

LEADING

ITEM NUMBER	11.15
SUBJECT	Parramatta Central Business District Heritage Interface Study
REFERENCE	F2016/07744 - D05097988
REPORT OF	Team Leader – CBD Planning

PURPOSE:

The purpose of this report is to seek Council's endorsement of the Parramatta CBD Heritage Study of Interface Areas for forwarding to the Department of Planning and Environment as a supporting document for the Parramatta CBD Planning Proposal. Further, a resolution is also sought to adopt the Council officer's response to the study recommendations, which considers not only the findings of study, but also other strategic work which is underway for the Parramatta CBD.

Endorsement of the Parramatta CBD Heritage Study of Interface Areas and the Council officer response is sought at this Council meeting for the following reasons:

- (a) The issue of the Gateway Determination for the Parramatta CBD Planning Proposal by the NSW Department of Planning and Environment (DPE) will continue to be delayed if a resolution with respect to heritage matters is not made.
- (b) Work on the Draft Parramatta CBD Development Control Plan being prepared in association with the Parramatta CBD Planning Proposal will be delayed if a resolution is not made at this time as key directions in relation to the heritage interface areas are needed in order to progress this work so it can be exhibited alongside the Parramatta CBD Planning Proposal.
- (c) Resolution of this matter will also provide key strategic direction for a number of individual site specific planning proposals which fall within the heritage interface areas of the Parramatta CBD, which otherwise would be delayed.

RECOMMENDATION

- (a) **That** Council endorses the "Parramatta CBD Heritage Study of Interface Areas" provided at **Attachment 1** for the purposes of forwarding to the Department of Planning and Environment as a supporting document to the Parramatta CBD Planning Proposal.
- (b) **That** Council endorses the document, "Council Response to the Parramatta CBD Heritage Study of Interface Areas" provided at **Attachment 2** and that the Parramatta CBD Planning Proposal be updated accordingly prior to public exhibition.
- (c) **That** consultation on the "Parramatta CBD Heritage Study of Interface Areas" and the "Council Response to the Parramatta CBD Heritage Study of Interface Areas" occur as a part of the public exhibition of the Parramatta CBD Planning Proposal.
- (d) **That** the applicants of site specific planning proposals being assessed by Council which fall within the heritage interface areas of the Parramatta CBD be informed of the outcome of this report.

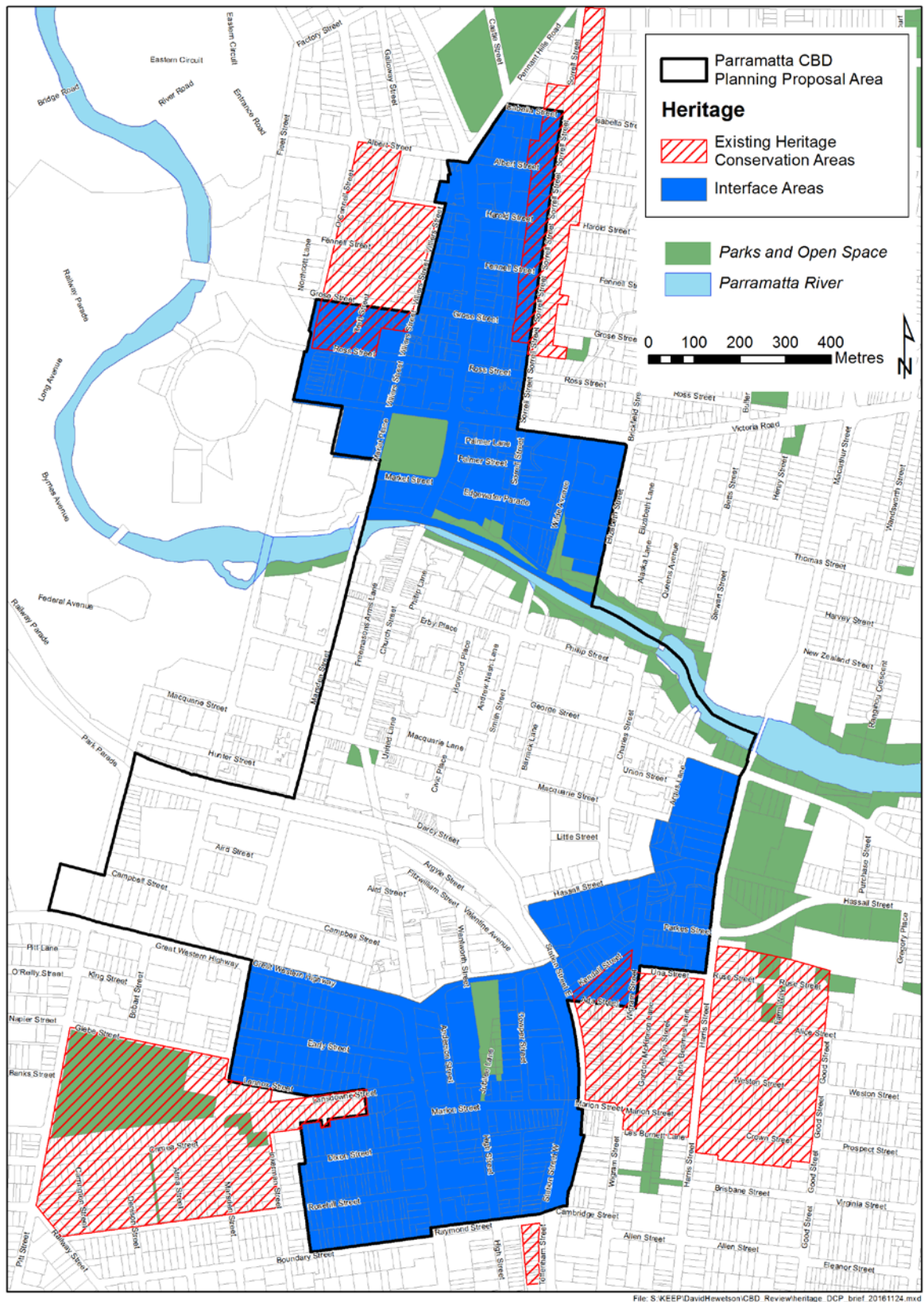
- (e) **Further that** the Department of Planning and Environment be advised of this resolution to assist with its processing of the Gateway Determination of the Parramatta CBD Planning Proposal so as to facilitate public exhibition.

