

3.0 Site Description

3.1 Legal Description

The site is located at Church Street and Macquarie Street within the City Centre of Parramatta, and comprises of the following three allotments (refer to **Figure 8**):

- Lot 1 DP702291 (222 Church Street);
- Lot 1 DP 1041242 (220 Church Street); and
- Lot B DP 394050 (48 Macquarie Street).

Reference to 'site' in this Planning Proposal means all three allotments.



Figure 1 – Lot title plan

3.2 Site Location and Context

The site is bounded by Church Street and United Lane (to the west), Houison Place (to the north), Horwood Place (to the east), and Macquarie Street (to the south). A site location plan is shown at **Figure 2** and an aerial photo of the site is shown at **Figure 3**.

The site has an irregular 'L' shape and is approximately 3,684.4m² in size. The main pedestrian access points to the site are currently from Church Street, Macquarie Street, and Horwood Place, with vehicular access (for loading purposes) provided from United Lane.

Current improvements to the site include:

- 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 (No 48 Macquarie Street).

An arcade at ground level within the 'Greenway Plaza' provides connections for pedestrians between Church Street, Horwood Place and Macquarie Street.

Photographs of existing development are shown in **Figures 4 - 8**. As illustrated, the site is ideally positioned for redevelopment with existing buildings reaching the end of their lifecycle. Equally, the nature and scale of existing development limits their potential to contribute towards meeting Parramatta's employment targets.

The site does not include, but adjoins and is adjacent to, a number of heritage items as identified within the Parramatta City Centre LEP (refer to Section 3.4.1 for further details). In terms of topography the site is generally level, along with the majority of the Parramatta CBD.

The site more broadly is located centrally within the Parramatta City Centre, to the north of Civic Place, less than 200m north of Parramatta Station and Bus Interchange, and some 400m south of the Parramatta River.

