

INNOVATIVE

ITEM NUMBER	6.2
SUBJECT	Planning Proposal for the Land at 14-38 Cowper Street, 5-5A Rowell Street and 21-41 East Street, Granville
REFERENCE	RZ/15/2017 - D06327189
REPORT OF	Project Officer Land Use
LANDOWNER APPLICANT	Beijing Shokai Develotek Sydney Granville Pty Limited Think Planners

PURPOSE:

The purpose of this report is to seek the Local Planning Panel's (LPP) recommendation that Council forward a Planning Proposal for the land at 14-38 Cowper Street, 5 & 5A Rowell Street and 21-41 East Street, Granville to the Department of Planning and Environment for Gateway Determination.

RECOMMENDATION

That the Local Planning Panel recommend to Council:

- (a) **That** Council endorse the Planning Proposal for the land at 14-38 Cowper Street, 5 & 5A Rowell Street and 21-41 East Street, Granville (provided in **Attachment 1**) which seeks to amend the Parramatta Local Environmental Plan 2011 (PLEP 2011) in relation to the subject site by:
 - 1 Increasing the Maximum Height of Building control from 52m to part 92m (but only for the portion of land containing Building C as per Figure 6 of this report) and retain the existing 52m for the remainder of the site
 - 2 Identify the portion of the land containing Building C as "A" on the Design Excellence Map to ensure that it is subject to an appropriate design competition as per Clause 6.13 of the PLEP 2011
- (b) **That** the Planning Proposal be forwarded to the Department of Planning and Environment for Gateway Determination.
- (c) **That** a Site Specific Development Control Plan (DCP) be prepared and reported to Council prior to the exhibition of the Planning Proposal, and for the exhibition of both the Planning Proposal and DCP to occur concurrently.
- (d) **That** Council advises the Department of Planning and Environment that the CEO will be exercising the plan-making delegations for this Planning Proposal as authorised by Council.
- (e) **Further, that** Council authorise the CEO to correct any minor anomalies of a non-policy and administrative nature that may arise during the plan-making process.

BACKGROUND

1. In September 2017, the applicant Think Planners on behalf of the landowner Beijing Shokai Develotek Sydney Granville Pty Limited lodged a Planning Proposal with the City of Parramatta for the land at 14-38 Cowper Street, 5 & 5A Rowell Street and 21-41 East Street, Granville. The site currently has a development approval for a mixed use development comprising three residential towers above a podium that equates to 613 residential units, ground floor retail space with ancillary basement parking. Demolition and early works have commenced on site under this consent.

THE SITE

2. The subject site is 14-38 Cowper Street, 5 & 5A Rowell Street and 21-41 East Street, Granville. It has an approximate site area of 9,950m² and has a legal description of Lot 50 DP 1238546. The site is bound by Cowper Street to the north, Rowell Street to the west and East Street to the south, as seen in **Figure 1** below.

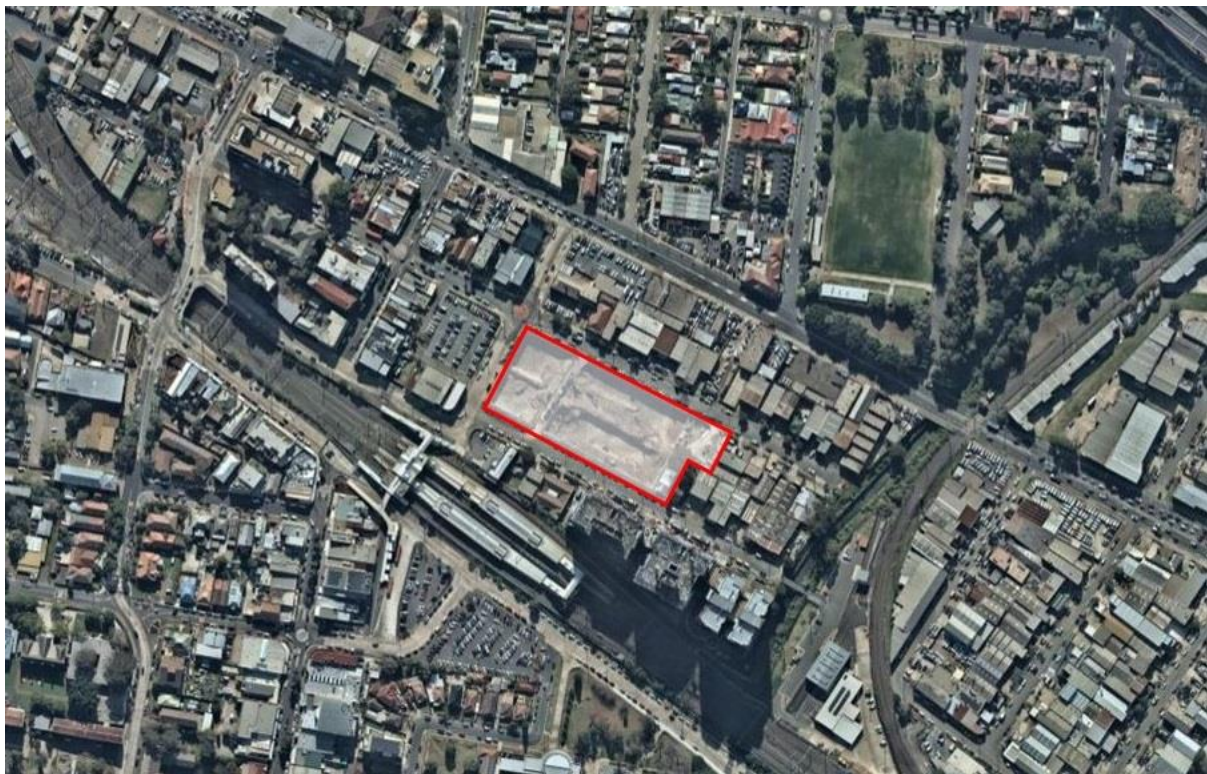


Figure 1 – Locational Map

3. The subject site has recently undergone excavation works under its approved DA consent (DA/961/2015). The land surrounding the subject site comprise a mixture of business, industrial uses, car sales yards and mixed use developments currently under construction.
4. The Granville Precinct is experiencing renewal. A number of development applications have been lodged with Council for the redevelopment of existing industrial uses and low density residential uses to mixed use developments that have a large residential component. This is discussed in further detail below under the heading 'Development Applications in Granville'.