BACKGROUND

Parramatta CBD Planning Framework Review

1. The Parramatta CBD Planning Strategy (the Strategy) was adopted by Council on 27 April 2015 and set a framework for preparing a planning proposal to amend the planning controls for the Parramatta CBD. The Strategy's Implementation Plan identified a range of technical studies to be completed to accompany the Planning Proposal, including a Heritage Study (undertaken by Urbis).
2. At its meeting on 14 December 2015, Council considered a report on key policy areas that required strategic direction from Council to enable finalisation of a Draft Parramatta CBD Planning Proposal. One of these policy areas was FSR and heights for areas affected by heritage within the Draft Parramatta CBD Planning Proposal boundary. Two options were presented to Council, the first based on recommendations from the Heritage Study commissioned by Council and prepared by consultants (Urbis). The second alternate option was based on feedback received during Councillor Workshops. Council resolved at the meeting on 14 December 2015 to support the second alternate option with modifications.
3. The modified second option reflects the mapped Incentive FSR and heights contained in the 11 April 2016 Council endorsed Draft Parramatta CBD Planning Proposal. This endorsed draft was submitted to the NSW Department of Planning and Environment (DPE) on 21 April 2016 for the purpose of seeking a Gateway determination to allow public exhibition.
4. Further information in support of the Gateway determination for the draft Parramatta CBD Planning Proposal was submitted to DPE following endorsement by Council on 11 April 2017. This work included the Parramatta CBD Strategic Transport Study (identified in the 2015 Strategy Implementation Plan) and additional research on the proposed value sharing mechanism (Administrator resolution in June 2016 to prepare a Discussion Paper for public consultation).
5. DPE and Heritage Council of NSW concerns and issues arising during the assessment of several site specific planning proposals were the impetus for Council undertaking additional heritage analysis within the interface areas of the Parramatta CBD. The interface areas within the Parramatta CBD are located generally between the Parramatta CBD core and heritage conservation / lower scale residential areas as shown in Figure 1 below.

Parramatta CBD Review - Heritage Interface Review

**Figure 1: Interface Areas**

6. The Heritage Council concerns related to the site specific planning proposal for 142-154 Macquarie Street, Parramatta and included: negative impacts on historical archaeological resources, overshadowing, visual and streetscape impacts, and impacts on Harrisford House and Hambledon Cottage.

7. The DPE concerns related to two site specific planning proposals for 14-20 Parkes Street, Harris Park and 122 Wigram Street, Harris Park and were outlined in the Gateway determinations for these sites stating inter alia that, *"The assessment of this Gateway review has highlighted the need for more detailed investigation of appropriate transitional controls specific to individual heritage conservation areas, to support the Parramatta CBD Planning Proposal. Such an investigation could clarify the purpose of the controls, provide a suitable evidence based methodology and consider the potential cumulative impacts of development on the heritage values of affected conservation areas"*.

Parramatta CBD Heritage Interface Study

8. To address the issues raised by the Heritage Council and the DPE, Council commissioned consultants Hector Abraham Architects (HAA) to prepare a heritage study to assess at a precinct scale the impact of the draft Parramatta CBD Planning Proposal on heritage items and heritage conservation areas within and adjacent to the 'Interface Areas'.
9. The aims of the heritage interface study are:
 - a. To identify potential heritage impacts resulting from the Parramatta CBD Planning Proposal as related to the Interface Areas.
 - b. To make recommendations to ameliorate adverse impact on heritage through modifications to the draft planning controls for the interface areas 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).
10. HAA's study methodology involved reviewing Parramatta's historical development and making general remarks about the nature of heritage in the Parramatta CBD as a whole, including the impact of the Draft Parramatta CBD Planning Proposal on heritage. The consultants then focused on the interface areas and, based on historical and urban integrity, further divided the areas into thirteen 'Special Interest Areas'. Each Special Interest Area was described and defined in typological terms and the impact of the Draft Parramatta CBD Planning Proposal on the heritage significance assessed.
11. In summary, the consultants identified a number of heritage impacts resulting from the Draft Parramatta CBD Planning Proposal as related to the Interface Areas. To ameliorate these impacts, the consultants recommended a series of amendments and concluded that, *"These recommendations if adopted should ensure new growth and developments occur in a manner that protects and manages the city's heritage assets and demonstrate consistency with Section 117 Direction 2.3 Heritage Conservation (Section 117(2) of the Environmental Planning and Assessment Act 1979)"*. The key heritage issues and recommendations identified by HAA are outlined below.
12. The first issue relates to the expectation for development potential resulting from incentive FSRs and unlimited or incentive heights which is at odds with listing heritage items and the forming of conservation areas to protect them from development. To address this, the consultant recommends the removal of incentive FSR and height controls for areas that contain a collection of heritage items and heritage conservation areas. This recommendation is supported by a

number of other recommendations including ensuring heritage items are not isolated as a result of development, and incorporating heritage controls as part of any Design Excellence assessment involving or directly adjoining a heritage item.