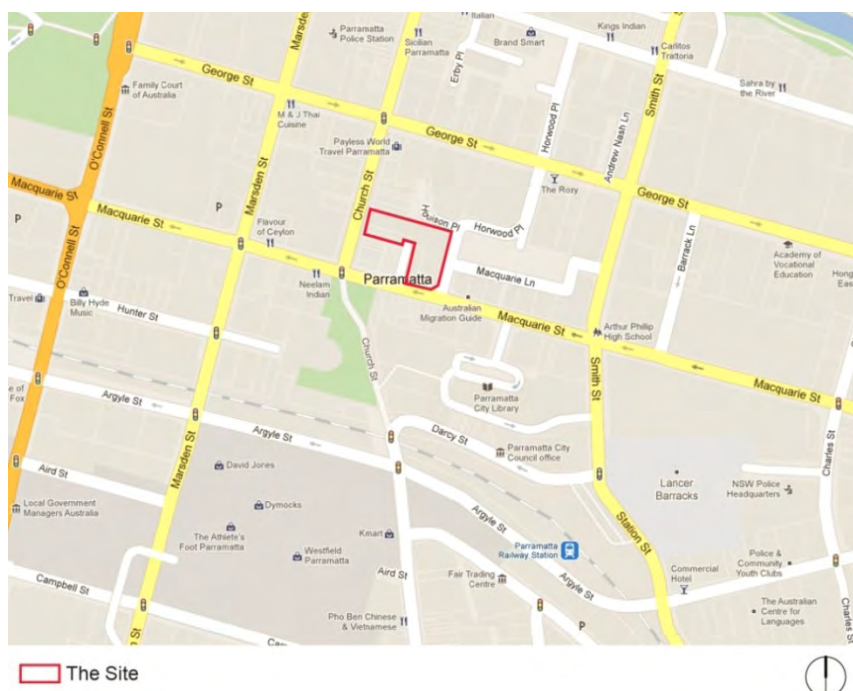


Figure 2 – Site location plan

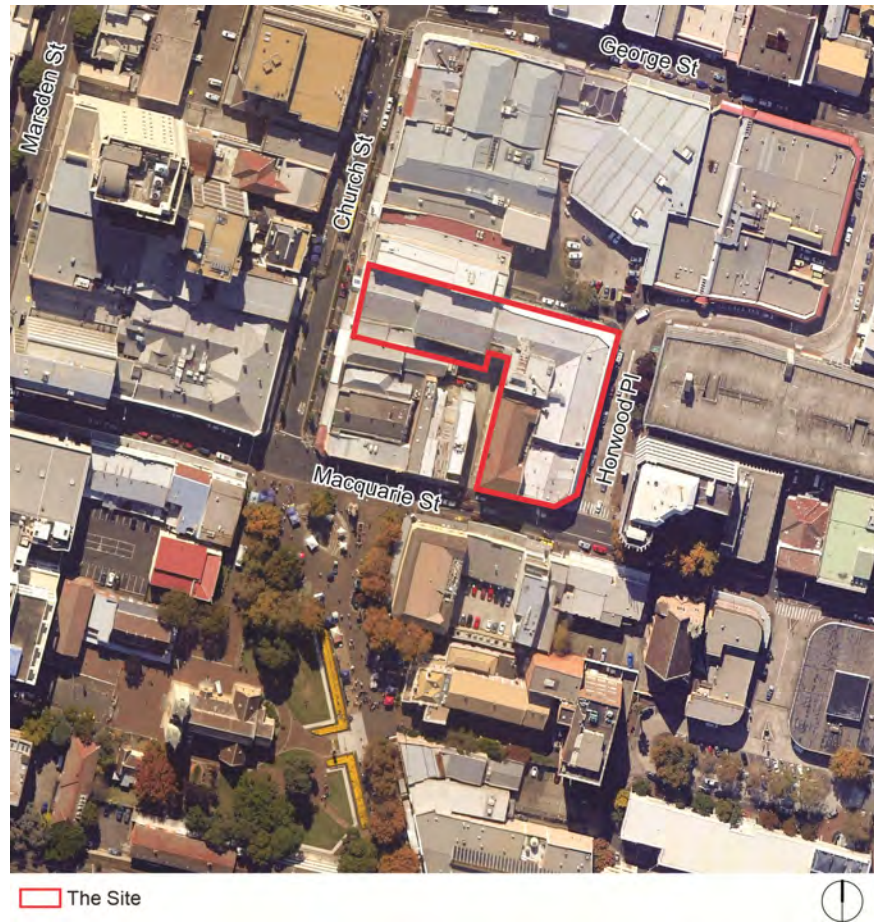


Figure 3 – Aerial photograph of the site



Figure 4 – View of site fronting Macquarie Street and Horwood Place



Figure 5 – View of site adjoining United Lane



Figure 6 – View of site fronting Church Street



Figure 7 – View of site on the corner of Horwood Place and Houison Place



Figure 8 – Rear view of site (No. 220 Church Street)

3.3 Surrounding Land Use and Development

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

To the south of the site, across Macquarie Street, is the Parramatta Civic Place site. Civic Place, which is bounded by Smith, Darcy, Church and Macquarie Streets, will ultimately deliver 170,000m² of mixed use commercial, retail, civic and residential space with 6,000m² of high quality public domain.

Across Houison Place to the north is an at grade car-park, with a six (6) storey multi-level carpark located to the east of the site across Horwood Place (both of which are owned by Council).

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

As noted the site is located centrally within Parramatta CBD. Parramatta has a number of tall buildings (generally ranging from 15 to 30 storeys). The planning controls recognise its strategic importance as a Regional City and support additional and higher tall buildings within the City Centre (up to around 50 storeys in some places).

Figures 9 - 20 show photographs of the surrounding development.



Figure 9 – Adjacent commercial development to the east of the site fronting Macquarie Street



Figure 10 – Adjacent development to the south of the site fronting Macquarie Street



Figure 11 – Adjoining heritage buildings on the north-east corner of Macquarie St and Church St



Figure 12 – Heritage buildings on the north-west corner of Macquarie St and Church St



Figure 13



Figure 14

Figure 13 – View from Macquarie Street looking south along Church Street

Figure 14 – Adjoining heritage buildings fronting Church Street



Figure 15

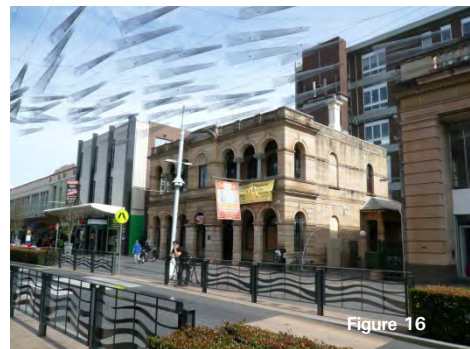


Figure 16

Figure 15 – Adjoining development to the north of the site fronting Church Street

Figure 16 – Development to the west of the site fronting Church Street



Figure 17



Figure 18

Figure 17 – Retail development to the north-east of the site fronting Horwood Place

Figure 18 – View of adjacent Council owned car park to the east of the site



Figure 19



Figure 20

Figure 19 – View (rear) of adjoining buildings to the north of the site fronting Houison Place

Figure 20 – View of adjacent pay and display car park to the north of the site along Houison Place

3.4 Key Current Planning Controls

3.4.1 Parramatta City Centre LEP 2007

Parramatta City Centre LEP 2007 is the principal planning instrument applying to the site.

Zoning

The site is currently zoned B4 Mixed Use under Parramatta City Centre LEP 2007 (refer to **Figure 21**). The B4 zone provides for a broad range of uses including business premises, office premises, shops, and residential development.

Under the zone the following uses are prohibited:

Car parks (except those required by this Plan or public car parking provided by or on behalf of the Council); Caravan parks; Dual occupancies; Dwelling houses; Extractive industries; Home occupation (sex services); Industries; Light industrial retail outlets; Mines; Vehicle body repair workshops; Warehouse or distribution centres

All other uses are permissible.

