

220 & 222 Church Street & 48 Macquarie Street Parramatta - FSR & HOB Provisions

Proposal Title : **220 & 222 Church Street & 48 Macquarie Street Parramatta - FSR & HOB Provisions**

Proposal Summary : **The Planning Proposal aims 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 to facilitate the development of a commercial tower on the Macquarie Street frontage.**

PP Number : **PP_2011_PARRA_003_00** Dop File No : **11/20554**

Proposal Details

Date Planning Proposal Received : **17-Nov-2011** LGA covered : **Parramatta**

Region : **Sydney Region West** RPA : **Parramatta City Council**

State Electorate : **PARRAMATTA** Section of the Act : **55 - Planning Proposal**

LEP Type : **Spot Rezoning**

Location Details

Street : **220 & 222 Church Street & 48 Macquarie Road**

Suburb : **Parramatta** City : **Parramatta** Postcode : **2150**

Land Parcel :

DoP Planning Officer Contact Details

Contact Name : **Michael Druce**

Contact Number : **0298738564**

Contact Email : **michael.druce@planning.nsw.gov.au**

RPA Contact Details

Contact Name : **Jennifer Concato**

Contact Number : **0298065767**

Contact Email : **jconcato@parracity.nsw.gov.au**

DoP Project Manager Contact Details

Contact Name :

Contact Number :

Contact Email :

Land Release Data

Growth Centre : Release Area Name :

Regional / Sub Regional Strategy : **Metro West Central subregion** Consistent with Strategy : **Yes**

MDP Number :		Date of Release :	
Area of Release (Ha) :		Type of Release (eg Residential / Employment land) :	
No. of Lots :	0	No. of Dwellings (where relevant) :	0
Gross Floor Area :	0	No of Jobs Created :	0

The NSW Government Lobbyists Code of Conduct has been complied with : **Yes**

If No, comment :

Have there been meetings or communications with registered lobbyists? : **No**

If Yes, comment :

Supporting notes

Internal Supporting Notes :	Additional information was requested of council in relation to tying the FSR amendment to commercial development. This was provided relatively quickly however resulted in a delay of a week in this proposal being bought before the panel.
External Supporting Notes :	To the best of the Regional team's knowledge, this planning proposal complies with the Department of Planning and Infrastructure's Code of Practice in relation to communications and meetings with lobbyists. The Lobbyist Contact Register was checked on the 1/12/2011.

Adequacy Assessment

Statement of the objectives - s55(2)(a)

Is a statement of the objectives provided? **Yes**

Comment : **The Planning Proposal is a site specific amendment to the Parramatta City Centre LEP 2007 to amend the floor space controls. It is proposed to generally redistribute the floor space and concentrate it within the eastern portion of the site. No change to the height controls applying to the site are proposed.**

Explanation of provisions provided - s55(2)(b)

Is an explanation of provisions provided? **Yes**

Comment : **The proposed amendment to the Parramatta City Centre LEP is to the Floor Space Ratio Map.**

Floor space within the Parramatta CBD is controlled by Clause 22 of the Parramatta City Centre LEP 2007 which sets the objectives for floor space ratio controls and sets the maximum floor space ratio for buildings as shown on the Floor Space Ratio Map.

The Floor Space Ratio Map that applies to the subject land specifies three different maximum floor space ratios. Amending the floor space limit is achieved by amending the Parramatta City Centre LEP Floor Space Ratio Map (Sheet FSR_001). A draft Floor Space Ratio Map is included at Appendix B of the Planning Proposal.

The proposed amendment seeks to introduce two new maximum floor space

ratios for the site of 2:1 and 11:1 respectively.

Council wrote to the department to clarify the intent of the planning proposal (see the letter included in the documents section). Essentially, as the site is zoned B4, notwithstanding the intent of the proposal to facilitate a commercial building, a residential development is allowable under the zoning. Council intends to amend the proposed provisions prior to exhibition in order to limit the advantages of the FSR amendment on the site to development of a commercial tower building only.