13. The second issue relates to the lack of definition around the concept of 'appropriate transition' to heritage items and conservation areas. To address this, the consultant recommends the inclusion of specific heads of consideration for Parramatta CBD in addition to the standard LEP heritage provisions to give guidance to what constitutes an appropriate transition. A draft clause prepared by Council officers in response to the study recommendations is at **Attachment 2** (page 21).
14. The third issue relates to potential adverse impacts on heritage arising from the treatment of development in respect to lot amalgamation, corner sites, setbacks, subdivision patterns, overlooking and alienation. The consultants recommend a number of controls suitable for inclusion in the Parramatta Development Control Plan (DCP) 2011 to address these impacts. This will be explored in further detail by HAA as part of Stage 2 of their work to prepare best practice heritage development controls in the DCP for which future development applications for and in the vicinity of heritage items and heritage conservation areas within the Parramatta CBD may be rigorously assessed. This work will be reported to Council with the forthcoming Gateway Determination for the Draft Parramatta CBD Planning Proposal and associated Draft Parramatta CBD Planning Proposal.
15. In line with the above issues and recommendations, the consultants have recommended specific FSR and height controls for the three interface areas and these are shown in **Attachment 1** (Figures 93 and 94). The consultant recommendations are summarised below with the 11 April 2016 Council endorsed FSR and heights controls for the interface faces included for comparison purposes. A review of these recommendations by Council officers is provided in paragraphs 19 to 31.
16. North Parramatta Interface Area:
 - a. **Council Resolution (April 2016)** - Apply an incentive FSR of 6:1 and no height limit for the entire interface area, except for:
 - i. Sites north of the River and Prince Alfred Square which will be subject to a solar access plane.
 - b. **HAA Recommendation (June 2017)** - Retain the incentive FSR of 6:1 and no height limit for the entire interface area, except for:
 - i. Sites within the Sorrell Street HCA (Special Interest Area 5) and Catholic Institutional Area (SIA 3), and All Saints Church heritage items (SIA 6) where the incentive FSR and no height limit should be removed, and the base FSR and height limit should be the maximum being: 0.6:1 / 11m for SIA 5; 0.6 & 0.5:1 / 9 & 11m for SIA 3; and 0.8:1 / 11m for SIA 6.

Heritage Reason – To preserve the HCA or to maintain consistency in approach with HCAs for key clusters of heritage items.
 - ii. The sites at 8 – 12 Victoria Road and 2A Villiers Street where the incentive FSR and no height of building control should be

removed, and a maximum FSR of 4.8:1 and height of building control of 49 metres be applied (as per the gazetted site specific planning proposal), with a solar access plane also being applied.

Heritage Reason – To reduce overshadowing impacts on Prince Alfred Square and retain the prominence of Church Street.

- iii. The block bounded by Villiers, Ross, Church and Victoria Road where the incentive no height limit should be removed, and the current base height limits should be the maximum (24, 34 and 49m).

Heritage Reason – To reduce overshadowing impacts on Prince Alfred Square and retain the prominence of Church Street.

- iv. The sites at 452 – 456 Church Street where the incentive no height limit control should be replaced with a maximum 10 metre incentive height of building control for the first 10 metres of the site.

Heritage Reason: To ensure the heritage items on either side of the sites at 452 – 456 Church Street do not become isolated as a result of inappropriate development.

- v. The sites at 2 Sorrell Street and 14 – 16 Lamont Street (western side of Wilde Avenue and part of SIA 4) where the incentive FSR of 6:1 should be removed for the part of the site fronting the River, and the base FSR of 4:1 should be the maximum.

Heritage Reason - To retain meaningful “open sky” river corridor from the heritage listed Lennox Bridge.

- vi. The site at 5 Elizabeth Street (eastern side of Wilde Avenue and part of SIA 4) where the incentive FSR of 6:1 should be removed and the base FSR of 0.8:1 should be the maximum.

Heritage Reason - To retain meaningful “open sky” river corridor from the heritage listed Lennox Bridge.

17. South East Parramatta Interface Area:

- a. **Council Resolution (April 2016)** - Apply an incentive FSR of 10:1 and no height limit, except for:

- i. Blocks south of Parkes Street where an incentive FSR of 3:1 and 4:1 will apply.

- b. **HAA Recommendation (June 2017)** - Retain the incentive FSR of 10:1 and no height limit for the entire interface area, except for:

- i. The sites recommended to be retained in the reconfigured boundary of the Harris Park West HCA (part of SIA 9) where the incentive FSR and no height limit should be removed, and the base FSR and base height of building control should be the maximum (0.2:1 / 6 & 18m).

Heritage Reason – To preserve the HCA

- ii. The sites recommended to be removed from the Harris Park West HCA (part of SIA 9) where the no height limit control should be removed and an incentive height of building control of 20 and 26 metres apply.

Heritage Reason - The demolished sites no longer contribute to the HCA and the retained sites should provide a buffer.

- iii. The sites that will impact on overshadowing of Experiment Farm, Elizabeth Farm and Hambledon Cottage to be subject to a solar access plane (SIAs 7, 8 and 9).

Heritage Reason - To prevent any additional overshadowing of Experiment Farm, Elizabeth Farm and Hambledon Cottage as a result of CBD development.

18. South West Parramatta Interface Area:

- a. **Council Resolution (April 2016)** - Apply a range of incentive FSRs between 2-10:1 and no height limit, except for:
 - i. Sites within the Auto Alley precinct where a range of incentive height of building controls apply between 0 - 100m.

- b. **HAA Recommendation (June 2017)** - Retain the range of incentive FSRs and incentive height of building controls, except for:

- i. Sites along Marion Street to be scheduled as a Heritage Conservation Area (between Anderson and Station Street and within SIA 12), where the incentive FSR of 6:1 and no height limit should be removed, and a 12 metre maximum incentive height of building control apply on the northern side of Marion Street to the first 18 metres of the site, and for the remainder of the site, the base height of building control should apply. For the southern side of Marion Street, the 12 metre maximum incentive height of building control should apply to the whole block.

Heritage Reason: To protect the cluster of heritage items and historic subdivision pattern.

- ii. Sites at the western end of Marion Street and eastern end of Lansdowne Street (within SIA 11) where a 12m and 26m incentive height of building control should be applied to a portion of the site.

Heritage Reason: Views at the termination of a street within an interface area should not end abruptly with a tower, instead an open sky view should be maintained.

- iii. Sites on the northern side of Lennox Street and other areas adjacent to the South Parramatta HCA (within SIA 13) where the incentive height of building control (being no height limit for Lennox Street and for the remainder of the area) should be removed, and replaced with an incentive height of building control of 26 metres.

Heritage Reason: To provide adequate transition to the HCA and Marsden Street.