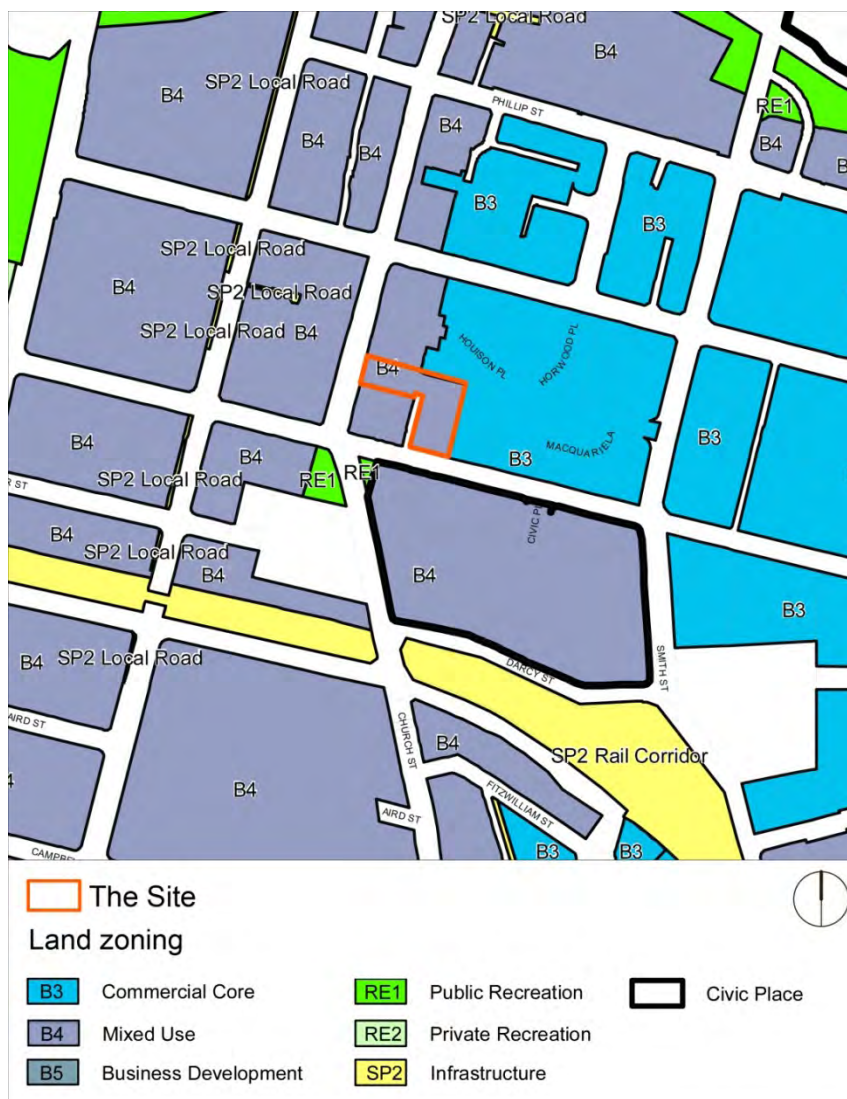


Figure 21 – Zoning extract (Source: Parramatta City Council)

Building Height

Pursuant to Clause 21 and 29E of Parramatta City Centre LEP, the site has two different height limits.

Under Clause 21, the maximum building height for that part of the site fronting Church Street (i.e. 18m deep) is 12m (refer to **Figure 22**). 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.

The relevant sun access plane control for the site is the one established for the Civic Place site. The City Centre Development Control Plan at Section 2.9 enables variation to the sun access plane control established for the Civic Centre Site if:

- *the development generally complies with the design principles in an approved DCP for the site, and*
- *at least 2 hours of solar access is provided to an area of not less than 6,000 square metres within the Civic Square shown on the Height of Buildings Map in the Parramatta City Centre LEP 2007 between 10 am and 2 pm during the winter solstice (22 June), and.....*

In summary, a small portion of the site has a fixed defined maximum height limit, with the remaining area of the site the subject to a more flexible performance based height control.

In terms of maximum heights of buildings surrounding the site (excluding those areas where heights are set by sun access planes), the LEP seeks to reduce heights along Church Street to around 3 storeys with buildings increasing in height east and west. Maximum building heights in the vicinity of the site to the west of Church Street range in height from around 7 storeys to 15 storeys, with maximum building heights to the east of Church Street ranging from 22 storeys upwards to 50 storeys.



Figure 22 – Building Height Map (Source: Parramatta City Council)

Floor Space Ratio

Pursuant to Clause 22 of Parramatta City Centre LEP 2007, three different Maximum Floor Space Ratios apply across the site. The FSR is divided across the site roughly as three parallel north to south strips as shown in **Figure 23** and **24**.

More specifically:

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



Figure 23 – Floor Space Ratio Map (Source: Parramatta City Council)

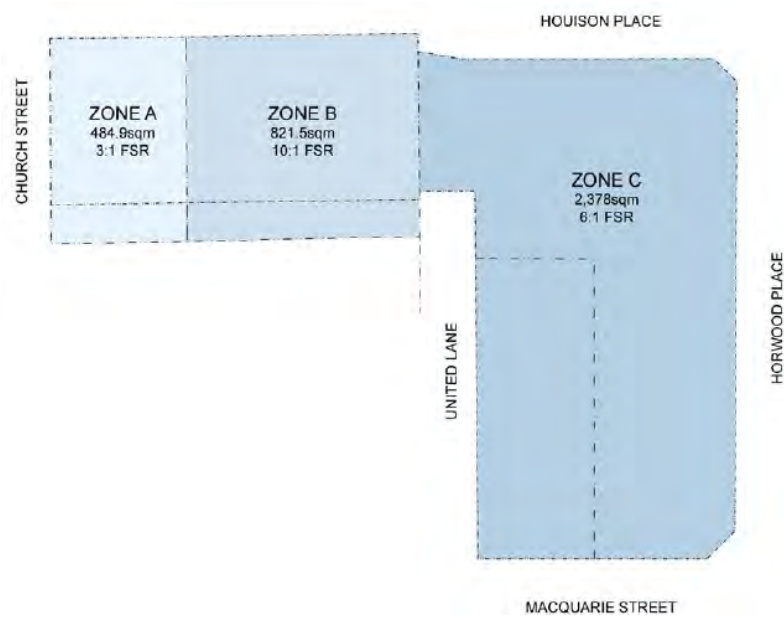


Figure 24 – Existing FSR breakup (Source: Crone Partners)

If the floor space for each different 'strip' (i.e. Zone A + Zone B + Zone C) across the site were totalled, an overall maximum floor space of approximately 23,938m² would theoretically be achievable (refer to **Table 1**).

