

Planning Services

Gateway determination report

LGA	City of Parramatta
PPA	City of Parramatta Council
NAME	12 Hassall Street, Parramatta (328 homes, 90 jobs)
NUMBER	PP_2017_COPAR_006_00
LEP TO BE AMENDED	Parramatta Local Environmental Plan 2011
ADDRESS	12 Hassall Street, Parramatta
DESCRIPTION	Lot 156 DP 1240854
RECEIVED	25 May 2018
FILE NO.	IRF18/3226
POLITICAL DONATIONS	There are no donations or gifts to disclose and a political donation disclosure is not required.
LOBBYIST CODE OF CONDUCT	There have been no meetings or communications with registered lobbyists with respect to this proposal

INTRODUCTION

Description of planning proposal

It is proposed to amend the Parramatta Local Environmental Plan (LEP) 2011 as it applies to the site at 12 Hassall Street, Parramatta by increasing the maximum permissible building height and floor space ratio (FSR) and introducing a site-specific clause to enable development of the site into a mixed-use tower. The intent of the site-specific clause is to ensure a minimum commercial FSR of 1:1, enable additional non-residential land uses (community or commercial use) of 1:1 FSR, introduce maximum car parking rates, require design excellence and consideration of heritage interface issues and apply a high-performing buildings bonus (0.5:1 FSR).

Site description

The site at 12 Hassall Street is within the Parramatta CBD, approximately 300m east of Parramatta railway station. The site area is approximately 2055m² and was previously occupied by the Police Citizens Youth Club (PCYC). It contains a two-storey commercial building and a single-storey bungalow, with at-grade parking (Figures 1 and 2, next page).

The planning proposal references the incorrect legal property description as the subject land was recently consolidated into one title. As such, the Gateway determination has been conditioned for the proposal to be updated to reflect this. The legal property description is Lot 156 DP 1240854.



Figure 1: Aerial view of 12 Hassall Street, Parramatta (outlined in red) and surrounding area (source: SIX Maps 2018).



Figure 2: The subject site with the existing PCYC building. The existing bungalow is partially shown to the left of the photo. The NSW Police Headquarters is shown behind the subject site.

Existing planning controls

The following development standards apply to the site under the Parramatta LEP 2011:

- B4 Mixed Use zoning;
- maximum building height of 72m;
- maximum FSR of 8:1; and
- if a mixed-use building meets the requirements of Clause 7.10 Design Excellence, a bonus FSR of up to 15% (approximately 1.2:1 FSR) is available.

Surrounding area

The subject site is 300m east of the Parramatta Transport Interchange and rail line. The character of Hassall Street is evolving, with several developments under construction. The site is the only property on the northern side of Hassall Street between Smith Street and Charles Street that is zoned B4 Mixed Use, with the adjoining properties being zoned B3 Commercial Core and SP2 (Defence).

Directly north of the subject site is the NSW Police Headquarters, a commercial building up to 72m high (17 storeys). Directly to the south of the site at 11 Hassall Street, a new mixed-use development up to 130m high (40 storeys) is under construction. The height of this building means it is a significant contributor to the Parramatta CBD skyline. A significant portion of the built form of this building is set back from the street to enable setback distances to adjoining properties to be achieved, although a four-storey podium has been provided at street level. All other surrounding developments are limited by the Parramatta LEP 2011 maximum building height of 72m.

Immediately to the west of the subject site is the vehicular entry to the NSW Police Headquarters. Further to the west is a four-storey residential flat building and low-density commercial premises at 2-6 Hassall Street. A planning proposal has been lodged for this site (PP_2018_COPAR_006_00) to increase the maximum FSR to 10:1 and increase the maximum height to 86m.

The heritage-listed Commercial Hotel is on the corner of Smith and Hassall Streets. To the north-west is Lancer Barracks, a state heritage-listed precinct in the Parramatta CBD (zoned SP2(Defence) in Figure 3, next page). The subject site will not overshadow Lancer Barracks as it is located to the south of the heritage item. It is recommended that the Office of Environment and Heritage be consulted as part of the LEP plan-making process.

