

10 November 2011

Peter Goth – Regional Director
Department of Planning and Infrastructure
Sydney West Region
Locked Bag 5020
Parramatta NSW 2124

Dear Peter,

Planning Proposal for 220 & 222 Church Street & 48 Macquarie Street, Parramatta

On 7 November 2011 Parramatta City Council considered a Planning Proposal to amend the Parramatta City Centre LEP 2007 to allow a re-distribution and increase in the maximum allowable floor space ratio on land at 220 & 222 Church Street & 48 Macquarie Street, Parramatta.

At its meeting Council resolved:

- (a) **That** the Planning Proposal at Attachment 2 to amend the Parramatta City Centre LEP 2007 to re-distribute and increase the maximum allowable floor space ratio on land at 220 & 222 Church Street & 48 Macquarie Street, Parramatta be endorsed and forwarded for Gateway assessment by the Department of Planning and Infrastructure in accordance with Section 56 of the Environmental Planning and Assessment Act 1979.
- (b) **That** subject to Gateway determination the Planning Proposal be publicly exhibited simultaneously with the Development Application for the site.
- (c) **Further, that** a report be put to Council following the public exhibition.

Please find attached the information for gateway consideration. Should you require any further information please contact me on 9806 5767.

Yours sincerely

Jennifer Concato
A/Manager Land Use Planning

Department of Planning
Received
15 NOV 2011
Scanning Room

ATTACHMENTS ON CD:

Council Report and Minutes of 7 November 2011, including the following attachments:

Attachment 1: Planning Assessment Report

Attachment 2: Planning Proposal prepared by JBA Planning, this includes the Urban Design Study prepared by Crone Partners

ECONOMY AND DEVELOPMENT

ITEM NUMBER	9.5
SUBJECT	Planning Proposal - 220 & 222 Church Street & 48 Macquarie Street, Parramatta
REFERENCE	RZ/5/2011 - D02144811
REPORT OF	Group Manager Outcomes and Development

PURPOSE:

The purpose of this report is to seek Council's endorsement of a Planning Proposal to amend the Parramatta City Centre LEP 2007 to allow a re-distribution and increase in the maximum allowable floor space ratio on land at 220 & 222 Church Street & 48 Macquarie Street, Parramatta. Subject to Council's endorsement, the Planning Proposal will then be referred to the Department of Planning and Infrastructure for consideration under the gateway process

RECOMMENDATION

- (a) **That** the Planning Proposal at **Attachment 2** to amend the Parramatta City Centre LEP 2007 to re-distribute and increase the maximum allowable floor space ratio on land at 220 & 222 Church Street & 48 Macquarie Street, Parramatta be endorsed and forwarded for Gateway assessment by the Department of Planning and Infrastructure in accordance with Section 56 of the *Environmental Planning and Assessment Act 1979*.
- (b) **That** subject to Gateway determination the Planning Proposal be publicly exhibited simultaneously with the Development Application for the site.
- (c) **Further, that** a report be put to Council following the public exhibition.

THE SITE

1. The subject site is located in the Parramatta CBD at 220 & 222 Church Street & 48 Macquarie Street, Parramatta. The site is illustrated in Figure 1 in **Attachment 1**.
2. The site is located centrally within the Parramatta City Centre, to the north of Civic Place. The site currently contains the following:
 - The 'Greenway Plaza', a one and two storey retail and commercial building (222 Church Street);
 - A two storey retail and commercial brick building (220 Church Street); and
 - A three storey brick mixed use building (48 Macquarie Street).

THE PROPOSAL

3. In October 2011, Council received a Planning Proposal (located at **Attachment 2**) from Leighton Properties Pty Ltd, acting on behalf of the registered proprietors of the site to re-distribute and increase the maximum allowable Floor Space Ratio (FSR) under Parramatta City Centre LEP 2007 (City Centre LEP) to facilitate the development of a commercial tower on the Macquarie Street frontage. The Planning Proposal is accompanied by an Urban Design Study that provides justification and explanation for the amendment sought. The Planning Proposal does not seek to amend the zoning and maximum building height provisions of the City Centre LEP.
4. The site is a prime location for a high grade commercial tower building in the Parramatta CBD. The current provisions of the City Centre LEP and site constraints make it unlikely for the site to be developed (refer to Attachment 1). To achieve the desired future redevelopment of this land amendment of the FSR in the City Centre LEP is required by way of a Planning Proposal.
5. The proponent intends to lodge a Development Application for a mixed use development containing retail and commercial offices with a low rise retail building fronting Church Street and a 68m (approximately) tall commercial office tower building fronting Macquarie Street and Horwood Place. Whilst the Planning Proposal is being assessed a Design Excellence Process will be pursued in accordance with Clause 22B of the City Centre LEP as the proposed commercial office tower is greater than 55 metres in height. It is proposed that the Planning Proposal be exhibited simultaneously with the Development Application for the site. This has the advantage of elucidating to the general public how the site would be developed under the proposed amendment to the City Centre LEP.
6. Council's planning officers are currently working on the consolidation of the City Centre LEP and Parramatta LEP 2011. However this process will not occur within timeframes suited to the development proposed for this site.
7. Council's Urban Design, Economic Development, Development Services and Property Development units have been included in the discussions of this Planning Proposal. The Planning Assessment is located at **Attachment 1**.

PLANNING CONTROLS

8. The land is zoned B4 Mixed Use under the provisions of the City Centre LEP.
9. Three maximum FSRs apply across the site in the City Centre LEP. The FSR is divided across the site as three parallel north to south strips as shown in Figure 4 and 5 in **Attachment 2**. More specifically:
 - that part of the site (18m deep) fronting Church Street has a maximum FSR of 3:1;
 - that central part of the site has a maximum FSR of 10:1; and

- that eastern part of the site fronting Macquarie Street has a maximum FSR of 6:1.
10. The proposed amendment seeks to introduce two new maximum FSRs for the site (refer to Figure 7 in **Attachment 1**). It is proposed to generally redistribute the floor space with an FSR of 2:1 on the part of the site fronting Church Street and an FSR of 11:1 for the part of the site fronting Macquarie Street.

