



# PLANNING PROPOSAL

**20 Macquarie Street, Parramatta**

### Planning Proposal drafts

Proponent versions:

No.	Author	Version
1.	Urbis	October 2015

Council versions:

No.	Author	Version
1.	City of Parramatta Council	August 2017 version forwarded to the Department of Planning and Environment seeking Gateway Determination

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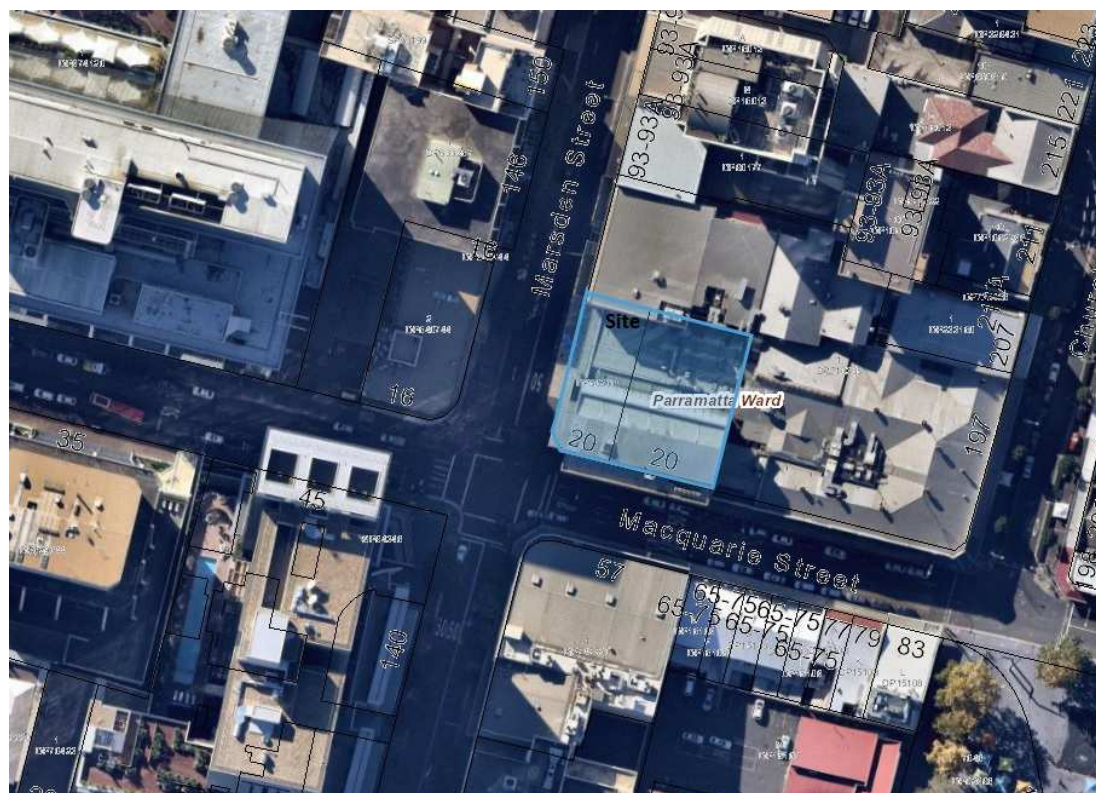
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# INTRODUCTION

This planning proposal explains the intended effect of, and justification for, the proposed amendment to the *Parramatta Local Environmental Plan 2011*. It has been prepared in accordance with Section 55 of the *Environmental Planning and Assessment Act 1979* and the Department of Planning and Environment (DP&E) guides, 'A Guide to Preparing Local Environment Plans' (April 2013) and 'A Guide to Preparing Planning Proposals' (October 2012) and 'Guidance for merged councils on planning functions' (May 2016).

## Background and context

A Planning Proposal for land at 20 Macquarie Street, Parramatta was lodged by the applicant Schiavello Constructions Pty. Ltd. (care of Urbis Pty. Ltd.), seeking an increase in the permissible density through amendments to the height and floor space ratio controls. The legal property description of the site is Lot 1 DP 503651 and Lot 1 DP 501663, and the site area is 1,230m<sup>2</sup>. The site is shown in Figure 1, below.



**Figure 1 – Site at 20 Macquarie Street, Parramatta subject to the planning proposal**

Under the *Parramatta Local Environmental Plan 2011* the site:

- is zoned B4 Mixed Use;
- has a maximum building height of 36 metres;
- has a floor space ratio of 4:1;
- does not contain any heritage listed items, however, is located adjoining an item listed as being of local significance being a shop at No.197 Church Street; and

Please refer to Part 4 (Mapping) of this Planning Proposal for illustrations of the current planning controls as described above.

The site is partially affected by the 20 and 100 year Average Recurrence Interval (ARI) flood events at the Macquarie Street and Marsden Street frontages. All of the property would be inundated in the Probable Maximum Flood (PMF) event.

## PART 1 – OBJECTIVES OR INTENDED OUTCOMES

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The objective of this Planning Proposal is to increase the permissible density for the land at 20 Macquarie Street, Parramatta so as to encourage the urban renewal of the site in accordance with the site's B4 Mixed Use zone.

## PART 2 – EXPLANATION OF PROVISIONS

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This Planning Proposal seeks to amend the *Parramatta Local Environmental Plan (LEP) 2011* via an increase in the Height of Buildings control and the Floor Space Ratio control.

In order to achieve the desired objectives, the following amendments to the *Parramatta LEP 2011* would need to be made:

1. An increase in the Height of Buildings control from 36m to 90m
2. An increase in the Floor Space Ratio control from 4:1 to 10:1.
3. Inclusion of maximum parking rates in line with the resolution of Council on 10 April 2017 with regards to parking rates in the CBD Planning Proposal.

### 2.1 Other relevant matters

#### 2.1.1 Voluntary Planning Agreement

The Planning Proposal is accompanied by a letter of intent to enter into a Voluntary Planning Agreement with Council. Council has resolved to enter into negotiations with the applicant. This would be in addition to any section 94A contributions levied on future development applications. Any draft Voluntary Planning Agreement will be exhibited alongside the Planning Proposal.

#### 2.1.2 Draft DCP

A draft DCP will be required to deliver the finer details of the proposed building form. This will be assessed separately and ideally exhibited in conjunction with the planning proposal and draft VPA.

#### 2.1.3 Planning Proposal on adjoining site

The adjoining site immediately to the east at 197 Church Street, Parramatta, is subject to a Planning Proposal which seeks a floor space ratio of 15:1 (excluding design excellence) and no height control, with the final height to be determined by an international design excellence competition. This Planning Proposal has yet to receive a Gateway determination and is currently seeking to address issues related to the overshadowing of Parramatta Square.

## PART 3 – JUSTIFICATION

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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

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

This Planning Proposal is not the result of any site specific study or report and is in response to an owner-initiated Planning Proposal. However, the Planning Proposal is consistent with the proposed floor space ratio adopted by Council for the site as part of the CBD Planning Proposal.

The CBD Planning Proposal stems from local and State government strategic plans including the NSW Government's *A Plan for Growing Sydney*, Parramatta City Centre Vision 2007 and Parramatta CBD Planning Strategy. Notably, *A Plan for Growing Sydney* states the 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.

Consistently, these plans highlight Parramatta's role as Sydney's second 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 the *Parramatta LEP 2011* is the most effective way of providing certainty for Council, the local community and the landowner 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 site to capitalise on its location within the Parramatta CBD.

## **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**

On 14 December 2014, the NSW Government released '*A Plan for Growing Sydney*' which outlines actions to achieve the Government's vision for Sydney which is a 'strong global city and a great place to live'.

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

#### **Grow Greater Parramatta – Sydney's Second CBD**

- Grow Parramatta as Sydney's second CBD by connecting and integrating Parramatta CBD, Westmead, Parramatta North, Rydalmere and Camellia
- Grow the specialised health and education precincts at Westmead and Rydalmere
- Renew Parramatta North to create a vibrant mixed-use precinct (to deliver around 6,000 new homes and 2,000 new jobs).