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

	Site area	Maximum FSR	Equivalent floor space
Zone A	484.9m ²	3:1	1,455m ²
Zone B	821.5m ²	10:1	8,215m ²
Zone C	2,378m ²	6:1	14,268m ²
Total	3,684.4m²	-	23,938m²

It should be noted that the above quantum of floor space is merely 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. In other words the FSR controls do not provide for development that is commercially feasible or practicable from an access perspective (i.e. the current FSR controls effectively preclude development on the land).

Heritage

As noted in Section 2.0, the site does not contain any heritage items, nor is the site located within a heritage conservation area under the Parramatta City Centre LEP 2007. There are, however, a number of heritage items that adjoin and surround the site (refer to **Figure 25**).

Key heritage items of particular note surrounding the site include:

- Item 5 (Bicentennial Square and adjoining buildings);
- Item 6 (Parramatta Town Hall) – 182 Church Street);
- Item 7 (Murrays' Building – 188 Church Street);
- Item 11 (Shop – 197 Church Street);
- Item 12 (Horse parapet façade of 198 – 216 Church Street and 40 – 46 Macquarie Street);
- Item 13 (Former post office – 213 Church Street);
- Item 14 (Former Commonwealth Bank – 215 Church Street);
- Item 109 (Kia Ora – 64 Macquarie Street); and
- Item 46 (Leigh Memorial Church – 119 Macquarie Street).



Figure 25 – Heritage Map (Source: Parramatta City Council)

3.5 Parramatta City Centre Development Control Plan 2007

The Parramatta City Centre DCP 2007 (DCP) builds upon and provides more detailed provisions than the Parramatta City Centre LEP 2007. Generally, the provisions of the DCP will be more relevant as part of the future redevelopment of the land.

Under the DCP, the site is located within the Commercial Core 'Special Area'. The controls for the Commercial Core Special Area as outlined within Section 7.3 of the DCP are reproduced below:

- a) *Encourage active street frontages by requiring buildings at ground and lower levels to be built to street boundaries, and requiring levels to be set back a distance of 6 to 8 m depending on Street Frontage Height.*
- b) *break up large floor plates into separate building elements to a maximum of maximum of 2500m².*
- c) *emphasis defined gateway and corner sites through the erection of landmark buildings.*
- d) *Ensure that development around heritage items is sympathetic with due regard to scale, materials and setting.*
- e) *Recognise the historic role of George Street by appropriate building setbacks and ensure development strengthens and reinforces views along the street to Parramatta Park gatehouse and trees.*
- f) *Provide through block connections by a system of pedestrian orientated spaces and lane ways that link the Parramatta River foreshore with Civic Place and the Parramatta railway station.*

Other pertinent provisions within the DCP relate to building form and pedestrian amenity. In terms of building form, Section 2.9 of the DCP (Sun Access to Public Places) is of most relevance to the Planning Proposal. As noted, the sun access controls within the DCP control the height over the majority of the land. In this regard, the key performance criteria applicable to the land relates to ensuring at least 2 hours of solar access is provided to an area of not less than 6,000m² of public open space within the Civic Place site.

Key pedestrian amenity controls relevant to the Planning Proposal and site relate to:

- Permeability (Section 3.1); where existing pedestrian links through the site from Church Street to Horwood Place are to be retained and existing lanes (United Lane and Horwood Place) are to be retained and enhanced; and
- Active street frontages (Section 3.2); where non-residential uses are required to be provided along the site's frontage to Church Street, Macquarie Street, and Horwood Place.

3.6 Parramatta City Centre Lanes Strategy (July 2010) (Lanes Strategy)

Council's Lanes Strategy for the City Centre builds upon the provisions within the City Centre DCP and incorporates related studies and plans including the Small Spaces and Laneways Project 2007, the Horwood Place Urban Design Strategy 2007, and The Transport Study for Horwood Place and Riverbank 2009.

The Lanes Strategy outlines a framework plan which serves as Council's coordinated long term plan. Of particular importance to the site, the framework plan outlines that:

- United Lane is to be extended entirely through the block with pedestrian access to be provided 24 hours a day; and
- Upgrade (including providing improved natural light) and connect arcade from Church Street to new east-west service lane.

4.0 Planning Proposal

This Planning Proposal has been prepared in accordance with section 55 of the EP&A Act and the guide prepared by the former Department of Planning dated July 2009 entitled *A guide to preparing planning proposals* which requires the following matters to be addressed:

- objectives and intended outcomes of the amendment to the LEP;
- explanation of provisions;
- justification;
- relationship to strategic planning framework;
- environmental, social and economic impact;
- state and Commonwealth interests; and
- community consultation.

4.1 Objectives and Intended Outcomes

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 is proposed.

The major objective of the Planning Proposal is to 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.

Ultimately, the Planning Proposal will proactively facilitate development within the heart of Parramatta, furthering its success and vitality as the second CBD of Sydney.

4.2 Explanation of Provisions of Draft Plan

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

Floor Space Controls

Floor space within Parramatta is controlled by Clause 22 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**.

The proposed amendment seeks to introduce two new maximum floor space ratios for the site. **Figure 26** illustrates the proposed new floor space ratios 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 floor space ratio controls.

As **Table 2** demonstrates, the proposed amendment increases the base allowable floor space area for the site to 27,581m². This represents an increase of 3,643m² over the current controls.