ISSUES

Land Use Planning & Urban Design

11. The proposed amendment would increase the maximum allowable floor space for the site from 23,938sqm to 27,581sqm. (It should be noted that this quantum of floor space is only theoretical, as under the current configuration of the land and applicable planning controls it is unlikely the land would ever be developed to its potential). This represents an increase of 3,643sqm over the current controls. This is a 15% increase, 10% of which can be achieved under the provisions of Clause 22B Design Excellence of the City Centre LEP without the need of this Planning Proposal. The proposed amendments will have the effect of 'unlocking' the site and enabling a commercially viable and prominent and responsive commercial office tower to be developed. The amendment under this Planning Proposal will ensure that the final form of development on the site is more appropriately tailored to the site's characteristics and opportunities.
12. The Planning Proposal addresses all relevant matters outlined by the Department of Planning and Infrastructure's (DP&I) guideline to preparing a Planning Proposal, including compliance with all relevant State Environmental Planning Policies and consistency with applicable Ministerial Directions (s.117 directions). Refer to Attachment 1 for further details.
13. Leighton Properties has engaged Crone Partners Architectural Studios to undertake an Urban Design Study and preliminary concepts for the redevelopment of the site (see Appendix A of **Attachment 2**). The study is not a detailed design for the final development of the site, but is a massing study that illustrates how the site may be developed as a result of the proposed amendment to the City Centre LEP. Specifically the study examined the potential development of the site and identified preliminary concepts based on an analysis of the site's opportunities and constraints, its commercial core location and the building's future role within the Parramatta CBD.
14. The constraints and opportunities and the proposed amendment to the FSR control will result in a maximum allowable floor area of 27,581sqm. Whilst the final built form will be the subject of the Design Excellence Process and Development Application, the concept planning has shown that an appropriate built form can be achieved under the proposed LEP amendment. Specifically, the amendment will facilitate:

- a lower scale building fronting Church Street in compliance with existing height controls;
 - a 16 storey commercial office building on the eastern portion of the site, with potential for a 3 storey street edge podium; and
 - new public domain spaces and pedestrian access ways integrated with existing and future connections within the commercial core.
15. Whilst the Planning Proposal increases the amount of developable floor space on the land, the height will be set by the sun access plane controls for Civic Place and the height controls applying to Church Street. As illustrated in the Urban Design Study in Appendix A of **Attachment 2**, the built form that would result under the existing controls would be a series of squat and bulky buildings, that because of their inappropriate location would not be able to be satisfactorily serviced. Moreover, the height and bulk of a development produced under the current FSR controls would be less likely to contribute to the rejuvenation of this part of Parramatta's commercial core. Larger commercial taller buildings will establish and maintain prominence within the Parramatta context - the current FSR controls do not provide for this to occur on the site.
16. Under this planning proposal the resultant floor space will:
- generate a significant number of jobs thereby contributing towards the employment targets for the region;
 - support the vitality and economic growth of Parramatta as Sydney's second CBD; and
 - contribute to improving pedestrian amenity with new through site links and activation of the public domain and streetscape around Horwood Place.
17. The proposed FSRs for the site would continue to address the objectives of Clause 22 in the City Centre LEP for the control of FSRs as demonstrated in **Attachment 1**.

PROCESS - NEXT STEPS

18. Recent planning reforms regarding the preparation of LEPs were introduced on 1 July 2009. Under this process, Council, as the relevant planning authority must resolve to support a Planning Proposal before it can proceed to Gateway determination.
19. The Planning Proposal and Urban Design Study document prepared by the proponent, together with this Report and Planning Assessment at **Attachment 1** will be submitted to DP&I for initial Gateway determination should Council resolve to support and proceed with this proposal.
20. Community consultation is undertaken after Council and the DP&I have considered and subsequently approved to proceed with the amendment. It is proposed that in accordance with the DP&I's '*A guide to preparing local environmental plans*' that the Planning Proposal undergo a 28 day public exhibition period. This period would include consultation with public authorities.

It is noted that confirmation of the public exhibition period and requirements for the Planning Proposal will be subject to the Gateway determination being issued by the DP&I.

CONCLUSION

21. The Urban Design Study undertaken for the land demonstrates that changes to existing FSRs as proposed by this Planning Proposal will support a built form outcome that is appropriate in the context of the site, is commercially viable and would generate a significant number of jobs thereby contributing towards the employment targets for the region, thus supporting the vitality and economic growth of Parramatta.
22. It is evident that the existing buildings on the land are reaching the end of their functional and economic life and there is an opportunity to redevelop the site to provide new and improved retail and commercial uses that can contribute towards reinforcing Parramatta status as Sydney's second CBD. The current FSRs do not allow the full potential of the site to be reached. Being located within the commercial core of Parramatta CBD, it is critical the land is able to deliver the economic benefits that are expected under the City Centre LEP.
23. It is recommended that Council resolve to endorse and forward this Planning Proposal to the DP&I for Gateway Determination in accordance with the *Environmental Planning & Assessment Act 1979*.

Sue Weatherley

Group Manager Outcomes and Development

ATTACHMENTS:

- | | | |
|-----------------------|--|----------|
| 1View | Planning Assessment Report | 17 Pages |
| 2View | Planning Proposal submitted by proponent | 66 Pages |

Attachment 1 – Planning Assessment Report for the Planning Proposal on land at 220 & 222 Church Street & 48 Macquarie Street, Parramatta

1. THE SITE

The subject site is located in Parramatta CBD on Church Street and Macquarie Street, Parramatta and comprises of the following three allotments:

- Lot 1 DP 702291 (222 Church Street);
- Lot 1 DP 1044242 (220 Church Street); and
- Lot B DP 394050 (48 Macquarie Street).

Reference to 'the site' in this report and Planning Proposal means all three allotments as illustrated in Figure 1. The site is an irregular 'L' shape and has an area of approximately 3,684.4sqm.

The site is located centrally within the Parramatta City Centre, to the north of Civic Place as illustrated in Figure 2. The site currently contains the following:

- The 'Greenway Plaza', a one and two storey retail and commercial building (222 Church Street);
- A two storey retail and commercial brick building (220 Church Street); and
- A three storey brick mixed use building (48 Macquarie Street).

The land immediately surrounding the site is a mix of low and medium rise retail and office buildings. Active frontage uses are predominately located at ground floor levels, with upper floors predominately containing office premises.

To the south of the site, across Macquarie Street, is the Parramatta Civic Place site. Across Houison Place to the north is an at grade car-park, with Council's six (6) storey multi-level carpark located to the east of the site across Horwood Place.

The pedestrianised section of Church Street, which includes St John's Park and Bicentennial Square, is located to the south-west of the site.



Figure 1 – Lot Title Plan



Figure 2 – Location Plan

2. PLANNING CONTROLS

2.1 Land Zoning

The land is zoned B4 Mixed Use under the provisions of Parramatta City Centre Local Environmental Plan 2007 (City Centre LEP). The B4 zone provides for a mixture of compatible land uses, such as business premises, office premises, retail premises and residential development.

2.2 Height of Buildings

Pursuant to Clauses 21 and 29E of the City Centre LEP, the site contains two different height limits.

Under Clause 21, the maximum building height for the part of the site fronting Church Street (i.e. 18m deep) is 12m (refer to Figure 3). Whilst the maximum height for the remaining significant portion of the site is, in accordance with Clause 29E, subject to compliance with the sun access plane controls established within the City Centre Development Control Plan for the Civic Place site.



Figure 3 - Extract from City Centre LEP Height of Buildings Map

2.3 Floor Space Ratio

Three maximum FSRs apply across the site in the City Centre LEP. The FSR is divided across the site as three parallel north to south strips as shown in Figure 4 and 5. More specifically:

- that part of the site (18m deep) fronting Church Street has a maximum FSR of 3:1 (Zone A);
- that central part of the site has a maximum FSR of 10:1 (Zone B); and
- that eastern part of the site fronting Macquarie Street has a maximum FSR of 6:1 (Zone C).

