



PLANNING PROPOSAL

Parramatta CBD **AMENDMENT TO PARRAMATTA LEP 2011**

Planning Proposal drafts

Council versions:

No.	Author	Version
1.	Parramatta City Council	3 December 2015 – Internal comment on Draft Report
2.	Parramatta City Council	19 February 2016 – Changes following Council Meeting on 14 December 2015 – Council Report on Key Policy Areas for CBD Planning Proposal
3.	Parramatta City Council	11 April 2016 - Council Meeting recommending Gateway Determination
4.	Parramatta City Council	20 April 2016 – Amendments following Council Meeting on 11 April 2016

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INTRODUCTION

Parramatta is Sydney's dual CBD. It is located centrally in the heart of the Sydney metropolitan area and performs a key economic, social and cultural role, particularly for Western Sydney which is home to nearly half of Sydney's population. The Parramatta CBD is of metropolitan significance as a regional employment centre, and it will continue to increase in importance as Western Sydney's population continues to grow.

The Planning Proposal: Parramatta CBD (planning proposal) explains the intent of, and justification for, the amendment to Parramatta Local Environmental Plan 2011 (Parramatta LEP 2011). It applies to land collectively referred to as the Parramatta Central Business District (CBD). A detailed description of the subject land is below.

The preparation of the planning proposal was guided by the *Parramatta CBD Planning Strategy* which was adopted by Council on 27 April 2015. The intent of the Parramatta CBD Planning Strategy was to establish a vision for growth, and describe the principles and actions that will guide the preparation of a new planning framework.

This planning proposal reflects the Council Resolution of 14 December 2015 and 14 March 2016 (refer to Appendices 3 and 6 respectively). It provides for an expanded and more intense commercial core supported by higher density mixed use and residential development.

The amendments proposed by this planning proposal include:

- rezoning of some land;
- an increase in the floor space ratio permitted on some land;
- an increase in the height of buildings permitted on some land;
- the removal of the height of buildings clause on some land;
- An amendment to the sun access protection clause;
- An amendment to the airspace operations clause;
- A new clause to permit additional floor space and height on some land;
- An amendment to the design excellence clause;
- A requirement for non-residential floor space in parts of the mixed use zone;
- A requirement for end of journey facilities;
- An amendment to encourage high yield employment uses;
- A new clause to encourage high performing buildings;
- A new clause to encourage the provision of community infrastructure;
- A new clause to preserve existing controls in the 'Park Edge Highly Sensitive' area, Parramatta Park and Parramatta Stadium;
- some additions to Schedule 1 – Additional Permitted Uses;
- amendment to the following maps in the Parramatta LEP 2011:
 - Amend the Additional Local Provisions Map
 - Amend the Land Zoning Map
 - Amend the Floor Space Ratio Map
 - Amend the Height of Buildings Map
 - Amend the Additional Permitted Uses Map
 - Amend the Special Provisions Area Map
- create new maps for inclusion in the Parramatta LEP 2011:

- Create a new Incentive Floor Space Ratio Map
- Create a new Incentive Height of Buildings Map
- Create a new Sun Access Protection Map
- Create a new Active Street Frontage Map
- Create a new Opportunity Sites Map
- Create a new Floodplain Risk Management Map

This planning proposal has been prepared in accordance with Section 55 of the Environmental Planning and Assessment Act 1979 (the Act), the Standard Instrument – Principal Local Environmental Plan (Standard Instrument) and guidelines published by the Department of Planning and Environment (DP&E), including *A guide to preparing planning proposals* and *A guide to preparing local environmental plans*.

This planning proposal relates only to those matters to be amended in the Parramatta LEP 2011. More detailed planning provisions are to be contained in the Parramatta Development Control Plan 2011 (Parramatta DCP 2011).

Affected Land

This planning proposal applies to land collectively referred to as the 'Parramatta CBD', which includes a part of the Parramatta Local Government Area (LGA) (refer to figure 1).

For reference purposes, this planning proposal broadly groups the CBD into four (4) precincts as shown on figure 2 – the 'City Centre - Core' (between Parramatta River and the Great Western Highway/Parkes Street); two periphery areas, 'City Centre – North' (between St Patricks Cemetery and Parramatta River) and 'City Centre South' (between the Great Western Highway/Parkes Street and the local government boundary – Raymond Street); and 'City Centre – West' (incorporating the Park Edge Highly Sensitive Area, Parramatta Park and Parramatta Stadium).

Consistent with the Implementation Plan in the Parramatta CBD Planning Strategy 2015, this Planning Proposal does not seek to make any changes to the controls that apply in the 'Park Edge Highly Sensitive' land on the western edge of the City Centre adjacent to the World Heritage listed Old Government House and Domain (City Centre – West - refer to figure 2). Council has only recently worked with the Commonwealth and State Governments to enter into a Conservation Agreement regarding development in this area and for this reason further review of the planning controls for this precinct is not warranted. Some provisions will be necessary in the Planning Proposal to make it clear that only the existing controls currently in place for the City Centre – West Precinct will apply to this precinct, instead of the new controls proposed in the Planning Proposal. This will be referenced on the Special Provisions Area Map as Area 6.

Current Planning Controls

The current planning controls for the affected areas are zoned for business and residential purposes in the Parramatta LEP 2011. The current applicable planning controls proposed to be amended by this Planning Proposal are shown in Appendix 1. The complete planning controls are available at www.legislation.nsw.gov.au

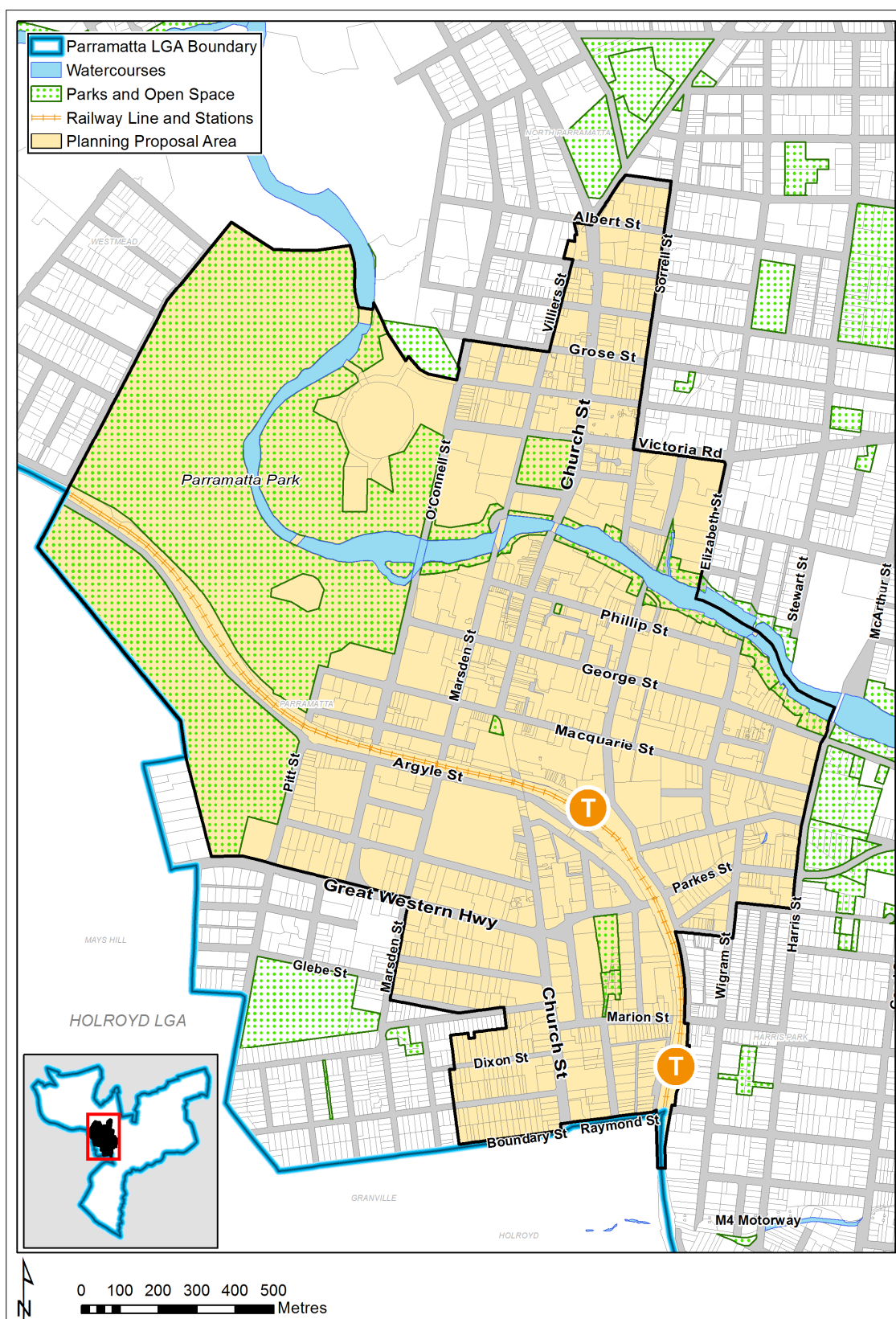


Figure 1 – Parramatta CBD Planning Proposal area

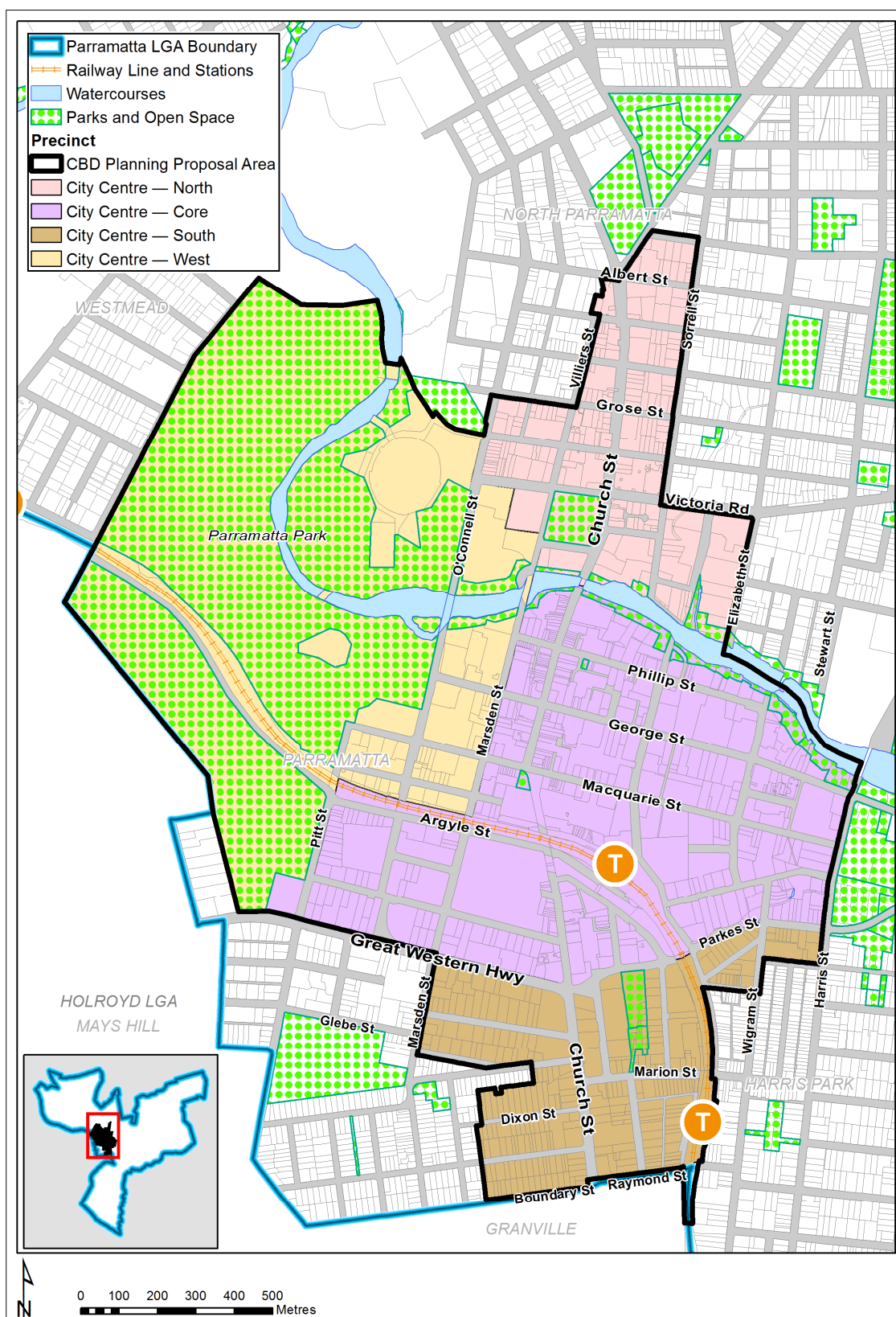


Figure 2 – Precincts within the CBD Planning Proposal area

Background to this Planning Proposal

Parramatta CBD Planning Strategy

In recognition of Parramatta's growing role, Council resolved in 2013 to prepare a study based on world's best practice to identify how Parramatta City Council can develop and implement a planning framework to create a world class city. In 2014 Council commissioned a Planning Framework study prepared by urban design consultants, Architectus, which was informed by an economic analysis prepared by consultants, SGS Economics and Planning. This study together with separate urban design studies, for the Auto Alley precinct (also informed by economic analysis) were endorsed by Council for community consultation.

The *Draft City Centre Planning Framework Study* and the *Draft Auto Alley Planning Framework Study* were publicly exhibited in October/November 2014. These studies, together with stakeholder feedback, were integrated by Council into the *Parramatta CBD Planning Strategy*. The purpose of this Strategy adopted by Council on 27 April 2015 was to:

1. *"To set the vision for the growth of the Parramatta CBD as Australia's next great city.*
2. *To establish principles and actions to guide a new planning framework for the Parramatta CBD.*
3. *To provide a clear implementation plan for the delivery of the new planning framework for the Parramatta CBD".*

A copy of the *Parramatta CBD Planning Strategy* is shown in Appendix 2.

The Actions within the Parramatta CBD Planning Strategy identified the research required to inform the preparation of new planning controls. Actions within the Strategy were:

- investigate the potential expansion of the CBD boundaries
- conduct detailed testing of the proposed FSR controls
- removal of any height controls, except in some key areas
- investigation of potential sun access controls to key public spaces
- investigate impacts of expanding the commercial core and potentially opening it up to some residential uses (subject to commercial also being provided)
- setting an employment growth target of 27,000 additional jobs and residential growth target of 7,500 additional dwellings by 2036 for the CBD
- investigation of infrastructure needs, including funding mechanisms
- promotion of tower slenderness and design excellence

Research and Technical Study process that informed this Planning Proposal

The work required to implement the identified actions and progress a formal planning proposal for the CBD are detailed in the Parramatta CBD Planning Strategy's Implementation Plan. This includes a number of technical studies, as follows:

- Undertake urban design testing/refinement to assess solar access impacts, test built form outcomes on sample CBD sites and also to assess impacts in transitional areas and heritage;
- Prepare an update of the Floodplain Risk Management Plans being a statutory requirement (Section 117 Direction);
- Undertake a Transport Study and Integrated Transport Plan being a requirement of Transport for NSW and RMS;
- Undertake an economic study needed to determine the key requirements to achieve A-Grade commercial office space in the Parramatta CBD and respond to the Metropolitan Strategy requirement to retain the commercial core;
- Undertake a heritage study being a requirement of the NSW Heritage Council and statutory requirement (Section 117 Direction);
- Undertake an Infrastructure Funding Models Study needed to assess appropriate funding models (Value Capture, Section 94A increase, etc.) and potential impacts on development feasibility; and
- Undertake an Infrastructure Needs Analysis Study needed to assess infrastructure needs as a result of increased development (local and state), including community infrastructure.

Further to the above, a study was undertaken as part of the Draft Auto Alley Planning Framework Study to address the rezoning of land from B5 Business Development to residential in relation to contamination. This study now forms part of this Planning Proposal.

The research and technical studies undertaken and the recommendations contained within are discussed in detail below:

A. Heritage

The key heritage issue for this Planning Proposal is providing for urban intensification and integration of new development while protecting and enhancing the heritage values of Parramatta's local, state, national and world significant European and Aboriginal heritage items, conservation areas, places and views.

Specific issues to be considered are:

- Planning controls for heritage items and adjacent development;
- Planning controls for areas on the edge of the CBD adjacent to heritage conservation areas; and
- Matters raised by the Heritage Office of NSW in a submission to Council dated 26 November 2014 relating to Old Government House and Domain, state heritage items and Aboriginal archaeology.

Consistent with the Implementation Plan in the adopted CBD Planning Strategy, the 'Park Edge Highly Sensitive' on the western edge of the City Centre adjacent to the World Heritage listing of Old Government House and Domain is an area where it is not proposed to change the controls applying to the site.

To address the remaining issues raised by the Heritage Office of NSW and the heritage considerations listed under section 117 of the EP&A Act 1979, Council commissioned a *Heritage Study* 2015 prepared by consultants, Urbis. This Study identified principles, FSRs, and policy changes to mitigate heritage impacts.