- iv. Sites on the eastern and western side of High Street (part of SIA 12) where the incentive height of building control for the first 18 metres of a site should be removed, and the base height of building control of 12m should be the maximum permitted.

Heritage Reason: To reduce the impact of tall buildings on High Street, in particular on the centrally planted street trees.

Discussion of report recommendations

19. The HAA report makes a total of 153 recommendations for the interface study areas. A detailed assessment by Council officers of the HAA recommendations and supporting maps are contained in the document, 'Council Response to the Parramatta CBD Heritage Study of Interface Areas' (**Attachment 2**). Council officers support the majority of the HAA study recommendations with the exception of recommendations that are "outside the study scope", require separate investigative work, or where there is a compelling strategic planning argument. The recommendations not supported, or supported in part by Council officers are discussed in detail below, and are identified on the maps provided at **Attachment 2** (shown with blue coloured dialogue boxes).

2 Sorrell Street and 14 – 16 Lamont Street (refer to Map 2 - page 25 in Attachment 2)

20. The recommendation to reduce the incentive FSR for the river fronting portion of the sites at 2 Sorrell Street and 14 – 16 Lamont Street is inconsistent with Council's testing undertaken as part of the assessment of the site specific planning proposal at 2 Sorrell Street and draft Parramatta CBD planning proposal. It is recommended that this block adopt the incentive FSR of 5.2:1 as recommended in the Urbis Heritage Study, together with the solar access plane to protect the southern bank of the River. The solar access plane will keep building height lower at the River frontage, which achieves the same objective as proposed in the HAA Study to retain meaningful "open sky" river corridor from the heritage listed Lennox Bridge.

5 Elizabeth Street (refer to Map 2 - page 25 in Attachment 2)

21. The recommendation to reduce the incentive FSR for the site at 5 Elizabeth Street is inconsistent with Council's testing undertaken as part of the draft Parramatta CBD planning proposal. It is recommended that this block adopt the incentive FSR of 5.2:1 as recommended in the Urbis Heritage Study, together with the solar access plane to protect the southern bank of the River. The solar access plane will keep building height lower at the River frontage, which achieves the same objective as proposed in the Hector Abrahams Study to retain meaningful "open sky" river corridor from the heritage listed Lennox Bridge.

Active Street frontages (refer to Map 4 - page 27 in Attachment 2)

22. HAA recommends amendments to the Draft Parramatta CBD Planning Proposal Active Street Frontages Map as active frontages can create potential linkages between significant items or areas and this contributes positively to the amenity of a place. An active street frontages LEP requirement currently exists for a number of streets within the Parramatta CBD where business or retail uses at ground level are mandated to encourage pedestrian traffic. An active street frontage can also be achieved through the design and articulation of the built form particularly at ground floor. Council is proposing amendments to Parramatta DCP 2011 including revised ground floor built form controls to

support the draft Parramatta CBD Planning Proposal. Given Fennell, Grose and Ross Streets recommended by HAA to be designated as 'active street frontages' have not been the subject of urban design testing, and Council is preparing DCP controls to address this, additional active street frontage controls are not supported.

George Street (refer to Map 5 - page 28 in **Attachment 2**)

23. The recommendation to remove FSR and height of building incentives from the north side of George Street (east of Charles Street) is out of scope for this study as it does not relate to transition to a HCA. It is also inconsistent with significant analysis undertaken for several site specific planning proposals in this area and therefore no change to the Council endorsed position of April 2016 is recommended.

Parkes, Harris, Una, Wigram and Kendall Streets (refer to Map 6 - page 29 in **Attachment 2**)

24. The recommendation to reduce the incentive height of building controls for the blocks bounded by Parkes, Harris, Una and Wigram (northern section) and Parkes, Kendall, Wigram and Station Street East to preserve a buffer zone to the HCA is supported. However, the reduction in height to 26 metres for two of the blocks is less than the current base height of building control (28 metres) and this is considered unreasonable. It is recommended for these blocks that the maximum height of building control be 28 metres, with the other sites having an incentive height of building control of 26 metres and 20 metres, which will achieve a buffer zone to the conservation area.

South-east Corner of Harris and George Street (refer to Map 6 - page 29 in **Attachment 2**)

25. HAA recommends that the land on the southeast corner of Harris and George Streets be listed as a local heritage item (archaeological) in Parramatta LEP 2011 considering its historic significance and archaeological potential. The land forms part of the State Heritage Register listing 01863 (Ancient Aboriginal and Early Colonial Landscape). This site is outside of the scope of the study and the Parramatta CBD Planning Proposal boundary. It is recommended that the process to investigate the criteria and thresholds for potentially listing this site as a heritage item be undertaken by Council as a separate piece of work.

Solar access plane - Experiment Farm, Elizabeth Farm and Hambledon Cottage (refer to Map 7 - page 30 in **Attachment 2**)

26. The recommendation to introduce a solar access plane to protect Experiment Farm, Elizabeth Farm and Hambledon Cottage from additional overshadowing due to development within the Parramatta CBD at any time of the day is partly supported, this being the introduction of a solar access plane for Experiment Farm. However, the unrestricted time application of this solar access plane is considered unreasonable and onerous and not supported. Council's testing shows that protecting solar access to Experiment Farm beyond 2pm into the late afternoon will have significant adverse impacts on development yield within the Parramatta CBD, with properties as far as O'Connell Street affected. In this regard it is recommended that the application of the solar access plane apply between 10am and 2pm mid-winter.
27. Council's testing also shows that Elizabeth Farm and Hambledon Cottage will not be affected by overshadowing due to development within the Parramatta CBD

between 10am and 2pm mid-winter. Therefore, the application of a solar access plane to Elizabeth Farm and Hambledon Cottage is unnecessary and no change to the Council endorsed position of April 2016 is recommended.