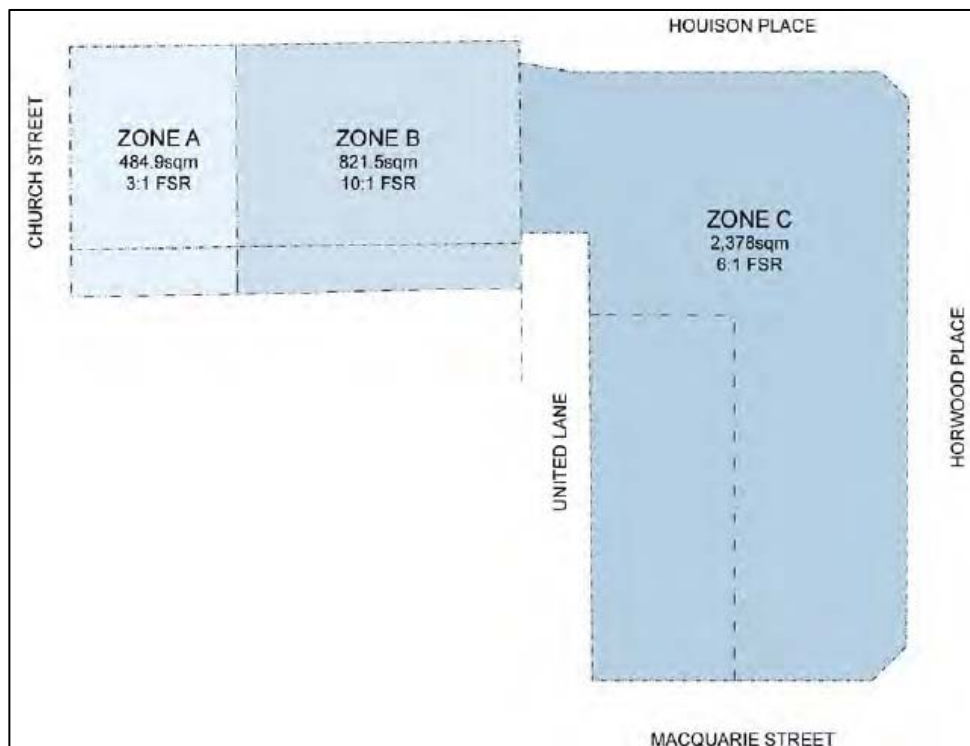


Figure 4 – Location of existing FSRs on the site under City Centre LEP



Figure 5 – Extract from City Centre LEP Floor Space Ratio Map

The totalling of floor space for each different 'strip' (i.e. Zone A + Zone B + Zone C) across the site would theoretically achieve an overall maximum allowable floor space of approximately 23,938sqm (refer to Table 1).

Table 1 – Summary of existing achievable floor space across the site

	Site Area	Maximum FSR	Equivalent Floor Space
Zone A	484.9 sqm	3:1	1,455 sqm
Zone B	821.5 sqm	10:1	8,215 sqm
Zone C	2,378 sqm	6:1	14,268 sqm
Total	3,684.4 sqm	-	23,938 sqm

It should be noted that the above quantum of floor space is only theoretical, as under the current configuration of the land and applicable FSR controls it is unlikely the land would ever be developed to its potential.

2.4 Heritage

The site does not contain any heritage items, nor is the site located within a heritage conservation area under the City Centre LEP. There are, however, a number of heritage items that adjoin and surround the site as illustrated in Figure 6.



Figure 6 – Extract from City Centre LEP Heritage Map

3. THE PROPOSAL

The proponent has requested a distribution and increase of the maximum allowable FSR on the site. The proposal is to generally concentrate the floor space within the eastern portion of the site. The major objective of the planning proposal is to enable a feasibly viable commercial development on the site.

The planning proposal does not seek to amend the zoning and maximum building height of the site.

Floor space within Parramatta is controlled by Clause 22 which sets the objectives for FSR controls and sets the maximum FSR for buildings as shown on the Floor Space Ratio Map (extract provide at Figure 5). The Floor Space Ratio Map that applies to the subject land specifies three different maximum FSRs. Amending the floor space limit is achieved by amending the City Centre LEP Floor Space Ratio Map (Sheet FSR_001).

The proposed amendment seeks to introduce two new maximum FSRs for the site. Figure 7 illustrates the proposed new FSRs and the portions of the site to which they are intended to apply. Table 2 provides an overview of the resulting area of floor space potentially achievable through amending the FSR controls.

As Table 2 demonstrates, the proposed amendment increases the base allowable floor space area for the site to 27,581sqm. This represents an increase of 3,643sqm over the current controls. This is a 15% increase, 10% of which can be achieved under the provisions of Clause 22B Design Excellence of the City Centre LEP without the need of this Planning Proposal.

