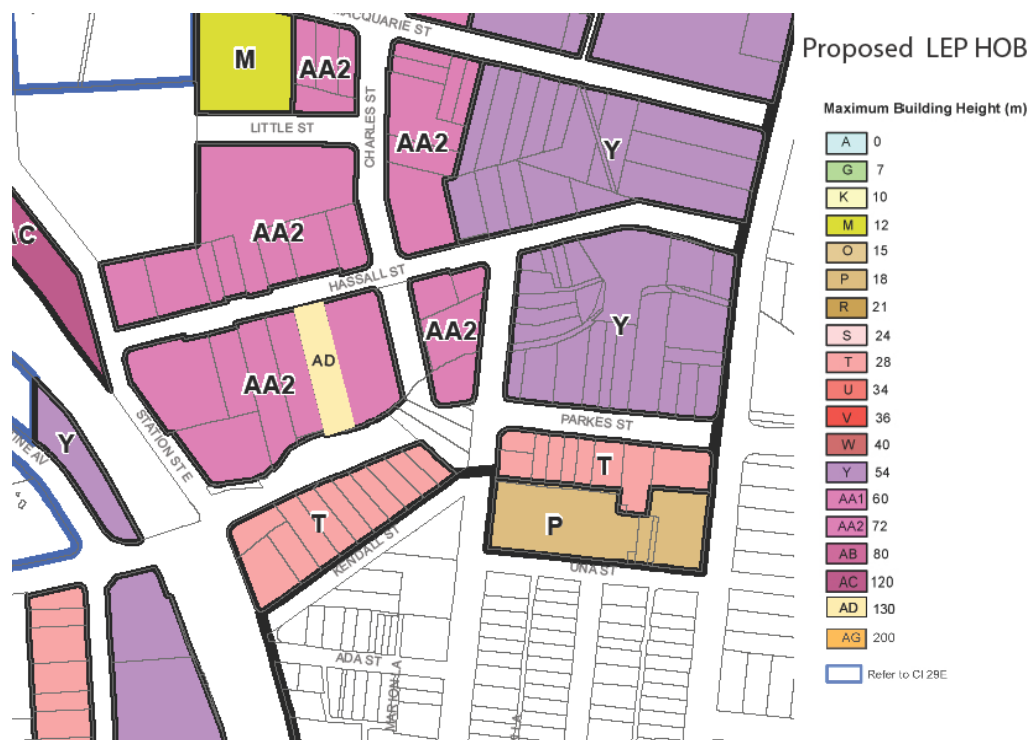
## 4.4 Part 4 – Mapping

Maps of the proposed amendments to the LEP height and FSR controls applying to the site have been provided and are located below at **Figures 2 to 5**.



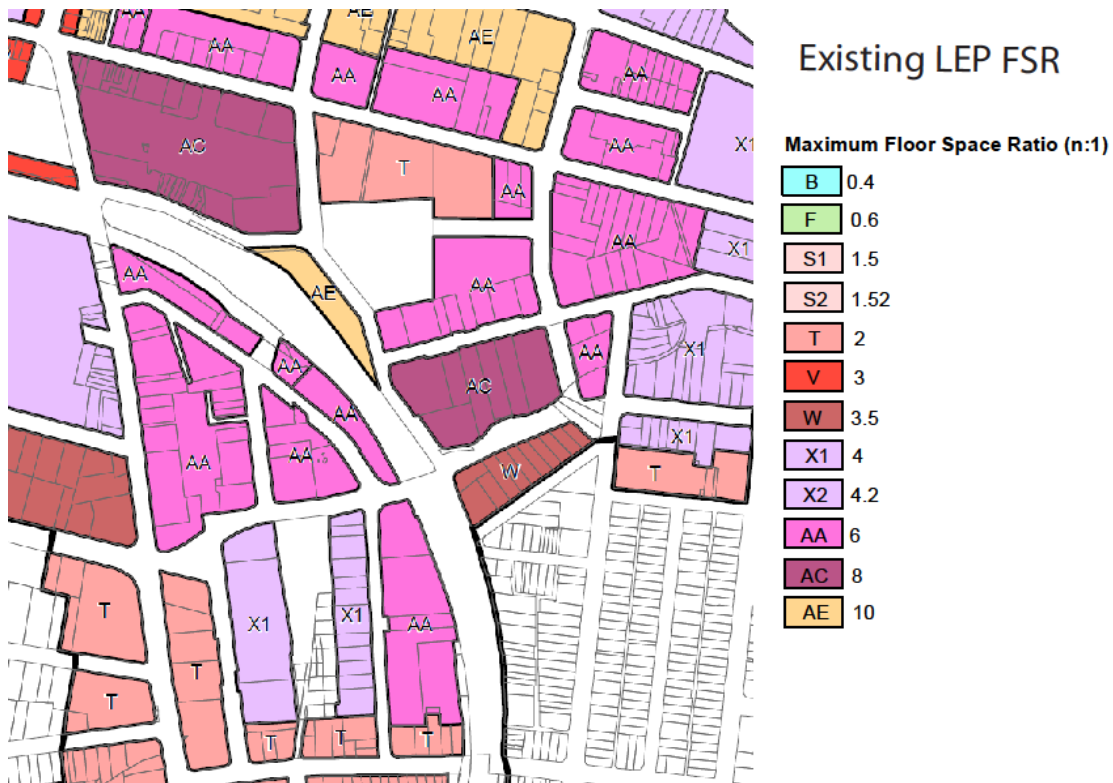
**Figure 2 – Existing Parramatta Local Environmental Plan (City Centre) 2007 FSR controls**