- Establish A New Priority Growth Area – Greater Parramatta To The Olympic Peninsula
- Establish a new partnership to manage renewal of the Greater Parramatta to Olympic Peninsula Priority Growth Area
- Identify and deliver enabling infrastructure to support growth and urban renewal
- Deliver priority revitalisation precincts
- Grow the knowledge economy as part of the extension of the Global Economic Corridor.

### ***Promote Sydney's Heritage, Arts and Culture***

- Grow the arts and cultural opportunities in Parramatta to include State-level facilities.
- **Centres:** Parramatta is identified as Sydney's Western CBD and is also a Strategic Centre. The site is located within Parramatta CBD near the centre of Greater Parramatta.
- **Global Economic Corridor:** The Global Economic Corridor contains a concentration of jobs and activities in strategic centres, transport gateways and industrial lands between Port Botany/Sydney Airport, Macquarie Park and now extended to Parramatta, Norwest and Sydney Olympic Park. Growing Sydney notes that the 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.
- **Transport:** As well as existing road and public transport infrastructure, several potential light rail corridors have been identified around Parramatta. Parramatta CBD is also located at the intersection of West Connex and the M4.
- **Urban Renewal Corridor:** Parramatta is part of an Urban Renewal Corridor (Greater Parramatta to Olympic Peninsula Priority Growth Area) where *A Plan for Growing Sydney* prioritises the revitalisation of established urban areas to provide for a greater range of housing and to improve liveability through better access to employment, improved services and social infrastructure. The corridor between Hornsby and North Sydney via Gordon (which includes the site) is identified as an area where the Government will investigate the potential for urban renewal.

The planning proposal will enable the development of residential dwellings and non-residential uses that will contribute towards dwelling and employment targets on a site located within the Parramatta City Centre with excellent access to public transport.

### **West Central Subregion Draft Subregional Strategy**

The Subregional Strategy translates objectives to the local level, and recognises that some issues extend beyond local government boundaries and require a 'subregional' approach. The draft Subregional Strategies act as a broad framework for the long term development of the area, guiding government investment and linking local and state planning issues. It was exhibited in December 2007 through to March 2008.

Key components of the draft West Central Subregional Strategy of relevance to future development of the subject site and the broader development of Parramatta city centre include the following:



- *Economy and Employment: It is projected that Parramatta will provide for an additional 27,000 jobs by 2031 (calculated from 2001). The primary role of Parramatta city centre is a commercial hub which includes business, government, retail, cultural, entertainment and recreational activities.*
- *Housing: Housing stress is considered a significant problem for the west central subregion. This is an indicator of poor housing affordability. The Strategy encourages a greater mix of housing types, especially in centres with good public transport, to accommodate changing demands of existing residents and to support the workforce.*

There are no Greenfield sites left within the subregion, therefore most of the future dwelling growth will be located within centres or through infill development. The Strategy recommends that councils should aim to provide at least 80% of new dwellings in locations within 30 minutes by public transport of a Strategic Centre.

The Planning Proposal seeks to deliver approximately **110 apartments** which makes a contribution towards Council's housing targets.

- *Transport: The state government has invested in a number of new bus corridors include the Parramatta– Liverpool Transitway, Parramatta– Rouse Hill Transitway and the Strategic Bus Corridors connecting Parramatta to surrounding major centres of Bankstown, Burwood, Castle Hill, Hornsby, Macquarie Park, Ryde and the CBD.*

The site is in a good location to provide mixed use development as it is within 500m walking distance from Parramatta Railway Station/Bus terminal, the Ferry and within walking distance of Parramatta CBD.

- *Environment, Heritage and Resources: As the second oldest European settlement in Australia, Parramatta contains significant historical artefacts and archaeological sites. The Strategy also states that when preparing Principal LEP's Councils should incorporate measures that will protect identified Aboriginal cultural heritage values and provide for ongoing participation of Aboriginal communities in the decision-making process.*

The site has the potential to contribute towards our understanding of Parramatta's historical development and Aboriginal heritage. Archaeological assessments will be completed prior to development.

The site adjoins an item as local heritage significance at No. 197 Church Street. The building at 197 Church Street is a two-storey former department store erected in 1925. The Planning Proposal is accompanied by a Heritage Impact Statement (refer to Appendix 5). The Heritage Impact Statement concludes as follows:-

- The current buildings do not contribute to the setting of the heritage item and the proposed building will form part of a backdrop of development in views towards the heritage item. The impacts of the scale of the tower which is modulated to reduce the massing of the tower.
- The site has been identified as having moderate to high historical archaeological potential. However, the likely significance of any archaeological resource would be contributory only and would not preclude development on the site.

### 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 2038 Community Strategic Plan

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.

The Planning Proposal is considered to meet the strategies and key objectives identified in the plan by allowing for the concentration of housing around transport nodes and contribute towards dwelling targets for NSW.

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

The following State Environmental Planning Policies (SEPPs) are of relevance to the site (refer to Table 1 below).

**Table 1** – Comparison of planning proposals with relevant SEPPs

State Environmental Planning Policies (SEPPs)	Consistent: Yes - ✓ No - ✗ or N/A	Comment
SEPP No 1 Development Standards	N/A	This SEPP is not applicable to the subject land under Clause 1.9 of the Parramatta LEP 2011.
SEPP 4 – Development Without Consent and Miscellaneous Exempt and Complying Development	N/A	This SEPP is not applicable to the subject land under Clause 1.9 of the Parramatta LEP 2011.
SEPP 6 – Number of Storeys in a Building	N/A	Standard instrument definitions apply.
SEPP No 55 Remediation of Land	✓	The subject site has existing Class 4 Acid Sulfate Soils constraints. Council is satisfied the site is suitable for mixed use purposes. The matter can be further resolved through the development application which considers finer details such as building materials and construction methods.  No further contamination issues have been identified.
SEPP 60 – Exempt and Complying Development	N/A	This SEPP is not applicable to the subject land under Clause 1.9 of the Parramatta LEP 2011.
SEPP 64 – Advertising and Signage	N/A	Not relevant to proposed amendment. May be relevant to future DAs.
SEPP No 65 Design Quality of Residential Flat Development	✓	Detailed compliance with SEPP 65 will be demonstrated at the time of making a development application for the site facilitated by this Planning Proposal. During the design development phase, detailed testing of SEPP 65 and the Apartment Design Guidelines was carried out and the indicative scheme is capable of demonstrating compliance with the SEPP.

SEPP No.70 Affordable Housing (Revised Schemes)	N/A	Not relevant to proposed amendment.
SEPP (Affordable Rental Housing) 2009	N/A	Not relevant to proposed amendment.
SEPP (BASIX) 2004	N/A	Detailed compliance with SEPP (BASIX) will be demonstrated at the time of making a development application for the site facilitated by this Planning Proposal.
SEPP (Exempt and Complying Development Codes) 2008	✓	May apply to future development of the site.
SEPP (Infrastructure) 2007	✓	May apply to future development of the site.
Sydney Regional Environmental Plan No 18—Public Transport Corridors	N/A	This SEPP is not applicable to the subject land under Clause 1.9 of the Parramatta LEP 2011.
Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005	N/A	The proposed development is not located directly on the Sydney Harbour Catchment foreshore. Any potential impacts as a result of development on the site, such as stormwater runoff, will be considered and addressed appropriately at DA stage.
SEPP (Urban Renewal) 2010	✓	The Parramatta CBD is not identified as an Urban Renewal Precinct under the SEPP.

### 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. The directions are listed under the following categories:

- Employment and resources
- Environment and heritage
- Housing, infrastructure and urban development
- Hazard and risk
- Regional planning
- Local plan making

The following directions are considered relevant to the subject Planning Proposal.