Marion Street (refer to Maps 8 and 9 - pages 31 and 32 in **Attachment 2**)

28. HAA recommends that the sites along Marion Street (between Anderson and Station Streets) be scheduled as a Heritage Conservation Area given the cluster of heritage items and historic subdivision pattern. A separate defined heritage study would be required to investigate whether Marion Street should be identified as a HCA. This study would assess the heritage significance of all existing buildings within the proposed HCA, including contributory significance and overall character. It is therefore recommended that the process to investigate the potential listing of Marion Street as a HCA be undertaken as a separate piece of work by Council.
29. In relation to the height of building controls for the northern side of Marion Street, HAA recommends that a 12 metre incentive height of building control apply for the first 18 metres of the site, and that the current base height of building control (18, 26 and 54 metres) become the incentive height of the building control for the rear portion of the sites along Marion Street (that have an incentive FSR of 2:1). This is inconsistent with the report recommendation for 'balanced streets' and recovering historic street hierarchy, and may lead to poor urban design outcomes. It is therefore recommended that the incentive height of building control is 'no height limit' for the portion of the site excluded from the 12 metre height limit and has an incentive FSR of 2:1.
30. HAA recommends lower building heights at the termination of Marion and Lansdowne Streets to retain an 'open sky' view. It is considered that this objective can be achieved through a site specific DCP control where the placement of a tower can be achieved through building setbacks.
31. In summary, it is considered that the Council amendments to the HAA recommendations outlined in this report and in the document, 'Council Response to the Parramatta CBD Heritage Study of Interface Areas' (**Attachment 2**) are justified, have considered the cumulative impacts, and will ensure new growth and developments occur in a manner that protects and manages the city's heritage assets. In particular, the introduction of a new 'heads of consideration' clause which will add further protection beyond that given by the standard LEP heritage provision (refer to proposed heritage clause in **Attachment 2**, page 21).

Comparison of heritage controls

32. The Parramatta CBD Heritage Study prepared by Urbis investigated heritage issues for the entire Parramatta CBD Planning proposal boundary. This study provided Council with a broad heritage analysis and recommended FSRs to inform detailed work through the planning proposal process. The Parramatta CBD Heritage Study of Interface Areas prepared by Hector Abraham Architects provides Council with a detailed heritage analysis of the interface areas within the Parramatta CBD Planning proposal boundary.
33. The general approach taken by HAA to ameliorate adverse impacts on heritage within the interface areas is to retain the current incentive FSR and incentive height of building control or no height limit; except for sites within heritage conservation areas and some areas containing a cluster of heritage items. The recommended maximum FSR and height of building control for these areas is

generally the base FSRs and base height of building controls endorsed by Council on 11 April 2016. This approach to planning for HCAs and clusters of heritage items is the same approach recommended by Urbis, however Urbis extended the approach to a greater number of heritage item clusters.

34. The other key difference between the two studies was Urbis proposed a gradual increase in scale (increase in FSR) away from the HCA, whereas HAA is more aligned with the 11 April 2016 Council resolution, applying a single FSR to the entire interface area (with some exceptions including Auto Alley). The different approach to FSRs within the interface areas is represented diagrammatically in Figure 2 below.

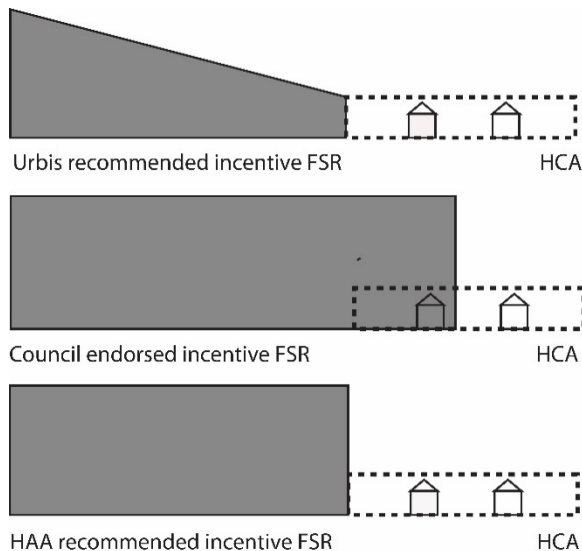


Figure 2: Comparison of FSR controls

Site specific planning proposals

35. The recommendations in the Parramatta CBD Heritage Study of Interface Areas have implications for several Council receipted site specific planning proposals within or adjacent to interface areas. These sites are identified on the map in Figure 3 below. The site at 8 – 12 Victoria Road and 2A Villiers Street, Parramatta (Site 3) is an exception having been recently gazetted, however is shown on this map as it is specifically discussed by the consultants in the Study (see paragraph 16).
36. The commentary below in paragraphs 37 to 39 address those site specific planning proposals that are discussed in the consultant report. These sites are identified on the map as Sites 4, 8, 11 and 12. It is noted that the site specific planning proposal at 23-27 Harold Street and 53 Sorrell Street, Parramatta (Site 1) is being considered by Council at this meeting and is discussed in further detail in this report under the heading 'Coordination with other reports'. The resolution of this report will have implications for the remaining site specific planning proposals shown on the map in Figure 3 and Council officers will communicate the outcome of this report to these applicants.