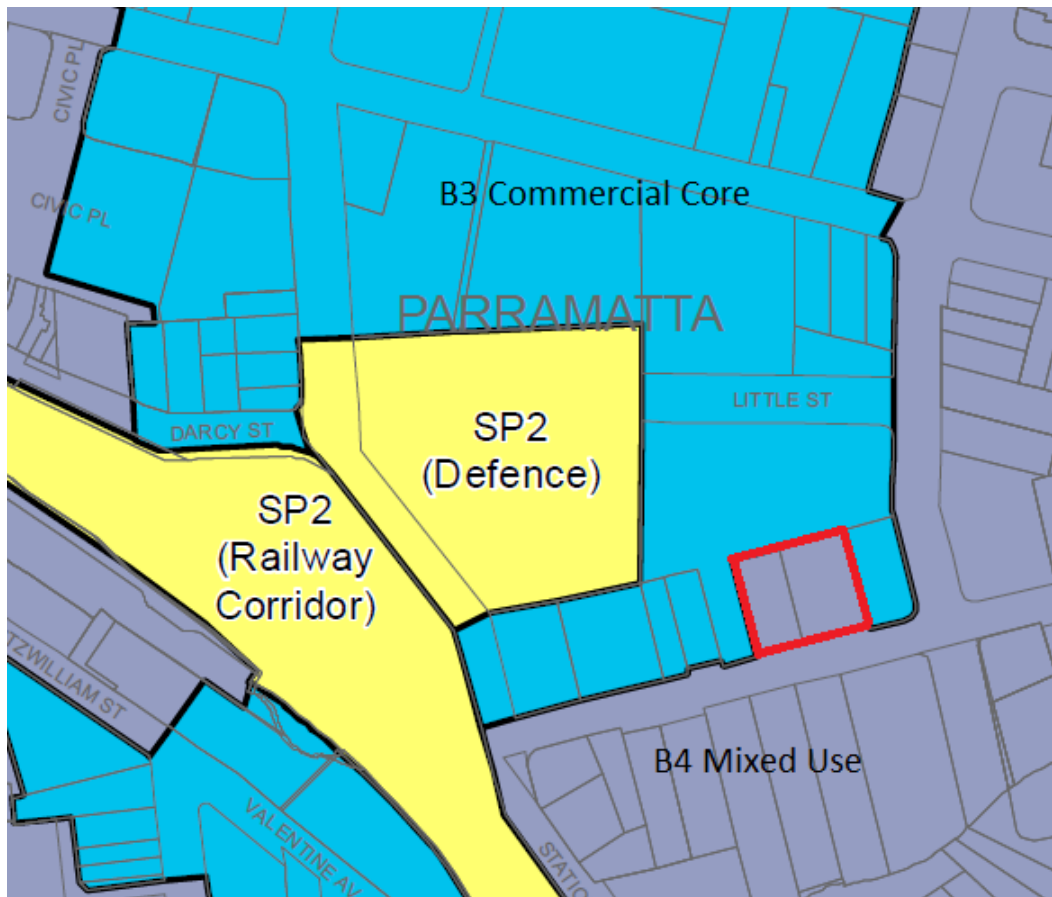


Figure 3: Land-use zoning, with the subject site outlined in red.

Summary of recommendation

The planning proposal has merit and should proceed subject to conditions. The merit assessment has demonstrated a need to carefully understand the impact of increased height and FSR within the Parramatta CBD, particularly on larger CBD sites (more than 1800m²) that propose floor space incentives.

PROPOSAL

Objectives or intended outcomes

The planning proposal seeks to amend the planning controls for 12 Hassall Street, Parramatta to enable a mixed-use development with a density and height greater than currently permitted under the Parramatta LEP 2011 controls. The intent is to enable the construction of a tall tower in a CBD context.