The consultant recommendation and a second option to allow similar FSRs for heritage items to those of adjoining properties was presented in a report to the Council Meeting on 14 December 2015 where Council resolved to:

- *Allow an FSR of 10:1 for land fronting Church Street between the River and Macquarie Street and retain the existing 12m height control.*
- *Allow similar FSRs/heights for heritage items to those of adjoining properties for all areas of the Parramatta CBD, with the exception of:*
 1. *Church Street between the river and Macquarie Street;*
 2. *Harrisford House;*
 3. *Area directly to the north of Lancer Barracks; and*
 4. *Areas adjoining state heritage items within a significant landscape setting, including St John's Church and St John's Cemetery.*

The 14 December 2015 resolution to retain a 12m height limit and allowing a 10:1 FSR with other relevant controls to be included in the DCP for land fronting Church Street between the River and Macquarie Street was valued because of the strong concentration of heritage items and its heritage character.

The 14 December 2015 resolution to allow similar FSRs/heights for heritage items to those of adjoining properties was valued because it allows for flexibility and simplification of planning controls, and enables developers to determine the value of the adjoining heritage item to their development, with the existing controls (clause 5.10 Heritage Conservation) in PLEP 2011 to be retained to ensure heritage issues are properly considered at DA stage.

The 14 December 2015 resolution to retain a 12m height limit for Harrisford House with an increased FSR of 10:1 was valued as it would allow for the transfer of FSR with the adjoining properties while protecting the heritage values of the property.

Furthermore, at its meeting on 11 April 2016 Council resolved to:

- *Further, that to address the inconsistency between the Council resolution of 14 December 2015 and the Urbis Heritage Study recommendations, Council resolves as follows:*

“That Council amend the incentive FSR map for the block bound by Marsden St, Macquarie St and Church St (Centenary Square) and the railway line to be consistent with the FSRs recommended in the Urbis Heritage Study.”

The 11 April 2016 resolution to reflect the FSRs of 3:1 and 10:1 on sites adjoining St Johns Church was valued as it would be consistent with the recommendations from the Heritage Study (Urbis 2015).

Heritage Transfer Scheme

As a result of the Council resolution 14 December 2015, Council Officers explored a mechanism for transferrable floor space for heritage items. At its meeting on 8 February 2016, Council resolved to defer consideration of a heritage floor space transfer scheme to a separate LEP amendment to be undertaken at a future date given the potential conflicts arising with the proposed value sharing scheme. Therefore this matter will not be included in this Planning Proposal. This issue is discussed below under the heading, ‘Infrastructure Funding’.

A copy of the Council report and resolution on the Draft Parramatta CBD Planning Proposal - Resolution of Key Policy Areas from the meeting on 14 December 2015 is provided at Appendix 3. A copy of the Council report and resolution on the Parramatta CBD Infrastructure Funding review Committee from the meeting on 8 February 2016 is provided at Appendix 4.

A copy of the Heritage Study is provided at Appendix 7 and a discussion of the heritage provisions in the draft planning proposal is provided in Part 2.

B. Urban Design

The key urban design issue for this Planning Proposal is providing for urban intensification and integration of new development while ensuring development is of an appropriate scale for the site, adjoining development and the wider city. Specific issues to be considered are:

- Compliance with State Environmental Planning Policy No. 65 and Apartment Design Guideline;
- Amenity for building occupants;
- Protection of solar access to open spaces; and
- Transition to lower scale areas on the city fringe.

Consistent with the Implementation Plan in the adopted CBD Planning Strategy, urban design testing and refinement was undertaken by Council and prepared in parallel with the Parramatta City Centre Heritage Study, 2015. This urban design assessment tested

Strategy Actions including solar access impacts, built form outcomes and impacts in transitional areas and built form impacts on heritage items/precincts. This testing was peer reviewed by an independent urban design consultancy, Scott Carver. The key urban design recommendations related to:

1. A sliding scale for Floor Space Ratio (FSR) for small sites; and
2. FSR/heights for areas affected by solar access and transition.

Sliding scale for FSR for small sites

The purpose of a sliding scale for FSR is to control density on small sites and encourage amalgamation. Parramatta LEP 2011 currently contains this control and following detailed urban design testing in response to the Strategy, retention of the sliding scale in the new CBD Planning Proposal with amendments was recommended.

The report to the Council Meeting on 14 December 2016 outlined a number of options for a sliding scale control. Council resolved at this meeting that:

- *The sliding scale for FSR include the following thresholds:*
 - o *FSRs up to 6:1 – 500sqm up to 1,300sqm*
 - o *FSRs of 10:1 – 800sqm up to 1,600sqm*
- *An alternate FSR control be introduced that enables maximum FSRs to be achieved where certain conditions are met*

This FSR sliding scale is shown in Table 1 below and was valued because it allows for flexibility to achieve maximum FSRs whilst complying with solar access and design excellence controls; and is consistent with the resolution adopted by Council in September 2014 in relation to the 'Parramatta City Centre Planning Framework Study'.

PART A – FSR UP TO 6:1			
FSR Shown on Map	Site is less than or equal to 500sqm	Site is greater than 500sqm but less than 1,300sqm	Site is equal to or greater than 1,300sqm
4:1	3:1	$(3+1X):1$	4:1
6:1	4:1	$(4+2X):1$	6:1
PART B – FSR OF 8:1 OR GREATER			
FSR Shown on Map	Site is less than or equal to 800sqm	Site is greater than 800sqm but less than 1,600sqm	Site is equal to or greater than 1,600sqm
10:1	6:1	$(6+4Y):1$	10:1

Notes:

Where $X = (\text{the site area in square metres} - 500)/800$;

$Y = (\text{the site area in square metres} - 800)/800$

Table 1 - Sliding scale for Floor Space Ratio

FSR/Heights for areas affected by solar access

The report to the Council Meeting on 14 December 2016 outlined two options for a sliding scale control. Council resolved at this meeting that:

- *Heights and FSRs in solar access affected areas be consistent with those shown on adjoining unaffected properties (with solar access planes to remain as an overarching control in the LEP). Further, that FSR and height controls remain as listed in the current draft City Centre Planning Framework maps.*

This resolution was valued because it allows for flexibility to attempt to achieve maximum FSR whilst still complying with Solar Access Controls as well as design excellence.

A copy of the Council report and resolution on the Draft Parramatta CBD Planning Proposal - Resolution of Key Policy Areas from the meeting on 14 December 2015 is provided at Appendix 3.

A discussion of the built forms provisions in the draft planning proposal is provided in Part 2.

C. Employment and dwelling projections

The key employment and dwelling projection issue for this Planning Proposal is for Parramatta to meet job and housing targets which are consistent with previous Metro Strategies.

Specific issues to be considered are:

- Reinforcing Parramatta CBD as Sydney's dual CBD;
- Achieving A-Grade commercial office space in the Parramatta CBD; and
- Retaining a commercial core in response to the Metropolitan Strategy requirement.

Job and Housing Targets

Consistent with the adopted Parramatta CBD Planning Strategy this planning proposal adopts the following job and dwelling targets which are consistent with previous Metro Strategies. Using economic analysis prepared by consultants SGS in 2014, the resulting gross floor area and population figures from these targets are outlined in Table 2 over the page.

Capacity Analysis - additional jobs and dwellings under the Planning Proposal								
	Current (as at 2011)		2036 Target (additional)		Capacity under existing controls (additional)		Capacity under Planning Proposal (additional)	
Jobs	49,513	jobs ¹	27,000	jobs	22,320	jobs*	48,763	jobs*
	1,188,312	sqm ²	972,000	sqm [^]	803,550	sqm	1,755,440	sqm
Dwellings	4,769	dwgs ³	7,500	dwgs	5712	dwgs*	20,297	dwgs*
	476,900	sqm ⁴	1,125,000	sqm [^]	856,784	sqm	3,044,484	sqm
Total floor space	1,665,212	sqm	2,097,000	sqm	1,660,334	sqm	4,799,924	sqm
Notes								
¹ Source: NSW Bureau of Transport Statistics, Employment Forecasts, September 2014 release figure								
² Assumption based on an average of 24sqm/job (SGS, 2014)								
³ Figure provided by Forecast.id for the planning proposal area								
⁴ Assumption based on an average of 100sqm/dwg								
[^] Floorspace needed plus 50%, given 100% take-up of capacity is unrealistic in practice (SGS, 2014)								
*Calculated based on 66% take-up of total capacity, given 100% take-up of capacity is unrealistic in practice (SGS, 2014)								

Table 2 – Job and Dwelling figures for the Planning Proposal area

There are currently 49,513 jobs and 4,769 dwellings in the Parramatta CBD (as at 2011). Council adopted targets in the Parramatta CBD Planning Strategy for 27,000 additional jobs and 7,500 additional dwellings to 2036. The table above demonstrates there is insufficient capacity under existing planning controls to meet these targets. However, the changes proposed under this planning proposal will significantly increase capacity for both jobs and dwellings in the Parramatta CBD, enabling Council to easily achieve or exceed these targets.

A-Grade commercial office space

To ensure the Parramatta CBD can fulfil all its functions as Sydney's dual CBD, it will be necessary to put in place policies that achieve A-Grade commercial office space development and retain a commercial core. The need to fulfil this function was identified in the Metro Strategy. In order to ensure this issue was properly considered Council commissioned an *Economic Review – Achieving A-Grade Office* 2015 prepared by consultants, Urbis. The key findings were:

- *New A-Grade office space generally needs to have a floorplate size of at least 1,300 sq.m, with most major tenants likely to want a floorplate of over 1,500 sq.m.*
- *Commercial and office development remain the dominant uses within the Commercial Core, and residential be considered where a development increases the supply of commercial floor space by at least 20,000 sq.m, with residential development supplied in a separate tower (i.e. horizontal separation) rather than as a part of the commercial tower.*

- *Remove maximum FSRs for commercial office development in the Commercial Core and be more flexible on allowable building heights for commercial development, subject to meeting other design and impact requirements.*
- *Only allow FSRs greater than 3:1 for those sites over 2,000 sq.m to promote site amalgamation.*
- *Expand the Commercial Core to create a more cohesive commercial precinct and integrate key commercial nodes (including Westfields) and establish a future Commercial Core along Church Street (Auto Alley) to be redevelopment in the long-term.*
- *Continue to encourage non-residential employment generating land uses in the Auto Alley Precinct.*

Councillors considered a report on a Planning Proposal seeking to include 'residential accommodation' as an additional permitted use on a site in the Commercial Core where it is currently prohibited (61B George Street, Parramatta, known as the "Parramall" site). Attached to this report was a copy of the Economic Review – Achieving A-Grade Office.

At the Council Meeting on 7 December 2015 Council resolved in relation to this matter to support the report recommendation that 'residential accommodation' as an additional permitted use on a site in the Commercial Core not be permitted. Council valued this approach because: *the proposal will result in a loss of employment generating floor space and may compromise the potential of the Parramatta CBD to provide the required level of commercial development needed to support Parramatta as the major employment centre in Western Sydney.*

A copy of the Council report and resolution on the Planning Proposal for land at 61B George Street, Parramatta from the meeting on 7 December 2015 is provided at Appendix 5.

A copy of the Economic Review – Achieving A-Grade Office is provided at Appendix 8, and a discussion of the land use provisions in the draft planning proposal is provided in Part 2.

D. Transport, traffic and parking

The key transport, traffic and parking issue for this Planning Proposal is for transport and access to support and complement urban intensification of the Parramatta CBD.

Specific issues to be considered are:

- Capacity of existing and proposed public transport services and infrastructure;
- Optimal land use mix for the CBD; and
- Managing transport demand and travel behaviour.

Consistent with the Implementation Plan in the adopted Parramatta CBD Planning Strategy, Council commissioned the *Parramatta CBD Strategic Transport Study*, 2016. This study is the first stage of work required to inform the 'Parramatta CBD Integrated Transport Study'. The Strategic Transport Study is a high level, strategic analysis assessing the likely impacts on the transport network from proposed increases in residential and commercial development. A partnership has been formed with the Department of Transport and the

Roads and Maritime Services and a higher strategic study focused on what role each transport mode will play in future movement to and from Parramatta CBD is underway. This study will need to be endorsed by all partners and then finalised prior to the exhibition of the Planning Proposal to allow it to be included in the exhibition process.

The second stage of work required to inform the 'Parramatta CBD Integrated Transport Study' is detailed (mesoscopic) traffic modelling for the Parramatta CBD. This modelling work will assess localised traffic impacts and required road infrastructure upgrades. It is expected that the results of this modelling will be finalised prior to the gazettal of the planning proposal. This may result in further road reservation acquisition and potential changes to car parking controls and policies, which will be addressed later in the planning proposal process.

At Councillor workshops on the Draft Parramatta CBD Planning Proposal, Councillors were informed about the partnership with the Department of Transport and the Roads and Maritime Services and the two stages of work required support given the scale and complexity of this planning proposal.

Consistent with the Actions in the adopted CBD Planning Strategy, new streets and lanes through large blocks in the Auto Alley area are proposed. This Planning Proposal contains controls to deliver a more permeable road network in this precinct.

A copy of the Parramatta CBD Strategic Transport Study will be included in this Planning Proposal in Appendix 9 when it is finalised.

E. Stormwater and flood risk management

The key stormwater and flood risk management issue for this Planning Proposal is balancing growth in the CBD with managing risks to life and property from flooding. Flooding within the Parramatta CBD is typical of flash flood catchments. Floodwaters arrive quickly without significant warning, cutting access to areas/buildings before receding quickly.

Specific issues include to be considered are:

- Recognising that flood prone land is a valuable resource and allowing a flexible merit based system to ensure appropriate proposals are not disallowed and vice versa.
- Evacuation of buildings within a flood event is dependent on the rate of water rise, flood depth and velocity and sheltering within an appropriate building may be a safer option.
- Consistency with the Section 117(2) Direction 4.3 Flood Prone Land in the Environmental Planning and Assessment Act 1979, and specifically permitting a significant increase in development within the floodplain and the residential flood planning level.

Consistent with the Implementation Plan in the adopted Parramatta CBD Planning Strategy, and to address the section 117 requirement under the EP&A Act 1979, Council commissioned an *Update to the Floodrisk Management Plans for the Upper and Lower Parramatta River*, 2016.

The key recommendations from this Study were:

- The planning proposal presents a tolerable flood risk to life and property subject to implementation of a new flood planning control to address shelter in place; and amendments to Parramatta DCP 2011 to reduce risk to individuals and properties within the floodplain.
- The planning proposal increases the overall population at risk, however also provides the opportunity to decrease the risk to that population through encouraging re-development which is more compatible with the flood risk.
- That Council seek consent from the Minister to impose controls in the Probable Maximum Flood (PMF) area as shown in Figure 3 over the page. In particular permission should be obtained to ensure adequate provision is made for shelter in place above the 1 in 100 ARI (average recurrent interval) flood event and that structurally all buildings are capable of withstanding the PMF impacts.

At Councillor workshops on the Draft Parramatta CBD Planning Proposal, Councillors were informed about the flooding issues in the CBD and the need to reduce the risks to people which would involve seeking Ministerial approval for new planning controls.

The Ministerial Direction for flood prone land requires Council to apply for exceptional circumstances from the Minister for the Environment to impose controls on development above the flood planning level. The consultant report states that Parramatta CBD represents exceptional circumstances due to the importance of the CBD, the expected future population, the short warning times (minutes), rapid rates of rise in floodwater, and the number of people who could be isolated in buildings.

As the Updated Floodplain Risk Management Plans will become a Council adopted plan a separate process to this Planning Proposal is also required. This process is programmed to occur concurrently with the Planning Proposal for the CBD, including the application to the Minister for the Environment for exceptional circumstances to impose controls above the flood planning level.

A detailed assessment of the updated Floodplain Risk Management Plans and the S117 (2) direction 4.3 is provided in Section 3.2.4 in this planning proposal.

A copy of the Updated Floodplain Risk Management Plans is provided at Appendix 10, and a discussion of the flooding planning provisions in the draft planning proposal is provided in Part 2.