**Table 2** – Comparison of planning proposal with relevant Section 117 Direction

Section	Comment	Compliance
<b>1. Employment and Resources</b>		
Direction 1.1 – Business and Industrial Zones	This Planning Proposal seeks to retain the B4 Mixed Use zoning, and will contribute approximately 3,390m <sup>2</sup> of employment generating land uses.	Yes
<b>2. Environment and Heritage</b>		

Direction 2.3 - Heritage Conservation	The subject site does not contain a heritage item listed under Schedule 5 of PLEP2011. However, the site is located adjoining an item of local heritage significance. The proposed height and bulk sought as part of this planning proposal would inevitably impact on views of nearby heritage items, providing a tower backdrop to the heritage item when viewed from Church Street. However, these impacts are considered acceptable given the location of the subject site and heritage items in a densely-built CBD context. The density proposed is consistent with the CBD PP, and is therefore consistent with the desired future context of the site.	Yes
<b>3. Housing, Infrastructure and Urban Development</b>		
Direction 3.1 - Residential Zones	<p>The Planning Proposal is consistent with this direction, in that it:</p> <ul style="list-style-type: none"> <li>• facilitates additional housing in the Parramatta City Centre that is currently not provided on the site</li> <li>• provides residential development in an existing urban area that is well serviced by existing infrastructure</li> </ul>	Yes
Direction 3.4 - Integrating Land Use and Transport	<p>The Planning Proposal is consistent with this direction, in that it:</p> <ul style="list-style-type: none"> <li>• will provide new dwellings in close proximity to existing public transport links</li> <li>• will enable residents to walk or cycle to work if employed in the Parramatta City Centre or utilise the heavy rail service.</li> <li>• will maintain and provide additional commercial premises in proximity to existing transport links</li> <li>• makes more efficient use of space and infrastructure by increasing densities on an underutilised site.</li> </ul>	Yes
Direction 3.5 – Development near Licensed Aerodromes	The site is located within prescribed airspace surfaces. A proposed height of 90m is less than the Bankstown Airport Obstacle Limitation Surface (156AHD). Therefore, referral to the Commonwealth Department of Infrastructure and Regional Development will not be required.	Capable of complying
<b>4. Hazard and Risk</b>		
Direction 4.1 - Acid Sulfate Soils	The site is identified as Class 4 on the Acid Sulfate Soils Map in Parramatta Local Environmental Plan 2011. Acid sulfate soils are generally not found in Class 4 areas however this will be addressed further at the development application stage.	Yes
Direction 4.3 - Flood Prone Land	<p>The site is partially affected by the 20 year and 100 year Average Recurrence Interval (ARI) events at the Macquarie Street and Marsden Street frontages. All of the property would be inundated in the Probably Maximum Flood (PMF) event.</p> <p>A Flood Impact Statement was prepared by Wood and Grieve Engineers dated 25 July 2016. Council's Catchment Management Unit has also reviewed the Planning Proposal and advised that any development application will need to adequately address flood planning levels and corresponding freeboard, design measures such as driveway crests and stair access levels and suitable shelter/refuge in place. Further investigations are being carried out by Council and Government agencies in regard to the broader CBD Planning Proposal with relation to flooding. This may also result in site specific planning proposals being impacted upon or the design of any building being impacted by the need to incorporate a potential horizontal evacuation pathway.</p>	Yes
<b>6. Local Plan Making</b>		

Direction 6.1 - Approval and Referral Requirements	It is anticipated that relevant referral requirements will be specified as part of any Gateway approval issued for the Planning Proposal.	Capable of complying
Direction 6.3 - Site Specific Provisions	The objective of this direction is to discourage unnecessarily restrictive site specific planning controls. No site specific provisions are proposed as part of the Planning Proposal.	Yes

### 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 main potential environmental impacts to be examined in detail with any future development proposal for the site are:

- Land use planning
- Urban design and built form
- Solar access to Parramatta Square
- Heritage
- Flooding
- Traffic and Transport

#### Land Use Planning

The site's prime location in the centre of the Parramatta CBD and its proximity to Parramatta Transport Interchange makes it a strategically desirable location to increase density. This aligns with the NSW Government's policy position in the Metropolitan Plan for Sydney, *A Plan for Growing Sydney* (2014) and the recently released *Draft Central West District Plan* (2016), for higher density development to be located close to public transport and provide for a mix of land uses within the Parramatta CBD.

The Planning Proposal also accords with the CBD Planning Proposal which proposes a base FSR of 4:1 for the subject site with an incentive FSR of 10:1. The FSR of 10:1 is exclusive of design excellence and comprises a minimum of 1:1 commercial floorspace which also accords with the provisions of the CBD Planning Proposal for the site. Importantly as detailed in Council's resolution, the proposal must demonstrate compliance with the solar access provisions for Parramatta Square.

#### Urban Design and Built Form

The final amended reference design is deemed an acceptable response to the site conditions and to the stipulations in Council's resolution made on 19 December 2016. It has been demonstrated that the proposed FSR and HOB can be accommodated on the site, and the reference design indicates that a resulting development would be capable of complying with

the solar access requirements relating to Parramatta Square within the Parramatta Development Control Plan 2011. To ensure the final concept also responds to the context of the site, it is recommended to prepare a site-specific Development Control Plan (DCP) to clearly address compliance with the Apartment Design Guide, including appropriate street frontage heights, setbacks, and solar and natural ventilation requirements. The DCP will inform any future design competition brief for the site based on this planning proposal.

### Solar access to Parramatta Square

Clause 7.4 within the Parramatta LEP 2011 provides that development applications must take into consideration the relevant sun access plane controls under Section 4.3.3 of the Parramatta DCP. The relevant controls for the subject site relates to Parramatta Square. The revised reference design submitted with the Planning Proposal indicates that the proposed FSR can be accommodated while complying with the sun access plane controls for Parramatta Square. (See Figure 2 below).



Figure 2 – Shadow cast by the proposed reference design at 2pm on 21 June (source: Applicant's revised reference design)

The reference design (included as Appendix 4) establishes the maximum height (**90m**) that a building on the site that could achieve whilst still complying with the sun access plane controls.

### Heritage

The site adjoins Heritage Item listed under the PLEP 2011 at 197 Church Street, a two storey former department store of local heritage significance erected in 1925 representing the Inter-War period. Refer **Figure 3** below.

The building at 197 Church Street is of local significance for the Parramatta area for historical and aesthetic reasons. Today, it is an important element of the streetscape in Church Street, contributing strongly to the townscape.



**Figure 3:** View west along Macquarie Street towards subject site, with immediate view heritage listed shop at 197 Church Street (Source: Urbis Heritage Impact Statement July 2015)

The planning proposal was accompanied by a Heritage Impact Statement prepared by Urbis and dated July 2015. The statement has made the following conclusions:

It is considered that the present site building does not contribute to the setting of the adjoining item or proximate heritage items and the proposal will form part of a backdrop of development in views to the nominate heritage items. Impacts of scale to the adjoining interwar shop building are mitigated by the envelope of the tower which is modulated to reduce the massing of the tower form in view west behind the heritage item.

The site falls within an area of important view corridors of World and National Heritage listed Old Government House and Domain and therefore possible impacts on these views need to be considered. It is concluded that the proposed tower will form part of a backdrop of the growing CBD it is part of an area which is considered 'sensitive' "which appear in the middle ground of a view or which do not feature within an important view cone". Therefore "there is no risk of resulting in a significant impact upon the World and National Heritage values".

The site has been identified as having moderate to high historical archaeological potential. Surviving evidence of convict occupation at the site would be of state heritage significance. However, it is considered that the likely significance of the archaeological resource would be contributory only and would not preclude development in these identified areas of archaeological potential.

Council Officers conclude that any future development will be allowed to harmonise with surrounding area, including the adjacent heritage item. This could be achieved through controls through a site specific DCP for the site to ensure that the street wall height and tower setback respond to the adjacent heritage item.

