



Our Reference: F2013/02004  
Contact: Roy Laria  
Telephone: 02 9806 5679

Catherine Van Laeren  
Director – Sydney West Region  
Department of Planning & Environment  
GPO Box 39  
SYDNEY NSW 2001

24 April 2017

Via email: [Catherine.VanLaeren@planning.nsw.gov.au](mailto:Catherine.VanLaeren@planning.nsw.gov.au)

Dear Catherine,

## RE: PARRAMATTA CBD PLANNING PROPOSAL – OUTSTANDING MATTERS

I am writing to provide advice and materials on four outstanding policy matters related to the Parramatta CBD Planning Proposal, with the aim of supporting the finalisation and release of the Gateway determination for the Parramatta CBD Planning Proposal. These four matters - value sharing, transport, flooding and heritage - are addressed in further detail below.

### 1. Value Sharing Policy Framework

Council considered this matter at its recent meeting on 10 April 2017 (*Item 8.3: Outcomes of the Public Exhibition of the Discussion Paper Infrastructure Planning and Funding in the Parramatta CBD*). With regards to this item, Council resolved as follows:

- a. That Council note the outcomes of the public exhibition of the Discussion Paper on Infrastructure Planning and Funding in the Parramatta CBD, including the independent Peer Review of Council's past work on value sharing and the Draft Parramatta CBD Infrastructure Needs Analysis, as outlined in this report.
- b. That Council continues to support the inclusion of a value sharing mechanism in the Parramatta CBD Planning Proposal, as previously endorsed by the former Parramatta City Council on 11 April 2016.
- c. That Council authorises preparation of a Draft Parramatta CBD Infrastructure Strategy for public exhibition alongside the Parramatta CBD Planning Proposal, including the following elements for consultation:
  1. A Draft Section 94A Contributions Plan maintaining the current 3% levy on developments with cost of development >\$250,000 to apply to the area to which the Parramatta CBD Planning Proposal applies; and
  2. A Draft Development Guideline pertaining to value sharing incorporating the recommendations of the independent Peer Review, namely:
    - 2.1 A Phase 1 value sharing rate of 20% (\$150/sqm);
    - 2.2 A Phase 2 value sharing rate of 50% (\$375/sqm)
    - 2.3 That value sharing applies to residential development only;
    - 2.4 That a mechanism for altering the rate in accordance with a residential market index be provided; and

*2.5 That value sharing should be re-evaluated after five years of implementation.*

- d. That, with regards to the Draft Section 94A Contributions Plan, Council authorises officers to approach the Department of Planning and Environment in order to start the process to update Clause 25K of the Environmental Planning and Assessment Regulation 2000 to reflect the proposed expansion of the CBD under the Parramatta CBD Planning Proposal.*
- e. That the issues raised during this public exhibition period which pertain to Voluntary Planning Agreement (VPA) implementation be considered as part of a draft update to Council's VPA policy, and that this be the subject of a separate report to Council.*
- f. Further, that Council write to the Department of Planning and Environment to advise them of this resolution in order to facilitate release of a Gateway determination on the Parramatta CBD Planning Proposal, and thereby an opportunity for further consultation with stakeholders.*

With regards to part d of the above resolution, Council officers are seeking advice from the Department on the required steps to facilitate an update to Clause 25K of the Environmental Planning and Assessment Regulation 2000. This matter arises because Clause 25K currently authorises a 3% Section 94A levy on land identified in the Land Application Map of the now repealed Parramatta City Centre LEP 2007 (PCCLEP2007). The Parramatta CBD Planning Proposal proposes to expand the boundary of the Parramatta City Centre from that area defined under PCCLEP2007. If the Parramatta CBD Planning Proposal is ultimately finalised with this expanded boundary, the City Centre as defined in the relevant LEP and the area defined under Clause 25K would no longer correspond. Your advice on this matter as soon as is practicable would be appreciated, as Council officers are currently preparing a new draft Section 94A plan for the Parramatta CBD.

We note that the Parramatta CBD Planning Proposal as endorsed by Council and submitted to the Department in April last year had planned to include an Infrastructure Delivery Plan (Appendix 11) and the Infrastructure Funding Models Study (IFMS) (Appendix 14). The Infrastructure Funding Models Study (**Attachment 1**) was reported to Council in June of last year. In response to that report, the Administrator resolved to undertake further work in relation to infrastructure planning and funding in the Parramatta CBD prior to finalising a policy position on this matter. This additional work included a Discussion Paper, Peer Review (of Council's policy work and of the IFMS), and a draft Parramatta CBD Infrastructure Needs Analysis which were recently exhibited (refer above resolution); these documents and the relevant Council Report are included at **Attachment 2**.