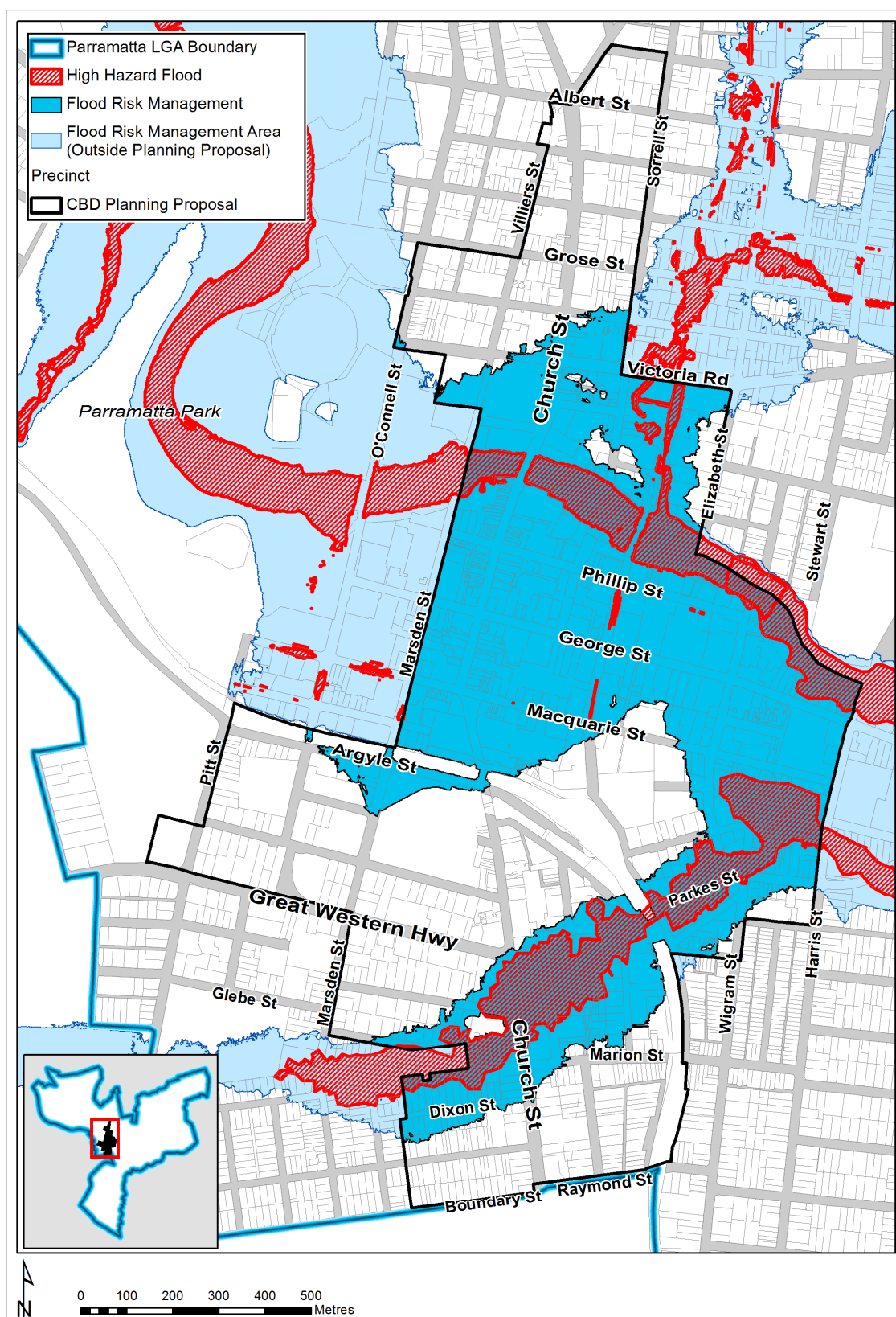


Figure 3 – Flood Risk Management Area - Probable Maximum Flood and the CBD Planning Proposal area

F. Community infrastructure and social sustainability

The key community infrastructure and social sustainability issue for this Planning Proposal is the changing demographic profile and significant anticipated growth in jobs and dwellings which are expected to place further demands on Council to provide new or augment existing infrastructure.

Specific issues to be considered are:

- Identification of required infrastructure to meet anticipated needs; and
- Allocation of useable space for community infrastructure for the success of the City and the wellbeing of its people.

Consistent with Action A4.1 and the Implementation Plan of the adopted Parramatta CBD Planning Strategy, Council has commissioned two pieces of work to address this being, *Community Facilities Needs Study* and *Infrastructure Delivery Plan*.

The Community Facilities Needs Study includes a needs analysis and best practice assessment of the provision of early education and child care services and multi-purpose community meeting spaces in order to provide for a growing workforce and residential population in Parramatta CBD, North Parramatta and Harris Park. This study analysed current levels of provision of community facilities, the future demand based on projected growth (to 2036), best practice for community facilities provision in a CBD setting and potential approaches to funding and/or providing community facility infrastructure in these. The Community Facilities Needs Study will inform how Council plans for the necessary infrastructure as growth occurs and will assist with ongoing consultations with the NSW Government and community organisations in relation to their community service provision.

The Infrastructure Delivery Plan will identify local and regional infrastructure needs relative to increased resident and worker populations. Identification of community needs and project costs is based on consultation with strategic and delivery teams within Council. Preparation of the Plan will also involve the review of the existing S94A Plan and Civic Improvement Plan and determine available funds. The Plan will also involve an update to the infrastructure works program.

In addition, provisions will be included in a future DCP amendment to facilitate the delivery of essential and social infrastructure, including:

- requirements for open space;
- identification of road network additions to improve permeability; and
- identification of new pedestrian and cycling linkages.

A copy of the Community Facilities Needs Study and Infrastructure Delivery Plan is provided at Appendix 11, and a detailed discussion of proposed land-uses and their appropriateness is provided in Part 2 of this planning proposal.

G. High Performing Buildings

A key issue related to Parramatta CBD's growth which must be considered as part of this Planning Proposal is managing increased demand for electricity, gas, water and sewer services from more intense development. Under a business as usual scenario, growth will have significant implications for augmentation of existing infrastructure (especially sewer and energy networks) and the subsequent ongoing costs to households.

Specific issues to be considered are:

- Ensuring resource and infrastructure efficiencies;
- Exploring cost savings for residents and office tenants and attracting A Grade office development; and
- Future proofing the city for emerging technologies and investment.

Consistent with Action A4 in the adopted Parramatta CBD Planning Strategy, Council commissioned a *Sustainability and Infrastructure Study* 2016. This Study forecast the likely energy, water, sewer, transport consumption and demand under the likely Parramatta CBD growth scenario. Specifically the Study estimated that under the proposed planning scenario, when compared with existing demands:

- electricity demand will nearly triple and peak day electricity demand is expected to increase by over 100MW (twice the existing demand);
- water demand is expected to triple;
- gas demand is expected to more than triple; and
- Increase sewer loads by nearly four times.

The model identified three key opportunities to reduce water and energy consumption in the CBD:

- Setting high performance building requirements;
- Provision of resilient infrastructure, including precinct scale recycled water and energy solutions; and
- Strategic parking management.

Following the recommendations from the Sustainability and Infrastructure Study a High Performing Buildings Study (2016) was undertaken by Kinesis. The purpose of this report was to investigate the costs and benefits of high performance standards for water and energy for commercial and residential development in the Parramatta CBD. A key objective of the Study was to ensure that any new planning controls were both cost effective and provide a genuine environmental outcome for Parramatta CBD. The key recommendations of the Study include:

- The Study recommends that, in line with best practice, that commercial premises over 10,000 square metres could deliver water and energy savings equivalent to NABERS 5-star Energy and NABERS 4 star Water. This is consistent with the Economic Review – Achieving A-Grade Office Report's recommendation to provide environmental standards for A-Grade buildings. The Study highlights that recent commercial developments, including Sydney Water Headquarters and Eclipse towers have achieved this benchmark.

- The Study modelled the cost effectiveness of residential development (between 10:1 and 15:1 in the B4 zone) to deliver higher energy and water targets than the base case BASIX targets. The Study recommends that new residential development are able to deliver BASIX Energy and Water targets 10 points above current BASIX compliance levels. The State Environmental Planning Policy BASIX allows for incentives for the adoption of measures beyond those required by BASIX.
- Given the life span of new buildings within the CBD, the Study recommends that it would be considered opportune for future development to be built with dual reticulation for recycled water for both internal and external uses. This is a low cost option to enable district wide water recycling in the Parramatta CBD. Together with the proposed high performing building controls, connected dual reticulation within could deliver a 37 per cent reduction in potable water consumption across the CBD.

The Study notes that adoption of the high performing buildings targets would see a 10 per cent reduction in CBD potable water consumption and 11 per cent reduction in CBD stationary greenhouse gas emissions (compared to business as usual under the proposed controls) and household savings of up to \$1.4 million per year.

A copy of the High Performing Buildings Study and the Sustainability and Infrastructure Study is provided at Appendix 12 and 13, and a discussion of the high performing buildings planning provisions in the draft planning proposal is provided in Part 2.

H. Infrastructure Funding

The key infrastructure funding issue for this Planning Proposal is determining appropriate funding models and potential impacts on development feasibility to ensure sufficient community and public infrastructure can be funded through a revised development contributions plan.

Specific issues to be considered are:

- Ensuring infrastructure funding mechanisms to enable the provision of sufficient community and public infrastructure needed in response to significant uplift in FSRs and yields.
- Identifying and reviewing options for capturing value uplift in development as a consequence of increased FSRs within existing legislative mechanisms.
- Assessing development viability of any infrastructure funding arrangements.

Consistent with Action A4.2 and the Implementation Plan of the adopted CBD Planning Strategy, Council commissioned an *Infrastructure Funding Models Study*. The study is evaluating a range of infrastructure funding scenarios and the final version of the study will update the Planning Proposal.

At the Councillor workshops on the Draft Parramatta CBD Planning Proposal, Councillors requested consideration of a two-phase value sharing option. A value sharing funding model involves landowners purchasing additional new floor space (by way of increased FSR) based on a nominated dollar value per sqm of GFA. The dollar value would be scheduled to provide certainty and reviewed annually. The report to the Council Meeting on 14 December

2015 outlined the advantages and disadvantages of introducing a Phase 1 Value Sharing option, and a Phase 1 and 2 Value Sharing option and Council resolved to:

- Pursue an increase to the section 94A levy from 3% to 4.5%,
- As an alternative to the increase to the section 94A levy if the Minister does not consent to the increase, the implementation of a 'Phase 1' infrastructure funding mechanism be explored where existing FSR controls remain in place and additional higher FSR controls can be achieved by contributing/sharing 10% of the land value of the uplift with the community for the provision of infrastructure.
- The implementation of a 'Phase 2' infrastructure funding mechanism, where higher FSRs than those proposed in Phase 1 can be achieved for nominated 'Special Areas' by sharing/contributing "a percentage" of the land value of the uplift with the community for the provision of infrastructure and subject to preparation of a site-specific DCP (or Stage 1 Concept DA) to demonstrate the site can accommodate the proposed additional yield without any adverse impacts.
- 'Special Areas' for 'Phase 2 Value Sharing' be nominated and the amount of potential additional FSR for each area when considering the Draft Parramatta CBD Planning Proposal in early 2016.
- An Infrastructure Delivery Plan be prepared to provide an infrastructure works program to provide transparency in how any income received through the funding scheme will be spent.
- A Development Guideline be prepared to explain the process for provision of infrastructure through the infrastructure funding scheme, including nominating a dollar value per square metre of additional GFA being sought (which should be scheduled to provide certainty and reviewed annually), in case monies are dedicated towards infrastructure, rather than works.
- Ensure the mechanism applies only to additional residential GFA, not commercial GFA, above the base FSRs shown on the maps.
- The infrastructure funding mechanism should operate in addition to existing section 94A contributions.

Council valued this approach because it allows for flexibility and simplification of the planning controls; it allows proponents to explore options for other land uses whilst encouraging equality and due diligence; the system is better suited to unique sites that can meet design criteria to achieve maximum FSRs; protects the items of Local, State, National and World heritage; and provides incentives for current and future investment into our city.

Council also resolved at the meeting on 14 December 2015 to establish an Infrastructure Funding Review Committee. The Committee met on 27 January 2016 and considered the merits of adopting a value sharing mechanism as part of the Parramatta CBD planning controls. The Committee recommended that Council proceed with a two phase value sharing system in the planning proposal and that further work be undertaken to develop the specific value sharing rate to appear in a Development Guideline. The Council endorsed the Committees recommendations at its meeting on 8 February 2016.

A copy of the Council report and resolution on the Infrastructure Funding Review Committee - Draft Parramatta CBD Planning Proposal from the meeting on 8 February 2016 is provided at Appendix 4.

A copy of the Infrastructure Funding Models Study will be included in this Planning Proposal in Appendix 14 when it is finalised, and discussion of the value capture provisions in the draft planning proposal is provided in Part 2.

I. Contamination

The key contamination issue for this Planning Proposal is ensuring that land identified for additional density and more sensitive land uses is not potentially contaminated from past industrial activities.

Specific issues to be considered are:

- The European history of the B5 zoned land within the Auto Alley area characterised by industrial/commercial uses and later car yards with high-quality freestanding buildings.
- Given this history of land uses, it is likely that a number of sites will have some level of contamination.

Consistent with the requirements of State Environmental Planning Policy No. 55 Remediation of Land and associated Managing Land Contamination Planning Guidelines SEPP 55 – Remediation of Land, Council undertook a preliminary (desktop) investigation of the area within the draft Planning Proposal boundary, and also a site specific contamination study for Auto Alley (refer to Figure 4 over the page). Council engaged JB&G to undertake a Preliminary Site Investigation Study for the Auto Alley area.

The key finding was:

“Whilst the investigation identified the potential for soil and groundwater impacts to be present at the site, the investigation did not identify the potential for gross or wide spread contamination which may preclude rezoning (Appendix A) of the site. Identified potential soil and groundwater impacts are considered representative of common contaminants and potentially contaminating land use activities which can be readily dealt with during the DA stage for redevelopment and assessment for site suitability. In the absence of gross or widespread contamination, the requirements of the DUAP (1998) Planning Guidelines for this type of rezoning are considered to have been satisfied, namely that the rezoning can proceed, “provided that measures are in place to ensure that the potential for contamination and the suitability of the land for any proposed use are assessed once detailed proposals are made” (s.4.1.2 – Generalised Rezoning, DUAP/EPA 1998). It is recommended that upon submission of a development application (DA), Council enact their PDGP 2011, which incorporate SEPP 55 provisions. Specifically, it is recommended that a preliminary and detailed site investigation be undertaken upon submission of a DA for redevelopment of any land within the site”.

It is also recommended that Hazardous Building Material Surveys (HBMS) be undertaken prior to any demolition and redevelopment works on individual land parcels within the site.

For the remainder of the planning proposal area a desktop investigation was undertaken. This assessment concluded that any contamination that may be present could be dealt with as part of the Development Assessment process and that contamination would not preclude additional density or the rezonings proposed by the Planning Proposal. A copy of the Preliminary Site Investigation Study for the Auto Alley Precinct is provided at Appendix 15.

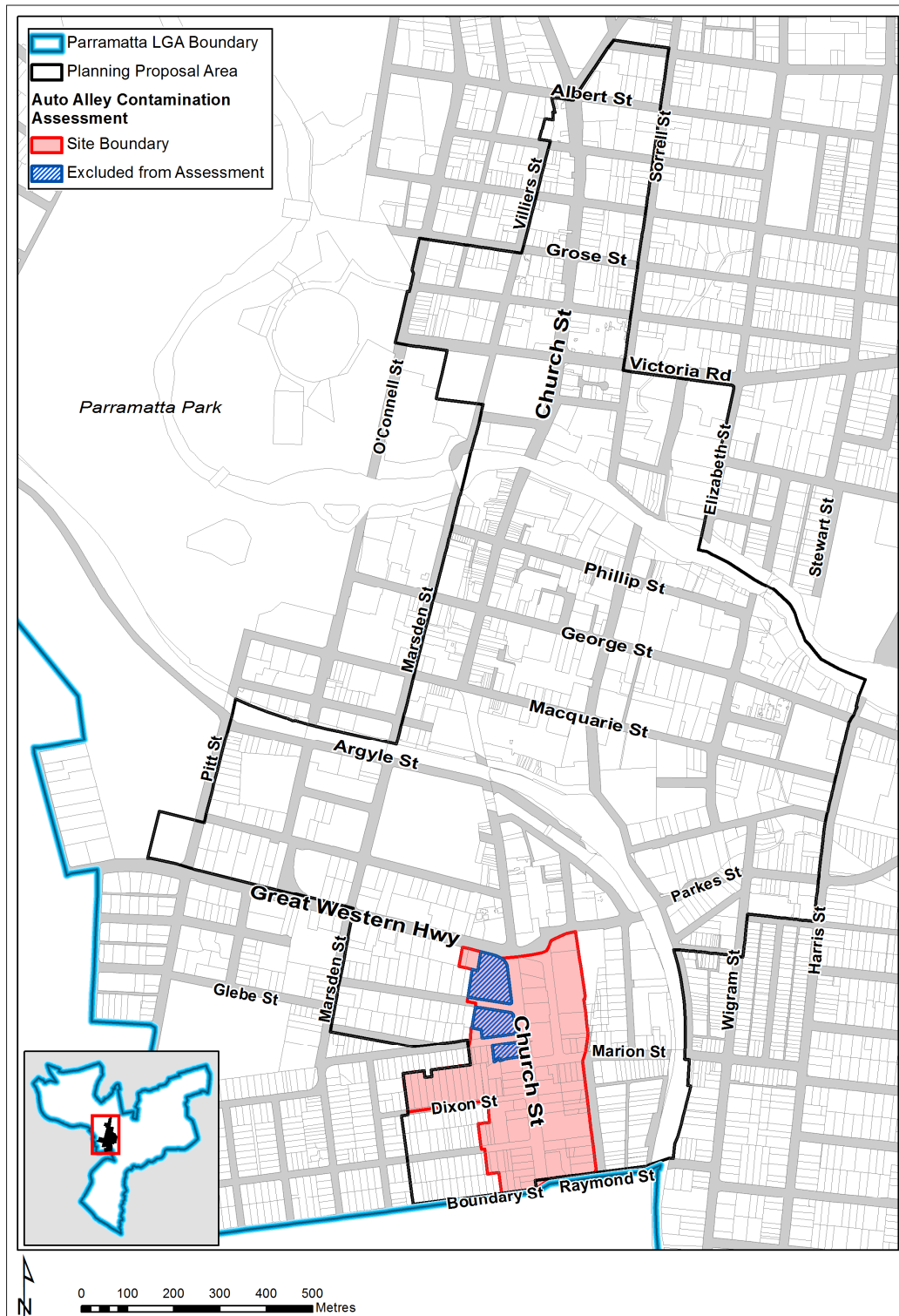


Figure 4 – Area of contamination assessment and the CBD Planning Proposal area

Key elements of this Planning Proposal

This planning proposal is to give effect to the adopted Parramatta CBD Planning Strategy 2015 and Council Resolutions from 2015 and 2016. The key elements of this planning proposal are outlined below.