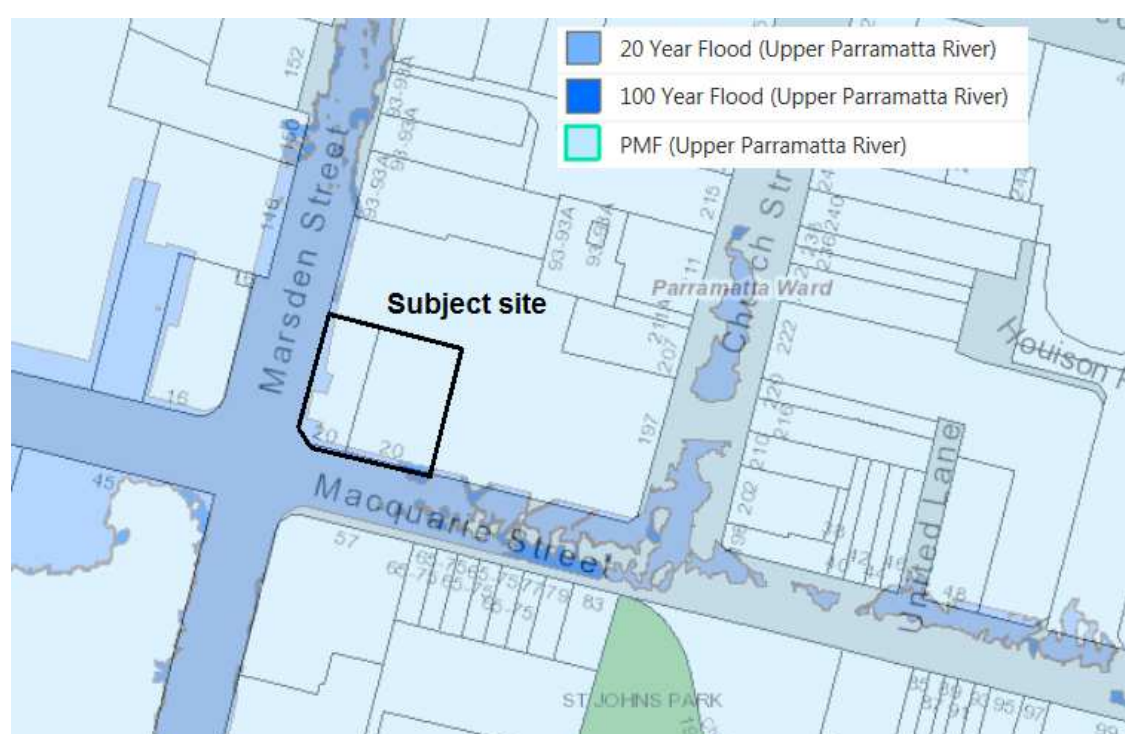
The Heritage Impact Statement recommends that *"a Historical Archaeological Impact Assessment and Research Design specific to the proposed works, be prepared in conjunction with the development application process. These documents would provide recommendations to investigate and manage the potential archaeological resource."* Council Officers consider that the site has no known archaeological potential and considerations at the development application stage for the potential archaeology resources is acceptable.



In relation to views, Council Officers consider that the site is in the area of sensitive views, but not in one of main identified view corridors. The site is adjacent to, but located outside, the designated highly sensitive Park Edge Special Area which any buildings in this area form a backdrop to Old Government House and Domain's National and World Heritage Listed area. If the proposal, as recommended in this report, be aligned with the controls for Parramatta CBD and the surrounding area, then any future development will be should not stand out in the panorama of the city, be allowed to harmonise with surrounding area and not impact adversely on view lines.

## Flooding

The site is partially affected by the 20 and 100 year Average Recurrence Interval (ARI) events at the Macquarie Street and Marsden Street frontages. All of the property would be inundated in the Probable Maximum Flood (PMF) event. Refer **Figure 4**.



**Figure 4:** Flooding map (Source: City of Parramatta Council's GIS)

A Flood Impact Statement was prepared by Wood and Grieve Engineers dated 25 July 2016. The Flood Impact Statement analyses existing flooding conditions, Council's current requirements, the predicted flood impacts of the proposed density increase and identifies methods of mitigating the foreseen flood impacts that can be undertaken at the development application stage of the project, including preparation of an evacuation management plan.

The documentation has been assessed by Council's flooding team and the following comments have been made:

The existing seven storey building covers the surface area of the site and is already of a high density, reducing the flooding implications of the proposed form.

This is an area of moderate flood hazard. Access to and egress from the site to higher 'dry ground' in 1 per cent AEP (100 year) river flood events should be relatively straightforward and would not prejudice development. Should an extreme flood event occur the site will



be inundated and emergency measures for future residents will need to be in place, with particular attention to emergency access for people in the basement.

Any development application will need to adequately demonstrate to Council's satisfaction rainwater flooding modelling, flood planning levels and corresponding freeboard, design measures such as driveway crests and stair access levels and a suitable shelter/refuge in place.

The level of detail in the Flood Impact Statement is considered a satisfactory response to the relevant Section 117 Direction for 1:100 event, applying to the subject site.

Whilst the planning proposal is considered to comply with the S117 direction 4.3 (Flood Prone Land) and Council's current controls, Draft LEP provisions as a result of the Parramatta CBD Planning Proposal relating to floodplain risk management should be considered with the development.

The CBD Planning Proposal seeks to insert a new Clause requiring new development (in the identified floodplain risk management area) to provide safe areas for refuge or egress for occupants of buildings or a flood free pedestrian access between the building and land above the PMF level. All new buildings must be certified by an engineer to withstand forces of floodwaters, debris and buoyancy resulting from the probable maximum flood.

As the proposed planning controls introduces new flood risk management controls on land over the Flood Planning Level, the Ministerial Direction requires Council to apply for special circumstances from the Minister for Environment for its inclusion. Council is currently preparing the application to the Minister.

Furthermore, in response to the public exhibition of a recent Planning Proposal at 142-154 Macquarie Street, Parramatta, Council has received a submission from the State Emergency Service (SES) in relation to the proposed policy framework envisaged under the Parramatta CBD Planning Proposal in relation to flood risk management and increased development density.

The SES submission indicates that they are not supportive of the vertical evacuation and 'shelter-in place' policy position as the proposed strategy. That is in the event of a significant flood event for occupants to shelter in place within development (above the flood planning level) until such time as flood waters recede rather than evacuate. In a residential context this would typically occur within apartments and non-residential uses would shelter in a shared area within the building. The SES submission suggests that this approach would only be supported where opportunity exists to then be able to evacuate horizontally, that is, via paths of travel that elevated above the PMF level to outside the floodplain.

This issue will be the subject of further investigation and study by the relevant NSW Government Agencies (including SES, Office of Environment and Heritage, DPE) and Council during the progression of the CBD Planning Proposal. It is acknowledged that this may result in site specific planning proposals being impacted upon or the design of any building being impacted by the need to incorporate a potential horizontal evacuation pathway.

Options to progress this issue with respect to this site specific planning proposal include incorporating provisions within a site specific DCP that require the demonstrating of the ability to evacuate horizontally to safe ground or alternately waiting until the broader policy position is resolved as part of the Parramatta CBD Planning Proposal.

### **Traffic and Transport**

A Traffic Impact Assessment Report dated 22 October 2015 prepared by Ason Group has been submitted with the Planning Proposal. The report assesses the existing site

conditions, proposed form, car parking implications and a traffic analysis of the proposed density on the site. The initial planning proposal proposed 392 parking spaces.

The Report concludes that:

*“Based on the analysis presented within the Traffic Impact Assessment report it is our conclusion that the Proposal would have no material impact in regard to the operation of the local road network and can provide appropriate access and parking provisions compliant with all planning guidelines and Australian standards.”*

Council Officers raised concern with the initial planning proposal and the car parking rates proposed within the development, considering its proximity to the Parramatta Transport Interchange and the proposed Light Rail. In response, the revised planning proposal approach to reduced parking rates from 392 car parking spaces to 196 car parking spaces is supported by Council Officers. The vehicular access points into the site need to be further resolved, however Council Officers consider that this can be addressed at a development application stage.