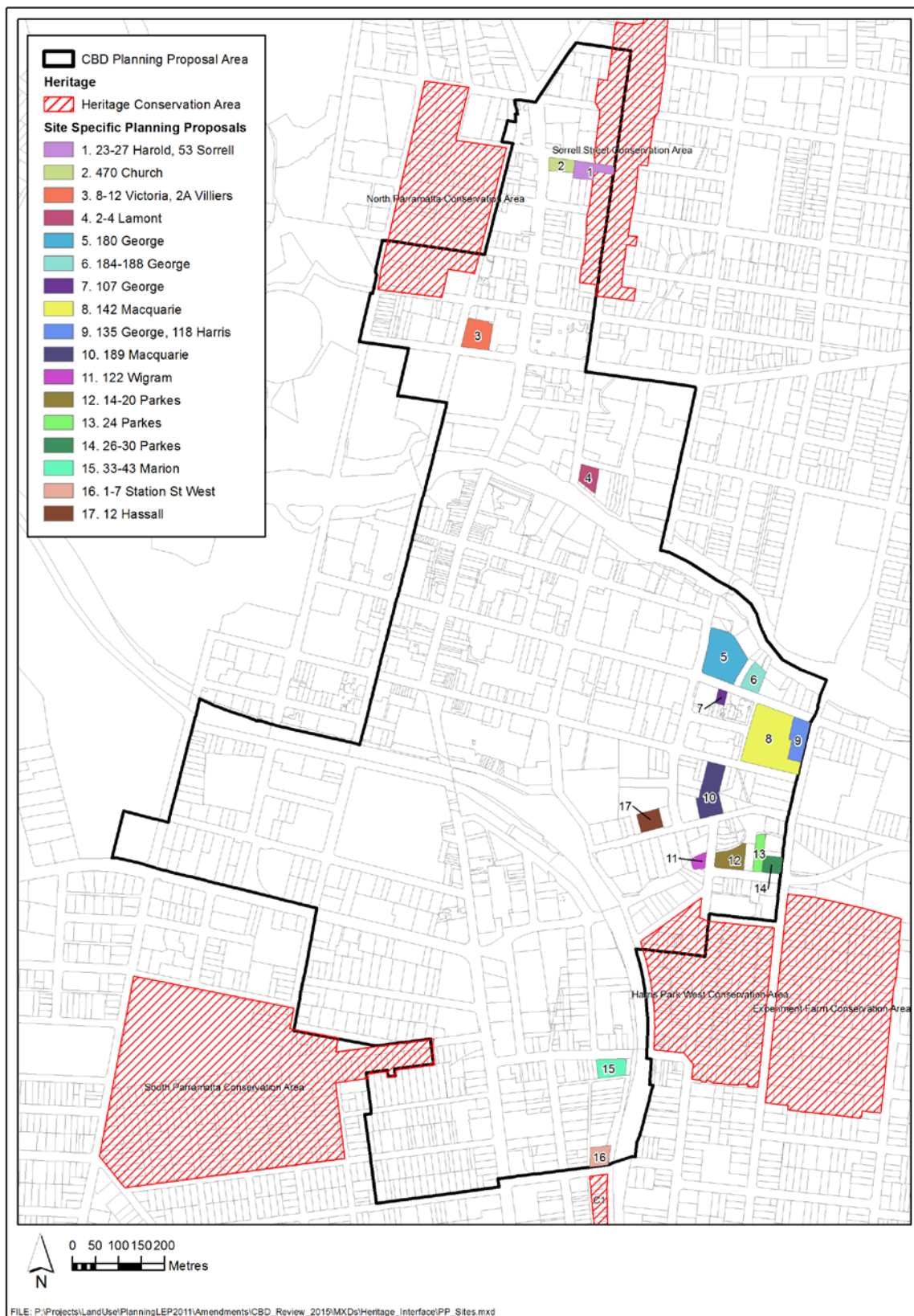


Figure 3: Site specific planning proposals

37. Within the North Parramatta Interface area, the site specific planning proposal for 2 Sorrell Street, Parramatta (aka 2-4 Lamont Street) is currently being assessed by Council officers and has not been reported to Council. The HAA report recommends that where this site meets the river, the incentive FSR for a portion of this site be reduced to 4:1 to preserve the open nature of the River

Foreshore Reserve and retain meaningful “open sky” river corridor from the heritage listed Lennox Bridge. As outlined in **Attachment 2**, Council officers do not support this amendment and recommend that this site, and the remainder of the block, adopt the incentive FSR of 5.2:1 as recommended in the Urbis Heritage Study, together with the solar access plane to protect the southern bank of the River. The solar access plane will keep building heights lower at the River frontage, which achieves the same objective as proposed in the HAA Study. See Maps 2 and 3 - pages 25 and 26 in **Attachment 2**.

38. Within the South East Parramatta Interface area, the site specific planning proposals for 142-154 Macquarie Street, Parramatta, 122 Wigram Street, Parramatta (aka 12A Parkes Street) and 14-20 Parkes Street, Harris Park have received Gateway Determinations from the DPE. The incentive or maximum FSRs for these sites (respectively) are 7:1, 8:1 and 8:1. The HAA report recommends that these sites all have an incentive FSR of 10:1 (refer to figures 93 and 94, pages 133 and 134 in Attachment 1), but that they also be subject to a solar access plane to limit overshadowing of the colonial landscape on the edge of the CBD (grounds and buildings of Experiment Farm, Elizabeth Farm and Hambledon Cottage), which in effect will limit their FSR. The solar access plane is proposed to protect the properties at any time of the day and year (refer to Map 7 – page 30 in **Attachment 2**).
39. As discussed above and outlined in **Attachment 2**, Council officers support the introduction of a solar access plane for Experiment Farm, but with a reduced application time of 10am – 2pm mid-winter. This timing is considered reasonable as protecting solar access into late afternoon will have significant adverse impacts on development yield in the Parramatta CBD. In addition, Council testing shows that the heights that can be achieved on the sites affected by the proposed solar access plane from Experiment Farm will be higher than the current ‘base’ height of building limits (i.e. 54m for the eastern part of the CBD); and, the plane at its lowest point will still enable a building height of approximately 100m to be constructed.

Yield

40. The amendments proposed by HAA will amend the 11 April 2016 Council endorsed housing and job yields. The table below (Figure 4) highlights that these amendments are not significant, and will not affect Council’s capacity for both jobs and dwellings in the Parramatta CBD. In summary, there will be a reduced capacity equating to about 870 dwellings (1%) and 113 jobs (0.96%). The biggest reductions occur in Sorrell St HCA (where the incentive FSR drops from 6:1 to 0.6:1); followed by Marion Street (where the incentive FSR drops from 6:1 to 2:1). It is noted that a number of parcels in both areas are heritage items and were excluded from the estimated additional capacity in any event.
41. The recommendations within the ‘Council Response to the Parramatta CBD Heritage Study of Interface Areas’ (**Attachment 2**) will not amend the changes to job and dwelling yields beyond those identified above. This is because the Council officer recommendations amend mainly height of building controls.