CURRENT PLANNING CONTROLS

5. The subject site is zoned B4 Mixed Use under the provisions of the PLEP 2011 as seen in **Figure 2**. The surrounding area is similarly zoned B4 Mixed Use, with the exception of the properties fronting Parramatta Road which have a B6 Enterprise Corridor zone and the properties fronting Good Street which have a B2 Local Centre zone.

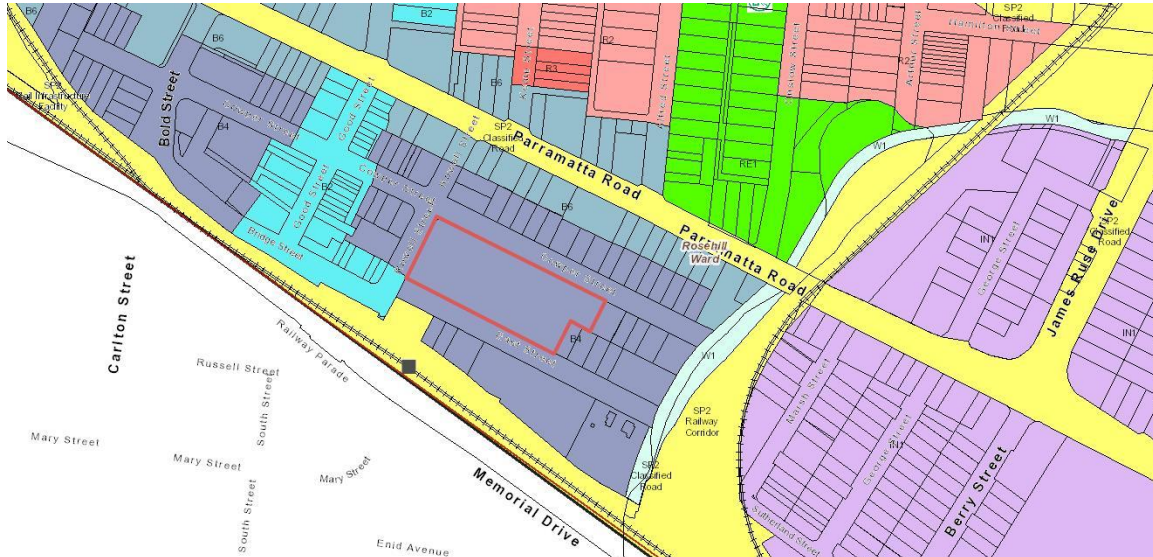


Figure 2 – Zoning Map

6. The land is within 'Area 1' of the Height of Buildings (HOB) map and the Floor Space Ratio (FSR) map which is subject to Clause 4.3(2A) and Clause 4.4(2A) of the PLEP 2011, respectively (see **Figure 3** and **Figure 4**). These clauses set out how heights and FSRs are calculated on the land indicated as 'Area 1', and applies a sliding scale to determine the height and FSR controls that applies to the site. To achieve the maximum building height of 52m and maximum FSR of 6:1 presented on the HOB and FSR maps, sites within 'Area 1' must have a land area greater than 3,200m². This is to encourage site amalgamation and deliver well-designed built form outcomes. The subject site has a site area of 9,950m², therefore under the provisions of Clause 4.3(2A) and Clause 4.4(2A), a height of 52m and an FSR of 6:1 is currently permitted.



Figure 3 – Height of Buildings Map



Figure 4 – Floor Space Ratio Map

7. The subject site contains a heritage item (Heritage Item I107) at 21-23 East Street listed in Schedule 5 of the PLEP 2011. The heritage item is a Victorian era semi-detached cottage. Within proximity of the subject site are two other heritage items, seen in **Figure 5**:

- I106 – 19 East Street, a single storey dwelling; and
- I99 – Mount Beulah Hall, a single storey hall.



Figure 5 – Heritage Items

APPLICANT LODGED PLANNING PROPOSAL

8. A Planning Proposal was lodged by the applicant in September 2017 seeking the following changes to the Parramatta LEP 2011:
- Increase the mapped maximum Height of Building control from 52m to 82m across the entire site;
 - Introduce a site specific provision to exclude residential wintergardens (enclosed balconies) from Gross Floor Area calculations.

9. It is noted that the Planning Proposal seeks to retain the existing B4 Mixed Use zone and 6:1 FSR currently permitted under the PLEP 2011. The intention of the Planning Proposal is to apply the recommendations of the Parramatta Road Corridor Urban Transformation Strategy (PRCUTS) to address the current 'mismatch' of the existing height and FSR controls permitted on the B4 Mixed Use land in Granville that do not allow the maximum FSR to be achieved within the height limit by increasing the maximum Height of Building control.
10. However, as discussed later in this report, the applicant has submitted a revised scheme proposing greater heights than that identified in the PRCUTS in order to reflect the site's location close to the Granville railway station and to achieve a better urban design outcome. The revised scheme seeks a height increase from 52m to 92m but only for the portion of the land containing Building C (refer to **Figure 6** below). The increase in height seeks to further address the current mismatch between the height and FSR controls under the PLEP 2011.