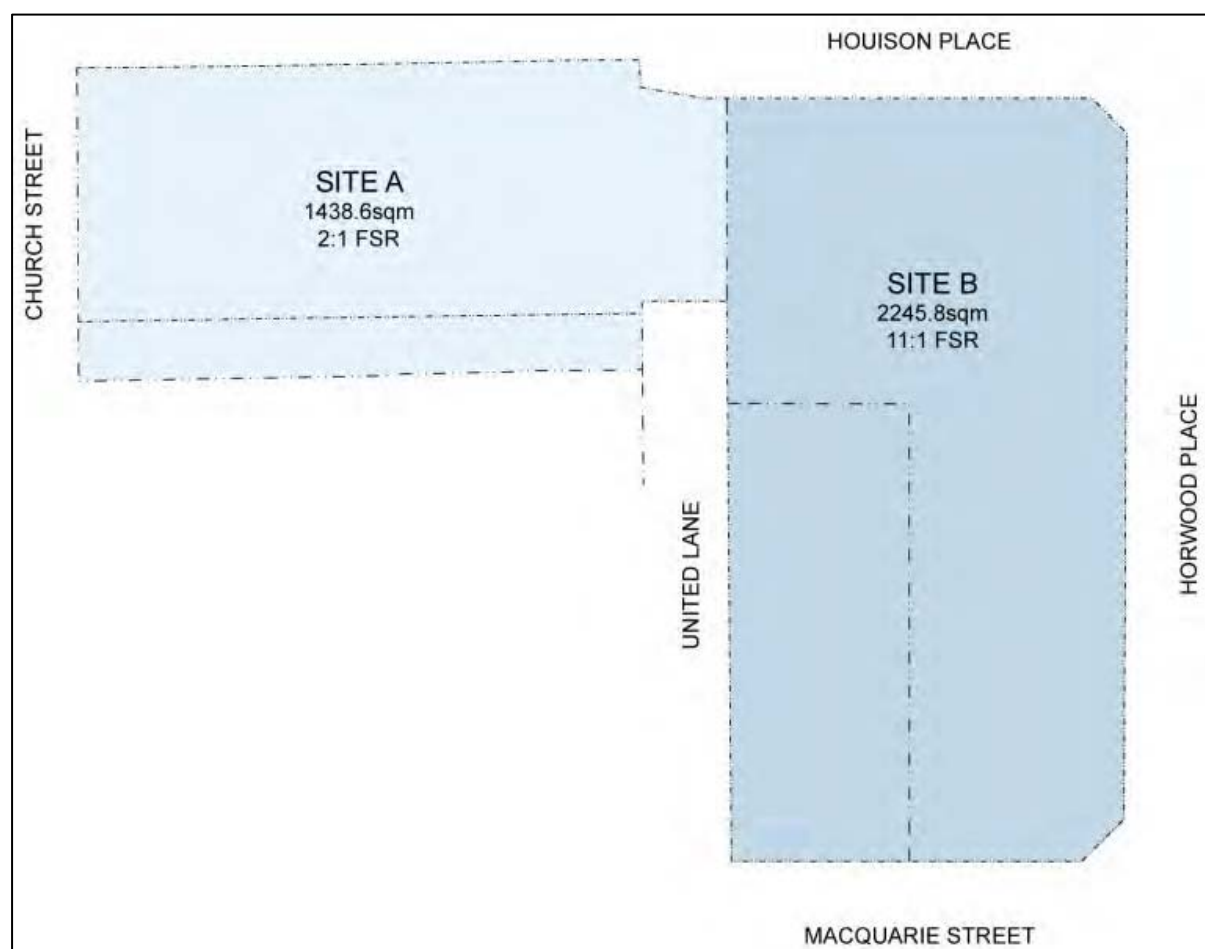


Figure 7 – Proposed FSRs on the site

Table 2 – Summary of proposed floor space across the site

	Site Area	Proposed Maximum FSR	Proposed Equivalent Floor Space
Site A	1,438.6 sqm	2:1	2,877.2 sqm
Site B	2,245.8 sqm	11:1	24,703.8 sqm
Total	3,684.4 sqm	-	27,581 sqm

The proposed mixed use development over the site contains retail and commercial offices. The proposal is for a low rise retail building fronting Church Street and a 68m (approximately) commercial office tower building fronting Macquarie Street and Horwood Place. Pursuant to Clause 22B of the City Centre LEP, a Design Excellence Process is required as the proposed commercial office tower building is greater than 55m in height. The proponent has sought a Alternate Design Excellence Process pursuant to Clause 22B(5) which requires the concurrence of the Director General of the Department of Planning and Infrastructure (DP&I) and will be pursued whilst the Planning Proposal is being assessed. An Alternate Design Excellence Process would permit greater flexibility in the application of the planning controls for the proposal.

4. THE ISSUES

Land Use Planning

The proposed FSRs for the site would continue to address the objectives of Clause 22 in the City Centre LEP for the control of FSRs as demonstrated below.

(a) to ensure a degree of equity in relation to development potential for sites of different sizes and for sites located in different parts of the Parramatta city centre

The proposed amendment would ensure equity in relation to development potential for sites, through redistributing and increasing FSR across land within an important City Centre location, so ensuring that the development of the land becomes possible and the built form is of a high standard. Without the proposed redistribution and increase in FSR, an equitable outcome for this part of the City Centre would not be achieved.

(b) To ensure that proposals for new buildings are assessed with due regard to the design excellence and build form provisions of this Plan

A Design Excellence Process will be pursued whilst the Planning Proposal is being assessed to ensure design excellence and built form provisions of the City Centre LEP are addressed to a high standard. The Design Excellence Process is seeking design excellence approval for a commercial office development in accordance with Clause 22B of the City Centre LEP.

(c) To provide sufficient floor space for high quality development for the foreseeable future

The proposed FSRs across the site will facilitate and support high quality commercial development that responds to current demand for floor space within the Parramatta CBD.

(d) To regulate density of development and generation of vehicular and pedestrian traffic

The proposed FSRs will continue to regulate the density of development on the land to an acceptable level within the context of the site's central CBD location and proximity to public transport. It will not generate an unacceptable level pedestrian or vehicular traffic that cannot be accommodated within existing infrastructure.

(e) To encourage increased building height and site amalgamation at key locations

The site is centrally located within the Parramatta CBD. The site contains 3 allotments and oddly distributed FSR. The proposed FSR distribution and increase would achieve an increased building height and site amalgamation. Without an amendment of this nature, the maximum building height and site amalgamation on this land would unlikely be achieved.

Further, subclause 22(3) requires a certain land size to achieve certain maximum FSRs. Subclause 22(3) will not apply to the subject land, as the proposed amended FSRs (i.e. 2:1 and 11:1) are not listed in Column 1 of the FSR Table.

Urban Design

Built Form

Leighton Properties has engaged Crone Partners Architectural Studios to undertake an Urban Design Study and preliminary concepts for the redevelopment of the site (see Appendix A of Attachment 2). A key driver for the preparation of the study was to examine whether (existing FSR controls aside) a commercially viable development could be achieved on the site which still achieved a balanced outcome with respect to urban design, access to sunlight in public places, protection of heritage values, improvements to pedestrian amenity and the public domain, and the like. The concept is not a detailed design for the final development of the site, but is a massing study that illustrates how the site may be developed as a result of the proposed amendment to the City Centre LEP.

The study provides a development framework for the site based on an analysis of the scale of development achievable under relevant current controls and the proposed FSR amendment. Specifically the study examined the potential development of the site and identified options including for new buildings that enhance the commercial core through a distribution and mix of office and retail uses across the site and new buildings that are respectful (particularly in allowing sun access) to proposed (e.g. Civic Place) and existing significant public spaces and the public domain.

The Urban Design Study and preliminary concepts are based on an analysis of the site's opportunities and constraints, its commercial core location and the building's future role within the Parramatta City Centre. Based on the characteristics of the site and its surrounds the proponent has identified the constraints and opportunities on page 28 of Attachment 2.

The site's constraints and opportunities and the proposed amendment to the FSR control will result in a maximum floor space of 27,581sqm. Various built form options have been considered and tested for their environmental sustainability, urban form and community outcomes. Whilst the final built form will be the subject of the Alternative Design Excellence Process, the concept planning has shown that an appropriate built form can be achieved under the proposed LEP amendment.

Specifically, it is evident that the amendment will deliver:

- a lower scale building fronting Church Street in compliance with existing height controls;
- a 16 storey commercial office building on the eastern portion of the site, with potential for a 3 storey street edge podium; and
- new public domain spaces and pedestrian access ways integrated with existing and future connections within the commercial core.

It should be noted that the tower height, podium height and ultimate quantum of floor space are indicative at this stage and will be the subject to the Alternate Design Competition Process and Development Application.

Overall, the proposed changes to FSR and the resulting increase in floor space across the site will facilitate and enable the delivery of urban design outcomes for the Parramatta CBD, in general, and Church and Macquarie Streets as listed on page 29 of Attachment 2.