No further information on how this is proposed to be done has been submitted, however it is understood that this could be achieved a number of ways including by introducing restrictive provisions into clause 22 Floor Space Ratio of the LEP or amending the zoning of the eastern part of the site to B3 (as a continuation of the adjacent B3 zoning) under which residential uses are not permissible.

Justification - s55 (2)(c)

a) Has Council's strategy been agreed to by the Director General? **No**

b) S.117 directions identified by RPA :

* May need the Director General's agreement

1.1 Business and Industrial Zones

2.3 Heritage Conservation

3.4 Integrating Land Use and Transport

4.1 Acid Sulfate Soils

4.3 Flood Prone Land

6.1 Approval and Referral Requirements

6.2 Reserving Land for Public Purposes

6.3 Site Specific Provisions

7.1 Implementation of the Metropolitan Plan for Sydney 2036

Is the Director General's agreement required? **No**

c) Consistent with Standard Instrument (LEPs) Order 2006 : **Yes**

d) Which SEPPs have the RPA identified?

SEPP No 55—Remediation of Land

SEPP (Exempt and Complying Development Codes) 2008

SEPP (Infrastructure) 2007

SREP (Sydney Harbour Catchment) 2005

e) List any other matters that need to be considered :

The planning proposal is not inconsistent with the applicable S117 directions listed in b) above and is consistent with the applicable SEPPs listed in d) above.

Have inconsistencies with items a), b) and d) being adequately justified? **N/A**

If No, explain :

Mapping Provided - s55(2)(d)

Is mapping provided? **Yes**

Comment :

The mapping provided is adequate for exhibition purposes.

Community consultation - s55(2)(e)

Has community consultation been proposed? **Yes**

Comment :

The planning proposal proposes a 28 day period exhibition.

Additional Director General's requirements

Are there any additional Director General's requirements? **No**

If Yes, reasons :

Overall adequacy of the proposal

Does the proposal meet the adequacy criteria? **Yes**

If No, comment :

Proposal Assessment

Principal LEP:

Due Date :

Comments in relation to Principal LEP : **The Principal Parramatta LEP 2011 was made on 7 October 2011. The Parramatta City Centre LEP 2007 is currently a separate EPI.**

Assessment Criteria

Need for planning proposal : **The council argues that the Planning Proposal will enable the development potential of the land to be 'unlocked' enabling a viable retail and commercial development to be realised that will contribute to the long term economic success of the commercial core of the Parramatta CBD.**

A study was commissioned to examine whether (existing FSR controls aside) a commercially viable development could be achieved on the site which achieved a balanced outcome with respect to urban design, access to sunlight in public places, protection of heritage values and improvements to pedestrian amenity and the public domain.

The study analysed the scale of development achievable under relevant current controls and with the proposed FSR amendment.

Under the existing LEP controls up to 23,938m² of floor space on the site can be achieved. However due to the way the floor space is distributed across the site (through the varying FSR controls) it is not likely to 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.

By re-distributing the floor space across the site a better re-development is achievable. Floor space would increase, up to 27,581m², however a 16 storey commercial tower would then be viable.

Council have requested that they be able to amend the planning proposal prior to exhibition to ensure that any advantages of the proposal are limited to commercial tower development of the site.

These views are supported by the Department.

Consistency with strategic planning framework :

The Metropolitan Strategy and Draft West Central Subregional Strategy (WCSS) both identify Parramatta as Sydney's major Regional City and second CBD and identify increased employment from 43,000 in 2006 to 70,000 in 2036.

The proponent argues that the Planning Proposal is consistent with the objectives and strategies of the the Metropolitan Strategy and draft WCSS, 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.

The Department agrees that the outcomes of the planning proposal could contribute to achieving all of the above commercial related objectives.