Council Officers raised concern with the initial planning proposal and the cumulative impact the density of 10:1 or more across the Parramatta City Centre will have on the functionality of the CBD Planning Strategy. Of relevance is Council's recent resolution on 10 April 2017 to endorse the Strategic Transport Study which is a key supporting document for the CBD Planning Proposal. Resolutions (b) and (c) below are of particular relevance to the site:

*“(b) **That** Council endorses the action recommended by the Parramatta CBD Strategic Transport Study to reduce maximum car parking rates to levels currently used by City of Sydney CBD and that the Parramatta CBD Planning Proposal be amended to reflect this prior to public exhibition.*

*(c) **That** Council applies the recommended parking rates proposed in this report to existing site-specific Planning Proposals and Design Competitions within the Parramatta CBD as a provision applicable to each proposal or competition to ensure future development will be consistent with the strategic direction to reduce maximum car parking rates. (N.B. Only those site-specific planning proposals which are imminent to finalisation (gazetted), that is they have been endorsed by the Council to proceed to finalisation following public exhibition, will be exempt from this provision).”*

Recommendation (c) above is to be applied through a site-specific clause to be included within Parramatta LEP 2011. This will apply the following parking rates to the site:

#### Residential development

Type of Apartment	Spaces/unit
3-bedroom	1 space/unit
2-bedroom	.7 spaces/unit
1-bedroom	.3 spaces/unit
Studio	.1 spaces/unit

Commercial development (If the FSR > 3.5:1)

$$M = (G * A) / (50 * T)$$

where:

M = maximum number of parking spaces;

G = GFA of all office/business premises in the building (m<sup>2</sup>);

A = Site Area (m<sup>2</sup>);

T = Total GFA of all buildings on the site (m<sup>2</sup>)

The current reference design indicates a range of between 93 and 110 apartments; the unit mix and resulting maximum residential parking spaces under the Council-resolved rates are described in the below tables.

110 unit floor plan layout

Type of Apartment	Spaces/unit	Units indicated in reference design	Total
4-bedroom	1 space/unit	2	2
3-bedroom	1 space/unit	0	0
2-bedroom	.7 spaces/unit	108	76
1-bedroom	.3 spaces/unit	0	0
		TOTAL	78

93 unit floor plan layout

Type of Apartment	Spaces/unit	Units indicated in reference design	Total
4-bedroom	1 space/unit	2	2
3-bedroom	1 space/unit	51	51
2-bedroom	.7 spaces/unit	23	16
1-bedroom	.3 spaces/unit	17	5
		TOTAL	74

The current reference design indicates 2,817 m<sup>2</sup> of commercial floor space. Applying the above formula to the current reference design yields a maximum of 6 car parking spaces for the commercial/community uses, as follows:

$$M = (G * A) / (50 * T)$$

$$M = (2,817 * 1,295) / (50 * 12,950)$$

$$M = 3,648,015 / 647,500$$

$$M = 5.63 \text{ (round to 6)}$$

The total number of 80 to 84 car parking spaces indicated above (based on the two different floor plan layouts) is far less than 196 spaces indicated on the reference design. It is recommended that a site-specific clause can ensure compliance with the above maximum parking rates, as previously resolved by Council, as shown in the draft clause included as part of the Planning Proposal. Council's traffic and transport team have concurred with this approach, advising that this Planning Proposal should assume a parking rate that is consistent with the rate in the CBD Planning Proposal resolved by Council in April 2017.

**Please note:** the above estimated maximum car parking rates apply to the current reference design, and would likely be altered during subsequent design competition and development application processes. However, the numbers above can be taken as an indication of the scale of the quantum of car parking that would be expected to result at this site. Determining the final number of approved car parking spaces is a matter for the development application stage.

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

There is adequate justification for this planning proposal which will facilitate an increase in housing. Further, should Council resolve to endorse the Planning Proposal and seek a Gateway determination, it is recommended that Council invite the proponent to enter into negotiations for a Voluntary Planning Agreement (VPA). A VPA will enable Council to secure further benefits for the community such as a monetary contribution towards public amenities or services or dedication of apartments for the purpose of affordable housing.

## **1.4 Section D – State and Commonwealth Interests**

### **1.4.1 Is there adequate public infrastructure for the planning proposal?**

There is adequate justification for this planning proposal which will facilitate an increase in housing and a renewal of the employment generating floor space.

The commercial components of the development will contribute to the activation of Macquarie and Marsden Streets and the surrounding area. The ground floor uses will provide for the daily needs of nearby residential uses, whilst contributing to a renewed streetscape with vibrant retail uses. The dominant residential use will deliver a range of housing options located in close proximity to public transport, employment and community facilities.

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

To be advised following the issue of the Gateway determination by the Department of Planning and Environment. As noted above, it is expected that consultation with relevant authorities will form part of the consultation requirements.

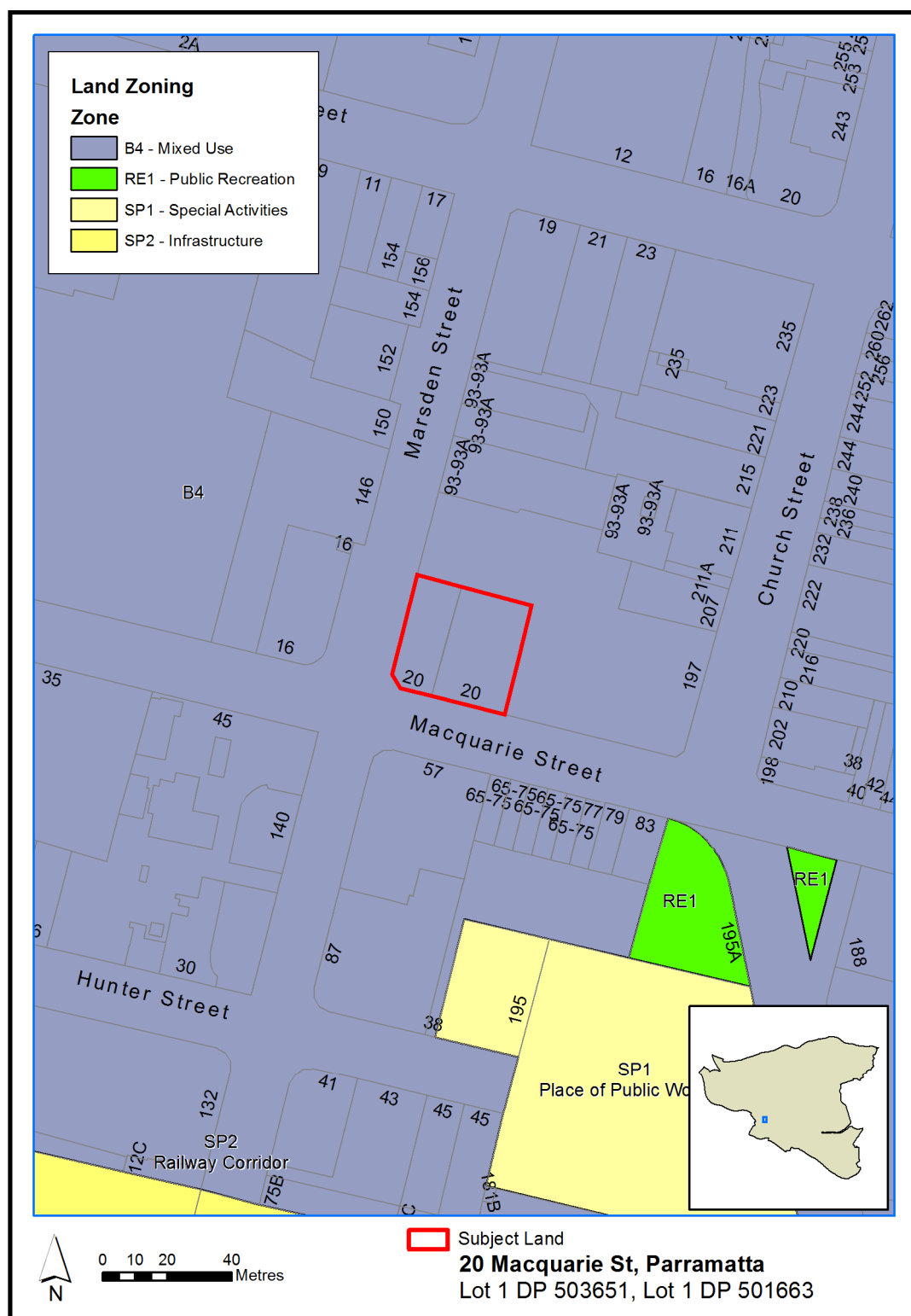
## PART 4 – MAPPING

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This section contains the mapping for this planning proposal in accordance with the DP&E's guidelines on LEPs and Planning Proposals.