Whilst the Planning Proposal increases the amount of developable floor space on the land, the height will be set by the sun access plane controls for Civic Place and the height controls applying to Church Street. As illustrated in the Urban Design Study, the built form that would result under the existing controls would be a series of squat and bulky buildings, that because of their inappropriate location would not be able to be satisfactorily serviced. Moreover, the height and bulk of a development produced under the current FSR controls would be less likely to contribute to the rejuvenation of this part of Parramatta's commercial core. Larger commercial taller buildings will establish and maintain prominence within the Parramatta context - the current controls do not provide for this to occur on the site.

Overshadowing

No changes are proposed to maximum building height controls for the site under the City Centre LEP in this Planning Proposal. For the majority of the site, excluding the 12m height control for the 18m deep portion of the site fronting Church Street, building height is controlled (under Clause 29E of the Parramatta City Centre LEP 2007) through prohibiting development that results in any part of a building projecting above the sun access plane controls established within the City Centre Development Control Plan.

In this regard, notwithstanding the proposed amendment to the FSRs across the site, the ultimate height restriction for the majority of the site will continue to govern the extent of development. The proponent has tested building envelopes to understand potential overshadowing impacts on the adjacent Civic Place site and is noted that the future development slightly overshadows the Leigh Place component of Civic Place. Nonetheless, it is recommended that design options are investigated that would reduce the shadow impact at the detailed design stages of Alternate Design Excellence and Development Assessment.

Pedestrian Amenity

The Urban Design Study identifies the opportunities to improve the public domain and pedestrian permeability within the City Centre. The Urban Design Study illustrates options for how the ground floor of a future development proposal may look. In developing these options, regard has been had to Council's Lane Strategy 2010. For example:

- opening up United Lane and providing a link between Houison Place and Macquarie Street;
- retaining an arcade/through site link from Church Street through to Houison Place/Horwood Place;
- supporting a central east-west 'spine' through the commercial core from Smith Street to Church Street; and

- supporting a north-south pedestrian lane to be provided from Macquarie Street to George Street.

The above matters relating to public domain and pedestrian permeability are supported and should be incorporated in the detailed design of the building and addressed during the Alternate Design Excellence Process and Development Assessment stage.

Council's Urban Design Team provided the following comments on the Planning Proposal and noted that the main urban design issues include vehicular access, sightlines and podium height. These issues should be addressed in the concurrent Alternate Design Excellence process and in the future detailed design at Development Application stage.

Vehicular Access. The preferred location for vehicular access to basement parking is from Horwood Place. This would reduce vehicular demand on United Lane and improve its potential pedestrian amenity. It will also provide more generous turning circles for larger vehicles.

Sightlines. A clear and direct sight line should be maintained from Church Street through the arcade and ground floor of the commercial building to Horwood Place. This should extend to the full width of the pedestrian through site link, which is required to be a minimum of 3m, non-leasable space clear of all obstructions (including columns, stairs and escalators).

Podium Height. There is support in principle to the variation from the City Centre DCP in relation to the podium height addressing Macquarie Street. A three storey podium could respond well to the neighbouring heritage items and prevailing streetscape. However, more detailed information is required illustrating how the podium would address horizontal datum in existing buildings along Macquarie Street, including cornices, parapets and building heights of neighbouring heritage items and any strata buildings or recent developments that are unlikely to change and are considered good reference points.

Site A (Church Street Frontage). The proposal for Site A is three storeys with a double height through site link that is partially naturally lit. This is supported in principle, though the location of the third storey may need to be adjusted to comply with the height and setback requirements of the DCP. The double height component of the through site link should provide direct sight lines through to Horwood Place, but it is unclear if this will be achieved from the sketch plans.

Shadow Diagrams. It is noted that the development overshadows the Leigh Place component of Civic Place. It is recommended that design options are investigated that would reduce the shadow impact, such as increased setbacks for the upper commercial floors.

5. ASSESSMENT OF PLANNING PROPOSAL AGAINST DEPARTMENT OF PLANNING & INFRASTRUCTURE GUIDELINES

Recent planning reforms regarding the preparation of LEPs were introduced on 1 July 2009. Under this process, Council, as the relevant planning authority must resolve to support a Planning Proposal before it can proceed to Gateway determination. Community consultation is undertaken after Council and the DP&I has considered and subsequently approved to proceed with the rezoning. The DP&I will determine the level of community consultation required.

The Planning Proposal and Urban Design Study prepared by the proponent, together with this Planning Assessment, will be submitted to DP&I for Gateway determination should Council resolve to support the proposal.

The following issues are required to be addressed as part of any Planning Proposal

Objectives or Intended Outcomes

The objective of this Planning Proposal is to redistribute and increase the floor space ratio to facilitate the development of a commercial tower within a prime location of the Parramatta CBD.

Explanation of Provisions

In order to achieve the above objective, amendment of the current FSR relating to the site is required.

Three different maximum FSRs apply across the site. The FSR is divided across the site roughly as three parallel north to south strips as shown in Figure 4. The current configuration and allocation of floor space will not deliver a good built form outcome for the site.

The proposed amendment to the City Centre LEP is to the Floor Space Ratio Map (Sheet FSR_001). The proposed amendment seeks to introduce two new maximum FSRs for the site. Figure 7 illustrates the proposed new FSRs and the portions of the site to which they are intended to apply. It is proposed to generally redistribute the floor space and concentrate it within the eastern portion of the site.

Table 2 provides an overview of the resulting area of floor space potentially achievable through amending the FSR controls. The proposal would facilitate the future development of the site. The proposed amendments will have the effect of 'unlocking' the site and enabling a commercially viable and responsive commercial office tower to be developed. The amendment under this Planning Proposal will ensure that the final form of development on the site is more appropriately tailored to the site's characteristics and opportunities.

Justification

A Need for the Planning Proposal

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

Although the planning proposal is not the result of a specific land use or economic strategic study the proposed amendment to the City Centre LEP is consistent with the major objectives and directions of the *Metropolitan Plan for Sydney, West Central Subregional Strategy and Parramatta City Centre Vision* in that it will:

- facilitate the delivery of employment generating floor space within the commercial core of Parramatta, further strengthen Parramatta's role as Sydney's second CBD;
- contribute towards the achievement of the employment target for Parramatta;
- deliver jobs in a location well serviced by public transport and services;
- provides for a stronger and successful centre, i.e. accessible and pedestrian friendly, having attractive and safe public domain spaces;
- ensures the commercial integrity of Parramatta is maintained and indeed enhanced;
- and

- allow for a future built form that is an appropriate form and density for a constrained site.

Is the Planning Proposal the best means of achieving the objectives or intended outcomes?

The proponent's request for such an amendment has been discussed with Council planning officers and the planning consultants engaged by the proponents on a number of occasions. A meeting was held between Council planning officers and the proponent to discuss a commercial tower proposal that exceeded the maximum FSRs on the site as prescribed in the City Centre LEP. Given the site's prime location and the need of more high grade commercial towers it was considered that the best and most appropriate means of achieving the desired future redevelopment of this land is by amending the FSR in the City Centre LEP by way of a Planning Proposal.