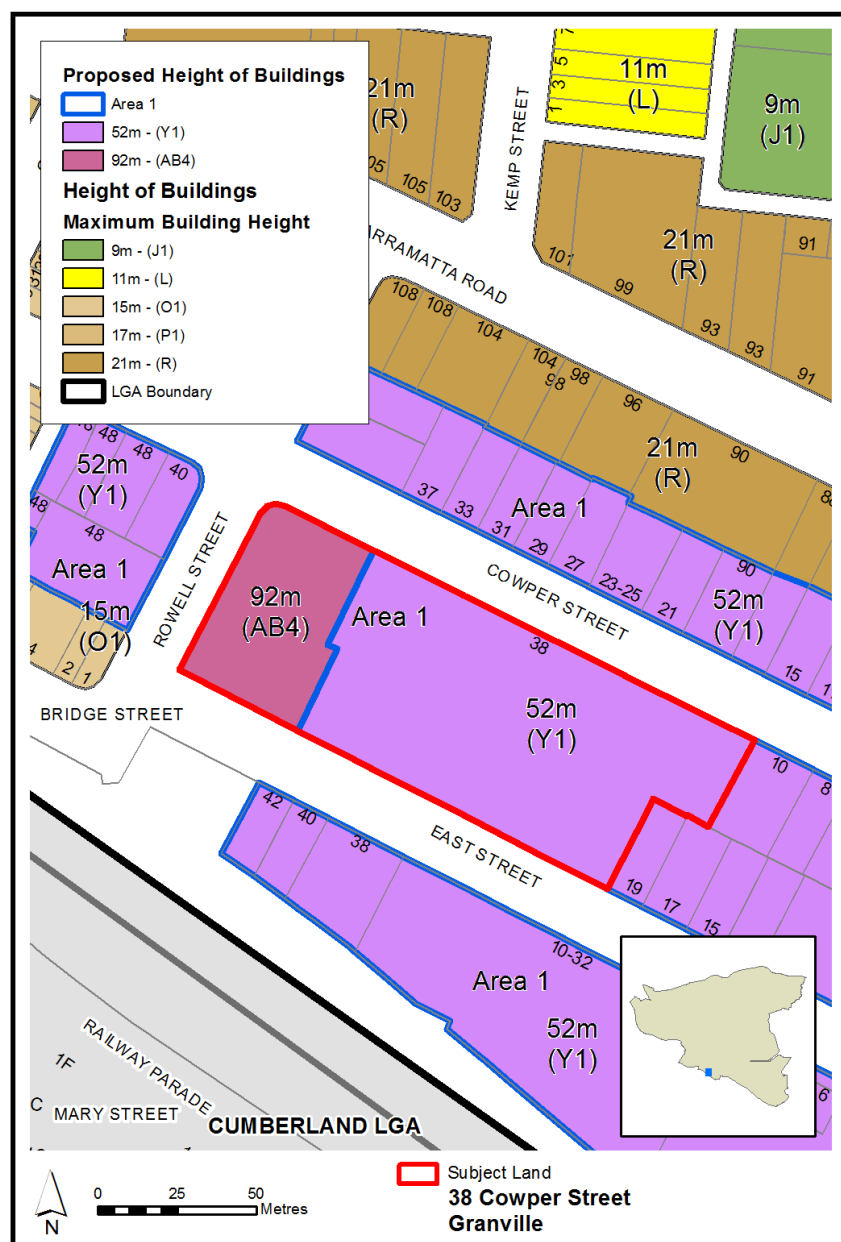


Figure 6 – Proposed Height increase to the portion of the land containing Building C

11. The current mismatch between the height and FSR controls under the PLEP 2011 becomes apparent when reviewing recent development consents issued within the B4 Mixed Use zone in Granville. This is discussed in further detail below.

DEVELOPMENT APPLICATIONS IN GRANVILLE

12. Granville is going through a process of renewal. The PLEP 2011 introduced a B4 Mixed Use zone for the majority of the land between Parramatta Road and the Western Railway Line as seen in **Figure 2**. The PLEP 2011 also increased density within the area in line with the State Government's policy position of Transit Orientated Development, which promotes the delivery of housing on key transit nodes. A 6:1 FSR was permitted for the site, subject to a sliding scale imposed under Clause 4.4 of the PLEP 2011. As discussed above, the maximum FSR of 6:1 could be achieved subject to obtaining a land size of 3,200m². This is to encourage site consolidation and integrated planning to assist in the delivery of better built form outcomes.
13. A number of Development Applications have subsequently been lodged within the B4 Mixed Use area seeking the development of mixed use towers primarily comprising of residential uses. **Figure 7** below shows the recent DA activity in close proximity to the subject site.



Figure 7 – Approved DAs in proximity to subject site

14. It is noted that the subject site currently has an approved and active development consent for a mixed use development under DA/961/2015 which could proceed irrespective of the planning proposal progressing. This DA was one of the DAs within the precinct that was unable to achieve the permitted maximum FSR of 6:1 under the PLEP 2011 due to the height control (even with a Clause 4.6 variation). The details of this DA are discussed below and has triggered the lodging of the current Planning Proposal due to the development not being able to deliver the applicable FSR despite meeting the minimum site area requirements.

15. **Table 1** summarises the details of the approved developments shown in **Figure 7**, which are labelled *Site*, 2, 3 and 4. As demonstrated within the table, the applications were not able to attain the permitted FSR under the permitted height controls.

	Addresses	Developments	Permitted FSR	Approved FSR	Permitted Height	Approved Height
<i>Site</i>	14-38 Cowper Street, 5 & 5A Rowell Street and 21-41 East Street	Deferred commencement approval for the construction of a mixed use development consisting of 618 residential apartments, 12 commercial tenancies, and 633 car parking spaces within a building with a 4 storey podium and 3 tower forms with varying heights from 14 to 21 storeys	6:1	5.5:1	52m	70m Council permitted a 35% variation through Clause 4.6
2	2-6 Cowper Street and 1-9 East Street	Approval for a 20 storey mixed use developing comprising 5 retail tenancies and 264 residential units, 255 car parking spaces, and landscaping and construction of a public vehicular lane.	6:1	6:1	52m	68m Council permitted a 31% variation through Clause 4.6
3	10-42 East Street	Approval for a mixed use development complex comprising 463 residential dwellings and 6 commercial tenancies across three buildings: Block A, B and C. Block A and B have already commenced construction.	6:1	5.5:1**	52m	61m** Council permitted a 17% variation through Clause 4.6
4	2-8 East Street	Approval for a 19 storey mixed use development containing 211 sqm of commercial floor space and 208 apartments over 4 levels of basement	6:1	5.18:1	52m	64m Council permitted a 23% variation through

		carparking.				Clause 4.6
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Table 1 – Existing DA approvals

** - A Planning Proposal for 34-42 East Street, Granville was endorsed by Council on 13 November 2017 to proceed to the Department of Planning and Environment for Gateway Determination. The Planning Proposal seeks an increase in maximum height of building from 52m to 82m to address the current mismatch between the height and FSR controls under the PLEP 2011. The Gateway Determination was issued on 14 April 2018 and the Planning Proposal has recently come off public exhibition.