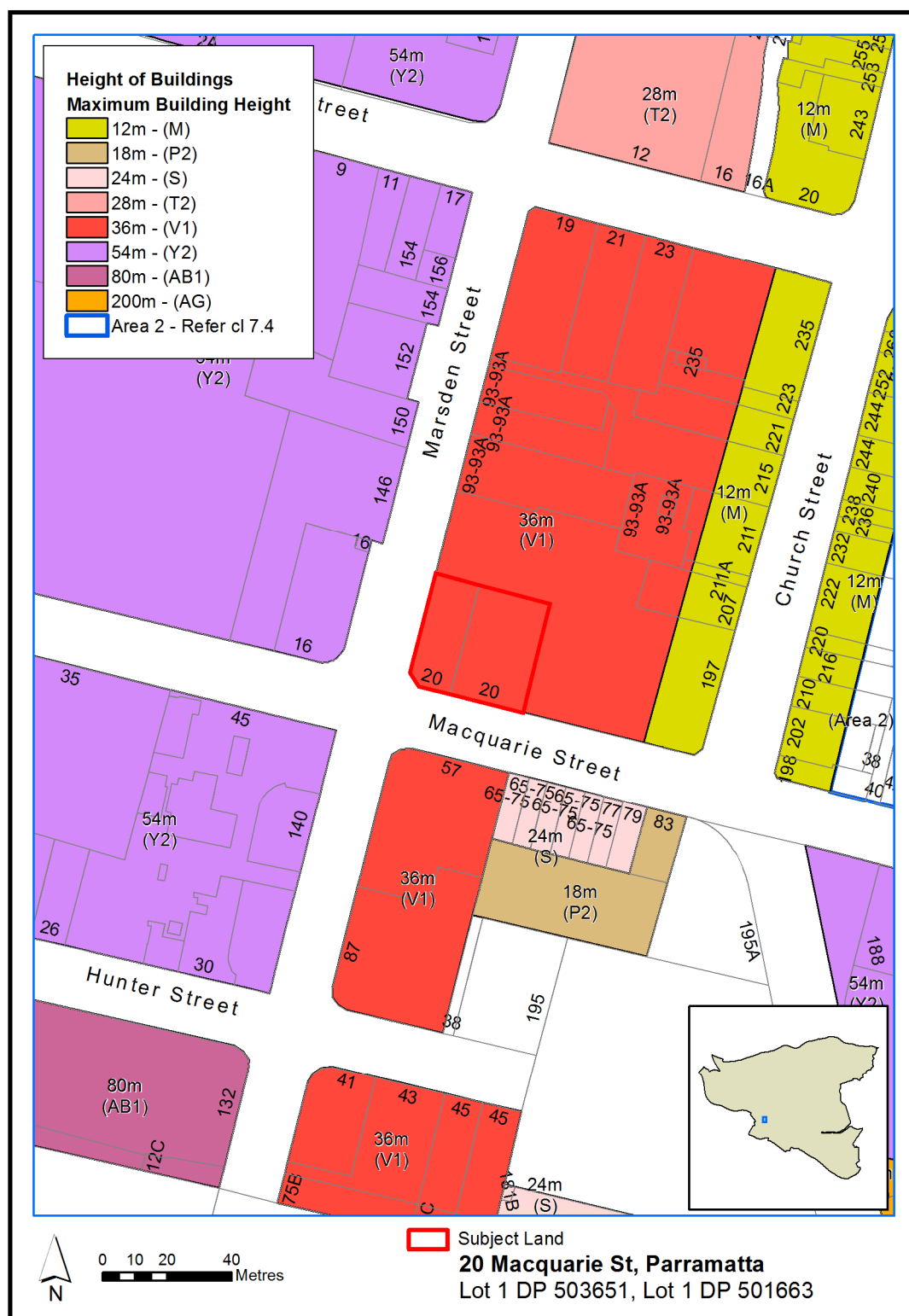
### 4.1 Existing controls

This section contains map extracts from the *Parramatta LEP 2011* which illustrate the current controls applying to the site.



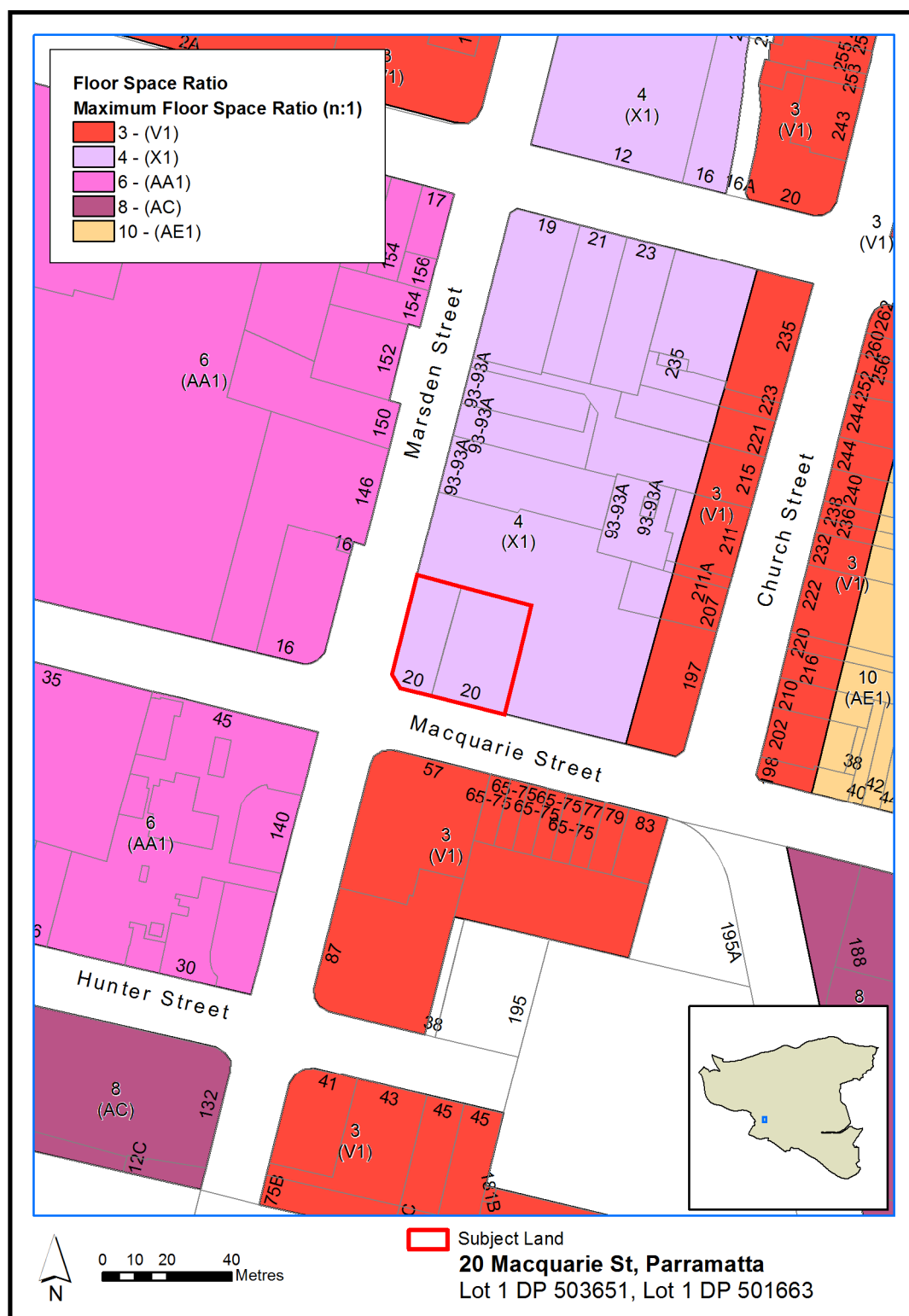
**Figure 5** – Existing zoning extracted from *Parramatta LEP 2011* Land Zoning Maps

Figure 5 above illustrates the existing B4 Mixed Use zone over the site.