A. City Centre Boundary

This planning proposal attempts to support the proposal for Parramatta to be a dual CBD and will result in an expansion of the CBD boundary. In accordance with the Council adopted Parramatta CBD Planning Strategy, it is proposed to expand the CBD boundary to the following areas:

- south of Grose Street and east of O'Connell Street, Parramatta;
- south of Isabella Street and west of Sorrell Street, North Parramatta;
- area bound by Ada, Kendall and Wigram Streets, Harris Park;
- south of Great Western Highway and north of Lennox and Lansdowne Streets, east of Marsden Street, Parramatta; and
- areas along Dixon, Rosehill and Boundary Streets, Parramatta.

This Planning Proposal does not seek to make any changes to the controls that apply in the 'Park Edge Highly Sensitive' land on the western edge of the City Centre adjacent to the World Heritage listed Old Government House and Domain (refer to figure 2). Council has only recently worked with the Commonwealth and State Governments to enter into a Conservation Agreement regarding development in this area (City Centre – West) and for this reason further review of the planning controls for this precinct is not warranted. Some provisions will be necessary in the Planning Proposal to make it clear that only the existing controls currently in place for the City Centre – West Precinct will apply to this precinct, instead of the new controls proposed in the Planning Proposal. This will be referenced on the Special Provisions Area Map as Area 6.

Consideration of a further expansion of the City Centre boundary will be undertaken in a separate planning proposal to include the areas identified in the Strategy as 'Planning Investigation Areas' (refer to 'Figure: Implementation Plan' in the Parramatta CBD Planning Strategy on page 20 provided at Appendix 2)

B. Land Use

This planning proposal attempts to support the proposal for Parramatta to provide long-term employment opportunities supported by high density residential. To achieve this, the key recommendations with respect to the planning controls are summarised as follows:

Within the City Core area:

1. Expand the B3 Commercial Core zone to include some land containing existing commercial uses currently zoned B4 Mixed Use, including Westfields, area along Argyle

Street (between Marsden and O'Connell Streets) and along Station Street East (between Hassall and Parkes Streets).

2. Maintain the provision of a B4 Mixed Use zone to support high density residential (mixed use) development in and adjacent to the City Centre Core.
3. Retain the existing uses permissible within the B3 Commercial Core zone, with exception of serviced apartments which will be prohibited.
4. Include an additional local provision to require a minimum amount of commercial development to be provided on some land zoned B4 Mixed Use generally adjacent to land zoned B3 Commercial Core.
5. Include an additional local provision to enable commercial premises floor space provided in excess of the minimum required to be exempt from the overall maximum floor space ratio but only for sites with an area greater than 1,800 square metres.
6. Include a provision which requires an active street frontage to be provided as part of a development, that is, a business or retail premises at ground floor in certain areas to promote pedestrian traffic in the City Centre.

Within the Periphery area - North:

7. Expand the B4 Mixed Use zone to include land currently zoned R3 Medium Density Residential and R2 Low Density Residential in the area south of Grose Street and north of Victoria Road, Parramatta.
8. Expand the R4 High Density Residential zone to include land currently zoned R3 Medium Density Residential in the area west of Sorrell Street.
9. Include a provision which requires an active street frontage to be provided as part of a development, that is, a business or retail premises at ground floor along mapped street frontages to promote pedestrian traffic in the City Centre.

Within the Periphery area - South:

10. Rezone the land principally adjacent to Church Street from B5 Business Development to B3 Commercial Core to provide for an expanded area of higher order commercial core activities.
11. Include a special provision to permit additional uses 'vehicle repair stations' and 'vehicle sales or hire premises' with development consent on land principally proposed to be zoned B3 Commercial Core adjacent to Church Street (Auto Alley). It is noted that 'vehicle repair stations' and 'vehicle sales or hire premises' are permissible with development consent on land zoned B4 Mixed Use.
12. Rezone the remainder of the land zoned B5 Business Development to:
 - a. R4 High Density Residential west of Church Street between Lansdowne and Raymond Streets; and
 - b. B4 Mixed Use along the western side of High Street (between Marion and Raymond Streets) and the eastern side of Anderson Street (north of Marion Street).

13. Rezone the land zoned B1 Neighbourhood Centre bounded by Ada, Kendall and Wigram Streets to B4 Mixed Use.
14. Rezone the land zoned R4 High Density Residential fronting the Great Western Highway (west of Church Street and east of Marsden Street) to B4 Mixed Use.
15. Include a provision which requires an active street frontage to be provided as part of a development, that is, a business or retail premises at ground floor along Church Street (Auto Alley) and other key streets to promote pedestrian traffic in the City Centre.

A map of the proposed land use zonings is shown at Appendix 16.

C. Built Form

The planning controls that influence built form outcomes are density and height and these are addressed as follows:

Density

1. Density of development will be controlled by Floor Space Ratio (FSR) controls.
2. All land within the CBD Planning Proposal boundary will have two FSR controls, one being a base FSR control, and the other being an Incentive Floor Space (IFS) control.
3. For some properties there will be no difference between the base FSR and the IFS. These sites are generally zoned B3 Commercial Core.
4. The proposed base maximum FSR control:
 - a. Is largely the same FSR as currently gazetted and shown on the maps for PLEP 2011.
 - b. Applies to all land zonings and development permitted within the B3 Commercial Core, B4 Mixed Use and R4 High Density Residential.
 - c. May not be achievable on some sites due to sun access protection and airspace operation controls also included in this Planning Proposal.
 - d. Is not subject to site area thresholds (i.e. FSR Sliding Scale).
 - e. Can be increased by 15 per cent provided design excellence is achieved. The 15% bonus can only be applied once, either to the base or IFS, but not both.
 - f. Is the same as the IFS in the case of the B3 zone.
5. The proposed incentive Floor Space (IFS) control:
 - a. Reflects the Council Resolutions from 14 December 2015, 8 February 2016 and 11 April 2016 for land within the City Centre Core to have a IFS of 10:1 and sites within the peripheral areas to have an IFS of 6:1 except sites that are subject of a gazetted Planning Proposal or for sun access or heritage reasons.
 - b. Applies to all land zonings and development permitted within the B3 Commercial Core, B4 Mixed Use and R4 High Density Residential

- c. Can be achieved provided the development includes community infrastructure.
 - d. Can be increased by 15 per cent provided design excellence is achieved. The 15% bonus can only be applied once, either to the base FSR or IFS, but not both.
 - e. Is subject to site area thresholds (i.e. FSR Sliding Scale) which may result in a reduction of the maximum FSR due to the size of the site, either:
 - i. FSRs up to 6:1 – Minimum site area 500sqm up to 1,300sqm
 - ii. FSRs of 10:1 – Minimum site area 800sqm up to 1,600sqm
 - f. For sites that are subject to the site area thresholds (i.e. FSR Sliding Scale), the IFS as shown on the map, may still be achieved provided certain conditions relating to design excellence, compliance with SEPP 65 and activated street frontages are met.
 - g. May not be achievable on some sites due to sun access protection and airspace operation controls also proposed in this Planning Proposal.
6. Additional floor space for commercial premises, in addition to the base and IFS, is permitted on certain sites:
- a. In the B4 zone, if the development includes a minimum of 1:1 commercial floor space and the site has an area greater than 1,800 square metres.
 - b. In the B3 zone, office development is not subject to any floor space ratio controls.
7. Bonus FSR, in addition to the IFS, can be achieved on some sites that meet certain conditions, by utilising planning provisions relating to Opportunity Sites and high performing buildings. This is explained as follows:
8. Opportunity Sites bonus FSR:
- a. Is an FSR bonus up to a maximum of 3:1.
 - b. Is in addition to the 10:1 Incentive FSR.
 - c. Applies to most land zoned B4 Mixed Use within the City Core area subject to certain conditions (including minimum site width and size).
 - d. Can be achieved provided the development includes community infrastructure (whether provided on site or not) in addition to the community infrastructure provided as part of the Incentive Floor Space control.
 - e. Can be achieved if a site specific DCP (or a Stage 1 DA) is submitted.
 - f. Must undertake a competitive design process and exhibit design excellence.
 - g. Must achieve the water and energy targets under the high performing buildings clause.

9. High Performing buildings bonus FSR:

- a. Applies to sites (subject to certain minimum site width and size) within the B4 Mixed Use zone that have IFS of 10:1.
- b. Is a 0.5:1 FSR bonus (on top of the IFS) that can be achieved provided energy and water targets (above BASIX requirements) are included.
- c. Applies to any development that has already availed design excellence and high performing building. Seeking an Opportunity Site bonus as it is a requirement to achieve the high performing buildings criteria for Opportunity Sites.

Height

1. The maximum height of a building will be influenced by proposed controls for height of buildings, sun access protection and airspace operations.
2. All land within the CBD Planning Proposal boundary will have two height controls, one being a base height control, and the other being an incentive height control.
3. The base maximum height control:
 - a. Applies to all land zonings – B3 Commercial Core, B4 Mixed Use and R4 High Density Residential,
 - b. Is largely the same height as currently gazetted and shown on the maps for PLEP 2011,
 - c. The height of a site with no base height limit is determined by sun access controls,
 - d. Land with a height control of 0m in the Church Street area (Auto Alley Precinct) reflects uses required to be dedicated to Council for the delivery of new roads and open space,
 - e. Is impacted by an airspace operations control, and
 - f. Can be increased by 15 per cent provided design excellence is achieved. The 15% bonus can only be applied once, either to the base or incentive height, but not both.
4. The incentive maximum height control:
 - a. Only applies height controls to sites in the Auto Alley precinct, Church Street (between Macquarie and Parramatta River) and some sites affecting heritage items within a landscape setting. All others areas have no height controls specified under the incentive height control map.
 - b. Where maximum building heights apply, it generally increases the building heights from the base height control to correspond with the incentive FSR control, except where impacted by heritage.
 - c. Can be achieved provided the development includes community infrastructure (whether provided on site or not) in conjunction with the IFS.

- d. Applies to all land zonings – B3 Commercial Core, B4 Mixed Use and R4 High Density Residential.
 - e. May not be achieved on some sites due to the sun access protection control and the airspace operations control detailed below.
 - f. Can be increased by 15 per cent provided design excellence is achieved. The 15% bonus can only be applied once, either to the base or incentive height, but not both.
5. The sun access protection control:
- a. Ensures new development in 'sun access areas' does not significantly overshadow and maintains a level of solar access to key public places in the City Centre.
 - b. Any future development located on 'sun access areas' must not result in additional overshadowing in mid-winter between 12 midday and 2pm to the Parramatta River Foreshore, Prince Alfred Square, Lancer Barracks and Jubilee Park.
 - c. Based on the resolution of Council on 9 March 2015 and 23 November 2015 to amend the control relating to overshadowing of Parramatta Square, a separate provision dealing specifically with solar access to Parramatta Square is included in the Planning Proposal. The control requires an individual building not to overshadow any point in the solar protection zone in Parramatta Square for no more than 45 minutes as referenced in Parramatta DCP.
6. The airspace operations control:
- a. Airspace above the Parramatta City Centre is affected by the operation of Sydney and Bankstown Airports.
 - b. If the incentive height control becomes activated, some areas in the City Centre will be subject to no height limits.
 - c. If the unlimited FSR for commercial development becomes activated, some sites in the City Centre will be subject to no FSR limits.
 - d. Therefore tall buildings will be required to consider the impact on airspace safety and in some instances be required to obtain approval from the relevant Commonwealth agency.

A map of the proposed height and FSR controls is shown at Appendix 16 and the potential Draft LEP Provisions for PLEP 2011 are shown at Appendix 17.

D. Design Excellence

In order to facilitate design excellence and a high quality built form in the Parramatta CBD, the planning proposal retains similar provisions to those already in the PLEP 2011 relating to a competitive design process for certain buildings in the Parramatta CBD. The competitive process ensures that design excellence is considered at several steps in developing the concept design, and early on in the project when it is most cost effective and easiest to make changes. The process also allows for a broad spectrum of design expertise to be involved and contribute to the project compared to an alternative process where a single architect is commissioned by the applicant.

Specifically the planning proposal recommends, with respect to planning controls and design excellence, the following:

1. Amendment to the existing PLEP 2011 provision, requiring development of a height greater than 40 metres (current requirement is 55 metres) to be subject to a competitive design process.
2. Development involving or directly adjoining a heritage item seeking to achieve a FSR of 3:1 or greater to be subject to a competitive design process.
3. The current 15% bonus can be applied to either the base FSR and height, or incentive FSR and height, but not both to prevent “double-dipping” and ensure an equitable application of the control.
4. Developments seeking the maximum FSR shown on the FSR map rather than the FSR permitted by the sliding scale, must be subject to a competitive design process and exhibit design excellence.
5. Those sites within the B4 Mixed Use zone which are identified as Opportunity Sites and are seeking any bonus FSR in addition to the incentive FSR, are subject to a competitive design process and must exhibit design excellence.
6. Removal of the PLEP 2011 provision relating to a bonus of 25 percent FSR and height for non-residential floor space in the B4 Mixed Use Zone if it exhibits design excellence. This provision will be no longer applicable as it is proposed that non-residential floor space will not be subject to maximum FSR controls in the B4 Mixed Use Zone.

E. Heritage

The heritage controls for the Parramatta CBD proposed in the planning proposal are as follows:

1. Heritage items within the City Centre Core have an FSR of 10:1 and heritage items within the peripheral areas have an FSR of 6:1 except for the following sites:
 - a. Areas directly to the north of Lancer Barracks, given this site is an item of national heritage significance where the existing FSR and height controls are to be retained.

- b. Some areas that adjoin state heritage items within a significant landscape setting, including St John's Church and St John's Cemetery consistent with the recommendations of the Heritage Study (Urbis 2015).
2. Heritage items within the City Centre Core and the peripheral areas are not subject to a height control, except for the sites on Church Street between the Parramatta River and Macquarie Street which will have a 12m height control, and the state heritage items within a significant landscape setting identified in point 1 above.
3. The existing PLEP 2011 controls relating to heritage under Clause 5.10 are retained.
4. Harrisford House, given this is a state heritage item with a direct connection with the river, will have a base and incentive height of 8m. However, it will adopt an incentive FSR of 10:1 consistent with adjoining properties to encourage site amalgamation, delivery of a through site link and conservation of the heritage item as part of any redevelopment.
5. A development that includes Incentive or Opportunity Site FSR must demonstrate an appropriate transition to any heritage items or conservation areas.

F. Infrastructure Funding

This planning proposal facilitates the sharing of the land value increase resulting from the uplift to the residential floor space ratio of a site for the benefit of the community. To achieve this, the key recommendations with respect to the planning controls are summarised as follows:

1. Mixed use or residential development up to the maximum incentive height and FSR control can be achieved, where community infrastructure is provided. This is known as 'Phase 1 community infrastructure'.
2. The amount of Phase 1 community infrastructure provided is to be a proportion of the land value increase being the difference between the base FSR and the incentive FSR (the proportion of the land value uplift is to be specified in a separate Development Guideline).
3. Community infrastructure means a building or place owned or controlled by a public authority, for example a community facility, public square and can be provided on the development site or elsewhere. The provision of community infrastructure will be linked to Council's 'Infrastructure Delivery Plan' and must be agreed by Council. It is not completely at the applicants' discretion to decide what infrastructure will be provided.
4. In addition to the Phase 1 community infrastructure, further community infrastructure can be provided on Opportunity Sites. This community infrastructure is known as 'Phase 2 community infrastructure'.
5. In relation to Opportunity sites, an additional FSR of up to a maximum of 15:1 could be achieved as part of the development if the site meets certain conditions including, size of the site, achieving design excellence, meeting water and energy targets and preparation of a DCP (or a Stage 1 DA).

6. It is noted that a Development Guideline will be prepared by Council to provide details on how community infrastructure is to be calculated and delivered. This is similar to the process which is undertaken for Green Square by the City of Sydney Council.

G. High Performing Buildings

This planning proposal attempts to foster environmental wellbeing and efficient and sustainable use of energy and resources so that Parramatta develops as a sustainable city. To achieve this, the key recommendations with respect to the planning controls can be summarised as follows:

1. Office premises over 10,000sqm in gross floor area or commercial premises over 2,000sqm in gross floor area within a mixed use development are required to achieve water and energy savings equivalent to NABERS 5 star energy and 4 star water ratings. This is consistent with the Economic Review – Achieving A Grade Office Report's recommendation to provide environmental standards for A Grade buildings. It is noted that recent commercial developments, including Sydney Water Headquarters and Eclipse towers have achieved this benchmark.
2. A new or expansion of an existing retail premises (standalone or part of a mixed use development) over 5,000sqm in gross floor area are required to achieve water and energy savings equivalent to NABERS 5 star energy and 4 star water ratings for NABERS Shopping Centres.
3. A FSR Bonus of 0.5:1 will be available to mixed use development with a maximum incentive FSR of 10:1, a site area greater than 1800sqm and a site frontage greater than 24 metres wide, where water and energy targets are achieved 10 points above the current BASIX targets for residential development, and for commercial component of a mixed use development water and energy targets are achieved for commercial premises over 2,000sqm. This FSR bonus will not be available to developments with a maximum incentive FSR of 6:1 (6.9:1 with design excellence) as it is considered that subsequent FSR bonuses would result in poor urban design outcomes in these areas.
4. Given the lifespan of new buildings or where significant alterations are proposed to an existing building, a further requirement is proposed to be included requiring dual reticulation (to accommodate both potable and recycled water pipes) for all future developments to allow for district wide water recycling in Parramatta.
5. A requirement for commercial premises that are greater than 600 square metres and located within the B3 Commercial Core zone and B4 Mixed Use zone, to provide for end of journey facilities for pedestrian and cyclists. The provision of end of journey facilities is consistent with the recommendation from the Economic Review – Achieving A Grade Office Report as a way to improve the amenity of the workplace, encourage alternative forms of transport to work and for businesses to attract and retain staff. The rate of provision of these facilities will be outlined in a supporting draft DCP control.