16. In summary, **Table 1** demonstrates that the existing permitted maximum FSR of 6:1 cannot be delivered under the existing permitted maximum height of 52m and that there is a mismatch between the built form controls. It is acknowledged that the FSR control is a maximum figure, however, the previous approvals have relied on a Clause 4.6 variation to the permitted height to achieve an FSR that is close to 6:1, with many still not achieving an FSR of 6:1 even with the variation under Clause 4.6. This outcome has highlighted an issue in the planning controls and has resulted in the approval of relatively squat 'bulky' buildings all of a similar height, further resulting in a sub-optimal urban design outcome. Increasing height controls to better match the existing FSR controls is considered to produce a better urban design outcome and is generally reflected in the PRCUTS. The PRCUTS is discussed in the following section.

STRATEGIC PLANNING FRAMEWORK

Parramatta Road Corridor Urban Transformation Strategy

17. The Parramatta Road Corridor Urban Transformation Strategy (PRCUTS) prepared by UrbanGrowth NSW was released by the Minister for Planning on 9 November 2016. The Strategy's key objective as an integrated land use and transport plan is to revitalise Parramatta Road, by delivering future housing, employment, public transport, open space and amenity needs.
18. The PRCUTS projects the delivery of 27,000 new homes and 50,000 new jobs along the Parramatta Road Corridor in the next 30 years. The renewal will be focused in eight strategic Precincts at Granville, Auburn, Homebush, Burwood, Kings Bay (part of Five Dock), Taverners Hill, Leichhardt and Camperdown.
19. The PRCUTS has been given statutory weight via a Ministerial Direction, under Section 9.1 (formerly Section 117) of the *Environmental Planning and Assessment (EP&A) Act 1979*. On a practical level this means that the Strategy will be implemented by the planning proposal process, which requires Planning Proposals to be consistent with the Ministerial Direction. A Planning Proposal may be inconsistent with the PRCUTS and terms of the Direction if it satisfies a number of conditions stipulated by the Direction, relating to the level of significance of the variation, and its justification on planning and urban design merit.
20. The PRCUTS provides recommended zoning, floor space ratio and height controls within the Granville Precinct. The recommended zoning, height and FSR controls for the precinct are shown in **Figure 8, 9 and 10**.