Under the existing LEP controls up to 23,938sqm of floor space on the site can be achieved. However due to the way this floor space is currently distributed across the site (through the varying FSR controls) it will not deliver a good urban design or built form outcome for the site or the Parramatta City Centre, nor will it enable a commercial building of an appropriate size and floor plate that can contribute to the commercial core or support the pre-eminence of Parramatta as Sydney's second CBD.

The study included at Appendix A of Attachment 2 illustrates the form of buildings able to be achieved on the subject land as a result of the proposed amendment. The current configuration and allocation of floor space sterilises the land from development of a kind that would deliver a good built form and deliver employment generating floor space within the commercial core of Parramatta.

Is there a net community benefit?

The Planning Proposal will result in a net community benefit and serve the public interest by facilitating a mixed use development which will in turn deliver retail and commercial office space within the City Centre of Parramatta in close proximity to services and public transport.

Specifically, the Planning Proposal will enable the land to be developed to its potential thereby facilitating a much needed addition to the commercial core of Parramatta, and:

- contribute towards meeting the employment targets for the region by generating over 2,000 new permanent jobs;
- contribute towards the economic success of Parramatta;
- provide improved connectivity and permeability of sites within the City Centre;
- reinvigorate retail areas and help further activate the City Centre;
- improve the quality of the public domain; and
- improve the urban form and amenity of the locality with high quality well designed commercial and retail development.

Ultimately, the proposed amendment to the FSRs across the site maximises the economic performance of suitably zoned land that is highly accessible to public transport.

B. Relationship to Strategic Planning Framework

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

The *Metropolitan Plan for Sydney 2036* and *draft West Central Subregional Strategy* identify Parramatta as Sydney's Premier Regional City and second CBD and seek to strengthen Parramatta's role as Sydney's second CBD through planning for increased employment from 43,000 jobs in 2006 to 70,000 jobs by 2036. They further aim to preserve Parramatta's primary role as a commercial hub providing a full range of business, government, retail, cultural entertainment and recreational activities.

The Planning Proposal is consistent with the objectives and strategies of the *Metropolitan Plan and draft Subregional Strategy* in that it will facilitate the delivery of employment generating floor space within the commercial core of Parramatta, further strengthening Parramatta's role as Sydney's second CBD; and contribute towards the achievement of the employment target for Parramatta. The proposal will also allow for a future built form that is an appropriate form and density for a constrained site.

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

Parramatta Twenty 25 is Council's 20 year plan for the future of Parramatta. The Strategic Plan sets out the future vision for Parramatta. The plan sets the desired outcomes and the aspirations of the community, and the goals and strategies on how they will be achieved. The Planning Proposal is consistent with the Strategic Plan as it will facilitate the redevelopment of the site for commercial and retail purposes, which in turn will contribute towards the economic vitality of Parramatta and maintain the primary focus of the CBD for commercial uses.

Is the planning proposal consistent with applicable state environmental planning policies?

An assessment of the Planning Proposal against applicable State Environmental Planning Policies (SEPPs) is provided in Table 3 in Attachment 2. The relevant SEPPs do not apply to this Planning Proposal rather to future development of the site.

- SEPP (Exempt and Complying Development Codes) 2008
- SEPP (Infrastructure) 2007
- SEPP (State and Regional Development) 2011
- SEPP No 55 Remediation of Land (Note: land is currently zoned for mixed use development and the proposed LEP amendment does not seek to change current permissible uses).
- Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005

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

An assessment of the Planning Proposal against the Directions issued by the Minister for Planning under Section 117 of the *Environmental Planning & Assessment Act 1971* is provided in Table 4 in Attachment 2. In sum, the Planning Proposal is consistent with the following relevant Ministerial Directions:

- 1.1 *Business and Industrial Zones* - The Planning Proposal seeks to encourage employment growth through unlocking a site within the commercial core of Parramatta CBD, thereby supporting the viability of Sydney's Premier Regional City and second CBD.
- 2.3 *Heritage Conservation* - City Centre LEP contains heritage conservation provisions and this Proposal does not seek to amend them. Heritage considerations will accordingly be addressed as part of any future development of the land.
- 3.4 *Integrating Land Use and Transport* - The Planning Proposal, through unlocking the development potential of the site, will concentrate critical mass to support public transport, and improve access to jobs and services by walking, cycling and public transport.
- 4.1 *Acid Sulphate Soils* - City Centre LEP contains acid sulphate soils provisions and this Proposal does not seek to amend them. Acid sulphate soils investigations and analysis will accordingly be undertaken as part of any future development of the land.
- 4.3 *Flood Prone Land* - City Centre contains flood prone land provisions and this Planning Proposal does not seek to amend them. Flooding will be addressed as part of any future development of the land.
- 6.1 *Approval and Referral Requirements* - No new concurrence provisions are proposed.
- 6.2 *Reserving Land for Public Purposes* - No new road reservation is proposed.
- 6.3 *Site Specific Provisions* - Planning Proposal amends existing site specific provisions, without being unnecessarily restrictive.
- 7.1 *Implementation of the Metropolitan Plan for Sydney 2036* - The Planning Proposal is consistent with the objectives and strategies of the *Metropolitan Plan* in that it will facilitate the delivery of employment generating floor space within the commercial core of Parramatta, further strengthen Parramatta's role as Sydney's second CBD; and contribute towards the achievement of the employment target for Parramatta.

C. Environmental, Social & Economic Impacts

Is there likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?

This Planning Proposal will not affect any critical habitat or threatened species, populations or ecological communities, or their habitats nor is it expected to have any adverse environmental effects. The land is situated within a city centre context and is currently used for a mix of retail and commercial purposes and has historically been developed for urban purposes.

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

There are no other likely environmental effects as a result of the Planning Proposal given the minor nature of the amendment and the setting of the site within a highly urbanised area. Possible issues relating to heritage, traffic and access, overshadowing, acid sulfate soils and flooding will be considered at the Development Application stage. The planning proposal is supported by an Urban Design Study which provides a sound analysis of the built form and overshadowing (note: no changes are proposed to the maximum building height controls for the site under City Centre LEP) based on an analysis of the site's opportunities and constraints.

The provisions of the City Centre LEP will ensure that an appropriate assessment of the impact of any development proposal on nearby adjacent heritage items is undertaken. A key consideration to any future development on the site will be how the building integrates with

the adjoining heritage item, and the extent of overshadowing of the proposal on the setting and enjoyment of surrounding heritage items. This will be addressed as part of a future Development Application for the site and be the subject of a Heritage Impact Assessment.

The proposed amendment does not alter the base principles of the City Centre LEP, therefore the detailed assessment of future traffic impacts and access and parking arrangements will be addressed as part of the redevelopment of the site, particularly as the proposed amendment does not result in a significant increase in the floor space currently able to be developed on the land.

The site is located above the 1:100 Average Recurrent Interval. However, consideration to any future development of the site may require consideration of certain low risk flood related controls. This may be addressed as part of a future development application for the site.