H. Transport, traffic and parking

This planning proposal will address the Section 117 Direction 3.4 Integrating Land Use and Transport by increasing the development potential of land for more intense commercial and residential development activity close to well serviced transport routes to maximise the use of public transport and accessibility to local services.

This planning proposal also attempts to understand the likely transport demand associated with the proposed increase in density. This work is being finalised and it is expected that the Draft Parramatta CBD Strategic Transport Study will be exhibited with the Planning Proposal. This Study will be used to enable more detailed traffic modelling work to be prepared. This may result in further road reservation acquisition and potential changes to car parking controls, which will be addressed later in the planning proposal process. It is also expected that this work will inform regional transport infrastructure requirements.

I. Stormwater and flood risk management

This planning proposal attempts to provide for intensification of development within a floodplain while complying with the section 117 Direction relating to Flood Prone Land. As a result, the key recommendations with respect to the planning controls are summarised as follows:

1. Maintain the existing flood planning controls in PLEP 2011 including: The flood planning level being 1 in 100 ARI (average recurrent interval) flood event plus 0.5 metre freeboard (which applies to residential development only), and the controls relating to flooding under Clause 6.3.
2. Include a new clause requiring buildings with evacuation issues on land affected by the probable maximum flood within the City Centre to:
 - a. Provide a safe area for all occupants to take refuge in that is located above the probable maximum flood level, or
 - b. Provide a flood free pedestrian access between the building and land that is above the probable maximum flood level, and
 - c. Provide certification by an engineer that a building can withstand the forces of floodwaters resulting from a probable maximum flood event.
3. Imposing planning controls on development above the Flood Planning Level, requires approval of exceptional flooding circumstances by the Minister for Environment.
4. The changes outlined in the planning proposal are in accordance with a floodplain risk management plan prepared in accordance with the principles and guidelines of the Floodplain Development Manual 2005.

PART 1 – OBJECTIVES OR INTENDED OUTCOMES

The objectives or intended outcomes of the proposed amendments to Parramatta LEP 2011 are:

1. To strengthen Parramatta's position as the dual CBD for metropolitan Sydney.
2. To increase the capacity for new jobs and dwellings so as to create a dynamic and diverse city.
3. To encourage a high quality and activated public domain with good solar access.
4. To facilitate the provision of community infrastructure to service the growing city.
5. To strengthen opportunities for the provision of high quality commercial floor space.
6. To future proof the city through efficient and sustainable use of energy and resources.
7. To manage risks to life and property from flooding.

PART 2 – EXPLANATION OF PROVISIONS

This planning proposal seeks to amend the PLEP 2011 as it applies to the Parramatta CBD lands in the manner described below. The amendments largely relate to the Additional Local Provisions – Parramatta City Centre contained in Part 7 of the PLEP 2011. The following proposed amendments would need to be legally drafted and included within the PLEP 2011.

Land-use table and zoning objectives

This Planning Proposal includes an amendment to the permitted uses in the Land Use Table for Zone B3 Commercial Core in order to prohibit serviced apartments. The reason for this amendment is to ensure that employment land is protected and that the conversion to residential apartments does not occur in the future.

Built form controls (Height and FSR)

Under the current PLEP 2011, most sites in the Parramatta CBD have one height control and one FSR control. This Planning Proposal retains in the main these heights and FSRs as shown on the existing Height of Buildings Map and FSR Map, and proposes to introduce a second height and FSR control. Consequently most sites within the Parramatta CBD Planning Proposal boundary will have two FSR and two height controls and these are to be known as 'base FSR and height', and 'incentive FSR and height'.

The base height is shown on the 'Height of Buildings Map', the incentive height is shown on the 'Incentive Height of Buildings Map', the base FSR is shown on the 'FSR Map', and the incentive FSR is shown on the 'Incentive Floor Space Map'.

The proposed incentive FSR control is generally 10:1 for land within the CBD Core and 6:1 for land north and south of the CBD Core. Exceptions to these incentive FSRs include sites that are the subject of a gazetted Planning Proposal or for heritage reasons.

Most sites in the CBD will not have an incentive building height however these sites will be subject to an amended airspace operations control that regulates intrusions into prescribed airspace. Sites that have a designated height limit in metres on the incentive height map include those in the Auto Alley Precinct or for heritage reasons.

Within the Auto Alley Precinct, incentive FSRs and heights are generally more varied than the remainder of the Parramatta CBD and reflect separate detailed analysis. The height and FSR controls gazetted for an individual site determined through a site specific Planning Proposal process are shown on the base and incentive height and FSR maps. Sites of significant heritage value have in the main height and FSRs controls consistent with the existing controls in PLEP 2011.

Community Infrastructure

The purpose of a base and incentive height and FSR control is to enable some of the financial value resulting from the uplift to the residential floor space ratio of a site to be captured for the benefit of the community. This Planning Proposal seeks to include a new control in PLEP 2011 allowing a development to be consistent with the incentive height and incentive FSR control where a mixed use or residential development provides for community infrastructure. This is to be known as 'Phase 1 community infrastructure'.

Council will prepare a Development Guideline which will outline details on how community infrastructure is to be delivered. Community infrastructure means a building or place owned or controlled by a public authority, for example a community facility or public square and can be provided on the development site or elsewhere. The amount of community infrastructure that must be provided will be proportional based on the difference between the base FSR and the incentive FSR.

Built form controls (FSR sliding scale)

Under the existing PLEP 2011, a site may achieve the maximum base or incentive height and FSR indicated on the map where the site area is greater than the minimum amount stated in the instrument. Where a site area is less than that the stated in the instrument, the sliding scale control limits the maximum FSR that can be achieved on a site proportional to the site area through the application of a formula. The purpose of this control is to promote site amalgamation and to prevent overdevelopment and inappropriate built forms on small sites.

This Planning Proposal retains the FSR sliding scale control, but proposes amendments including the minimum site area thresholds. The existing and proposed FSR Sliding Scale is shown in tables 3 and 4 respectively.

FSR shown on existing FSR Map	Site is less than or equal to 1000sqm	Site is greater than 1000sqm but less than 1800sqm	Site is equal to or greater than 1800sqm
6:1	4:1	$(4 + 2X):1$	6:1
8:1	5:1	$(5 + 3X):1$	8:1
10:1	6:1	$(6 + 4X):1$	10:1

$X = (\text{the site area in square metres} - 500)/1500$

Table 3 – PLEP 2011 Clause 7.2 Floor space ratio – existing

Part 1 – FSRs of 4:1 and 6:1			
FSR Shown on Incentive FSR Map	Site is less than or equal to 500sqm	Site is greater than 500sqm but less than 1,300sqm	Site is equal to or greater than 1,300sqm
6:1	4:1	$(4 + 2X):1$	6:1
8:1	5:1	$(5 + 3X):1$	8:1
Part 2 – FSR of 10:1			
FSR Shown on Incentive FSR Map	Site is less than or equal to 800sqm	Site is greater than 800sqm but less than 1,600sqm	Site is equal to or greater than 1,600sqm
10:1	6:1	$(6 + 4X):1$	10:1

Where $X = (\text{the site area in square metres} - 500)/800$;

$Y = (\text{the site area in square metres} - 800)/800$

Table 4 – PLEP 2011 Clause 7.2 Floor space ratio – proposed

This Planning Proposal proposes for the City Centre Core that to achieve the maximum incentive FSR of 10:1 a site must have an area equal to or greater than 1600sqm (previously 1800sqm). In the Peripheral Areas, to achieve the maximum FSR of 6:1 a site must have an area equal to or greater than 1300sqm (previously 1800sqm).

For sites with an area less than this, the amended FSR sliding scale control includes a formula for determining the FSR for a site. A site in the City Centre Core with a mapped FSR of 10:1 may achieve a minimum FSR of 6:1 provided the site area is 800sqm (previously 1000sqm). A site in the Peripheral Areas with a mapped FSR of 6:1 may achieve a minimum FSR of 4:1 provided the site area is 500sqm (previously 1000sqm).

The intent of these changes to the FSR sliding scale is to balance equity of development potential with the physical capacity of the site and give certainty of development and fair value to the smaller sites while incentivising the consolidation of sites.

Built form controls (FSR 'out clause')

This Planning Proposal also introduces a new control to enable the maximum incentive FSR for a site to be achieved regardless of the site area stated in the FSR sliding scale control, provided certain conditions relating to design excellence, compliance with SEPP 65 and activated street frontages are met. Community Infrastructure would also still need to be provided where this clause is utilised. The clause is known as the 'FSR out clause' and the intent is to allow all sites, regardless of size, an opportunity to demonstrate the maximum FSR for a site can be achieved.

Building Heights (Sun Access Protection)

This Planning Proposal identifies properties on the 'Height of Buildings Map' that cannot exceed a height determined by a sun access plane. To protect solar access to key open spaces between 12:00pm and 2:00pm on 21 June (mid-winter), a sun access plane is created over land and extends in a strip ascending as one moves back from the front of the plane. PLEP 2011 currently uses a sun access plane to protect solar access to Parramatta Square.

It is proposed to replace the existing clause with two new clauses where solar access is to be protected to Prince Alfred Square, Parramatta River Foreshore, Lancer Barracks site and Jubilee Park (as shown on the Solar Access Protection Map) and where solar access is to be protected to Parramatta Square as detailed in PDCP 2011.

Design Excellence

This Planning Proposal amends the existing design excellence clause by altering the conditions under which an architectural design competition must be held. PLEP 2011 currently requires buildings greater than 55m or 13 storeys (or both) in height to undergo an architectural design competition. If design excellence is achieved a 15% development bonus may be awarded to compensate for the cost of a design competition.

The proposed amendment to the clause will require buildings with a height greater than 40 metres or development involving or directly adjoining a heritage item seeking to achieve a FSR or 3:1 or greater, to undergo an architectural design competition. The purpose of lowering the height to 40m is to ensure urban design issues associated with tower built forms are subject to closer analysis. The 15% bonus can be applied to both the base FSR and height, or incentive FSR and height. The intent of the amendment to the design excellence clause is to promote innovative design solutions that achieve high quality buildings and spaces and reward this through additional FSR and or height.

Office and Commercial Premises in the B4 and B3 Zones

This Planning Proposal introduces a new clause that applies to certain sites within the B4 Mixed Use zone that are identified on the Additional Local Provisions Area Map. The new clause requires that a minimum of 1:1 commercial floor space is to be provided as part of a development of these sites, and that any additional commercial floor space (on top of the 1:1 requirement) is exempt from overall maximum floor space ratio controls shown on the Incentive FSR Map. A provision of this clause is that the conversion of the commercial premises floor space approved under the clause to residential accommodation is prohibited. The intent of the control to exempt commercial development from overall maximum FSR

controls is to activate land on the edge of B3 Commercial Core zone and facilitate the provision of a range of commercial uses (business, office and retail) that will contribute to the long term economic growth of the CBD.

For land within the B3 Commercial Core zone, this Planning Proposal introduces a new clause that exempts office development from any floor space ratio controls. The intent of this planning control is to encourage office development that typically has higher order employment opportunities and yields to support Parramatta CBD's long term growth as Sydney's dual CBD.

Opportunity Sites

This Planning Proposal introduces a new clause that allows the FSR for the site to increase up to a maximum of 15:1 where a development meets certain conditions and provides for community infrastructure. This is known as 'Phase 2 community infrastructure'. This clause applies to land identified as an Opportunity Site on the Opportunity Site Map.

The intent of this clause is to allow additional residential development within the B4 Mixed Use zone provided the site has a land area greater than 1800sqm; and the applicant demonstrates via a site-specific DCP (or a Stage 1 DA) that the site can accommodate the additional FSR, design excellence is achieved, the building is a high performing building and community infrastructure is provided.

High Performing Buildings

This Planning Proposal introduces new clauses to foster efficient and sustainable use of energy and resources that minimise new buildings' consumption of energy and water. The proposed requirement is for office premises over 10,000 square metres or commercial premises over 2,000sqm in gross floor area within a mixed use development to meet minimum energy and water targets equivalent to 5 star energy and 4 star water NABERS rating. New or expanded retail premises (standalone or part of a mixed use development) over 5,000sqm in gross floor area are required to achieve higher water and energy savings equivalent to NABERS 5 star energy and 4 star water ratings for NABERS Shopping Centres. An additional benefit of this control is providing environmental standards that meet the requirements for A Grade rated office space, a necessary type of office development for growing the commercial core and providing for long term, high employment yielding development.

For mixed use development up to a maximum floor space ratio of 10:1, with a site area greater than 1800sqm and front building line greater than 24m, an FSR Bonus of 0.5:1 is available. To be eligible for the bonus, residential development must achieve water and energy targets greater than current BASIX targets, and for commercial premises over 2,000sqm, specific water and energy targets must be achieved.

A new clause is also proposed requiring dual water systems (both potable water pipes and recycled water pipes) to be contained within all new buildings within the CBD. This clause will be a cost effective measure for the delivery of significant reductions in potable water requirements for the CBD and create market conditions to encourage recycled water provision in the Parramatta CBD.

This Planning Proposal also introduces a clause requiring end of journey facilities (including showers, lockers, change rooms and bike parking) to be delivered within a commercial

development or within a mixed use development where more than 600square metres of commercial premises is provided. The intent of the clause is to improve the amenity of the workplace, encourage alternative forms of transport to work and for businesses to attract and retain staff. An additional benefit of this control is providing worker facilities that meet the requirements for A-Grade rated office space. The rate of provision of these facilities will be outlined in a supporting draft DCP control.

Floodplain Risk Management

Currently the Flood Planning Level for the Parramatta LGA is the 1 in 100 ARI (average recurrent interval) flood event plus 0.5 metre freeboard. This means that flood controls in the LEP cannot apply to residential development affected by flood events greater than the Flood Planning Level. This Planning Proposal introduces a new clause that will apply to sites within the CBD Planning Proposal boundary that are affected by flood events up to the Probable Maximum Flood (PMF) being the largest flood that could conceivably occur.

The purpose of this new clause is to ensure that although the planning proposal will permit a significant increase in development potential and thus people, the overall risk to life will not be increased. To achieve this, it is proposed that a new planning control is included that requires a shelter to be available within a building that is above the PMF level, or that people can evacuate safely to land that is located above the PMF, and that buildings be able to withstand flooding up to the PMF.

This new clause is supported by an updated Flood Risk Study and Plan which considers the unique flooding characteristics affecting the Parramatta CBD, expected population increase and NSW State Government's recognition of Parramatta as a dual CBD. The clause will apply to land within the CBD Planning Proposal boundary identified as being affected by the PMF on the Floodplain Risk Management Map.

As the Updated Floodplain Risk Management Plans will become a Council adopted plan, a separate process to this Planning Proposal is also required. This process is programmed to occur concurrently with the Planning Proposal for the CBD, including the application to the Minister for the Environment for exceptional circumstances to impose controls above the flood planning level.

Site Specific Provisions

This Planning Proposal also proposes two site specific planning controls. The first one permits vehicle repair stations and vehicle sales or hire premises on some land principally along Church Street within the Auto Alley precinct. These sites are to be identified on the Additional Permitted Uses Map and are proposed to be rezoned from B5 Business Development to B3 Commercial Core. The existing B5 zone permits vehicle repair stations and vehicle sales or hire premises, however the proposed B3 Commercial Core zone does not. The purpose of this amendment is to manage the transition of sites from existing car uses in the short term to a more traditional commercial use in the longer term.

The second site specific planning provision relates to certain land at Dixon, Rosehill and Boundary Streets, Parramatta and that will be shown on the Special Provisions Map. The proposed amendment will allow an additional FSR of 1:1 and an additional height of 14m above the proposed development standards provided that a minimum frontage of 60m is achieved.

The affected sites are currently zoned B5 Business Developments and R4 High Density Residential. Under this Planning Proposal the sites currently zoned B5 Business Developments are proposed to be rezoned to R4 High Density Residential. The proposed development standards for these sites are: base height control - 11m and 12m; proposed incentive height control - 40m; proposed base FSR - 0.8:1 and 2:1; and proposed incentive FSR - 3:1. The proposed site specific amendment to the height and FSR development standards will allow a total possible height and FSR on the affected sites of 54m and 4:1.

The purpose of this amendment is to encourage the amalgamation of sites to achieve a built form outcome that is proportional to the site area.