Explanation of provisions

The planning proposal (**Attachment A**) seeks to amend the Parramatta LEP 2011 as follows:

- amend the FSR map to permit a maximum FSR of 14.5:1;
- amend the height of building map to a maximum height control of 192m;
- amend the special provisions area map to identify the site; and
- add a site-specific clause under Part 7 (Additional Local Provisions – Parramatta City Centre) addressing the following:

- a requirement to demonstrate appropriate transition to any heritage items or conservation areas;
- a requirement for minimum 1:1 commercial floor space within the development;
- a provision outlining that 14.5:1 FSR is inclusive of design excellence bonus;
- a provision outlining an additional 0.5:1 FSR is achievable, provided that high-performing building standards are met (bringing the FSR total to 15:1);
- a provision outlining an additional 1:1 FSR is achievable for non-residential floor space, with this additional 1:1 being excluded from the overall FSR of 15:1;
- a provision outlining that the high-performing buildings incentive floor space and additional 1:1 non-residential floor space are not subject to any additional design excellence bonus; and
- maximum parking rates in line with Council's resolution of 10 April 2017 with regards to parking rates in the CBD planning proposal.

The planning proposal includes a draft site-specific clause as a guide to how this may be drafted. The effect of the above provisions means the planning proposal would enable a development with a maximum FSR of 16:1 and a maximum height of 192m on the subject site if all bonus and incentive provisions are used.

It is considered that the explanation of provisions does not provide sufficient detail to enable a thorough plain English understanding of the planning proposal and the following matters need to be explained more thoroughly in the proposal's explanation of provisions:

- clearly articulate that while the 14.5:1 FSR is inclusive of a design excellence bonus, the proposed development will be required to undergo a design excellence process in accordance with clause 7.10 of the Parramatta LEP 2011;
- clearly articulate that the minimum 1:1 FSR commercial floor space is required to be provided within the 14.5:1 FSR;
- clearly articulate the uses proposed to be made permissible in the non-residential floor space (i.e. community use and commercial premises); and
- identify that the site will be subject to Clause 7.6 Airspace Operations.

The provisions identified above will need to be amended prior to community consultation and submitted to the Department for approval in accordance with the recommendations in this report and the conditions of the Gateway determination.

Mapping

The subject planning proposal seeks to amend the Parramatta LEP 2011 height of buildings, FSR and special provisions area maps. The mapping will be required to be amended prior to community consultation in accordance with the conditions of the Gateway determination.

NEED FOR THE PLANNING PROPOSAL

The planning proposal is not the result of any site-specific study or report and is in response to an owner-initiated request to increase the development potential of the site. The proposed height and FSR are intended to reflect the built form outcomes in the Council-adopted Parramatta CBD Planning Strategy and Parramatta CBD planning proposal, which suggests an FSR of 10:1 across the core areas of the

Parramatta CBD, with additional FSR enabled on sites that meet certain design requirements and demonstrate design excellence.

A site-specific planning proposal seeking to amend the Parramatta LEP 2011 is the most effective way of providing certainty for Council, the community and the landowner while the CBD planning proposal is being considered by the Department. This site-specific planning proposal relies on proposed planning policy embedded within the CBD planning proposal.

It is considered premature to rely on the policies within the CBD planning proposal and therefore a site-specific merit assessment is required to be undertaken to enable the subject planning proposal to proceed.

It is recognised that the subject site is in a highly accessible location within the CBD and that urban renewal of the site should be encouraged. This planning proposal and Gateway determination seek to implement an appropriate planning framework that will enable further consideration of the proposal in the plan-making process.

STRATEGIC ASSESSMENT

Greater Sydney Region Plan

The Greater Sydney Region Plan was released in March 2018. The planning proposal addresses the draft plan, and this will need to be amended to address the final plan prior to community consultation.

The site is within the Parramatta CBD, which is the core of the Central River City identified in the plan.

The plan provides 10 key directions supported by 40 objectives and metrics to deliver a vision for Sydney. The directions are grouped under four key concepts of infrastructure and collaboration, liveability, productivity and sustainability.