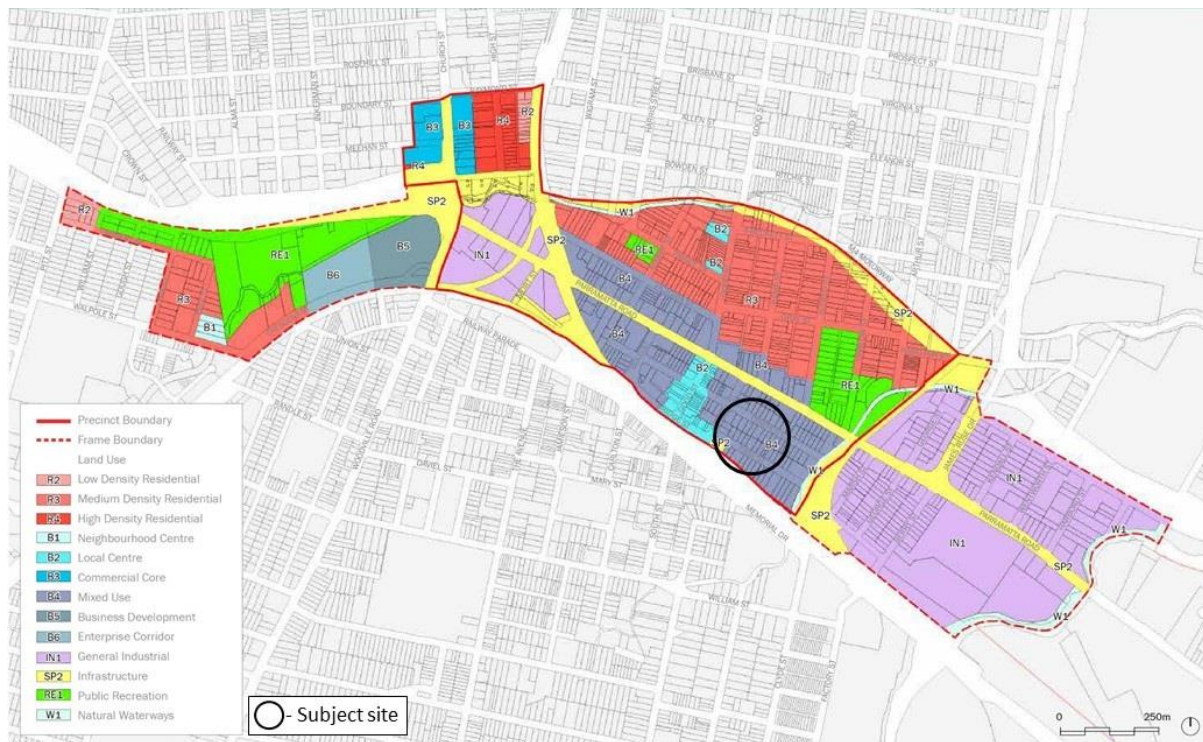


Figure 8 – Recommended Zoning from PRCUTS

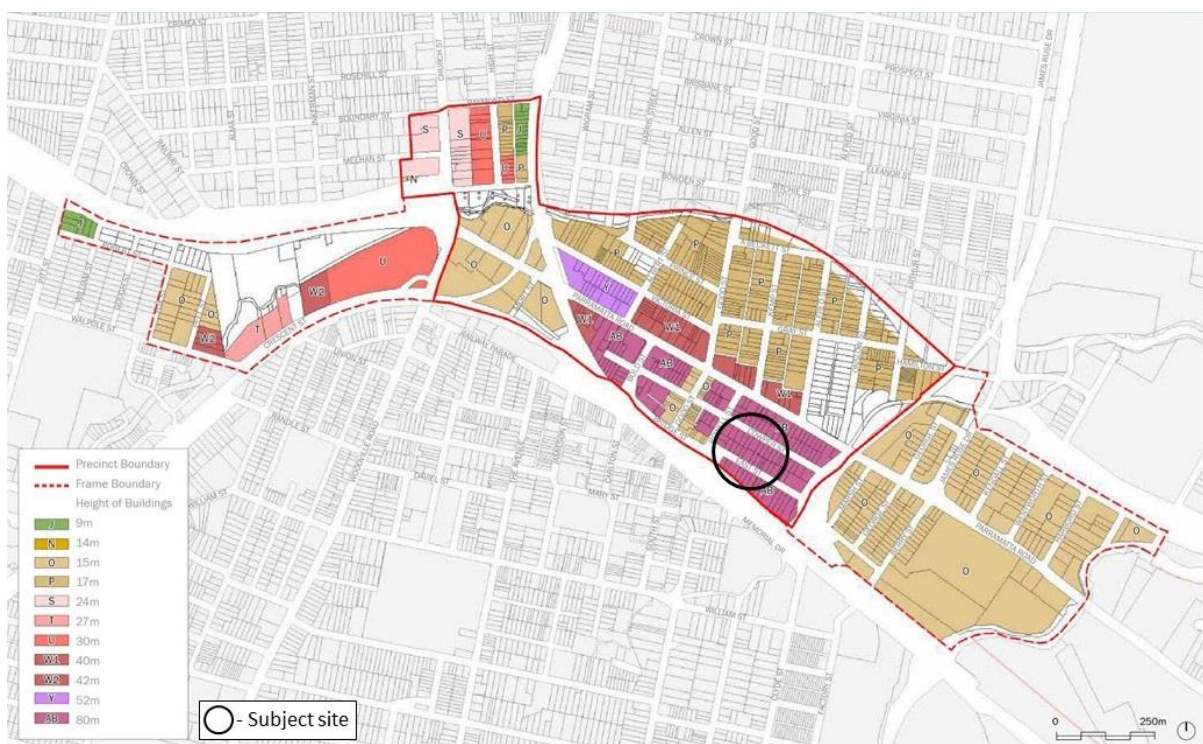


Figure 9 – Recommended Height of Buildings from PRCUTS

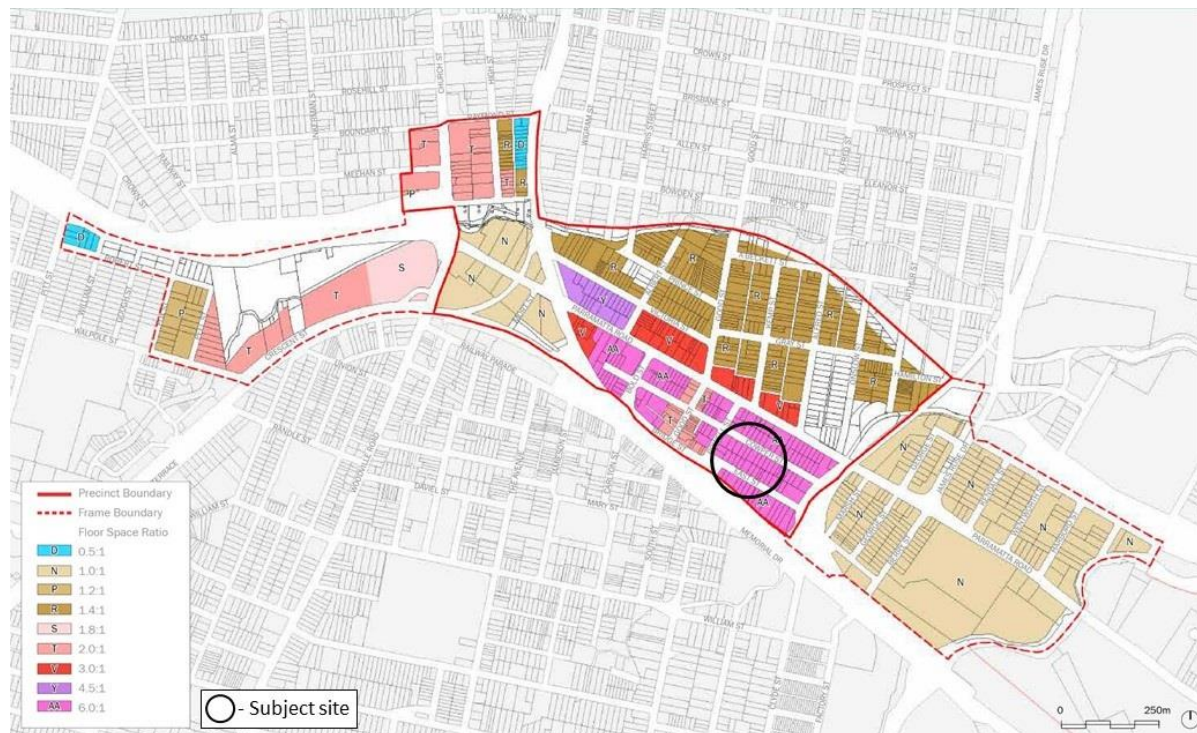


Figure 10 – Recommended FSR from PRCUTS

21. The PRCUTS requires a precinct-wide traffic study to be completed before Council is to pursue a Planning Proposal to implement all of the PRCUTS recommendations. This traffic study is currently being undertaken in a collaborative working arrangement between the Department of Planning and Environment (DPE), City of Parramatta Council and Cumberland Council. Upon completion of the traffic study and the assessment of its implications, a Council led Planning Proposal to implement the PRCUTS recommendations for the Granville precinct can proceed.
22. A comprehensive review of the controls will occur when Council implements the PRCUTS recommendations which will seek to resolve this issue and promote higher quality urban design outcomes across the precinct. However, the applicant is seeking to resolve this issue for their site ahead of the more comprehensive process to be carried out by Council at a later date.

ASSESSMENT OF THE PLANNING PROPOSAL'S CONSISTENCY WITH THE PRCUTS

23. As discussed earlier in this report, the PRCUTS has been given statutory weight via a Ministerial Direction under Section 9.1 of the EP&A Act 1979. The *Direction 7.3 Parramatta Road Corridor Urban Transformation Strategy* was brought into force on 19 December 2016. The Direction includes what a relevant planning authority must do if this Direction applies, and states in 4(c) that a Planning Proposal subject to this Direction must:

be consistent with the Parramatta Road Corridor Planning and Design Guidelines (November, 2016) and particularly the requirements set out in Section 3 Corridor-wide Guidelines and the relevant Precinct Guidelines.

24. The Direction does permit, however, a planning proposal to be inconsistent with the PRCUTS and the terms of the Direction if it satisfies a number of conditions

stipulated by the Direction. This relates to the level of significance of the variation, and its justification on planning and urban design merit.