Maps

This planning proposal seeks to amend some of the existing maps of the PLEP 2011 and create a series of new maps. The Maps are provided at Appendix 16. The following broadly summarises the key changes and additions:

- Amend the areas shown in the Additional Local Provisions Map relating to Part 7 – Additional Local Provisions Parramatta City Centre of the Parramatta LEP 2011 to expand the boundary of the Parramatta City Centre.
- Amend the zones in the Land Zoning Map.
- Amend the maximum FSR in the Floor Space Ratio Map.
- Amend the maximum building height in the Height of Buildings Map.
- Amend the Additional Permitted Uses Map to include the Church Street south area (Auto Alley) relating to Schedule 1 Additional Permitted Uses of the PLEP 2011.
- Create an Incentive Floor Space Ratio Map.
- Create an Incentive Height of Buildings Map.
- Create a Sun Access Protection Map relating to the proposed Clause 7.4 Sun Access Protection provisions.
- Create an Active Street Frontages Map relating to the proposed Clause 7.14 Active Street Frontages provisions.
- Create an Opportunity Sites Map relating to the proposed Clause 7.16 Opportunity Sites provisions.
- Create a Special Provisions Map.

Draft Provisions

A copy of the draft provisions has been prepared and is provided at Appendix 17.

2.1 Other relevant matters

2.1.1 Draft Development Control Plan (DCP)

Amendments to Parramatta DCP 2011 are required to deliver the finer detail controls to guide future built forms. This will be drafted separately and reported to Council to allow them to resolve to exhibit the Draft DCP.

2.1.2 Development Guideline on Community Infrastructure

Council will prepare a Development Guideline to support the new planning provision in PLEP 2011 that will provide details on how community infrastructure is to be delivered to the satisfaction of the consent authority. The allocation of community infrastructure funds will be clearly linked to Council's Infrastructure Delivery Plan.

2.1.3 Draft Infrastructure Delivery Plan

A Draft Infrastructure Delivery Plan will be prepared and exhibited alongside the Planning Proposal linked to the Development Guideline on Community Infrastructure.

2.1.4 Section 94A Plan

A new Section 94A Plan will be prepared, the works program of which will be informed by the infrastructure Delivery Plan.

The following diagram (figure 5) explains how value sharing works and the order for applying FSR bonuses for a sample site with an area greater than 1600sqm where the base FSR under clause 4.4 is 4:1 and the maximum incentive floor space under clause 7.2 is 10:1.

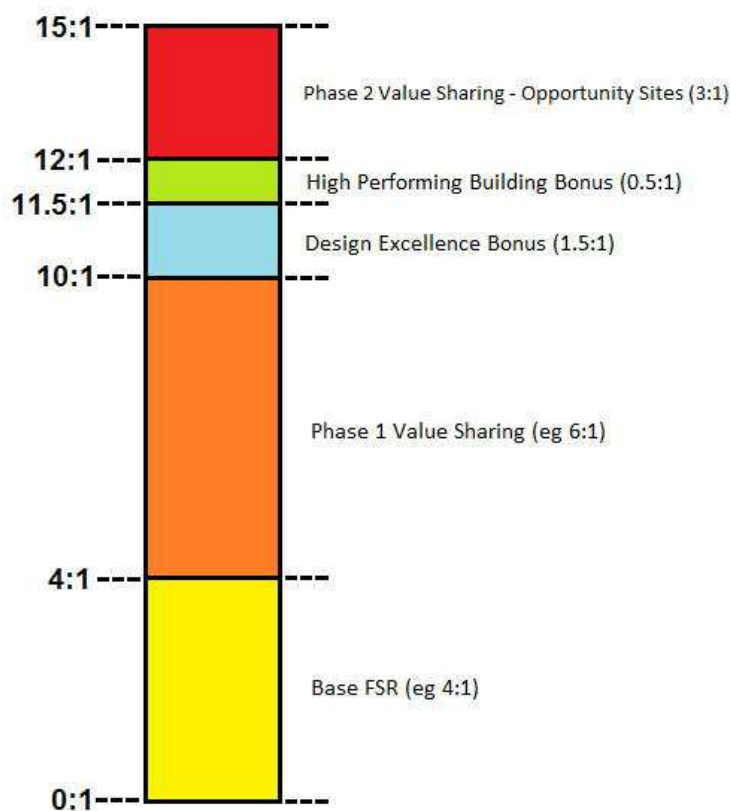


Figure 5 – Application of value sharing and order of FSR bonuses

PART 3 – JUSTIFICATION

This part describes the reasons for the proposed outcomes and development standards in the planning proposal.

3.1 Section A - Need for the planning proposal

This section establishes the need for a planning proposal in achieving the key outcomes and objectives. The set questions address the strategic origins of the proposal and whether amending the LEP is the best mechanism to achieve the aims of the proposal.

3.1.1 Is the Planning Proposal a result of any study or report?

The primary outcome of this planning proposal, to enable a higher density of residential and commercial development, stems from local and state government strategic plans including the NSW Government's *A Plan for Growing Sydney 2014* and *Parramatta CBD Planning Strategy*.

A Plan for Growing Sydney 2014 states the NSW Government will work with Parramatta Council to review expansion opportunities in the Parramatta CBD including updated building height controls and removal of barriers to growth to promote more efficient land use outcomes. This plan highlights Parramatta's role as Sydney's dual CBD and as a key area for future development to cater for projected increases in the residential and working population of the region.

The vision and objectives in the *Parramatta CBD Planning Strategy* were prepared to reflect Council's vision for how the objectives in *A Plan for Growing Sydney* will be achieved in the Parramatta CBD.

Both these plans focus on Parramatta's role as Sydney's dual CBD and as a key area for future development to cater for projected increases in the residential and working population of the region.

3.1.2 Is the Planning Proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

A planning proposal seeking to amend *PLEP 2011* is the most effective way of providing certainty for Council, the local community and landowners and allows for orderly and economic development of the land. The existing height and FSR standards would not permit part of the form of development envisaged in the planning proposal and would not allow the CBD to meet job and dwelling targets. The only alternate way to achieve this is via ad-hoc site specific Planning Proposals which does not allow for proper consideration of CBD wide cumulative issues.

3.2 Section B – Relationship to strategic planning framework

This section assesses the relevance of the Planning Proposal to the directions outlined in key strategic planning policy documents. Questions in this section consider state and local government plans including the NSW Government's *Plan for Growing Sydney* and subregional strategy, State Environmental Planning Policies, local strategic and community plans and applicable Ministerial Directions.

3.2.1 Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy?

A Plan for Growing Sydney

In December 2014, the NSW Government released *A Plan for Growing Sydney*, which is a plan for the future of the Sydney Metropolitan Area over the next 20 years. The Plan provides key directions and actions to guide Sydney's productivity, environmental management, and liveability – including the delivery of housing, employment, infrastructure and open space.

Parramatta local government area is part of the West Central Subregion. *A Plan for Growing Sydney* identifies the goals and directions for the broader Metropolitan area and also directions, actions and priorities for Parramatta and the West Central Subregion that are relevant to this planning proposal:

Consistency with the <i>Plan for Growing Sydney</i>	
Relevant strategic directions and policy settings	Consistency
Goal 1 – Sydney's competitive economy Direction 1.2 - Grow Greater Parramatta – Sydney's dual CBD Direction 1.3 - Establish a new priority growth area – Greater Parramatta to the Olympic Peninsula Direction 1.4 - Transform the productivity of Western Sydney through growth and investment Direction 1.6 - Expand the Global Economic Corridor Direction 1.7 - Grow strategic centres-providing more jobs closer to home Direction 1.9 Support priority economic sectors Direction 1.10 Plan for education and health services to meet Sydney's growing needs Direction 1.11 Deliver infrastructure	The planning proposal is consistent with the goals and directions of the <i>Plan for Growing Sydney</i> as it will facilitate the delivery of additional commercial floorspace which will further strengthen Parramatta's role as Sydney's dual CBD. It is estimated that the planning proposal will accommodate an additional 48,475 new jobs. The planning proposal will help build the City as a centre of high, value-adding employment and a driving force behind the future prosperity for Western Sydney. The increase in commercial development potential and incorporation of the provisions included in this planning proposal will contribute to the achievement of metropolitan planning goals of providing jobs closer to home to the growing population of Western Sydney and the expansion of Sydney's Global Economic Corridor.
Goal 2 – Sydney's housing choices Direction 2.1 Accelerate housing supply across Sydney Direction 2.2 Accelerate urban renewal across Sydney- providing homes closer to jobs Direction 2.3 Improve housing choice to suit different needs and lifestyles	The Planning Proposal is considered to meet the strategies by allowing for an appropriate mix of residential and commercial/retail uses which will support the city centre. The development will also allow for the concentration of housing around transport nodes and contributes towards dwelling targets for the Parramatta local government area. It is estimated that the planning proposal will accommodate approximately 19,976 additional new dwellings.
Goal 3 – Sydney's great place to live Direction 3.1 Revitalise existing suburbs Direction 3.2 Create a network of interlinked,	The planning proposal will encourage redevelopment within the City Centre through incentives built into the planning controls which will assist with revitalising

Consistency with the <i>Plan for Growing Sydney</i>	
Relevant strategic directions and policy settings	Consistency
multipurpose open and green spaces across Sydney Direction 3.3 Create healthy built environments Direction 3.4 Promote Sydney's heritage, arts and culture	areas. To create a healthy built environment, this planning proposal includes provisions to promote walking and cycling, active streets, community facilities and buildings that minimise energy and water. Planning for open space and supportive local infrastructure is being prepared to support planned development. This will be undertaken as part of an <i>Infrastructure Needs Analysis Study</i> to assess infrastructure needs as a result of increased development (local and state), including community infrastructure. The planning proposal maintains existing heritage provisions and further strengthens design excellence provisions.
Goal 4 – Sydney's sustainable and resilient environment Direction 4.1 Protect our natural environment and biodiversity Direction 4.2 Build Sydney's resilience to natural hazards Direction 4.3 Manage the impacts of development on the environment	The planning proposal has included an Update of the Flood Risk Management Plans that affect the Parramatta CBD. The conclusion from the report is that the risks to life and property from flooding of Parramatta River catchment are considered to be tolerable provided amendments are made to the LEP and DCP. This includes seeking approval from the Minister for the Environment for a new flood planning LEP clause for properties where evacuation is compromised. To build Parramatta CBD's resilience this planning proposal recommends controls to future proof new buildings and create high performing buildings that deliver more sustainable outcomes.
West Central Subregion Priorities for West Central Subregion: - A competitive economy - Accelerate housing supply, choice and affordability and build great places to live - Protect the natural environment and promote its sustainability and resilience Priorities for Strategic Centres – Greater Parramatta - Recognise and plan Greater Parramatta as a transformational place - Plan Greater Parramatta as Sydney's dual CBD and Western Sydney's number one location for employment and health and education services, supported by a vibrant mixture of land uses and cultural activity, with the Parramatta River foreshore as a focus for recreational activities.	The planning proposal is consistent with the priorities for West Central Subregion, as contained in the <i>Plan for Growing Sydney</i>. Additional capacity for both residential and commercial uses is provided by way of uplift to the FSR controls. The planning proposal will enable the development of residential dwellings and non-residential uses that will contribute towards dwelling and employment targets in the Parramatta City Centre with excellent access to public transport. The retention of the commercial core for non-residential uses, and the expansion of the

Consistency with the <i>Plan for Growing Sydney</i>	
Relevant strategic directions and policy settings	Consistency
- Provide capacity for long term employment growth in Greater Parramatta, particularly in its CBD. - Provide capacity for additional mixed-use development in Parramatta CBD, health services in Westmead, an education hub around the new UWS Campus, a technology and education precinct in Rydalmere, arts and culture in Parramatta, a sports precinct around Parramatta Stadium and housing in all precincts. Priorities for Strategic Centres – Parramatta CBD; Work with Council to retain a commercial core in Parramatta CBD for long term employment growth Prioritise the delivery of light rail services to Parramatta to improve connections between jobs and housing.	commercial core to include Westfields and land along Church Street within the Auto Alley Precinct will provide sufficient capacity for long term employment growth.

Table 5 – Consistency with the *Plan for Growing Sydney*

3.2.2 Is the planning proposal consistent with the local council's Community Strategic Plan or other local strategic plan?

The following strategic planning documents are relevant to the planning proposal.

Parramatta CBD Planning Strategy

The Parramatta CBD Planning Strategy 2015 established Council's future vision for the CBD and identified actions Council is pursuing to prepare a planning proposal to implement new controls seeking to achieve this vision. The Strategy was informed by high level strategic analysis prepared by urban design consultants, Architectus, in 2014 which was informed by an economic analysis prepared by SGS Planning and Economics. The overarching purpose of this work was to identify how Council could develop and implement a planning framework to create a world class city. The Architectus and SGS work, together with separate urban design and economic studies for the Auto Alley precinct and the River Strategy were endorsed for community consultation.

The Parramatta City Centre Planning Framework Study (Architectus 2014) and the Draft Auto Alley Planning Framework Study were publically exhibited in 2014 and following consideration of stakeholder feedback arising from the exhibition, were integrated by Council into the Parramatta CBD Planning Strategy (the Strategy). The Strategy was adopted by Council on 27 April 2015.

The vision identified in the Strategy is that,

Parramatta will be Australia's next great city, defined by landmark buildings and high quality public spaces with strong connections to regional transport. It will respect its heritage, be an exemplar in design excellence, facilitate job growth and ensure its streets are well activated.

The principles identified in the Strategy to achieve this vision are:

P1	Achieve world's best practice in the planning and development of cities.
P2	Achieve a strategic balance of land uses.
P3	Create an attractive and distinctive city skyline, defined by tall, slender towers.
P4	Create a liveable, active and highly desirable city.
P5	Promote economic diversity, prosperity and jobs growth.
P6	Improve the quality of urban design and the public domain.
P7	Achieve design excellence.
P8	Celebrate heritage and the natural environment.
P9	Facilitate the delivery of infrastructure to support Parramatta's growth.
P10	Improve access to the regional transport network.

This Planning Proposal is considered to generally meet the vision and principles in the Strategy by:

- Incorporating a floor space ratio control to provide developer certainty and achieve design quality, while also being the basis for a value capture mechanism to fund public benefits (P1).
- Maintaining and expanding the commercial core for non-residential uses and providing for additional residential capacity in adjacent mixed use zones (P2).
- Providing a floor space ratio control that promotes the creation of tall, slender towers for the City Centre Core, and in the expanded commercial core zone along Church Street in the Auto Alley Precinct (P3).
- Identifies areas where active street frontages are appropriate and provides for additional density within the CBD to enable people to live and work in a place that has good public transport facilities and access to services and shops and high quality recreation spaces (P4).
- Retaining and expanding the commercial core zone for non-residential uses and providing for additional capacity within this zone to enable greater employment opportunities to be provided that will contribute to the long term success of the Parramatta CBD and support the vision of Parramatta becoming Australia's next great city (P5).
- Protecting solar access to key public spaces to create an attractive and inviting public domain and identifying community infrastructure needed to support the workers and residents (P6).
- Amending the design excellence requirements to capture more developments required to go through an architectural design competition, including sites adjacent to heritage items (P7).
- Retaining the existing heritage provisions and reducing FSRs adjacent to national and state heritage items that are within a landscape setting to ensure the protection of heritage (P8).
- Identifying infrastructure requirements to support the population and including a legal mechanism to enable community infrastructure to be provided by developers in return for greater site density (P9).
- Undertaking a Transport Study that will review the existing transport network and the required improvements to support the expected increase in population (P10).

Parramatta 2038 Community Strategic Plan

The Parramatta 2038 is a long term Community Strategic Plan for the City of Parramatta and it links to the long-term future of Sydney. The plan formalises several big and transformational ideas for the City and the Region – major transformational opportunities for the City, including the following:

- the development of Parramatta CBD, Westmead, Camellia and Rydalmere;
- a Light Rail network and Local and Regional Ring Roads;
- the Parramatta River entertainment precinct; and
- a connected series of parks and recreation spaces.

Together, these 'Big Ideas' represent significant levers for positive change over the next 25 years. Parramatta 2038 outlines how to realise the true potential of Parramatta and spread those benefits locally and regionally.

The planning proposal pursues the strategies and key objectives identified in the plan including; to help build the City as a centre of high, value-adding employment and a driving force behind a generation of prosperity for Western Sydney.

The increase in development potential and incorporation of the provisions included in this planning proposal are consistent with the identified strategic objectives contained in Parramatta 2038 – Community Strategic Plan.

The Planning Proposal is considered to meet the strategies by allowing for an appropriate mix of residential and commercial/retail uses which will support the city centre and urban revitalisation. The planning proposal will also allow for the concentration of housing around transport nodes and contribute towards dwelling targets for the Parramatta local government area.

Parramatta Smart City Masterplan July 2015

The Parramatta Smart City Masterplan 2015 is closely aligned to the strategic objectives in the Parramatta 2038 Community Strategic Plan. The need for a Smart City Masterplan was identified in Council's Corporate Plan. The Smart City vision is Parramatta will be a Smart City that leverages the foundations of good urban planning, transparent governance, open data and enabling technologies that will underpin our position as a vibrant, people centric, connected and economically prosperous city.

Parramatta's mission as a Smart City is that:

- Parramatta will be a highly liveable, technologically enabled, active and desirable place to live, work and visit as Australia's next great city.
- Parramatta will develop an environment that encourages and leverages the synergies between centres of excellence in research, technology, education, health, enterprise and creativity.
- Parramatta will plan for outcomes that drive economic competitiveness, improve safety, enhance mobility, improves environmental sustainability, enriches social and community connections, embraces cultural diversity and celebrates our heritage.

The guiding principles will be used to assess for any initiative that is put forward to test its alignment to our vision.