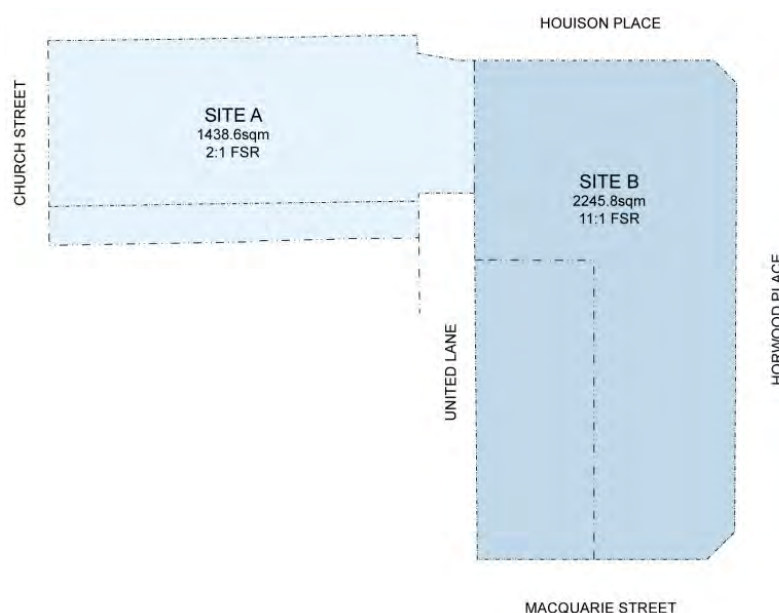


Figure 26 – Proposed FSR break up (Source: Crone Partners)

Table 2 – Summary of proposed floor space across the site

	Proposed Maximum FSR	Site Area	Proposed Equivalent Floor Space
Site A	2 : 1	1,438.6m ²	2,877.2m ²
Site B	11 : 1	2245.8m ²	24,703.8m ²
Total	-	3,684.4m²	27,581m²

The proposed wording of the draft LEP amendment is included at **Appendix C**.

4.3 Relationship of Planning Proposal to Relevant Clauses of LEP

Clause 21 - Height of Buildings

The Planning Proposal does not seek to amend any of the objectives or specific controls with respect to the height of buildings..

Clause 22 – Floor Space Ratio

As noted, the Planning Proposal seeks to introduce new floor space ratios for the subject land. The amended FSRs will continue to ensure the objectives of Clause 22 are met, as follows:

- **Clause 22(1)(a):** The proposed amendment will 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. Without the proposed redistribution and increase in FSR, an equitable outcome for this part of the City Centre would not be achieved.
- **Clause 22(1)(b):** The design excellence and built form provisions will continue to be applicable to future development applications on the subject land.

- **Clause 22(1)(c):** The proposed FSRs across the site will support high quality commercial development that responds to current demand for floor space within the Parramatta CBD. Without the proposed amendment, this would not be achieved.
- **Clause 22(1)(d):** 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.
- **Clause 22(1)(e):** The proposed FSRs support increased building height and site amalgamation at a key location within the commercial core of Parramatta CBD. Without the amendment, site amalgamation on this land would be unlikely to occur.

Subclause 22(3) will not apply to the subject land, as the proposed amended floor space ratio (i.e. 2:1 and 11:1) is not listed in Column 1 of the Floor Space Ratio Table. Accordingly (and in accordance with Subclause 22(2)), the floor space ratio of any future development on the subject land will not exceed the maximum prescribed for the land as illustrated on the map included at **Appendix B**.

Clause 29E - Sun Access

The provisions of Clause 29E will remain central to any future development application on the subject land. No amendment is proposed to Clause 29E.

In short, Clause 29E seeks to control the height of buildings in the vicinity of Civic Place, the Lancer Barracks and Jubilee Park to ensure public open space within these sites is protected from overshadowing. In terms of the subject land, only the public open space within Civic Place is a relevant consideration to any future development.

The specific detailed sun access controls that need to be complied with under Clause 29E of the LEP are included within the Parramatta City Centre DCP, which refers to Civic Square as shown on the Height of Building Map in the LEP.

Detailed analysis and discussion on the effects of the proposed FSR amendment on overshadowing of Civic Place is included at Section 5.3.2. In summary, the proposed amendment to the FSR across the site would deliver a potential building envelope that would provide public spaces within Civic Place and Leigh Place with over 2 hours of unaffected sun access between 10am and 2pm at the winter solstice. This is in excess of the two (2) hours of sunlight to 6,000sqm within Civic Square required under Clause 2.9 of the City Centre DCP, with no additional overshadowing between approximately 11 am and 1.20 pm - the key lunch time hours.

5.0 Justification

5.1 Need for the Planning Proposal

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

The proposed amendment to the Parramatta City Centre LEP 2007 is consistent with the major objectives and directions of the Metropolitan Plan for Sydney and West Central Subregional Strategy as discussed within Section 5.2.1. The contribution required by the State Government's strategic planning objectives for Parramatta supports the need for this Planning Proposal.

Leighton Properties has engaged Crone Partners Architecture Studios to undertake an Urban Design Study (the study) for the land (included at **Appendix A**).

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 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 for:

- new buildings that enhance the commercial core;
- new buildings that are sympathetic to the main pedestrianised environment of Church Street and the heritage values of adjoining sites;
- 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;
- pedestrian links through the site and connecting with the surrounding City Centre;
- the mix and distribution of commercial and retail uses across the site;
- locations for improvements to the public domain; and
- access and loading.

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 is contributes to the long term economic success of the commercial core of Parramatta CBD.

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

The Planning Proposal is the best and most appropriate means of achieving the desired future redevelopment of this land. Under the existing LEP controls up to 23,938m² 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** illustrates the form of buildings able to be achieved on the subject land as a result of the proposed amendment. Essentially, the current configuration and allocation of floor space sterilises the land from future development.

5.1.3 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 'unlocked' 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 2000 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 commensurate with the Leighton's branding.