Environmental social economic impacts :

The major environmental impact of the proposal is in respect of the increased building height on the eastern part of the site that would be possible from amending the FSR (up to 16 storeys). The proponent details a number of design principles so that any resulting structures would be sympathetic to or enhance the current street scapes. Nevertheless, a tower of this dimension will create overshadowing. Building height in this part of the CBD is controlled by Clause 29E of the City Centre LEP, by prohibiting development that results in any part of a building projecting above the sun access plane controls in the City Centre DCP. Therefore the final building form and height would be determined as part of the development assessment process.

The land does not contain any items of heritage, however there are a number of State and locally significant heritage items in the vicinity. Potential impact on these would be undertaken at the development assessment stage.

Traffic and access issues were previously addressed as part of the City Centres LEP 2007 process and Council also carried out a transport study relevant to the site in 2009. The proposal is not likely to have additional traffic impacts to those that have been previously identified.

The planning proposal to increase the FSR on the site is likely to have a positive economic and social impact by increasing available employment capacity in the CBD and improving public amenity, through the provision of pedestrian through links and the like.

Assessment Process

Proposal type : **Minor** Community Consultation Period : **28 Days**

Timeframe to make LEP : **9 Month** Delegation : **DDG**

Public Authority Consultation - 56(2)(d) : **Office of Environment and Heritage
Integral Energy
Department of Transport - Roadas and Traffic Authority
Sydney Water**

Is Public Hearing by the PAC required? **No**

(2)(a) Should the matter proceed ? **Yes**

If no, provide reasons :

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Resubmission - s56(2)(b) : **No**

If Yes, reasons :

Identify any additional studies, if required. :

Other - provide details below

If Other, provide reasons :

Identify any internal consultations, if required :

No internal consultation required

Is the provision and funding of state infrastructure relevant to this plan? **No**

If Yes, reasons :

Documents

Document File Name	DocumentType Name	Is Public
Parramatta City Council_15-11-2011 00_00_00_220 & 222 Church Street & 48 Macquarie Street, Parramatta__Part1.pdf	Proposal	Yes
Parramatta City Council_15-11-2011 00_00_00_220 & 222 Church Street & 48 Macquarie Street, Parramatta__Part2.pdf	Proposal	Yes
Parramatta City Council_15-11-2011 00_00_00_220 & 222 Church Street & 48 Macquarie Street, Parramatta__Part3.pdf	Proposal	Yes
Letter to DP&I regarding ChurchMacquaire St Planning Proposal.pdf	Proposal Covering Letter	Yes

Planning Team Recommendation

Preparation of the planning proposal supported at this stage : **Recommended with Conditions**

S.117 directions:

- 1.1 Business and Industrial Zones
- 2.3 Heritage Conservation
- 3.4 Integrating Land Use and Transport
- 4.1 Acid Sulfate Soils
- 4.3 Flood Prone Land
- 6.1 Approval and Referral Requirements
- 6.2 Reserving Land for Public Purposes
- 6.3 Site Specific Provisions
- 7.1 Implementation of the Metropolitan Plan for Sydney 2036

Additional Information :

The Planning Proposal is considered a minor matter and it is recommended that it proceed with the following conditions:

- 1. Prior to exhibition the Council resubmit the planning proposal to the Regional Team with amended provisions limiting the advantages of the proposed FSR amendment to a commercial tower development only.
- 2. Subsequently be placed on exhibition for a period 28 days.
- 3. Council consult with the following agencies on the planning proposal: Office of Environment and Heritage; Integral Energy; Department of Transport - Roads and Traffic Authority; and Sydney Water.

Supporting Reasons :

The Planning Proposal is a site specific amendment to the Parramatta City Centre LEP 2007 to amend the floor space controls to benefit a commercial development of the site only. This will enable a viable retail and commercial development to be realised that contributes to the long term economic success of the commercial core of Parramatta CBD.

Signature:			
Printed Name:		Date:	