It is considered that the Planning Proposal is generally consistent with the guiding principles of the Smart City Masterplan.

Parramatta City River Strategy

Parramatta City Council has prepared the Draft Parramatta City River Strategy. The draft strategy is a public domain project for revitalising the foreshore of the Parramatta River between Gasworks Bridge and Rings Bridge, O'Connell Street. It aims to improve connections between the river and the city, activation of public and private spaces and create more recreational opportunities for city residents, workers and visitors.

This planning proposal is consistent with the Draft Parramatta City River Strategy in that the floor space ratios will enable the delivery of building forms generally consistent with the indicative forms shown in the draft Strategy. This will be supported by future DCP amendments and the preparation of an Infrastructure Delivery Plan and Infrastructure Models Funding Study.

3.2.3 Is the planning proposal consistent with the applicable State Environmental Planning Policies?

The following State Environmental Planning Policies are of relevance to the site.

State Environmental Planning Policy (SEPP)	Comment
SEPP No 1—Development Standards SEPP No 6—Number of Storeys in a Building SEPP No 22—Shops and Commercial Premises SEPP No 32—Urban Consolidation (Redevelopment of Urban Land) SEPP No 33—Hazardous and Offensive Development	Consistent. This planning proposal does not contain provisions that contradict or would hinder the application of these SEPPs.
SEPP No 55—Remediation of Land	Consistent. This planning proposal does not contain provisions that contradict or would hinder the application of this SEPP. Given this industrial history of land uses in the Auto Alley Precinct, it is likely that a number of sites will have some level of contamination. To address this, Council commissioned a Preliminary Site Investigations which concluded that, <i>Identified potential soil and groundwater impacts are considered representative of common contaminants and potentially contaminating land use activities which can be readily dealt with during the DA stage for redevelopment and assessment for site suitability. In the absence of gross or widespread contamination, the requirements of the DUAP (1998) Planning Guidelines for this type of rezoning are considered to have been satisfied, namely that the rezoning can proceed, "provided that measures are in place to the</i>

State Environmental Planning Policy (SEPP)	Comment
	<i>ensure that the potential for contamination and the suitability of the land for any proposed use are assessed once detailed proposals are made” (s.4.1.2 – Generalised Rezoning, DUAP/EPA 1998)”.</i>
SEPP No 64—Advertising and Signage	Consistent. This planning proposal does not contain provisions that contradict or would hinder the application of this SEPP.
SEPP No 65—Design Quality of Residential Flat Development	Consistent. The provisions sought in this Planning Proposal aim to facilitate design excellence and a high quality built form in the Parramatta CBD. Any future high density mixed use or residential development in the B4 Mixed Use zone will be required to consider SEPP 65’s Apartment Design Guide and will be subject to a competitive design process where the proposal triggers the requirements. The Planning Proposal amends the PLEP 2011 provisions relating to a competitive design process applying to tall buildings (over 40 metres) in the Parramatta CBD to ensure more buildings are subject to the design excellence process. Furthermore, in order to support the proposed controls, an amendment to the Parramatta Development Control Plan 2011 (DCP) in relation to the Parramatta CBD is required. In accordance with 6A of the SEPP, any proposed requirements or standards contained in the DCP will be consistent with the Apartment Design Guide. It is intended that the Draft DCP will be exhibited at the same time as the Planning Proposal.
SEPP No 70—Affordable Housing (Revised Schemes) SEPP (Building Sustainability Index: BASIX) 2004 SEPP (Housing for Seniors or People with a Disability) 2004 SEPP (Major Development) 2005 SEPP (Infrastructure) 2007 SEPP (Temporary Structures) 2007 SEPP (Exempt and Complying Development Codes) 2008 SEPP (Affordable Rental Housing) 2009	Consistent. This planning proposal does not contain provisions that contradict or would hinder the application of these SEPPs.
State Regional Environmental Plans (REPs) – Deemed SEPPs	Comment
Sydney REP (Sydney Harbour Catchment) 2005	Consistent. Parramatta local government area is part of the Sydney Harbour Catchment. This planning proposal is consistent with the planning principles for land with the Foreshore and Waterways Area as it maintains public access to the foreshore and the ferry service by way of zoning (i.e. W2 - Recreational Waterways and RE1 – Public Recreation).

Table 6 – Consistency with SEPPs and REP

3.2.4 Is the planning proposal consistent with applicable Ministerial Directions (s.117 directions)

In accordance with Clause 117(2) of the *EP&A Act 1979* the Minister issues directions for the relevant planning authorities to follow when preparing planning proposals for new LEPs. Council's consideration of these directions is provided below:

No.	Direction	Comment
1. Employment and Resources		
1.1	Business and Industrial Zones The objectives of this direction are to: a) encourage employment growth in suitable locations, b) protect employment land in business and industrial zones, and c) support the viability of identified strategic centres.	Consistent The planning proposal is consistent with the direction as it retains and enhances the location of existing business zones in the Parramatta CBD. It results in a net increase in total potential floor space area for employment uses. The expansion of the B3 Commercial Core zone will result in new employment areas which support the growth of Parramatta as Sydney's dual CBD as identified in the metropolitan strategy for Sydney - <i>A Plan for Growing Sydney</i> .
2. Environment and Heritage		
2.3	Heritage Conservation The objective of this direction is to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance.	Consistent The planning proposal is consistent with the direction as it retains the existing controls in clause 5.10 of Parramatta LEP 2011 and the key objective of this clause is to conserve the environmental heritage of Parramatta. The planning proposal also does not propose any additional heritage items, or changes to existing heritage conservation areas identified in Schedule 5 – Heritage of the Parramatta LEP 2011. A new provision is also proposed (clause 7.10 (5) (b)) to require a design competition process for certain development adjacent to heritage items.
3. Housing Infrastructure and Urban Development		
3.1	Residential zones The objectives of this direction are: a) to encourage a variety and choice of housing types to provide for existing and future housing needs, b) to make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services, and c) to minimise the impact of residential development on the environment and	Consistent. The planning proposal and its provisions are consistent with the direction for residential zones. The proposal encourages housing choice through increased density controls and a resulting increased supply. Due to its location within an existing urban environment it makes efficient use of existing infrastructure and therefore reduces the consumption of land on the urban fringe of Sydney. The increased opportunities for mixed use residential development in the Parramatta CBD is consistent with the

No.	Direction	Comment
	resource lands.	direction in <i>A Plan for Growing Sydney</i> to grow strategic centres-providing more jobs closer to home.
3.4	Integrating Land Use and Transport The objective of this direction is to ensure that urban structures, building forms, land use locations, development designs, subdivision and street layouts achieve the following planning objectives: - improving access to housing, jobs and services by walking, cycling and public transport, and - increasing the choice of available transport and reducing dependence on cars, and - reducing travel demand including the number of trips generated by development and the distances travelled, especially by car, and - supporting the efficient and viable operation of public transport services, and - providing for the efficient movement of freight.	Consistent. The planning proposal is consistent with this Direction by: - locating more intense development activity close to the Parramatta Railway Station and Bus interchange to maximise the use of public transport; - locate development close to local services including Westfields (a major shopping centre) and medical and education services; - encourage sustainable transport choices by improving through site links in the public domain particularly in the Auto Alley Precinct; and - locating jobs close to existing and future public transport routes, including the Western Sydney Light Rail, Parramatta and Harris Park Railway Stations and key bus routes and bus interchange. The planning proposal is also consistent with the metropolitan strategy for Sydney - <i>A Plan for Growing Sydney</i> as it intensifies development within Parramatta, Sydney's dual CBD.
3.5	Development Near Licensed Aerodromes The objectives of this direction are: - to ensure the effective and safe operation of aerodromes, and - to ensure that their operation is not compromised by development that constitutes an obstruction, hazard or potential hazard to aircraft flying in the vicinity, and - to ensure development for residential purposes or human occupation, if situated on land within the Australian Noise Exposure Forecast (ANEF) contours of between 20 and 25, incorporates appropriate mitigation measures so that the development is not adversely affected by aircraft noise.	Consistent. The Planning Proposal does not promote development within the (Australian Noise Exposure Forecast) ANEF contours 20 and 25 however Sydney and Bankstown Airports are subject to the Federal Airports Act 1996 and the Airports (Protection of Airspace) Regulations 1996. Airspace above the Parramatta CBD is affected by operational requirements for those airports. A building that penetrates the Obstacle Limitation Surface (OLS) requires approval under that legislation, via the Commonwealth Department of Infrastructure and Regional Development. This planning proposal includes an airspace operations clause in the LEP which controls development within the prescribed airspace area and therefore is consistent with this direction.
4. Hazard and Risk		
4.1	Acid Sulfate Soils The objective of this direction is to avoid significant adverse environmental impacts from the use of land that has a probability of containing acid sulfate soils.	Consistent. The planning proposal maintains the existing PLEP 2011 provisions in respect to the management of acid sulphate soils. The proposed land uses and built form as part of this Planning Proposal does not significantly alter the existing pattern of development in the Parramatta CBD. Therefore,

No.	Direction	Comment
		consistent with the existing PLEP provisions, any acid sulphate soils that may be present can continue to be dealt with as part of the development assessment process.
4.3	Flood Prone Land The objectives of this direction are: a) to ensure that development of flood prone land is consistent with the NSW Government’s Flood Prone Land Policy and the principles of the Floodplain Development Manual 2005, and b) to ensure that the provisions of an LEP on flood prone land is commensurate with flood hazard and includes consideration of the potential flood impacts both on and off the subject land.	Justifiably inconsistent. This planning proposal attempts to balance the need for growth in the CBD with the need to manage flooding. A large portion of the Parramatta CBD is within the floodplain and a significant increase in development is proposed. With reference to the Section 117 Direction, it is acknowledged that the planning proposal contains provisions that apply to the flood planning areas which permit development in floodway areas; and permit a significant increase in the development of that land. As provided for in the direction, these inconsistencies are permissible if, “the planning proposal is in accordance with a floodplain risk management plan prepared in accordance with the principles and guidelines of the Floodplain Development Manual 2005”. To address this, Council commissioned an update of the Flood Risk Management Plans as they affect the Parramatta CBD. The report concluded that, <i>“The risk assessment in this report has been carried out in line with the principles and guidelines of the Floodplain Development Manual (2005). It is our view that the planning proposal presents a tolerable flood risk to life and property if the recommendations made within this report, with regard to LEP and DCP revisions and other flood risk management measures, are implemented. This conclusion has been made recognising that while the planning proposal increases the overall population at risk, it will also provide the opportunity to decrease the risk to that population through encouraging re-development which is more compatible with the flood risk”</i>. Refer to table below (Table 8 on page 55) for a detailed response to the direction criteria.
6. Local Plan Making		
6.1	Approval and Referral Requirements The objective of this direction is to ensure that LEP provisions encourage the efficient and appropriate assessment of development.	Consistent This planning proposal does not propose to change any existing approval and referral requirements.
6.2	Reserving Land for Public Purposes The objectives of this direction are: a) to facilitate the provision of public services	Consistent This planning proposal does not propose to change any existing land reservations for public purposes.

No.	Direction	Comment
	and facilities by reserving land for public purposes, and b) to facilitate the removal of reservations of land for public purposes where the land is no longer required for acquisition.	
6.3	Site Specific Provisions The objective of this direction is to discourage unnecessarily restrictive site specific planning controls, and applies when a relevant planning authority prepares a planning proposal that will allow a particular development to be carried out.	Justifiably Inconsistent This planning proposal contains two (2) site specific planning controls. The first site specific planning control is necessary to support existing uses being vehicle repair stations and vehicle sales or hire premises along Church Street (Auto Alley). The second site specific planning control is necessary to encourage amalgamation of land and facilitate transition. Refer to Table 9 on page 57 below for a detailed response to the direction criteria in relation to the two site specific provisions.
7. Metropolitan Planning		
7.1	Implementation of A Plan for Growing Sydney The objective of this direction is to give legal effect to the planning principles; directions; and priorities for subregions, strategic centres and transport gateways contained in A Plan for Growing Sydney.	Consistent The Planning Proposal is consistent with the directions, principles and actions contained in the <i>Plan for a Growing Sydney 2014</i> as detailed in Table 6 of this report.

Table 7 – Consistency with s117 Directions

The following table addresses the criteria for consideration of direction 4.3 Flood Prone Land (Table 8)

Criteria	Comment
4.3 (4) A planning proposal must include provisions that give effect to and are consistent with the NSW Flood Prone Land Policy and the principles of the Floodplain Development Manual 2005 (including the Guideline on Development Controls on Low Risk Flood Areas).	Justifiably inconsistent. The Planning Proposal includes provisions that are consistent with the NSW Flood Prone Land Policy and the principles of the Floodplain Development Manual 2005, with the exception of the introduction of controls on development above the Flood Planning Level. The need for these controls is justified in the update to the Floodplain Management Plans for the Parramatta CBD. In summary the report states that, <i>Parramatta CBD represents exceptional circumstances which require flood planning controls to residential development above the</i>

Criteria	Comment
	<i>residential flood planning level ... given importance of the CBD, the expected future population, the short warning times (minutes), rapid rates of rise, and the number of people who could be isolated in high rise buildings for long periods.</i>
4.3 (5) A planning proposal must not rezone land within the flood planning areas from Special Use, Special Purpose, Recreation, Rural or Environmental Protection Zones to a Residential, Business, Industrial, Special Use or Special Purpose.	Consistent. A significant portion of the Parramatta CBD is within the flood planning area which for the Parramatta LGA includes the CBD. This land is below the Flood Planning Level being the 1 in 100 ARI flood plus 0.5m freeboard. Some land within the CBD Planning Proposal boundary is zoned Special Use and Special Purpose and includes roads, churches, cemetery, railway, and some of this land is within the flood planning area. This Planning Proposal however does not propose to change the zoning of any land within the flood planning area that is zoned Special Use and Special Purpose.
4.3 (6) A planning proposal must not contain provisions that apply to the flood planning areas which: a) Permit development in floodway areas b) Permit development that will result in significant flood impacts to other properties. c) Permit a significant increase in the development of the land. d) Are likely to result in a substantially increased requirement for government spend on flood mitigation measures, infrastructure services, or, e) Permit development to be carried out without development consent except for the purposes of agriculture, roads or exempt development.	Justifiably Inconsistent. This planning proposal contains provisions that apply to the flood planning area within the Parramatta CBD which permit development in floodway areas, and permit a significant increase in the development of land. To investigate the impact of this, Council commissioned an update to the Flood Risk Management Plans that apply to the CBD Planning Proposal boundary. In summary the report states that, <i>As provided for in clause (9) of the Section 117 Direction, these inconsistencies are permissible if “the planning proposal is in accordance with a floodplain risk management plan prepared in accordance with the principles and guidelines of the Floodplain Development Manual 2005.</i> <i>The risk assessment in this report has been carried out in line with the principles and guidelines of the Floodplain Development Manual (2005). It is our view that the planning proposal presents a tolerable flood risk to life and property if the recommendations made within this report, with regard to DCP revisions and other flood risk management measures, are implemented.</i> <i>This conclusion has been made recognising that while the planning proposal increases the overall population at risk, it will also provide the opportunity to decrease the risk to that population through encouraging re-development which is more compatible with the flood risk.</i>

Criteria	Comment
4.3 (7) A planning proposal must not impose flood related development controls above the residential flood planning level for residential development on land, unless a relevant planning authority provides adequate justification for those controls to the satisfaction of the Director-General (or an officer of the Department nominated by the Director General). 4.3 (8) For the purposes of a planning proposal, the relevant planning authority must not determine a flood planning level that is inconsistent with the Floodplain Development Manual 2005 (including the Guideline on Development Controls on Low Risk Flood Areas) unless a relevant planning authority provides adequate justification for the proposed departure from the Manual to the satisfaction of the Director-General (or an officer of the Department nominated by the Director- General).	Council will be seeking permission from the Director General to impose flood related development controls above the flood planning level for development on land affected by the PMF. The justification for this recommendation is contained in the update to the Flood Risk Management Plans that apply to the CBD Planning Proposal boundary and which was discussed above in point 4.3 (4) within this table.
4.3 (9) A planning proposal may be inconsistent with this direction only if the relevant planning authority can satisfy the Director- General (or an officer of the Department nominated by the Director General) that: a) the planning proposal is in accordance with a floodplain risk management plan prepared in accordance with the principles and guidelines of the Floodplain Development Manual 2005, or b) the provisions of the planning proposal that are inconsistent are of minor significance.	As provided for by this clause, inconsistencies with the Floodplain Development Manual 2005 (including the Guideline on Development Controls on Low Risk Flood Areas) are permissible if, “the planning proposal is in accordance with a floodplain risk management plan prepared in accordance with the principles and guidelines of the Floodplain Development Manual 2005”. The risk assessment in the review of the Floodplain Risk Management Plans has been carried out in line with the principles and guidelines of the Floodplain Development Manual (2005). It is the view of the report author that the planning proposal presents a tolerable flood risk to life and property if the recommendations made within this report, with regard to amendments to the FPL, DCP revisions and other flood risk management measures, are implemented.