	Current (as at 2011)	2036 Target (additional)	Capacity under existing controls (additional)	Capacity under Planning Proposal (additional)	Capacity under Planning Proposal (amended by Heritage Interface Study)	% Reduction
Jobs	49,513	27,000	22,320	48,763	48,650	1%
Dwellings	4,769	7,500	5,712	20,297	19,427	0.96%

Figure 4: Comparison of job and dwelling yields

COORDINATION WITH OTHER REPORTS

42. A site specific planning proposal for land at 23-27 Harold Street and 53 Sorrell Street, Parramatta (shown on Figure 3 above) is being considered by Council at this meeting to determine whether it should proceed to Gateway Determination with the DPE. This recommendation of the report was supported by the City of Parramatta Independent Hearing Assessment Panel on 20 June 2017.
43. The application seeks an amendment to Parramatta LEP 2011 to increase the maximum FSR and height on part of the site from 0.8:1 to 6:1 and 11m to 70m at 23-27 Harold Street and retaining the FSR and height of 0.6:1 and 11m at 53 Sorrell Street. The site at 53 Sorrell Street contains a heritage item of local significance and falls within the Sorrell Street HCA.
44. The amendments sought to the planning controls for the land at 23-27 Harold Street and 53 Sorrell Street are consistent with the HAA Study recommendations and subsequent Council response. Should Council adopt the Council officer recommendations including the specific recommendations for these sites, there are no implications for the council report on this site specific planning proposal.

CONSULTATION & TIMING

45. Statutory consultation will occur following issuing of the Gateway Determination where the Department of Planning and Environment will set out in a condition the organisations that Council must formally consult with as part of the Parramatta CBD Planning Proposal.
46. The findings of the Study will also inform public consultation in relation to the planning controls as the documents will be publicly exhibited along with the Parramatta CBD Planning Proposal. On that basis, it is not recommended to separately exhibit the Interface Study prior to the exhibition of Parramatta CBD Planning Proposal.

FINANCIAL IMPLICATION FOR COUNCIL

47. Should Council resolve to support the recommendations of this report, it will result in a marginal loss of expected potential value sharing revenue due to

reduce floor space uplift for some sites. Notwithstanding the position of Council in response to value sharing, the final decision with respect to a value sharing mechanism in the Parramatta CBD Planning Proposal rests with the NSW State Government.

48. Council owns land at No. 40 Marion Street (Lots 1 and 2 DP 128775; Lot 1 DP 934330; and Lot 2 DP 746026) and No. 38 Marion Street (Lot 9 DP 906071) being the 'Marion Street Car Park' (shown in Figure 5 below). Under the 11 April 2016 Council endorsed Draft Parramatta CBD Planning Proposal (which applied to the entire CBD area), the whole of the Marion Street Car Park site had an incentive FSR of 6:1. The HAA report recommends that the site have an incentive FSR of part 2:1 and part 6:1, which is the same as the current FSR for the car park site under PLEP 2011 (refer to Map 8 on page 31 in **Attachment 2**). The lower FSR (and also height) at the front of the site is on the basis of heritage considerations along Marion Street, which contains a cluster of heritage items. Should Council resolve to support the HAA recommendation (and subsequent Council officer recommendation) for the Marion Street car park site, the following financial implications should be noted (see table below).

Comparison of FSR controls (proposed and current)	Financial Implications
Comparison of <i>proposed</i> FSR controls under the Draft CBD Planning Proposal (April 2016) with amendments to the Draft CBD Planning Proposal as recommended in this report.	The reduction in <i>proposed</i> FSR will result in some financial implications for the value of Council's site. It should be noted that this <i>proposed</i> FSR has no formal status until a Gateway determination is received and the planning proposal placed on public exhibition.
Comparison of <i>current</i> FSR controls with amendments to the Draft CBD Planning Proposal as recommended in this report.	No financial implications as both <i>current</i> and recommended FSRs are the same.