There is potential for the subject site to deliver jobs and housing near infrastructure and services, which supports the plan's vision. The planning proposal envisages a mixed-use development in a locality undergoing transformation through the introduction of ground-floor retail, commercial and community land uses that aim to activate the streetscape. It will also contribute to the ongoing evolution of the broader Parramatta CBD skyline with the introduction of a tall tower.

Central City District Plan

The Central City District Plan supports the regional plan and sets the planning priorities and actions for the growth and development of the Central City. The district plan outlines the role of the Central City as the fastest-growing district in Sydney in the next 20 years.

The site is well connected to public transport, services and infrastructure to support growth. However, it is recognised that this growth needs to ensure the proposed development does not impact on surrounding localities, particularly when tall buildings are being considered. The development of tall buildings within the Parramatta CBD is consistent with the district plan and the growth of the Parramatta CBD as Sydney's Central City.

Parramatta 2038 – Community Strategic Plan

The Parramatta 2038 – Community Strategic Plan promotes increasing dwelling yields within the Parramatta CBD and homes close to jobs. The proposal is generally consistent with the theme of the local strategy.

Parramatta CBD Planning Strategy and CBD planning proposal

The Parramatta CBD Planning Strategy is a Council-endorsed vision that incorporates a series of preliminary built form controls, which, subject to further testing, were intended to inform a planning proposal for the entire Parramatta CBD. A key principle of the strategy is to 'create an attractive and distinctive city skyline, defined by tall, slender towers' and the planning proposal has the potential to contribute to the emerging skyline of Parramatta.

The Parramatta CBD planning strategy informed the preparation of the CBD planning proposal. The subject planning proposal is generally consistent with the CBD planning proposal, noting that the planning mechanisms to achieve the development outcome envisaged for the site must be delivered in the context of the existing planning framework, being the Parramatta LEP 2011, and be based on a site-specific merit assessment.

Previous Gateway determinations for site-specific planning proposals have not fully endorsed or have proposed variations to the CBD planning proposal as a result of the site-specific merit assessment. For example, the Department has not agreed to the removal of maximum building heights as proposed in the CBD planning proposal. Council considers that the site can achieve a 16:1 FSR and has proposed to map the site at 14.5:1, with site-specific clauses to enable the additional floor space up to an FSR of 16:1. This is shown in Table 1 below.

Table 1: FSR provisions for subject site

Planning control	Parramatta LEP 2011 (current provisions)	Parramatta CBD planning proposal provisions	12 Hassall Street planning proposal provisions
Base FSR	Base FSR: 8:1	Base FSR: 8:1* (including minimum 1:1 commercial floor space)	14.5:1
Incentive FSR (beyond base controls – provided a contribution to community infrastructure is made)	N/A	2:1 (total 10:1)	NA
Design excellence bonus	1.2:1 (15% of 8:1) (total 9.2:1)	1.5:1 (15% of 10:1) (total 11.5:1)	No bonus, but design excellence required via site-specific clause
High-performing buildings bonus	N/A	0.5:1 (total 12:1)	0.5:1 (total 15:1)
Additional commercial FSR	NA	Unlimited on sites more than 1800m ² and 40m wide	Proposed additional 1:1 FSR for community uses, but this can

			be transferred to commercial if community uses do not proceed
Opportunity site	N/A	3:1 (total 15:1)	N/A
Total FSR	9.2:1	15:1 **	16:1

*The site under the Parramatta CBD planning proposal incorrectly identifies the base FSR as 6:1; however, Council has confirmed this should be 8:1.

** Plus additional commercial floor space on certain sites that meet minimum size and frontage criteria.

While the consistency with the envisaged FSRs in the CBD planning proposal is acknowledged, Council has not carried out any detailed urban design testing to determine the extent of sites within the CBD that would be able to be constructed up to 15:1 FSR or greater. The urban design testing submitted with the CBD planning proposal mainly considers an FSR of 10:1 across the CBD but suggests an additional FSR of 3:1 on 'opportunity sites' that are of a sufficient dimension to be considered for extra density. The risk is that too many buildings at this density would adversely impact on the liveability and amenity considerations within the Parramatta CBD.