Table 8 – Consistency with Section 117 direction 4.3 Flood Prone Land

The following table addresses the criteria for consideration of direction 6.3 Site Specific Provisions (Table 9)

Criteria	Comment
6.3 (4) A planning proposal that will amend another environmental planning instrument in order to allow a particular development proposal to be carried out must either: (a) allow that land use to be carried out in the zone the land is situated on, or (b) rezone the site to an existing zone already applying in the environmental planning instrument that allows that land use without imposing any development standards or requirements in addition to those already	This Planning Proposal will include two site specific amendments to PLEP 2011. 1. Auto Alley [PLEP 2011 - Schedule 1 6AB (2)] This site specific amendment will allow vehicle repair stations and vehicle sales or hire premises on some land principally along Church Street within the Auto Alley precinct. In the main this land is proposed to be rezoned from B5 Business Development to B3 Commercial Core.

Criteria	Comment
contained in that zone, or (c) allow that land use on the relevant land without imposing any development standards or requirements in addition to those already contained in the principal environmental planning instrument being amended.	The B5 zone permits vehicle repair stations and vehicle sales or hire premises, however the B3 zone does not. The purpose of this amendment is to manage the transition from existing car uses in the short term to a more traditional commercial use in the longer term. This site specific amendment is consistent with part (c) of this direction in that vehicle repair stations and vehicle sales or hire premises are permissible on land identified in the Additional Permitted Uses Map and no other development standards or requirements are proposed in addition to those already contained in PLEP 2011. This site specific amendment is therefore considered to be consistent with Direction 6.3 (4). 2. Dixon, Rosehill and Boundary Streets, Parramatta [PLEP 2011 – Clause 7.7A] This site specific amendment applies to land in Dixon, Rosehill and Boundary Streets, Parramatta as shown on the Special Area Provisions Map (Area 5). The amendment will allow an additional FSR of 1:1 and an additional height of 14m above the proposed development standards in PLEP 2011 provided that a minimum frontage of 60m is achieved. The affected sites are currently zoned B5 Business Developments and R4 High Density Residential, and the sites currently zoned B5 are proposed to be rezoned to R4 under this Planning Proposal. This site specific amendment will not affect permitted land uses but will impose development standards in addition to those proposed in PLEP 2011. The proposed development standards for these sites are: base height control - 11m and 12; proposed incentive height control - 40m; proposed base FSR - 0.8:1 and 2:1; and proposed incentive FSR - 3:1. The proposed site specific development standards will allow a total possible height and FSR on the affected sites of 54m and 4:1. This site specific amendment will not affect land uses but will impose development standards in addition to those contained in PLEP 2011, and in this regard the amendment is NOT CONSISTENT with Direction 6.3 (4) (c). This inconsistency with Direction 6.3 is justified below in parts (5) and (6) of this table.
(5) A planning proposal must not contain or refer to drawings that show details of the development proposal.	Consistent The two site specific amendments do not contain or refer to drawings that show details of any the development proposals.
(6) A planning proposal may be inconsistent with the	Justifiably Inconsistent.

Criteria	Comment
terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that the provisions of the planning proposal that are inconsistent are of minor significance.	The site specific amendment affecting land in Dixon, Rosehill and Boundary Street, Parramatta shown on the Special Area Provisions Map (Area 5) imposes development standards in addition to those contained in PLEP 2011. The additional development standards are an FSR of 1:1 and a height limit of 14. The intent of this site specific amendment is to encourage the amalgamation of sites to achieve a built form outcome that is proportional to the site area and then facilitates a transition between taller development along Church Street and lower density residential areas and the South Parramatta Heritage Conservation Area to the west. The imposition of this site specific development standard within the Planning Proposal that is inconsistent with Direction is therefore considered to be of minor significance and therefore justifiably inconsistent with the Direction 6.3.

Table 9 – Consistency with Section 117 Direction 6.3 Site Specific Provisions

3.3 Section C – Environmental, social and economic impact

This section considers the potential environmental, social and economic impacts which may result from the Planning Proposal.

1.3.1 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 site is located within a highly modified urban environment and it is very unlikely to contain critical habitat or threatened species, populations or ecological communities, or their habitats.

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

The key environmental considerations arising from the planning proposal are discussed in detail below.

- European and Aboriginal cultural heritage;
- Urban Design and Built Form;
- Flooding; and
- Contamination.

European and Aboriginal cultural heritage

The amendments proposed as part of this Planning Proposal including the 10:1 and 6:1 FSR controls, the sliding scale control for FSR based on site area and the control enabling the maximum FSR to be achieved on small sites, may have impacts on heritage. This includes impacts on the scale, curtilage and setting of heritage items,

conservation areas and heritage views resulting from infill or new development, subdivision or site amalgamation.

These potential impacts on heritage are proposed to be managed by amended and new provisions detailed in this report under the heading, 'Key elements of this Planning Proposal'. In general, heritage impacts are proposed to be managed by retaining the existing heritage controls in PLEP 2011, reducing FSRs and heights adjacent to state heritage items within a significant landscaped setting and requiring a design competition to be held where a development site adjoins a heritage item and a FSR of 3:1 or more is proposed.

Urban Design and Built Form

The planning proposal generally allows land within the City Centre Core to have an FSR of 10:1 and sites within the peripheral areas to have an FSR of 6:1 subject to certain requirements, including a sliding scale control for FSR. The purpose of the sliding scale control is to regulate the density of development so it is proportional to the site area. The amendments proposed as part of this Planning Proposal may have impacts on solar access, transition, heritage and built form.

Potential impacts on solar access are especially for sites to the north and north-east of identified open spaces like the River Foreshore, Prince Alfred Square and Jubilee Park. Potential impacts on low density and heritage conservation areas include potential impacts in terms of the amenity, scale and character of these areas. Higher FSRs such as those proposed, which are applied to smaller sites raise questions about whether inter-building separation (with the associated privacy and amenity issues) can be achieved.

The potential impacts on urban design and built form are proposed to be managed by amended and new provisions detailed in this report under the heading, 'Key elements of this Planning Proposal'. In general, urban design and built form impacts are proposed to be managed by encouraging a more intense central core, with less intense peripheral areas north and south of the City; incorporating sun access controls to achieve a high quality public domain; requiring a built form transition to heritage items for a small number of sites that are within landscaped settings; and requiring buildings that incorporate additional floor space in return for community infrastructure to provide for tall, slender towers and improvements to the public domain.

Flooding

This planning proposal allows a significant increase in development potential in flood affected areas in the Parramatta CBD. The issues associated with this are the safety of residents and workers and managing the potential for damage to property. To address this, Council commissioned an update to the Floodplain Risk Management Plans that apply to the Parramatta CBD.

One of the key recommendations from this report is that approval from the Minister for the Environment be sought to impose controls for development above the flood planning level (FPL) in PLEP 2011. The effect of this is buildings with particular evacuation issues must be structurally adequate and incorporate a place for people to shelter above the PMF, or alternatively people must be able to evacuate to land above the PMF. A

separate application to the Minister for the Environment for exceptional circumstances to impose controls above the FPL for development within the Parramatta CBD affected by the PMF will occur concurrently with this Planning Proposal process.

Contamination

The Planning Proposal is consistent with the provisions and advice contained in State Environmental Planning Policy No 55 – Remediation of Land and associated Managing Land Contamination Planning Guidelines SEPP 55 – Remediation of Land. Council has undertaken a preliminary (desktop) investigation of the area within the draft Planning Proposal boundary, and also a site specific contamination study for Auto Alley. The findings from both studies were that no issues were identified that will preclude additional density (by way of increased height and FSR controls) and rezoning (including to more sensitive land uses including residential).

There are no other aspects of the natural or built environment that require assessment as a result of consideration of this Planning Proposal. In summary, the potential variations to development standards that may arise as a result of this planning proposal will, through the proposed regime of design excellence, as well as the general provisions of the assessment process, ensure that environmental effects of development are appropriately managed and mitigated.

1.3.3 How has the planning proposal adequately addressed any social and economic effects?

The planning proposal will facilitate an increase in density through future development for housing and employment and it is envisaged that any resulting social and economic effects can be addressed through Council's Infrastructure Delivery Plan and Infrastructure Models Funding Study. The key social and economic considerations arising from the planning proposal are discussed in detail below.

Public Domain

An Infrastructure Delivery Plan is being prepared to provide for the future population and will include new and upgraded public domain and pedestrian connections.

Social infrastructure

The planning proposal estimates that by 2036 an additional 27,000 jobs and 27,475 residents will be located within the City Centre. New residents will generate demand for schools and tertiary education facilities as well as increased usage of sporting and recreation facilities and infrastructure. Planning for social infrastructure will need to consider likely future demand, location and capacity of existing facilities, and future requirements for facilities.

The Planning Proposal has the potential to result in improvements to social infrastructure through the new community infrastructure requirement and S94 plan. Further, Council is preparing an Infrastructure Delivery Plan and Infrastructure Models Funding Study. The Infrastructure Delivery Plan and the Infrastructure Funding Models Study are to be used to continue discussions with the relevant state agencies and developers on the provision

of community infrastructure in and around the CBD. However the fact that the Metropolitan Strategy promotes the growth proposed in this Planning Proposal means all relevant State Government Agencies are aware of the need to plan for this growth. This Plan will provide detail for these agencies on how and where the growth will occur.

Existing retail and commercial

New dwellings and jobs within the City Centre will enhance the role and function of the Parramatta CBD. This planning proposal attempts to meet the targets for jobs and generate economic benefits for Sydney through zoning and floor space ratio planning controls. The B3 Commercial Core zone is proposed to be expanded and within this zone, commercial development is exempt from maximum FSR controls. Within the B4 Mixed Use zone, a minimum provision of 1:1 commercial is required, with any additional commercial development provided also being exempt from maximum FSR controls.

Community consultation and public authority consultation during the exhibition of the planning proposal will explore the social and economic benefits in more detail.

1.4 Section D – State and Commonwealth Interests

1.4.1 Is there adequate public infrastructure for the planning proposal?

The draft changes to the planning controls will permit a significant increase in development potential across the City Centre. The uplift of the FSR and or height controls has been quantified as outlined in the table below (Table 10).

Capacity Analysis - additional jobs and dwellings under the Planning Proposal								
	Current (as at 2011)		2036 Target (additional)		Capacity under existing controls (additional)		Capacity under Planning Proposal (additional)	
Jobs	49,513	jobs ¹	27,000	jobs	22,320	jobs*	48,763	jobs*
	1,188,312	sqm ²	972,000	sqm [^]	803,550	sqm	1,755,440	sqm
Dwellings	4,769	dwgs ³	7,500	dwgs	5712	dwgs*	20,297	dwgs*
	476,900	sqm ⁴	1,125,000	sqm [^]	856,784	sqm	3,044,484	sqm
Total floor space	1,665,212	sqm	2,097,000	sqm	1,660,334	sqm	4,799,924	sqm
Notes								
¹ Source: NSW Bureau of Transport Statistics, Employment Forecasts, September 2014 release figure								
² Assumption based on an average of 24sqm/job (SGS, 2014)								
³ Figure provided by Forecast.id for the planning proposal area								
⁴ Assumption based on an average of 100sqm/dwg								
[^] Floorspace needed plus 50%, given 100% take-up of capacity is unrealistic in practice (SGS, 2014)								
*Calculated based on 66% take-up of total capacity, given 100% take-up of capacity is unrealistic in practice (SGS, 2014)								

Table 10 - Population and job figures for the Planning Proposal area

Based on these numbers, the planning proposal is expected to result in additional demand for existing public infrastructure as follows:

- Utilities, waste management and recycling services
- Public transport and roads
- Essential Services
- Community Infrastructure
- Aeronautical operations

Utilities, waste management and recycling services

The full range of utility services (electricity, telecommunications, water and sewer) and waste management and recycling services are all currently available across the City Centre. It is expected that this Planning Proposal will generate greater demand for electricity, gas, water and sewer services from higher and more intense development permitted by the new planning controls. To manage these impacts, this Planning Proposal will include new controls to reduce water and energy requirements and future-proof buildings to accommodate dual piping. These planning controls are expected to have the following benefits:

- Achieve an 18% reduction in CBD peak electricity demand (compared to business as usual planning controls)
- Achieve a 10% reduction in CBD potable water consumption (compared to business as usual planning controls)
- Reduction in energy and water utility costs
- Promote Parramatta's competitive edge as a Smart City
- Building resilient infrastructure in the CBD
- Low cost water rates for residents and businesses
- Make Parramatta more attractive to A-Grade commercial tenants (cost savings & reputational)
- Support from utilities, less augmentation & disruption to the CBD

Source: Kinesis, 2016 (Appendix 12 and 13)

Council is also preparing an Infrastructure Delivery Plan and Infrastructure Models Funding Study. The Infrastructure Delivery Plan and the Infrastructure Funding Models Study are to be used to continue discussions with the relevant state agencies and developers on the provision of community infrastructure in and around the CBD. Council will engage with utility, waste management and recycling service providers.

Public transport and roads

Parramatta is well-served by existing public transport including trains, buses and a ferry service with future upgrades including light rail to be identified in the Traffic and Transport Plan to be prepared. However, as a consequence of the anticipated increases in workforce and residential populations from new development permitted by the new planning controls, greater demand for transport infrastructure, public transport and car parking is expected. Any upgrades required to the road network will be identified in the Traffic and Transport Plan to be prepared in support of this planning proposal.

Council will continue to engage with NSW Transport and the Roads and Maritime Service regarding the findings in the Traffic and Transport study and provision of any upgrades and new services for roads and public transport.

Essential Services

The Metropolitan Strategy aligns land use strategies and infrastructure provisions across the range of services and Council will engage with essential service providers on the provision of public infrastructure in and around the CBD including schools, hospitals, water, sewer, police, fire, state emergency services and the like.

Community Infrastructure

As mentioned above, to better inform how and when other essential infrastructure is to be delivered, Council is preparing an Infrastructure Delivery Plan and Infrastructure Models Funding Study. The Infrastructure Delivery Plan and the Infrastructure Funding Models Study are to be used to continue discussions with the relevant state agencies and developers on the provision of community infrastructure in and around the CBD.

Aeronautical operations of Bankstown and Sydney airports

Parramatta is located approximately 20km north west of Sydney Airport and 11km north of Bankstown Airport. Airspace above the Parramatta CBD is affected by the operation of these airports. Any effects on aeronautical operations above the Parramatta CBD will be managed by the inclusion of an airspace operation clause to control development within the prescribed airspace area.

1.4.2 What are the views of State and Commonwealth public authorities consulted in accordance with the gateway determination?

Consultation with state public authorities was undertaken during the public exhibition of the Auto Alley and City Centre Frameworks. The views of the following public authorities informed the preparation of the Parramatta CBD Planning Strategy.

- Endeavour Energy
- Education and Communities
- Office of Environment and Heritage – Heritage Council of NSW
- Health - Western Sydney Local District
- Transport for NSW
- Roads and Maritime Service
- Family and Community Services – Land and Housing Corporation

It is expected further consultation will occur with these public authorities and others nominated by the Department of Planning and Environment as part of the Gateway Determination. These authorities are expected to include:

- Endeavour Energy
- Telstra

- Education and Communities
- Office of Environment and Heritage – Heritage Council of NSW
- Office of Environment and Heritage – Regional Operations Group
- Health - Western Sydney Local District
- Transport for NSW
- Roads and Maritime Service
- Family and Community Services – Land and Housing Corporation
- NSW State Emergency Service
- Local Land Services – Greater Sydney
- NSW Aboriginal Land Council
- Land & Housing Corporation
- Relevant adjoining councils
- Environment Protection Authority

PART 4 – MAPPING

Located in this part are the following maps, which this planning proposal seeks to amend and create.

- Amend the Additional Local Provisions Map
- Amend the Land Zoning Map
- Amend the Floor Space Ratio Map
- Amend the Height of Buildings Map
- Amend the Additional Permitted Uses Map
- Amend the Special Provisions Map
- Create a new Incentive Floor Space Ratio Map
- Create a new Incentive Height of Buildings Map
- Create a new Sun Access Protection Map
- Create a new Active Street Frontages Map
- Create a new Opportunity Sites Map
- Create a new Floodplain Risk Management Map

PART 5 – COMMUNITY CONSULTATION

In accordance with Section 57(2) of the EP&A Act, 1979, the Secretary of Planning must approve the form of the planning proposal, as revised to comply with the gateway determination, before community consultation is undertaken.

Public exhibition is likely to include a newspaper advertisement, display on the Council's web-site and written notification to landowners. The gateway determination will specify the level of public consultation that must be undertaken in relation to the planning proposal.

Pursuant to Section 57(8) of the EP&A Act, 1979 the Responsible Planning Authority must consider any submissions made concerning the proposed instrument and the report of any public hearing.

PART 6 – PROJECT TIMELINE

The following indicative project timeline will assist with tracking the progress of the planning proposal through its various stages of consultation and approval. It is estimated that this amendment to Parramatta LEP 2011 will be completed by July 2017.

The detail around the project timeline is expected to be prepared following the referral to the NSW Department of Planning and Environment for a Gateway Determination.

Tasks	Timeframe
Gateway Determination	May 2016 – July 2016
Public Authority Consultation	September 2016 – October 2016
Community Consultation	September 2016 – October 2016
Post Exhibition Review	November 2016 – December 2016
Update Planning Proposal / Report to Council	January 2017 – February 2017
Department review of final Planning Proposal	February 2017 – July 2017
Parliamentary Counsel drafting of LEP	February 2017 – July 2017
Greater Sydney Commission to finalise LEP	July 2017
Draft Development Contributions Plan	January 2016 – December 2016
Draft DCP amendment	January 2016 – December 2016
Draft Development Guideline	January 2016 – December 2016
Draft Infrastructure Delivery Plan	January 2016 – December 2016



Prepared by Parramatta City Council

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