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

It is evident that the existing buildings on the land are reaching the end of their functional and economic life and there is an opportunity to redevelop the site to provide new and improved retail and commercial uses that can contribute towards reinforcing Parramatta as a Regional City and Sydney's second CBD. The current FSRs do not allow the full potential of the site to be reached. Being located within the commercial core of Parramatta CBD, it is critical the land is able to deliver the economic benefits that are expected under the Parramatta City Centre LEP.

The proponent has expressed that the current commercial market trends require floor plates with a minimum net lettable area of approximately 1,200-1,300sqm. A development under the current FSR control would not produce adequate quality of office space, yielding larger, deeper, floor plates that are less desirable to potential tenants and less efficient from a services perspective. Under this Planning Proposal the resultant floor space will:

- generate a significant number of jobs thereby contributing towards the employment targets for the region;
- support the vitality and economic growth of Parramatta as Sydney's second CBD; and
- contribute to improving pedestrian amenity with new through site links and activation of the public domain and streetscape around Horwood Place.

D. State and Commonwealth Interests

Is there adequate infrastructure for the planning proposal?

It is understood that the existing infrastructure in the Parramatta CBD has the capacity to accommodate development on the site, subject to any necessary expansion and augmentation can be addressed as part of the detailed planning considerations during the Development Application stage.

The development is in close proximity to the Parramatta Transport Interchange (rail and bus services). It is accordingly in the interest of the State Government to intensify employment generating development in close proximity to this strategic transport hub and thereby increase viable patronage of this significant infrastructure investment.

What are the views of State and Commonwealth Public Authorities consulted in accordance with the Gateway determination, and have they resulted in any variations to the planning proposal?

There are no significant Commonwealth or State interests in the Planning Proposal other than in general for a more appropriate planning and development outcome on the site consistent with the State's regional and subregional strategies strategic planning framework.

No formal consultation has at the time of writing this Planning Proposal been undertaken with either State or Commonwealth authorities. Where necessary, consultation with relevant authorities will be undertaken as required in accordance with the Gateway determination.

E. Community Consultation

It is proposed that in accordance with the DP&I's '*A guide to preparing local environmental plans*' that the Planning Proposal undergo a 28 day public exhibition period. This period would include consultation with public authorities. It is noted that confirmation of the public exhibition period and requirements for the Planning Proposal will be given by the Minister as part of the LEP Gateway determination.

It is proposed that the Planning Proposal be exhibited simultaneously with the development application for the site. This has the advantage of elucidating to the general public how the site would be developed under the proposed amendments to the City Centre LEP.

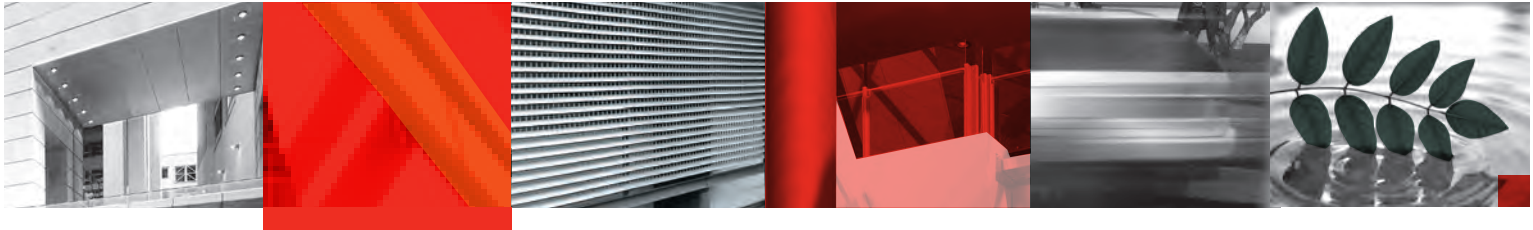
6. CONCLUSION

The Urban Design Study undertaken for the land demonstrates that changes to existing FSRs as proposed by this Planning Proposal would be more appropriate than the current controls to support a built form outcome that is appropriate in the context of the site, is commercially viable and would generate a significant number of jobs thereby contributing towards the employment targets for the region, thus supporting the vitality and economic growth of Parramatta.

This Planning Proposal will facilitate development that has demonstrable urban design, social and economic benefits for the region. It is evident that the existing buildings on the land are reaching the end of their functional and economic life and there is an opportunity to redevelop the site to provide new and improved retail and commercial uses that can contribute towards reinforcing Parramatta status as Sydney's second CBD. The current FSRs do not allow the full potential of the site to be reached. Being located within the commercial core of Parramatta CBD, it is critical the land is able to deliver the economic benefits that are expected under the City Centre LEP.

It is recommended that Council resolve to endorse and forward this Planning Proposal to the Department of Planning and Infrastructure for Gateway determination in accordance with the *Environmental Planning & Assessment Act 1979*.

Planning Proposal



220-222 Church Street and 48 Macquarie Street, Parramatta Amendment to Parramatta City Centre LEP 2007

Submitted to Parramatta City Council
On Behalf of Leighton Properties Pty Ltd

Volume 1 of 2

October 2011 ■ 11533

Reproduction of this document or any part thereof is not permitted without prior written permission of JBA Urban Planning Consultants Pty Ltd.

JBA Urban Planning Consultants Pty Ltd operates under a Quality Management System. This report has been prepared and reviewed in accordance with that system. If the report is not signed below, it is a preliminary draft.

This report has been prepared by: Alexis Cella

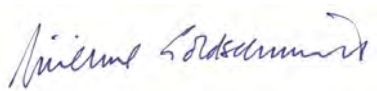
Signature



Date 12/10/2011

This report has been reviewed by: Vivienne Goldschmidt

Signature



Date 12/10/2011

Contents

1.0	Introduction	1
2.0	Strategic Planning Background	2
2.1	Metropolitan Plan for Sydney 2036	2
2.2	West Central Subregion	2
2.3	Parramatta City Centre Vision	3
3.0	Site Description	4
3.1	Legal Description	4
3.2	Site Location and Context	5
3.3	Surrounding Land Use and Development	9
3.4	Key Current Planning Controls	11
3.5	Parramatta City Centre Development Control Plan 2007	17
3.6	Parramatta City Centre Lanes Strategy (July 2010) (Lanes Strategy)	18
4.0	Planning Proposal	19
4.1	Objectives and Intended Outcomes	19
4.2	Explanation of Provisions of Draft Plan	19
4.3	Relationship of Planning Proposal to Relevant Clauses of LEP	20
5.0	Justification	22
5.1	Need for the Planning Proposal	22
5.2	Relationship to Strategic Planning Framework	23
5.3	Environmental, Social & Economic Impacts	28
5.4	State and Commonwealth Interests	33
5.5	Community Consultation	33
6.0	Conclusion	34