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

5.2 Relationship to Strategic Planning Framework

5.2.1 Consistency with Relevant Subregional and Metropolitan Planning Strategies

The strategic planning context for the consideration of this Planning Proposal includes:

- *Metropolitan Plan for Sydney 2036 (Metropolitan Plan)* released by the State Government in December 2010 which seeks to concentrate new development around existing town centres and public transport service.
- the draft *West Central Subregional Strategy (draft Subregional Strategy)* exhibited between 24 December 2007 to 28 March 2008.

The Metropolitan and Subregional strategies:

- identify Parramatta as Sydney's Premier Regional City and second CBD;
- 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; and
- 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 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 Planning Proposal is therefore entirely appropriate in terms of its strategic metropolitan and regional planning context.

5.2.2 Consistency with Council's Community and Strategic Plans

Parramatta Twenty 25

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 seven broad outcome areas (or 'destinations') identified to deliver the vision for Parramatta are:

- Land and water that is protected, respected and sustained.
- A society that is healthy and compassionate.
- Businesses that are dynamic, prosperous and socially responsible.
- Neighbourhoods that are liveable and distinctive.
- A community that is diverse and cohesive.
- People and places that are linked by sustainable transport and communication networks.
- A city that is innovative and inspirational.

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;
- Maintain the primary focus of the CBD for commercial uses;
- Provide for site consolidation that will deliver major commercial property investment;
- Support Parramatta as the place to visit through reinvigorating visitor attractions (e.g. shopping) and protecting heritage assets;
- Contribute towards a social and environmentally responsible outcome through the achievement of an 'A Grade' 5 + 5 Star commercial building (subject to development approval); and
- Promote and encourage the use of public transport.

5.2.3 Consistency with State Environmental Planning Policies

An assessment of the Planning Proposal against applicable State Environmental Planning Policies (SEPPs) is provided in the **Table 3** below.

Table 3 – Consistency with relevant SEPPs

State Environmental Planning Policies (SEPPs)	Consistent		N/A	Comment
	YES	NO		
SEPP No 1 Development Standards			✓	SEPP 1 does not apply to Parramatta City Centre LEP 2007.
SEPP No 4 Development Without Consent and Miscellaneous Exempt and Complying Development			✓	May apply (except Clause 6) to future development of the site.
SEPP No 6 Number of Storeys			✓	Standard instrument definitions apply.
SEPP No 19 Bushland in Urban Areas			✓	Not relevant to proposed amendment.
SEPP No 21 Caravan Parks			✓	Not relevant to proposed amendment.
SEPP No 22 Shops and Commercial Premises			✓	Not relevant to proposed amendment.
SEPP No 26 Littoral Rainforests			✓	Not relevant to proposed amendment.
SEPP No 30 Intensive Agriculture			✓	Not relevant to proposed amendment.
SEPP No 32 Urban Consolidation (Redevelopment of Urban Land)			✓	Not relevant to proposed amendment.
SEPP No 33 Hazardous and Offensive Development			✓	Not relevant to proposed amendment.
SEPP No 36 Manufactured Home Estates			✓	Not relevant to proposed amendment.
SEPP No 50 Canal Estate Development			✓	Not relevant to proposed amendment.
SEPP No 55 Remediation of Land	✓			Land is currently zoned for mixed use development and the proposed LEP amendment does not seek to change current permissible uses.
SEPP No 60 Exempt and Complying Development	✓			SEPP 60 does not apply to Parramatta City Centre LEP.
SEPP No.62 Sustainable Aquaculture			✓	Not relevant to proposed amendment.
SEPP No 64 Advertising and signage			✓	Not relevant to proposed amendment. May be relevant to future DAs
SEPP No 65 Design Quality of Residential Flat Development			✓	Not relevant to proposed amendment.
SEPP No.70 Affordable Housing (Revised Schemes)			✓	Not relevant to proposed amendment.
SEPP (Affordable Rental Housing) 2009			✓	Not relevant to proposed amendment
SEPP (BASIX) 2004			✓	Not relevant to proposed amendment
SEPP (Exempt and Complying Development Codes) 2008	✓			May apply to future development of the site.

State Environmental Planning	Consistent	N/A	Comment
SEPP (Housing for Seniors or People with a Disability) 2004		✓	Not relevant to proposed amendment
SEPP (Infrastructure) 2007	✓		May apply to future development of the site.
SEPP (State and Regional Development) 2011	✓		The future development of the site is likely to be deemed as 'regional development' (meeting the relevant thresholds under Schedule 4A of the EP&A Act), with the JRPP acting as the determining authority.
SEPP (Temporary Structures) 2007		✓	Not relevant to proposed amendment.
SEPP (Mining, Petroleum Production and Extractive Industries) 2007		✓	Not relevant to proposed amendment.
Deemed SEPPs			
Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005	✓		The Planning Proposal is not inconsistent with the relevant planning principles for the Sydney Harbour Catchment.

5.2.4 Consistency with applicable Ministerial Directions

A summary assessment of the Planning Proposal against the Directions issued by the Minister for Planning under Section 117 of the *EP&A Act* is provided in **Table 4** below.