In light of the additional work undertaken, Council officers suggest that a condition of the Gateway determination should require that Appendix 14 in the originally submitted Planning Proposal is amended to include the IFMS, the Discussion Paper, Peer Review and Infrastructure Needs Analysis, and Appendix 11 is amended to refer to the Parramatta CBD Infrastructure Strategy (as per the above resolution). With relation to the Infrastructure Strategy, Council officers suggest that a Gateway condition should require finalisation of the draft Strategy prior to exhibition of the Parramatta CBD Planning Proposal, and exhibition with the Parramatta CBD Planning Proposal.

With regards to part f of the above resolution, I trust that our advice to you in this letter is satisfactory with regards to confirming Council's policy position on value sharing, and with finalising this aspect of your assessment of the Parramatta CBD Planning Proposal for Gateway determination accordingly.

## 2. Parramatta CBD Strategic Transport Study

Council considered this matter at its recent meeting on 10 April 2017 (*Item 8.11: Parramatta Central Business District Strategic Transport Study*). With regards to this item, Council resolved as follows:

- a. *That Council endorses the attached Parramatta CBD Strategic Transport Study and accompanying Technical Papers for the purposes of forwarding to the Department of Planning and Environment as part of the Parramatta CBD Planning Proposal.*
- b. *That Council endorses the action recommended by the Parramatta CBD Strategic Transport Study to reduce maximum car parking rates to levels currently used by City of Sydney CBD and that the Parramatta CBD Planning Proposal be amended to reflect this prior to public exhibition.*
- c. *That Council applies the recommended parking rates proposed in this report to existing site-specific Planning Proposals and Design Competitions within the Parramatta CBD as a provision applicable to each proposal or competition to ensure future development will be consistent with the strategic direction to reduce maximum car parking rates. (N.B. Only those site-specific planning proposals which are imminent to finalisation (gazettal), that is they have been endorsed by the Council to proceed to finalisation following public exhibition, will be exempt from this provision).*
- d. *That, for existing site-specific planning proposals which have received Gateway Determination with a condition requiring review or amendment of the planning proposal based on the mesoscopic model for the Parramatta CBD Planning Proposal, Council writes to the Department of Planning and Environment seeking support to amend the Conditions of Gateway Determination to remove the requirement to consider the findings of the mesoscopic model on the basis of a significant reduction of on-site car parking.*
- e. *That Council notes the reduction in parking rates recommended in (b) above will be further tested and may be recalibrated by the results of the mesoscopic model and the Integrated Transport Plan prior to gazettal of the Parramatta CBD Planning Proposal.*
- f. *That Council notes the Study will be publicly exhibited at the same time as the Parramatta CBD Planning Proposal and associated supporting technical documentation so as to facilitate stakeholder input at that time.*
- g. *Further, that Council write to all proponents of planning proposals in the Central Business District that are potentially impacted by this decision seeking comment during the exhibition period.*

The Strategic Transport Study and accompanying Technical Papers are included at **Attachment 3** of this letter; we have also included a copy of the Council report at **Attachment 4** for your information. Council officers suggest that a condition of the Gateway determination should reflect part b of the above resolution, namely, that the Planning Proposal be amended to reflect the Council-resolved rates prior to public exhibition.

Please also be advised that Council will shortly be preparing separate correspondence to you with regards to parts c and d of the above resolution. These parts of the

resolution relate to aligning car parking rates in existing site-specific planning proposals in the CBD with this resolution.

It should be noted that in discussions with Transport for NSW (TfNSW) and Roads and Maritime Services (RMS), it was agreed that the transport assessment process for the Parramatta CBD Planning Proposal would involve three phases, as follows:

1. Strategic Transport Study – this needs to be completed prior to exhibition (which has now been done).
2. Mesoscopic Model – this needs to be completed prior to gazettal of the planning proposal.
3. Integrated Transport Plan – this needs to be completed prior to gazettal of the planning proposal.

Council officers suggest that this agreed transport assessment process could also be reflected in a condition of the Gateway determination of the CBD Planning Proposal. Further, Council officers have also been working with TfNSW and RMS on a proposed road widening map, which would form part of the Parramatta CBD Planning Proposal during public exhibition. Council officers suggest that finalisation of this map prior to exhibition of the Parramatta CBD Planning Proposal could also be included as a condition of the Gateway determination.

I trust the forwarding of this information is satisfactory with regards to finalising this aspect of your assessment of the Parramatta CBD Planning Proposal for Gateway determination.