25. Part (5) of the Direction relates to a Planning Proposal's consistency with the Direction and is included below:

A planning proposal may be inconsistent with the terms of this Direction only if the relevant planning authority can satisfy the Secretary of the Department of Planning & Environment (or an officer of the Department nominate by the Secretary) that the planning proposal is:

- (a) *consistent with the Out of Sequence Checklist in the Parramatta Road Corridor Implementation Plan 2016-2023 (November, 2016), or*
 - (b) *justified by a study (prepared in support of the planning proposal) that clearly demonstrates better outcomes are delivered than identified in the Parramatta Road Corridor Urban Transformation Strategy (November, 2016) and Parramatta Road Corridor Implementation Plan 2016-2023 (November, 2016) having regard to the vision and objectives, or*
 - (c) *of minor significance.*
26. In relation to the Planning Proposal, a revised scheme was submitted by the applicant which was assessed by Council's Urban Design team and was considered as demonstrating a better urban design outcome than the current approved development. Therefore, Council officers consider that the Planning Proposal satisfies Part (5)(b) of the Direction. This will be discussed later in the following section.

Recommendations of the PRCUTS

27. The Parramatta Road Corridor Urban Transformation Strategy (PRCUTS) as discussed above under the heading 'Strategic Planning Framework' seeks to revitalise Parramatta Road and deliver additional housing within the Granville Precinct. The PRCUTS projects that Granville will accommodate 20% of the residential dwelling growth in the Corridor over 30 years (to 2050).
28. One of the strategic initiatives to address this target under the PRCUTS is to:
- Extend the existing B4 Mixed Use zone to the majority of the precinct across both sides of Parramatta Road (as seen in **Figure 7**);
 - Apply an FSR of 6:1 (subject to a sliding scale) similar to the way density is currently managed under the PLEP 2011;
 - Apply a height of 80m (approximately 25 storeys) to address the current mismatch between the 52m height and 6:1 FSR controls within the PLEP 2011.
29. A summary of the PRCUTS recommendations and the sought changes to the PLEP 2011 under the Planning Proposal are summarised below in **Table 2**:

	PRCUTS	Planning Proposal
Zoning	B4 Mixed Use	B4 Mixed Use
FSR	6:1 (subject to a sliding scale)	6:1 (subject to a sliding scale)
Height	80m	Part 92m (but only for the portion

		of the land containing Building C) and retain the existing 52m for the remainder of the site (refer to Figure 6)
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Table 2 – Comparison of PRCUTS and the Planning Proposal*Land Use Zone*

30. The Planning Proposal retains the existing B4 Mixed Use zone that is currently under the PLEP 2011 and which is recommended for retention under the PRCUTS.

Maximum Floor Space Ratio

31. The Planning Proposal seeks to retain the 6:1 maximum FSR for the subject site under the PLEP 2011 and which is recommended under the PRCUTS.
32. As discussed above, the subject site was approved for a mixed use development as part of DA/961/2015. The site has a total area of 9,950m², which under the PLEP 2011, is permitted to achieve a maximum FSR of 6:1. However, due to the height control, the DA was approved for a three tower development with a total FSR of 5.5:1 (refer to **Table 1**).
33. The Planning Proposal seeks to increase the height control on the subject site to enable an FSR of 6:1 to be achieved.
34. Furthermore, the Planning Proposal seeks to introduce a site specific clause to exclude wintergardens (enclosed balconies) from the calculation of the future development's gross floor area calculation. Council is generally supportive of proposals that modify controls in order to achieve higher amenity outcomes and has previously endorsed a similar clause for another planning proposal for land subject to significant noise effects (i.e. on an arterial road or the railway line). However, given the subject site's location (not adjacent to an arterial road or railway line), it is considered inappropriate to introduce this site specific provision in this instance.

Maximum Height of Building

35. The Planning Proposal seeks an increase of height from 52m to 92m (but only for the land which contains Building C) with the remainder of the site retaining the 52m height control. This is a variation from the recommendations of the PRCUTS as seen in **Table 2**.
36. Under the current development consent (DA/961/2015) the approved scheme comprised of 3 residential towers above a four storey podium. Buildings A and C at 21 storeys and Building B at 14 storeys (inclusive of the 4 storey podium).
37. The applicant originally presented a scheme that extrudes the heights of Building A and C by 4 additional storeys to a new height of 25 storeys at 82m, as seen in **Figure 11** below.

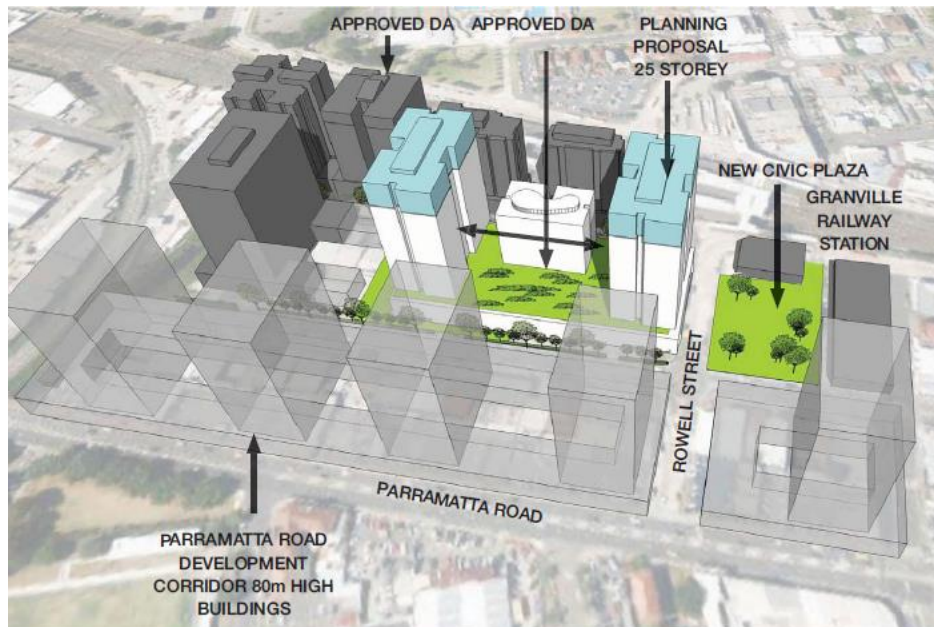


Figure 11 – Planning Proposal's original intent

38. Council officers recommended that a design that investigates a variation of height between separated increments of both towers, some elements being higher than 82m and some less, should be contemplated to avoid the current symmetry, uniformity of height and to better relate to the 14 storey Building B. Further, this would reinforce the division of the long east and west elevations into nominally separate buildings, resulting in variation of heights throughout the precinct and a better urban design outcome.
39. A revised scheme was submitted by the applicant that proposes the variation of height to Building C only (refer to **Figure 12**). Building C has been split into two distinct and simplified forms by introducing 6 storeys of height variation between the building halves resulting in a variation of heights of 91.3m and 72.7m that equates to an overall average height of 82m.