**Figure 6** – Existing building heights extracted from *Parramatta LEP 2011* Height of Buildings Maps

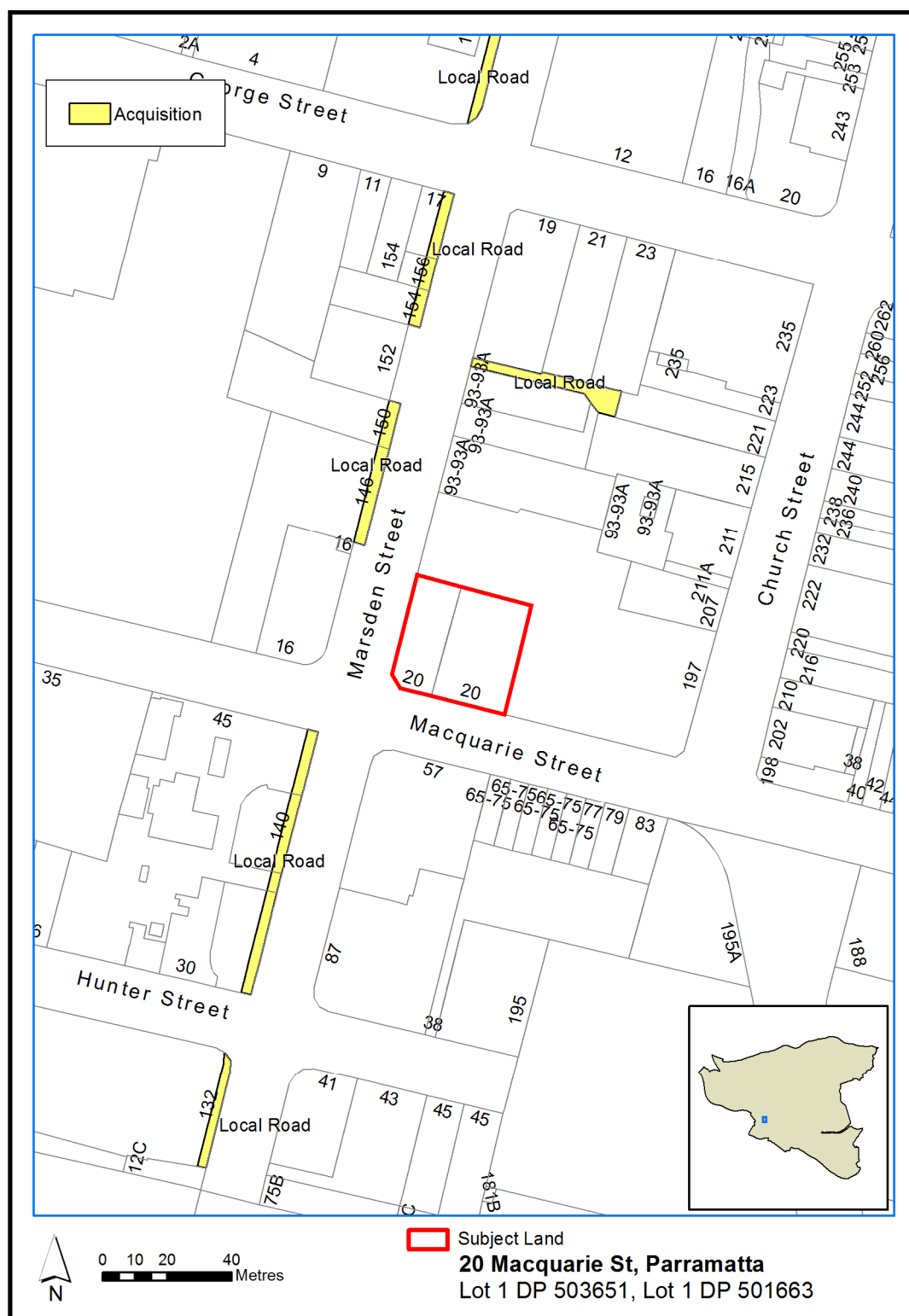
Figure 6 above illustrates the existing 36 metre height applying to the site.



**Figure 7** – Existing floor space ratio extracted from the *Parramatta LEP 2011* Floor Space Ratio Map

Figure 7 above illustrates the existing FSR of 4:1 for the site.



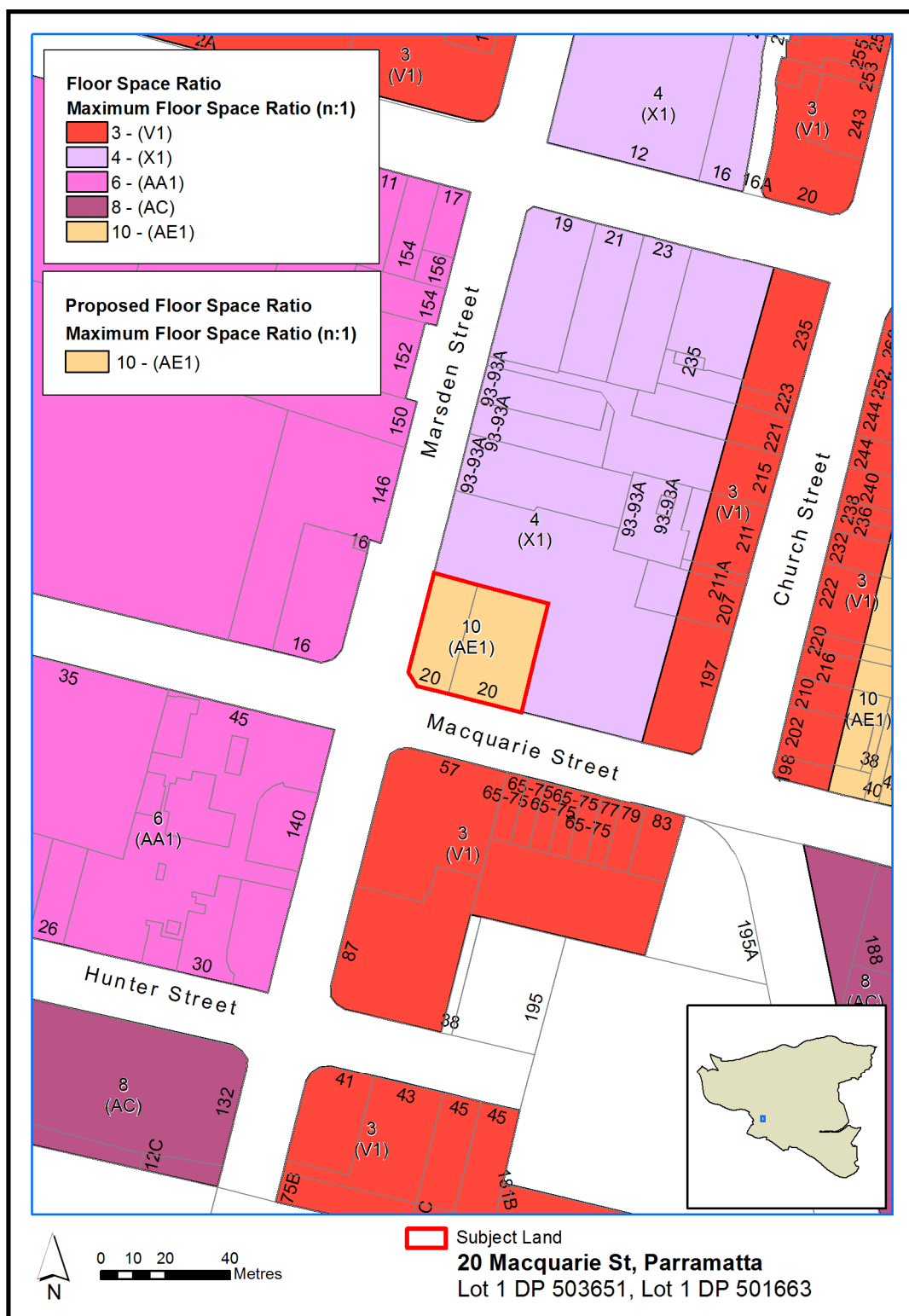


**Figure 8** – Existing reservations extracted from the *Parramatta LEP 2011* Land Reservations Map

Figure 8 above illustrates the reservations that apply within proximity to the site.