Figures

1	Lot title plan	4
2	Site location plan	5
3	Aerial photograph of the site	6
4	View of site fronting Macquarie Street and Horwood Place	6
5	View of site adjoining United Lane	7
6	View of site fronting Church Street	7
7	View of site on the corner of Horwood Place and Houison Place	8
8	Rear view of site (No. 220 Church Street)	8
9	Adjacent commercial development to the east of the site fronting Macquarie Street	9
10	Adjacent development to the south of the site fronting Macquarie Street	9
11	Adjoining heritage buildings on the north-east corner of Macquarie St and Church St	9

Contents

12	Heritage buildings on the north-west corner of Macquarie St and Church St	9
13	View from Macquarie Street looking south along Church Street	10
14	Adjoining heritage buildings fronting Church Street	10
15	Adjoining development to the north of the site fronting Church Street	10
16	Development to the west of the site fronting Church Street	10
17	Retail development to the north-east of the site fronting Horwood Place	10
18	View of adjacent Council owned car park to the east of the site	10
19	View (rear) of adjoining buildings to the north of the site fronting Houison Place	10
20	View of adjacent pay and display car park to the north of the site along Houison Place	10
21	Zoning extract	11
22	Building Height Map	13
23	Floor Space Ration Map	14
24	Existing FSR breakup	14
25	Heritage Map	16
26	Proposed FSR break up	20

Tables

1	Summary of existing achievable floor space across the site	15
2	Summary of proposed floor space across the site	20
3	Consistency with relevant SEPPs	25
4	Assessment against Section 117 Directions	26
5	Summary of overshadowing impacts to Civic Place	31

Appendices

A	Urban Design Study <i>Crone Partners Architectural Studios</i>
B	Draft LEP Map <i>JBA Planning</i>
C	Draft Amendment to Parramatta City Centre LEP <i>JBA Planning</i>

1.0 Introduction

This Planning Proposal is submitted to Parramatta City Council (the Council) to request an amendment to the *Parramatta City Centre Local Environmental Plan 2007* (Parramatta City Centre LEP 2007) for land at 220 – 222 Church Street and 48 Macquarie Street, Parramatta (the site).

The purpose of this Planning Proposal is to simply amend and redistribute the current floor space controls that apply to the site. This will 'unlock' the site and enable retail and commercial development commensurate with the stature of Parramatta as Sydney's second CBD. The proposal seeks to make a real contribution towards the urban design and economic growth of the Parramatta local government area (LGA).

JBA Planning has prepared this Planning Proposal on behalf of Leighton Properties Pty Ltd, who is acting on behalf of the owners of the site, in accordance with Section 55 of the *Environmental Planning & Assessment Act 1979* (EP&A Act). As required it includes the following:

- a statement of the objectives or intended outcomes of the proposed instrument;
- an explanation of the provisions that are to be included in the proposed instrument;
- the justification for those objectives, outcomes and provisions and the process for their implementation (including whether the proposed instrument will comply with relevant directions under Section 117 of the EP&A Act);
- draft LEP amendment map; and
- details of community consultation.

The preparation of the Planning Proposal has had regard to "A guide to preparing local environmental plans" and "A guide to preparing planning proposals" published by the then Department of Planning in 2009, and follows preliminary discussions with both the Council and the Department of Planning & Infrastructure (DP&I).

The Planning Proposal considers the physical characteristics of the site and the commercial context of the surrounding area and canvasses the key planning issues associated with the site to a level of detail appropriate to support a LEP Gateway Determination by the DP&I.

Accompanying this Planning Proposal is an urban design study (included at **Appendix A**) prepared by Crone Partners Architectural Studios. The study demonstrates that the current planning controls that apply to the site will not deliver Parramatta a good built form outcome nor facilitate the highest and best use of the land.

It is requested that the Council forward the Planning Proposal to the Minister for Planning and Infrastructure for Gateway Determination in accordance with Section 56 of the EP&A Act.

2.0 Strategic Planning Background

The site, forming part of the Parramatta CBD, is included broadly in various State, regional and local strategic planning documents, and has been identified as providing a significant contribution towards meeting Government jobs targets for the metropolitan area. The relevant Strategic planning framework is discussed below.

2.1 Metropolitan Plan for Sydney 2036

The Metropolitan Plan 2036 (The Plan) is the strategic plan that guides Sydney's growth to 2036. The Plan is an integrated, long-term planning framework that will significantly manage Sydney's growth and strengthen its economic development to 2036, while enhancing its unique lifestyle, heritage and environment.

The Plan sets five central aims to manage Sydney's growth by enhancing the city's liveability, strengthening economic competitiveness, ensuring fairness, protecting the environment and improving governance.

The Plan projects Sydney's population to grow by 1.7 million to almost 6 million people by 2036. To support the population growth, Sydney will need an additional 770,000 homes by 2036. In addition to the housing targets, employment growth is envisioned at 760 000 jobs, with half of these needed in Western Sydney. The Plan sets capacity targets for each subregion to facilitate housing and economic growth through providing more jobs closer to home.

The Plan also aims to concentrate development in centres or transit nodes. Parramatta is classified as Sydney's premier Regional City and Sydney's second CBD. Regional Cities supply the region's high order services and support the business growth sectors providing jobs in Western Sydney. Their role is critical for a fair and efficient city – one that offers jobs closer to home and less need to travel. The Plan anticipates Parramatta to provide an additional 27,000 jobs by 2036.

2.2 West Central Subregion

The Metropolitan area is too large and complex to resolve all the planning aims and directions down to a detailed local level. Thus, the Metropolitan Plan sets the framework targets for 10 Metropolitan subregions to provide for major growth in housing and employment in the subregion.

The West Central subregional planning strategy, which covers LGAs of Parramatta, Bankstown, Auburn, Fairfield, and Holroyd, sets the broad direction for additional dwelling and employment growth. The target for the West Central is 98,000 new jobs between 2006 and 2036.

The majority of jobs (representing over 27% of the subregions target) will be concentrated within Parramatta, further strengthening its role as Sydney second CBD.

To achieve the jobs target set by the State government for the subregion and Parramatta, there will need to be a pipeline of projects able to deliver employment generating floor space. The site has the potential to have a direct impact on Parramatta and contribute to the jobs target, however without the proposed amendments to the Parramatta City Centre LEP 2007 the site's full potential will not be able to be realised.

2.3 Parramatta City Centre Vision

As one of a network of 6 regional cities, Parramatta plays an important part in the State's economic growth. This importance is reflected in the then State Government preparing the document 'The Parramatta City Centre Vision', which describes a vision for the regional city, provides information on the history and development context and includes an action plan to facilitate the city centre's growth. It sets a strategic framework for the city centre to grow into a prosperous, vibrant and attractive city.

Key actions identified within the 'Parramatta City Centre Vision' include:

- Growing and facilitating activity in creative industries;
- Enhancing and encouraging people's participation in city life and community activities;
- Seeking to attract new employment and investor opportunities while harnessing local skills and talent;
- Re-establishing the relationship of the city to the river and enhancing the river foreshore;
- Enhancing the heritage profile of the city and promoting the heritage assets; and
- Facilitating movement in and around the centre through the provision of reliable efficient public transport connections.