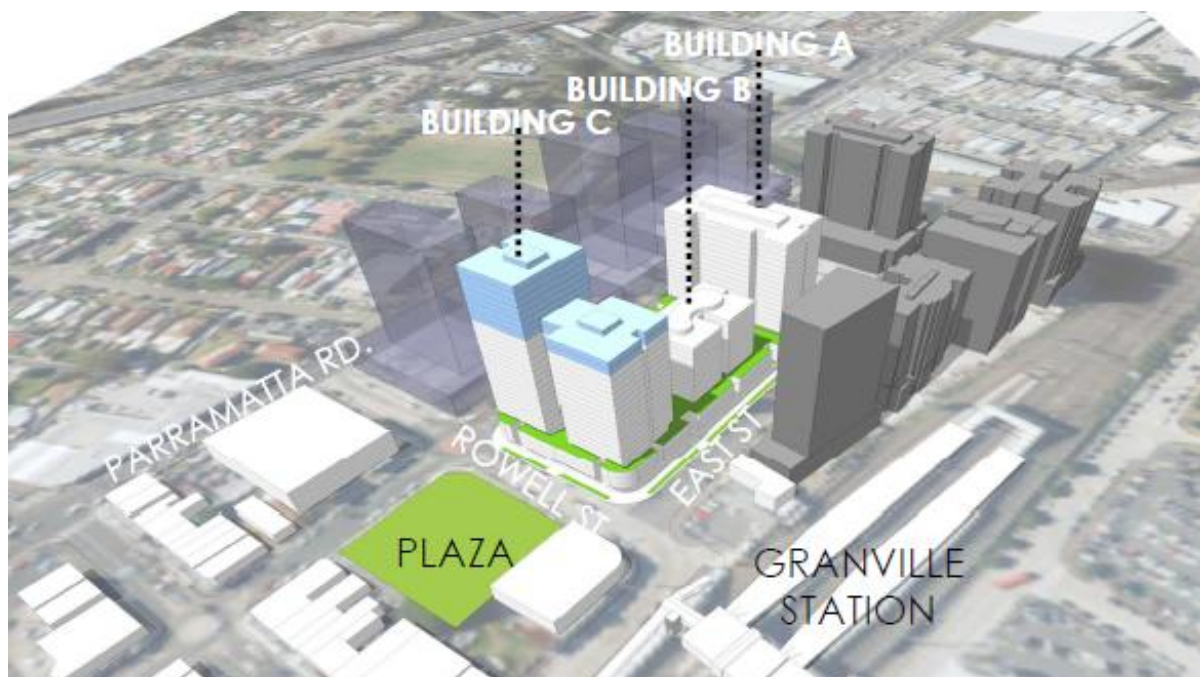


Figure 12 – Applicant's revised scheme

40. The revised scheme has addressed Council officer's recommendation with some elements being above the 82m height plane and some below (refer to **Figure 13**). The revised scheme is broadly supported by Council officers as it provides some variation to the symmetry and uniformity of Buildings A and C and is considered to result in a better urban design outcome than the original scheme.



Figure 13 – Tower C's relationship to the 82m height plane

41. The maximum height of Building C (91.3m) is 11.3m above the recommended height in the PRCUTS. However, given that the scheme presents an outcome that results in variation to the tower forms for the future development and to the overall precinct, it is considered an appropriate variation to the recommendations of the PRCUTS as satisfying Part (5)(b) of the Ministerial Direction.
42. Should Council wish to proceed with a Planning Proposal for this site, it is recommended that a maximum height of 92m be applied to the Building C portion of the site, with the existing height and FSR to be retained over the remainder of the site.
43. Despite the proposed increase of height, the overall FSR across the site will not exceed the permitted 6:1. This is demonstrated in the Urban Design Report in **Attachment 2**.
44. A site specific DCP will need to be prepared to define Building C's overall envelope and key urban design controls.

Design Excellence

45. The PRCUTS requires a Design Excellence process to be run for "*sites with an inherent scale impact (greater than 1,500m² or proposals that exceed four storeys in height)*". The Planning Proposal fulfils these criteria and therefore it is required to demonstrate design excellence.

46. The PRCUTS does not specify one particular mechanism for the delivery of design excellence. However, it does include the following requirements:

Design excellence needs to be clear, transparent, provide certainty, and timely. Mechanisms to deliver design excellence might include:

- *independent and expert design review panels*
 - *competitive selection processes*
 - *accountability and monitoring*
 - *clear relationships to other entities including adjacent councils regarding their panel selections, shared panellists, or specialised panels*
47. It is Council Officer's position that a design excellence competition process is the most appropriate mechanism to achieve design excellence. A design competition will ensure that a high quality built form outcome is delivered on the site. A design excellence competition is proposed for Building C above the podium and is to be identified as "A" on the Design Excellence Map as per Clause 6.13 of the PLEP 2011.
48. The design competition brief will require compliance with the site specific DCP and the Apartment Design Guidelines (ADG).
49. The applicant has also indicated that water and energy reduction targets will be explored at the detailed design stage. The sustainability measures will be explored further as part of preparing the design competition brief.
50. During the preparation of the brief, Council officers will also have the opportunity to propose any other additional design considerations required to be addressed in order to achieve design excellence.

HERITAGE

51. As discussed above, the subject site includes one heritage item (Heritage Item I107) at 21-23 East Street and is within proximity to two other heritage items (refer to **Figure 5**). The heritage item on the subject site is a Victorian semi-detached cottage.
52. The heritage item is intended to be retained, conserved and adaptively re-used as a community facility that will be integrated with a new 1,400m² public park to be dedicated to Council as part of the DA consent. The heritage item is located at the eastern end of the site and the area subject to the Planning Proposal is located at the western end of the site.
53. Council's Heritage Advisor has stated that any development as per the Proposal is considered to likely be closely similar to the impact of the development under current DA consent and is therefore considered acceptable.