### **3. Flooding**

The Parramatta CBD Planning Proposal and corresponding Draft Flood Risk Management Plan [FRMP] propose to use the Probable Maximum Flood as the Flood Planning Level for the Parramatta CBD. Because of this, Council will need to apply and obtain approval for 'Exceptional Circumstances' in order to finalise the proposed amendments to planning controls. Also, the Draft FRMP concludes that vertical evacuation ("shelter in place") is an acceptable approach to flood evacuation in the Parramatta CBD, due to the unique characteristics of flooding in the Parramatta CBD. In order to strengthen and refine Council's policy position on flooding, respond to concerns from the NSW State Emergency Service (SES) on separate site-specific planning proposals in the Parramatta CBD regarding evacuation, and provide a further evidence base to support Council's forthcoming Exceptional Circumstances application, Council has commissioned consultants Molino Stewart to prepare a Flood Evacuation Assessment for the Parramatta CBD and consultants SJB to prepare a Horizontal Evacuation Pilot Study for the Civic Link (a key new public space planned for the CBD).

Please find enclosed at **Attachment 5** an update letter from consultants Molino Stewart detailing the progress and preliminary results of that study, which is due to be finalised prior to exhibition of the Parramatta CBD Planning Proposal. The Horizontal Evacuation Pilot Study is also due to be finalised prior to exhibition of the Parramatta CBD Planning Proposal. Council officers suggest that a condition of the Gateway determination should require that:

- these studies be finalised prior to exhibition of the Parramatta CBD Planning Proposal;
- if necessary, the Parramatta CBD Planning Proposal and Draft Update to Parramatta's Floodplain Risk Management Plan be amended as a result of these studies; and
- that the studies be exhibited with the Parramatta CBD Planning Proposal and Draft Update to Parramatta's Floodplain Risk Management Plan (amended as necessary).

Council officers suggest that a condition of the Gateway determination should require that the approval of the Exceptional Circumstances application be received prior to gazettal of the Parramatta CBD Planning Proposal.

I trust this letter is satisfactory with regards to finalising this aspect of your assessment of the Parramatta CBD Planning Proposal for Gateway determination.

#### **4. Heritage**

Since the completion of the original Heritage Study (by consultants Urbis) and the adoption of the Parramatta CBD Planning Proposal in April last year, Council has received several site specific planning proposals within the CBD which have raised issues with heritage impacts within heritage "interface areas" at the edges of the new proposed CBD boundary. In addition Council has received advice from the Heritage Council of NSW in relation to the Parramatta CBD Planning Proposal which raises concerns in relation to the approach taken in the planning proposal for those areas.

In response to these issues, Council is undertaking a further Heritage Study to assess at a precinct scale the impact of the proposed controls on heritage items and heritage conservation areas within and adjacent to the Interface Areas. This study will include recommendations to ensure new growth and developments occur in a manner that protects and manages the city's heritage assets, and demonstrates consistency with Section 117 Direction 2.3 Heritage Conservation (Section 117(2) of the Environmental Planning and Assessment Act 1979). This study is planned to be finalised in early May.

Council officers suggest that a condition of the Gateway determination should require that:

- this study be finalised prior to exhibition of the Parramatta CBD Planning Proposal;
- if necessary, the Parramatta CBD Planning Proposal be amended as a result of this study; and
- that the study be exhibited with the Parramatta CBD Planning Proposal (amended as necessary).

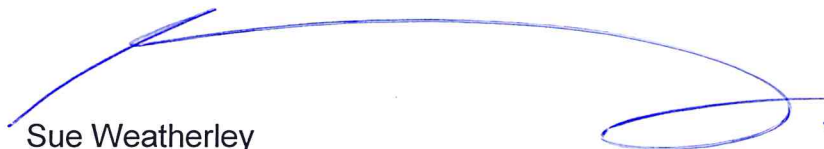
#### **Conclusion**

Based on previous advice from Department officers regarding information needed to finalise assessment of the Parramatta CBD Planning Proposal for Gateway determination, I trust the above and enclosed information is satisfactory in this regard, and will be of assistance in drafting Gateway conditions. If any further information is

required on these or other matters, I would appreciate your advice to this effect as soon as is practicable.

The CBD Planning team would appreciate the opportunity to discuss these matters at your earliest convenience, and a meeting to do so has been arranged for 28 April 2017 at 11am. If you require any additional information regarding the CBD Planning Proposal, please contact Roy Laria, Service Manager Strategic Planning, at 9806 5679 or by email at [rlaria@cityofparramatta.nsw.gov.au](mailto:rlaria@cityofparramatta.nsw.gov.au).

Yours sincerely,



Sue Weatherley  
**Director Strategic Outcomes and Development**

#### Attachments

1. Infrastructure Funding Models Study and Appendices
2. Council Report: Outcomes of the Public Exhibition of the Discussion Paper Infrastructure Planning and Funding in the Parramatta CBD and attachments (Item 8.3, 10 April 2017)
3. Strategic Transport Study and Technical Papers
4. Council Report: Parramatta Central Business District Strategic Transport Study and Attachment 5 (Item 8.11, 10 April 2017)
5. Letter from Molino Stewart RE: Parramatta CBD Flood Evacuation Assessment