## 4.2 Proposed controls

The figures in this section (Figures 9 and 10) illustrate the proposed controls sought by this planning proposal.



**Figure 9** – Proposed amendment to the *PLEP 2011* Floor Space Ratio Map

Figure 9 above illustrates the proposed amendment to the Floor Space Ratio Map.

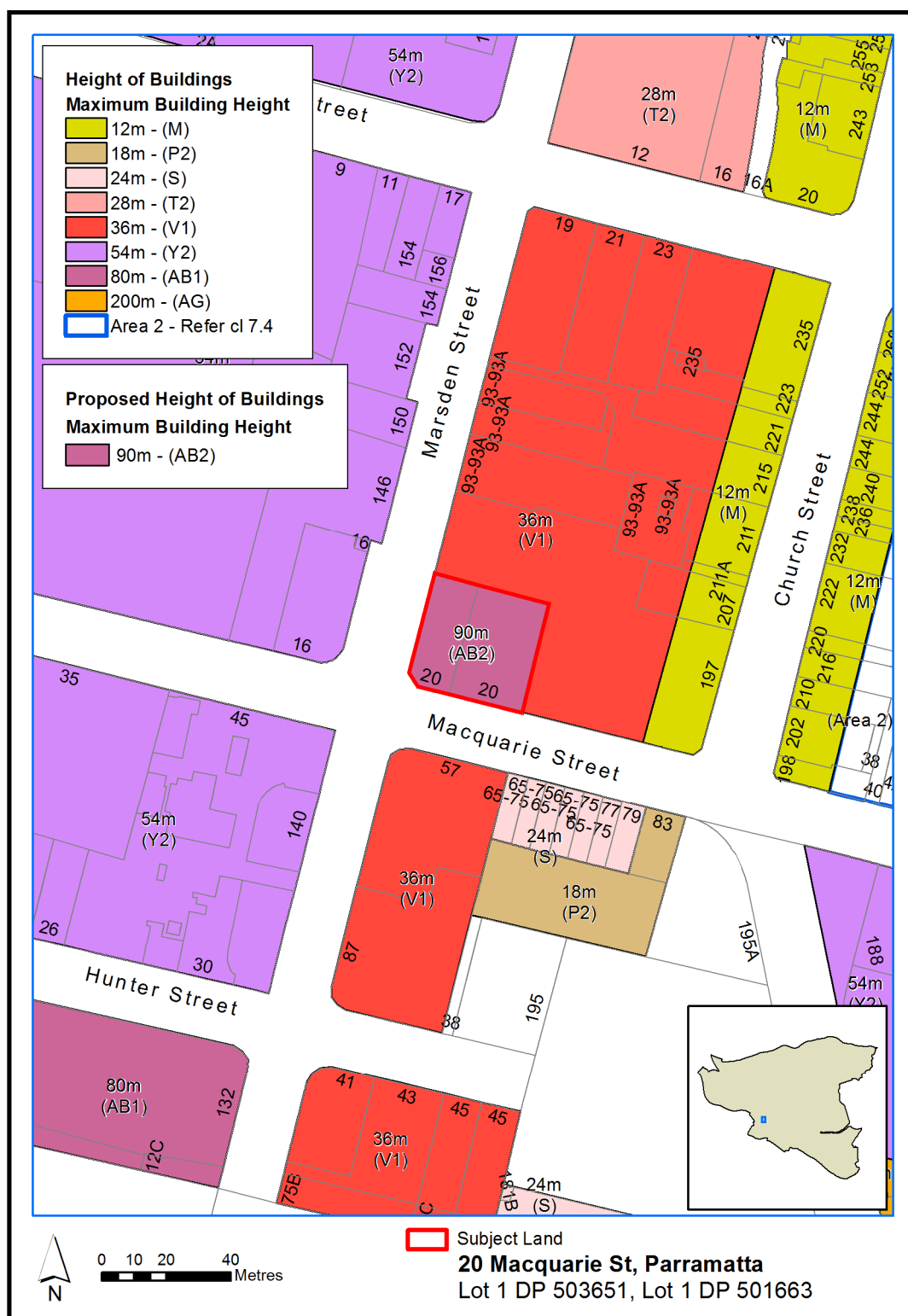


Figure 10 – Proposed amendment to the *PLEP 2011* Height of Buildings Map

Figure 10 above illustrates the proposed amendment to the Height of Buildings Map.

## PART 5 – COMMUNITY CONSULTATION

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The planning proposal is to be publicly available for community consultation.

Public exhibition is likely to include:

- newspaper advertisement;
- display on the Council's web-site; and
- written notification to adjoining landowners.

The gateway determination will specify the level of public consultation that must be undertaken in relation to the planning proposal including those with government agencies.

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

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The detail around the project timeline is expected to be prepared following the referral to the Minister for review of the Gateway Determination. The following steps and timeline are anticipated:

- Submission to the Department of Planning and Environment seeking Gateway determination (July 2017)
- Exhibition and referral (October 2017)
- Consideration of submissions (November 2017)
- Consideration of proposal post exhibition and reporting to Council (December 2017)
- Submission to the Department of Planning and Environment to finalise the LEP (January 2018)
- Notification of instrument (March 2018)

## Appendix 1 – Draft Site-Specific Clause

**Potential draft clause to be included in the Parramatta LEP 2011.**

**Note: The Clause is draft only to demonstrate the intent of the clause and may be amended post-exhibition as part of the legal drafting process and prior to this amendment coming into force.**

### Part 7 Additional Local Provisions – Parramatta City Centre

Clause 7.xx Development on land at 20 Macquarie Street, Parramatta

- (1) This clause applies to land at 20 Macquarie Street, Parramatta, being Lot 1 DP 503651 and Lot 1 DP 501663 and identified as area ## on the Special Provisions Area map.
- (2) Despite the provisions of Clause 7.2 [and Clauses 4.3 and 4.4], the consent authority may grant consent to development involving the construction of a new building with a height of up to 90.5 metres and a floor space ratio of up to 10:1 only if commercial floor space of at least 1:1 floor space ratio is included in the development.
- (3) The maximum parking rates for any development proposed under this clause are as follows:
  - a. The maximum parking rates which apply to any part of the building used as a dwelling are:
    - i. For each studio dwelling – 0.1 spaces, and
    - ii. For each 1 bedroom dwelling – 0.3 spaces, and
    - iii. For each 2 bedroom dwelling – 0.7 spaces, and
    - iv. For each 3 or more bedroom dwelling – 1 space.
  - b. The maximum parking rates for any part of a building used for the purposes of commercial or community uses is established by the following formula:

$$M = (G \times A) / (50 \times T)$$

Where:

M is the maximum number of parking spaces,

G is the gross floor area of all commercial and community uses in the building in square metres, and

A is the site area in square metres, and

T is the total gross floor area of all buildings on the site in square metres.

## **Appendix 2 – Draft Site-Specific Development Control Plan**

Refer separate attachment.

[The draft site-specific DCP will be prepared and reported to Council prior to the exhibition of the Planning Proposal. It is noted that Council's resolution (j) from 19 December 2016 requires the DCP and VPA to be exhibited concurrently with the Planning Proposal.]

## **Appendix 3 – draft Voluntary Planning Agreement**

Refer separate attachment.

[The draft Voluntary Planning Agreement will be negotiated with the applicant and reported to Council prior to the exhibition of the Planning Proposal. It is noted that Council's resolution (j) from 19 December 2016 requires the DCP and VPA to be exhibited concurrently with the Planning Proposal.]

## **Appendix 4 – Reference Design**

Refer separate attachment.

## **Appendix 5 – Heritage Impact Statement**

Refer separate attachment.



Prepared by City of Parramatta

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