Source: Parramatta Council



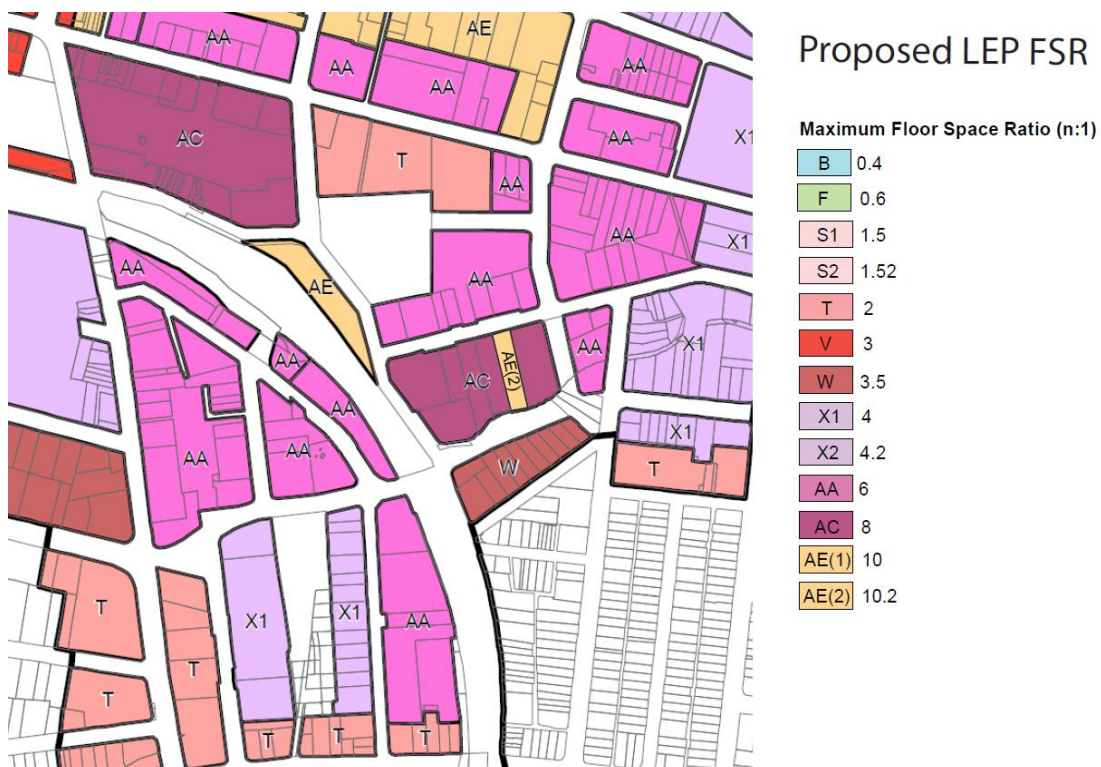
**Figure 3 – Proposed FSR controls**

Source: JBA



**Figure 4 – Existing Parramatta Local Environmental Plan (City Centre) 2007 building height controls**

Source: Parramatta Council



**Figure 5 – Proposed building height controls**

Source: JBA

## 4.5 Part 5 - Community Consultation

It is noted that confirmation of the public exhibition period and requirements for the planning proposal will be outlined in the Gateway determination. It is recommended that this planning proposal be exhibited for 28 days.

## 4.6 Part 6 - Indicative Timeline

Below is an indicative timeline for the planning proposal.

- Referral to Minister for Gateway determination: September 2014
- Date of Gateway determination: October 2014
- Exhibition including government agency consultation: November 2014
- Timeframe for the consideration of proposal post exhibition: November/December 2014
- Reporting of proposal to Council: December 2014
- Date of submission to PCO to finalise the LEP: December 2014

# Saab Parramatta Pty Ltd & Sonenco Parramatta Pty Ltd

10 River Road West, Parramatta, NSW 2150

23<sup>rd</sup> July 2014

The General Manager  
Parramatta City Council  
Attention : Jennifer Concato, Land Use Planning Manager  
by email : [jconcato@parracity.nsw.gov.au](mailto:jconcato@parracity.nsw.gov.au)

## Re: 11 Hassall St, Parramatta : Voluntary Planning Agreement to accompany the Planning Proposal

This is to confirm that as part of the Planning Proposal being prepared for 11 Hassall St, we hereby dedicate a sum of \$200,000 to Council for the purpose of the public's benefit by means of a VPA (Voluntary Planning Agreement) for this site.

These moneys are provided for the implementation of the Robin Thomas Reserve Masterplan. This being that the reserve provides a very large and important recreation area for the people of Parramatta, and one where there is a considerable need and demand for it to be upgraded.

By making this monetary offer, we understand that this will assist in the delivery of the works identified under this Masterplan, which is beneficial to the community as the people of Parramatta can much quicker benefit from the completed works.

We note that this VPA is made under Section 93F of the Environmental Planning and Assessment Act 1979 which benefits the community by securing resources to be used for public purpose. Further that these funds are provided in addition to the full Section 94A development contributions pertaining to the development of 11 Hassall St

Yours faithfully,



Danny Fayad  
Director Sonenco Parramatta



Andrew Saab  
Director Saab Parramatta