Further, on the southern CBD fringe there is increased risk of overshadowing of surrounding low-density areas. The subject planning proposal is required to be considered on its merits, taking into account the suitability of the site to accommodate a 16:1 FSR. This assessment is provided later in this report.

The planning proposal intends to allow additional floor space above the mapped FSR for community uses. Council has agreed to this on the basis that if the community use does not eventuate within the site, any additional commercial floor space would be acceptable in this location, noting that the CBD planning proposal proposes to apply an enabling clause to the B4 Mixed Use zone to allow additional commercial floor space above the mapped maximum FSR and the provision of A-grade commercial office space. This proposed policy will require the environmental impacts of the additional commercial floor space to be considered at the development assessment stage.

As a result, clearly defined development controls must be in place to ensure that any additional floor space does not have a detrimental impact on the urban environment. It is therefore considered that any development that proposes additional floor space should be subject to a design excellence process (but not a design excellence bonus on top of the additional floor space).

An urban design report (**Attachment E**) has been prepared to demonstrate how a building with an FSR of 16:1 could be accommodated on the site.

The Gateway determination has been drafted to reflect the above concerns and provide clarity regarding the potential built form outcome for the site.

Section 9.1 Ministerial Directions

The planning proposal is consistent with most section 9.1 Directions, except for the following:

Direction 2.3 Heritage Conservation

The planning proposal intends to introduce a site-specific provision to require that any future development demonstrates an appropriate transition to heritage items and

conservation areas. The planning proposal includes the following advice of Council's heritage officer:

- 'a. the site has little archaeological potential (European or Aboriginal) and is not of heritage interest in its own right.*
- b. it is favourable that there are no items immediately South of the site.*
- c. The proposal will imply changes on the horizon in terms of views of items in the vicinity, including (but not limited to) the Lancer Barracks.*
- d. A consistent height and FSR along the street block bound by Smith, Macquarie, Charles and Hassall should be applied, and a reasonable transition should be provided to the surrounding heritage items.*
- e. The subject site should be zoned consistently with near-by and immediately surrounding areas; a landmark tower on this site is not deemed particularly desirable from a heritage perspective.'*

The planning proposal does not include a heritage report; however, the issues raised by Council's heritage officer relate primarily to urban design matters and how the proposed development will transition to surrounding heritage items and conservation areas. To address this, Council has proposed to include a clause that requires further consideration of this matter at the development application stage.

While this may be appropriate on a site-specific basis, the clause proposed by Council does not enable the assessment of cumulative impacts or appropriate building heights within this precinct to ensure a reasonable transition to heritage items. It is appropriate that this is done at the LEP plan-making stage. The Department is concerned about the potential cumulative impact of several tall buildings along Parkes Street and Hassall Street that will enable overshadowing of the heritage conservation area to the south of the CBD.

It is recommended that this matter remains unresolved until further assessment of the cumulative impacts of tall towers in this locality is assessed. This is discussed in further detail below.

Direction 3.5 Development Near Licensed Aerodromes

The site is located within prescribed airspace surfaces. A proposed height of 192m is greater than the Bankstown Airport obstacle limitation surface (156m AHD). Therefore, consultation with the federal Department of Infrastructure and Regional Development must occur to address this Direction.

It is recommended that this Direction remain unresolved pending further consultation, noting that Clause 7.6 Airspace Operations will be required to apply to the site should a maximum building height greater than 156m AHD be proposed, and the planning proposal is required to be amended to reflect this.

Direction 4.1 Acid Sulfate Soils

The site is identified as class 5 acid sulfate soil. The proposal is inconsistent with this Direction as an acid sulfate soils study is required when intensification of land is proposed. A study has not been prepared by the proponent.

This inconsistency is justified based on being of minor significance as the issue can be readily addressed at the development application stage.

Direction 6.3 Site Specific Provisions

There are several site-specific provisions in the planning proposal to facilitate the intended development outcomes on the site. It is recommended that as the exact nature of these provisions is subject to assessment and legal opinion, this Direction remains unresolved.