Table 4 – Assessment against Section 117 Directions

Ministerial Directions	Consistent	N/A	Comment
	YES	NO	
1. Employment and Resources			
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.
1.2 Rural Zones		✓	Not applicable
1.3 Mining, Petroleum Production and Extractive Industries		✓	Not applicable
1.4 Oyster Aquaculture		✓	Not applicable
1.5 Rural Lands		✓	Not applicable
2. Environment and Heritage			
2.1 Environment Protection Zones		✓	Not applicable
2.2 Coastal Protection		✓	Not applicable
2.3 Heritage Conservation	✓		Parramatta 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.
2.4 Recreation Vehicle Areas		✓	Not applicable
3. Housing, Infrastructure and Urban Development			
3.1 Residential Zones		✓	Not applicable

Ministerial Directions	Consistent	N/A	Comment
3.2 Caravan Parks and Manufactured Home Estates		✓	Not applicable
3.3 Home Occupations		✓	Not applicable
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.
3.5 Development Near Licensed Aerodromes		✓	Not applicable
3.6 Shooting Ranges		✓	Not applicable
4. Hazard and Risk			
4.1 Acid Sulphate Soils	✓		Parramatta 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.
4.2 Mine Subsidence and Unstable Land		✓	
4.3 Flood Prone Land	✓		Parramatta City Centre 2007 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.
4.4 Planning for Bushfire Protection		✓	Not applicable
5. Regional Planning			
5.1 Implementation of Regional Strategies		✓	Not applicable
5.2 Sydney Drinking Water Catchments		✓	Not applicable
5.3 Farmland of State and Regional Significance on the NSW Far North Coast		✓	Not applicable
5.4 Commercial and Retail Development along the Pacific Highway, North Coast		✓	Not applicable
5.8 Second Sydney Airport: Badgerys Creek		✓	Not applicable
6. Local Plan Making			
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. Metropolitan Planning			
7.1 Implementation of the Metropolitan Plan for Sydney 2036	✓		Refer to Section 5.2.1.

5.3 Environmental, Social & Economic Impacts

5.3.1 Impact on Critical Habitat, Threatened Species and Ecological Communities

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.

Given the site is highly modified, the 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.

5.3.2 Environmental Effects of the Planning Proposal

Built Form

As discussed at Section 5.1, Crone Partners Architectural Studios have prepared an Urban Design Study and preliminary concepts for the redevelopment of the site (see **Appendix A**). 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 Parramatta City Centre LEP 2007. The 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 following constraints and opportunities are identified. The site is constrained in the following ways:

- it is irregular in shape and has multiple allotments;
- it has three varying maximum floor space ratio controls under the Parramatta City Centre LEP 2007;
- there are existing and proposed public open spaces nearby which require protection from overshadowing;
- only a portion of the site is of sufficient size to support a commercial floor plate, but it is questionable whether this is of sufficient size to be viable;
- the potential locations for a lift core are limited;
- the site fronts an important pedestrian streetscape (Church Street) which is predominately of a low/human scale; and
- it has frontages to five (5) roads and lanes.

The urban design study and concept design has been developed around the following opportunities:

- the site is located within the commercial core of Parramatta CBD;
- the site is well recognised by locals and visitors as being within the commercial hub of Parramatta CBD;
- the eastern half of the site is removed from heritage items;
- the site is strategically positioned to support the provision of a number of north-south and east/west corridors linking to the commercial core;
- there is the potential to open up United Lane and provide a new pedestrianised focused and activated streetscape;
- there is the potential to improve activation and develop more appealing streetscapes along Macquarie Street, Horwood Place, and Church Street; and

- the site's corner location on Macquarie Street and Horwood Place provides for a landmark commercial tower that can reinforce the south-west corner of the commercial core.

The above constraints and opportunities and the proposed amendment to the FSR control will result in a maximum gross floor area (GFA) of 27,581m² (as demonstrated in Section 4.2).

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 a Design Excellence process and future detailed design, the concept planning has shown that an appropriate built form can be achieved under the proposed LEP amendments.

Specifically, it will deliver:

- a lower scale building fronting Church Street in compliance with existing height controls;
- new retail and café uses at ground floor;
- 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 of the above design processes.

Overall, the proposed changes to FSR and the resulting increase in floor space across the site will facilitate and enable the delivery of the following positive urban design outcomes for the Parramatta CBD, in general, and Church and Macquarie Streets, in particular:

- The character and rhythm of buildings along Church Street are enhanced and an important east-west through site link is retained.
- The streetscape and form of surrounding heritage buildings along Church Street are respected and complemented with a 12 metres (3 storey) height limit.
- Locating building mass in a taller and elegant tower form aesthetically complements the commercial core attributes of the City Centre and aids in the creation of a skyline commensurate with Sydney's second CBD.
- The orientation of the building mass on Site B allows it to read as a slender tower form when viewed from Macquarie Street.
- Macquarie Street, Horwood Place, and Houison Place are able to be activated by centring the mass on Site B.
- The podium-tower arrangement allows for the required density to be achieved, while respecting the existing streetscape; a larger, iconic development maintaining a strong degree of congruency with the surrounding streetscapes and urban fabric.
- A three (3) storey podium on Site B maintains consistency with the existing scale along Macquarie Street, respecting heritage items and the street's pedestrian nature.
- An eight (8) metre setback to the tower along Macquarie Street, and 4m setback to Horwood Place maintains adequate sun access to the public domain and delineates the podium and tower elements from the perspective of the pedestrian. Ultimately this softens any impact that a large, iconic form may have on the streetscape.

- The 12 meter height limit on Site A along Church Street keeps development within the scale of the existing built character. The redevelopment of Site A provides for an enhanced through-site link with upgraded retail facilities connecting Church Street and Horwood Place.
- A 2:1 FSR on Site A will yield a built form consistent with the existing fabric of Church street, maintaining its pedestrian friendly character and creating a comfortably proportioned entry to the revitalised through site connections.
- The location of the service core on Site B along the western facade allows it to act as a buffer from strong afternoon heat loads. Furthermore, it does not place limits on future development on neighbouring sites to the west.