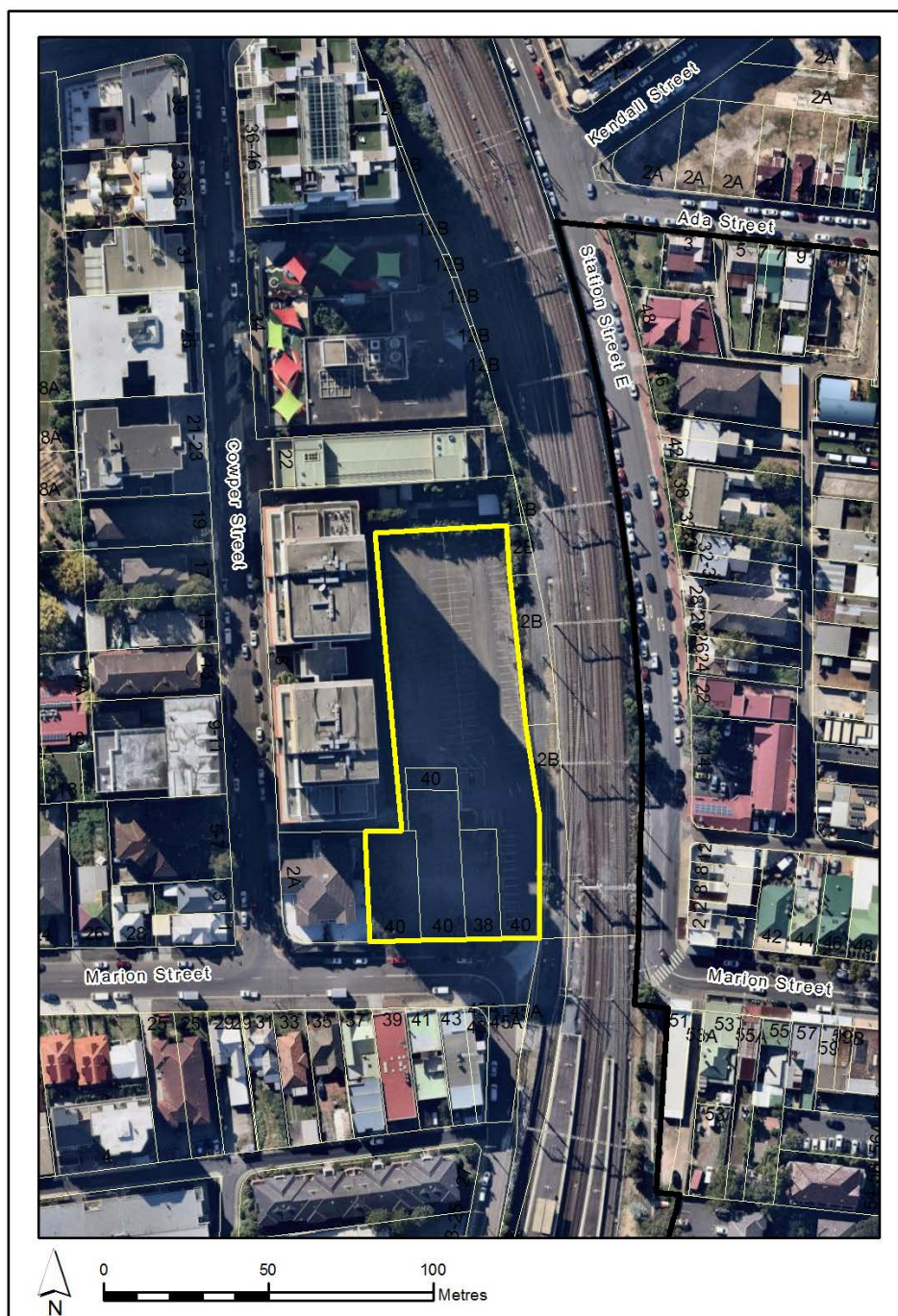


Figure 5: Marion Street Car Park site

RISKS OF NOT PROCEEDING

49. The risks of not endorsing the Parramatta CBD Heritage Interface Study for forwarding to the DPE with the document, 'Council Response to the Parramatta CBD Heritage Study of Interface Areas' (**Attachment 2**) are:
- The issue of the Gateway Determination for the Parramatta CBD Planning Proposal by the NSW Department of Planning and Environment (DPE) will continue to be delayed if a resolution with respect to heritage matters is not received.

- b. Work on the Draft Parramatta CBD Development Control Plan being prepared in association with the Parramatta CBD Planning Proposal will be delayed as key directions in relation to the heritage interface areas are needed in order to progress this work so it can be exhibited alongside the Parramatta CBD Planning Proposal.
- c. Resolution of this matter will also provide key strategic direction for a number of individual site-specific planning proposals which fall within the heritage interface areas of the Parramatta CBD, which otherwise would be delayed.

RECOMMENDATION AND ANTICIPATED NEXT STEPS

- 50. The study prepared by HAA has assessed at a precinct scale the impact of the draft Parramatta CBD Planning Proposal on heritage items and heritage conservation areas within and adjacent to the 'Interface Areas'. This study together with the Council response fulfils the requirement of the DPE for a detailed investigation of appropriate transitional controls specific to individual heritage conservation areas to support the draft Parramatta CBD Planning Proposal.
- 51. In order to avoid delaying the Parramatta CBD Planning Proposal, it is recommended that Council endorses the "Parramatta CBD Heritage Study of Interface Areas" provided at Attachment 1 for the purposes of forwarding to the DPE as a supporting document to the Parramatta CBD Planning Proposal, together with the document, 'Council Response to the Parramatta CBD Heritage Study of Interface Areas' (**Attachment 2**).
- 52. Should Council adopt the recommendations contained in this report, the anticipated next steps would be:
 - a. Advising the Department of Planning and Environment of the Council's amendments to the draft Parramatta CBD Planning Proposal to address heritage interface related issues, in order to facilitate release of the Gateway determination as promptly as possible.
 - b. Receipt of Gateway determination from the Department of Planning and Environment, which would likely include conditions requiring amendments to planning controls to address issues in the Gateway determination, including heritage related issues.
 - c. Updating the draft Parramatta CBD Planning Proposal consistent with the Gateway conditions and reporting back to Council seeking endorsement to proceed to public exhibition accordingly.
 - d. This decision will guide future decisions on site specific planning proposals within the interface areas.

CONCLUSION

- 53. The HAA study has assessed at a precinct scale the impact of the Draft Parramatta CBD Planning Proposal on heritage items and heritage conservation areas within and adjacent to the 'Interface Areas' within the Parramatta CBD. To address the heritage impacts resulting from the Draft Parramatta CBD Planning

Proposal, the HAA report outlines 153 recommendations. Council officers support the majority of the HAA study recommendations, with the exception of those that are “outside the study scope”, require separate investigative work, or where there is a compelling strategic planning argument. In this regard, the Council amendments to the HAA recommendations are justified, have considered the cumulative impacts, and will ensure new growth and developments occur in a manner that protects and manages the city’s heritage assets.

54. The HAA study together with the Council response fulfils the requirement of the DPE for a detailed investigation of appropriate transitional controls specific to individual heritage conservation areas to support the Draft Parramatta CBD Planning Proposal and demonstrates consistency with Section 117 Direction 2.3 Heritage Conservation (Section 117(2) of the Environmental Planning and Assessment Act 1979). In order to avoid delaying the Parramatta CBD Planning Proposal, it is recommended that Council *endorses* the “Parramatta CBD Heritage Study of Interface Areas” provided at Attachment 1 for the purposes of forwarding to the DPE as a supporting document to the Parramatta CBD Planning Proposal, together with the document, ‘Council Response to the Parramatta CBD Heritage Study of Interface Areas’ (**Attachment 2**) to guide changes to the Parramatta CBD Planning Proposal prior to exhibition.

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ATTACHMENTS:

1	Parramatta CBD Heritage Study of Interface Areas June 2017 prepared by Hector Abrahams Architects	134 Pages
2	Council Response to the Parramatta CBD Heritage Study of Interface Areas July 2017	32 Pages

REFERENCE MATERIAL