OPEN SPACE AND PUBLIC DOMAIN

54. Under the current DA consent (DA/961/2015), a number of public benefits are to be delivered as part of the development. These include:
- A 1,400m² public park to be dedicated to Council located at the north-eastern portion of the subject site

- Adaptive re-use of the heritage item at 21-23 East Street to become a community facility and integrated with the new public park
 - Through-site links at ground level to facilitate pedestrian activity and connectivity through the development
 - A 4,600m² roof top garden for the benefit of the residents of the development
55. Council's Open Space & Natural Area Planner raise no objection to the increase in height since it will not create any significant additional overshadowing to the proposed new public park at the north-eastern portion of the site given its location.
56. Concern was raised, however, for the size of open space provision as it is considered well below the minimum public open space area criteria of the DPE's *'Recreation and Open Space Planning Guidelines for Local Government'* and the Parks and Leisure Australia's *"Open Space Planning and Design Guide"* which forms Council's adopted standard benchmark for open space provision. This requires 20% of a site within easy walking distance (250m) of all high density dwellings. Whilst it is ideal that the public open space be expanded, it is considered unlikely given the existing development approval for the current park size.
57. Furthermore, in relation to sport and active recreation, the DPE's *'Recreation and Open Space Planning Guidelines for Local Government'* specify that outdoor sport provision of 5 to 10 hectares should be provided within 2km of 'most dwellings'. It has been acknowledged that there is no capacity to provide for outdoor sports within the subject site and that the closest active sporting facilities are at F.S. Garside Park at the northern side of Parramatta Road. These facilities are to be upgraded under the Parramatta Road Urban Amenity Improvement Program, however, it is anticipated that the proposed development is likely to facilitate increased demand. Nonetheless, given that the proposed development is not seeking an increase in the currently permitted FSR, a VPA is not considered necessary to be entered into in this instance.

FLOODING

58. Council's Senior Catchment and Development Engineer raise no objection to the Planning Proposal and deems that the previous flood study and design responses are satisfactory.

TRAFFIC

59. As discussed above, the PRCUTS Implementation Plan sets out the following requirement for the Granville Precinct:

Prior to any rezoning commencing, a Precinct-wide traffic study and supporting modelling is required to be completed which considers the recommended land uses and densities, as well as future Westconnex conditions, and identifies the necessary road improvements and upgrades required to be delivered as part of any proposed renewal in the Precinct.

60. The Planning Proposal seeks to amend the maximum height controls and to retain the existing zoning and permissible FSR of 6:1. In particular, the

Planning Proposal does not result in an increase of the currently permissible 6:1 FSR despite the increase in height.

61. It is considered that the Planning Proposal can proceed ahead of the precinct-wide traffic study as it seeks to retain the existing FSR controls under the PLEP 2011.
62. Council's Service Manager Traffic and Transport raise no objection to the Planning Proposal subject to there being no increase in the overall number of parking spaces that was approved under DA/961/2015. The applicant submitted an additional traffic and parking assessment report on 13 August 2018 which presents justification for an increase in car parking above that approved under the current DA consent (based on the increase of non-residential uses at the site and higher parking rates). However, this information has not been able to be properly reviewed and assessed by Council officers prior to reporting deadlines. Nonetheless, it is proposed that the issue of car parking rates will be further assessed at the DCP phase and will be subject to a further report to Council.
63. On-site parking provision are to be detailed in the site specific DCP which will need to be prepared prior to public exhibition of the Planning Proposal.

SITE SPECIFIC DEVELOPMENT CONTROL PLAN

64. Following Council officers' assessment, it is recommended that a site specific DCP be prepared in accordance with the concept reference design provided with the Planning Proposal.
65. The site specific DCP is to provide guidance on the following building and design elements:
 - Desired future character
 - Built form and massing
 - Design controls (podium, ground level and public domain, and height variations for Building C)
 - Car parking
66. It is recommended that Council officers continue to work with the applicant to refine the concept design and address any further design considerations that arise as part of this process.

AMENDED PLANNING PROPOSAL

67. In accordance with staff's assessment and recommendations, the Planning Proposal has been updated to seek the following changes to the PLEP 2011:
 - Increase the Maximum Height of Building control from 52m to part 92m (but only for the portion of land containing Building C as per Figure 6 of this report) and retain the existing 52m for the remainder of the site
 - Identify the portion of the land containing Building C as "A" on the Design Excellence Map to ensure that it is subject to an appropriate design competition as per Clause 6.13 of the PLEP 2011.

PLAN-MAKING DELEGATIONS

68. New delegations were announced by the then Minister for Planning and Infrastructure in October 2012, allowing Councils to make LEPs of local significance. On 26 November 2012 Council resolved to accept the delegation for plan making functions. Council also resolved these functions to be delegated to the Chief Executive Officer.
69. Should Council resolve to proceed with this Planning Proposal, Council will be able to exercise its plan-making delegations. This means that after the Planning Proposal has been to Gateway, undergone public exhibition and adopted by Council, Council officers will deal directly with the Parliamentary Counsel Officer on the legal drafting and mapping of the amendment. A recommendation of this report is that when the Planning Proposal is submitted to Gateway, it should advise the DPE that Council will be exercising its delegation.

CONCLUSION AND NEXT STEPS

70. It is recommended that Council endorse the Planning Proposal provided at **Attachment 1** for it to be forwarded to the DPE for Gateway Determination.
71. A site specific DCP is recommended to be prepared for the subject site and to accompany the Planning Proposal to guide the detailed development of the land to deliver appropriate building and urban design outcomes. In particular, it will inform the height variations of Building C and will become a key consideration for the design excellence competition brief and the preparation of any future development application
72. Should a Gateway Determination be issued, the Planning Proposal and site specific DCP will be placed on public exhibition concurrently and the outcomes of the exhibition will be reported to the Local Planning Panel if any objections are received. If no objections are received, the matter will be reported directly to Council post-exhibition.

Darren Caballero
Project Officer
Land Use Planning

ATTACHMENTS:

1	Planning Proposal for the Land at 14-38 Cowper Street, 5 & 5A Rowell Street and 21-41 East Street, Granville	37 Pages
2	PP Urban Design Report and Reference Design	39 Pages