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 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 this site.

Notwithstanding the above, the envelope as envisaged would comply with Section 2.9 (Sun Access to Public Places) of the Parramatta City Centre DCP (refer below for further discussion with respect to overshadowing).

Overshadowing

No changes are proposed to maximum building height controls for the site under the Parramatta City Centre LEP 2007.

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 amendments to the floor space controls across the site, the ultimate height restriction for the majority of the site will continue to govern the extent of development.

As part of the Urban Design Study, building envelopes were tested on the site to understand potential overshadowing impacts on the adjacent Civic Place site. We understand that the design and master planning of Civic Place is currently underway. In the absence of a more recent master/concept plan or development controls for Civic Place, the proponent has relied on the following information as the basis to understand the height and distribution of buildings and the location of public spaces at Civic Place, and accordingly to assess potential additional overshadowing from a commercial tower on the land:

- the approved Civic Place Master Plan (June 2003);
- the location of 'Civic Square' as shown on the Height of Building Map in the Parramatta City Centre LEP (as referenced in clause 2.9 in the City Centre DCP);
- advice of Parramatta City Council officers in relation to the size and location of Leigh Place that the western alignment of the current road should be used to define the western edge of the future Leigh Place.

Whilst there are Sun Access Plane Diagrams included within the City Centre DCP for the Lancer Barracks site and Jubilee Park, none have yet been adopted for the Civic Place site. Accordingly, building envelopes on the land have been tested against the performance criteria included within the City Centre Development Control Plan, namely:

At least 2 hours of solar access is provided to an area of not less than 6,000 square metres within the Civic Square between 10am and 2pm during the winter solstice (22 June).

Included in the Urban Design Study at **Appendix A** are shadow diagrams prepared at hourly intervals from 10am to 2pm. As illustrated, a building with a height of 16 storeys (plus plant) on the subject site would result in no overshadowing impacts to public open space (defined as the 'Civic Square') within Civic Place from 10.55am to 1.20pm at the winter solstice (2 hours and 25 minutes of solar access). This fully accords with the performance criterion within the City Centre DCP and complies with clause 29E of the Parramatta City Centre LEP.

Table 5 provides a breakdown of the resulting area of additional overshadowing to public open space within Civic Place from a future 16 storey (plus plant) building envelope. As demonstrated in the table and the Urban Design Study, the proposed envelope would, at worst, shadow 316sqm of Leigh Place at around 2pm, and 714sqm along Church Street at 10am.

The core areas of Civic Place are not shadowed at all by the proposed envelope, with the morning shadow cast over a slither of Civic Place along Church Street and the afternoon shadow essentially confined to Leigh Place.

Table 5 – Summary of overshadowing impacts to Civic Place

Time	Area (m ²) of additional shadowing	Time	Area (m ²) of additional shadowing
10.00am	714	1.20pm	1.5
10.05am	685	1.25pm	4.5
10.10am	641	1.30pm	13.5
10.15am	605	1.35pm	21
10.20am	567	1.40pm	35
10.25am	523	1.45pm	60
10.30am	448	1.50pm	96
10.35am	380	1.55pm	164
10.40am	297	2.00pm	316
10.45am	190		
10.50am	67		
10.55am	0		
11.00am	0		

Pedestrian Amenity

With the proposed amendment to the Parramatta City Centre LEP unlocking the subject land for commercial and retail development, opportunities arise with respect to improving the public domain and pedestrian permeability within the City Centre.

Future development on the land will provide the detail surrounding how the land can respond to and meet Council's public domain objectives (as outlined within its Lanes Strategy and City Centre Development Control Plan).

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 Laneways Strategy. 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.

Heritage

The subject land does not include any heritage items, nor is the site located within a conservation area. As noted however in Section 3.4.1, there are a number of State and locally significant heritage items in the surrounding locality. Again, the provisions of the Parramatta City Centre LEP 2007 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 on the corner of Church Street and Macquarie Street (Item 12), 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.

Traffic and Access

Council has previously engaged ARUP to undertake a transport study of the Horwood Place City block (which includes the subject land). The study, completed in June 2009, involved a pedestrian, traffic, access and parking analysis based on the predicted development of the Horwood Place city block in accordance with the Parramatta City Centre LEP.

The information and conclusions reached by ARUP provide a useful starting point with respect to traffic, parking and access considerations for the future development of the land.

As the proposed amendment does not alter the base principles of the Parramatta City Centre LEP 2007, the detailed assessment of future traffic impacts and access and parking arrangements will be addressed as part of the redevelopment of the site. Importantly, as the proposed amendment does not result in a significant increase in the floor space currently able to be developed on the land, any impacts on traffic and access are likely to be insignificant.

5.3.3 Social and Economic Effects

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 floor space controls under the Parramatta City Centre LEP have the effect of sterilising the subject land, and without the amendments being proposed under this Planning Proposal, the land is unlikely to be developed into anything meaningful for Parramatta.

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.

Further, current commercial market trends require floor plates with a minimum NLA of approximately 1200-1300m². 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.

The Planning Proposal will ultimately deliver a number of positive social and economic benefits to Parramatta. 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;

5.4 State and Commonwealth Interests

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 described above.

5.4.1 Public Infrastructure

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 at the detailed 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.

5.4.2 Consultation with State and Commonwealth Authorities

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 initial Gateway determination.

5.5 Community Consultation

It is proposed that in accordance with 'A guide to preparing local environmental plans' that the Planning Proposal undergo a 28 day public exhibition period. 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.

However, we understand that Council would propose 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 Parramatta City Centre LEP 2007.