State environmental planning policies (SEPPs)

The planning proposal is consistent with all relevant SEPPs.

SITE-SPECIFIC ASSESSMENT

Social

The commercial and community-use components of the development will contribute to the activation of Hassall Street and the surrounding area. The ground-floor uses will provide for the daily needs of nearby residential uses while contributing to a renewed streetscape with retail uses. The dominant residential use will deliver housing options close to public transport, employment and community facilities.

The proponent has indicated that a community use may eventuate on this site, although this has not been confirmed. This would support the social and cultural life of residents of this and nearby properties and the community more broadly.

Environmental

Height of building – overshadowing and heritage

The Department has no objection to the addition of tall buildings to the Parramatta skyline and it is considered that a distinctive and unique skyline is a desirable outcome for the Parramatta CBD. However, the proposed height of building will result in overshadowing of residential areas to the south of the CBD, particularly the Harris Park West and Experiment Farm heritage conservation areas. These conservation areas, relative to the subject site, are shown in Figure 4 (next page). The shadow diagrams (Figure 5, next page) show the impact of overshadowing at 12pm and 3pm in midwinter. Residential properties south of Uma Street and within the heritage conservation areas will be impacted by overshadowing from this building.

The Department is concerned about the extent of shadows extending across these residential areas, and this issue has been raised with Council in relation to 14-20 Parkes Street (PP_2016_PARRA_007_00) and 2 O'Connell Street (PP_2017_COPAR_013_00). While one building shadow may be acceptable, it is not evident that the cumulative impacts of these shadows have been considered.

It is recommended that Council investigate cumulative overshadowing impacts from existing buildings, site-specific planning proposals and the potential impact of the proposed controls in the Parramatta CBD planning proposal. An appropriate planning framework is required to be established for this locality to ensure the residential properties south of the CBD receive an adequate level of sunlight throughout the year.

There is a growing body of evidence within site-specific planning proposals and the Parramatta CBD planning proposal that the planning controls intended for this locality have the potential to overshadow the adjoining heritage conservation areas, and the Department requires further consideration of the potential outcomes in this regard. This analysis should be undertaken and submitted to the Department for further consideration and approval prior to community consultation. This may require the urban design outcomes for the subject site to be revised.



Figure 4: The subject site is outlined in red, the boundary of the Parramatta CBD is outlined in blue. The area marked 8 is the Harris Park West Heritage Conservation Area (HCA), the area marked 9 is the Experiment Farm HCA and the area marked 5 is Lancer Barracks.



Figure 5: Overshadowing diagrams at 12pm and 3pm in midwinter, demonstrating the potential of the subject building to overshadow the residential areas to the south of the CBD. This does not consider the cumulative impact of the broader redevelopment of this locality.

Interface with commercial properties

The proposal will interface with commercial properties to the north and west. The design and setbacks associated with the proposed development should be clearly articulated through a development control plan and/or the design excellence process to ensure the ongoing viability of the commercial floor space is not excessively diminished through the development of a mixed-use residential tower in this location.

This interface issue exists under the current planning controls and the proposed additional height of the built form potentially enables improved setback outcomes through the manipulation of the building envelope, as demonstrated in the reference design.

Traffic and car parking

The subject planning proposal's site-specific clause proposes maximum residential and non-residential parking rates for future development of the site. Council has confirmed that the site will not be directly affected by any potential road widening or transport corridor affectations along Hassall Street.

Council adopted reduced parking rates for the Parramatta CBD on 10 April 2017 to enable certain proposals to proceed ahead of the mesoscopic traffic study being undertaken for the Parramatta CBD planning proposal. Council advises that its traffic and transport team agree with applying the rates to this planning proposal.

Therefore, it is considered that this proposal may proceed ahead of the mesoscopic traffic study. A condition has been included in the Gateway determination requiring consultation with Transport for NSW and Roads and Maritime Services.

Building performance

As per the Parramatta CBD planning proposal high-performing building bonus FSR provisions, the residential component of the subject planning proposal is proposed to meet the following additional energy and water requirements:

- the energy target is a minimum 10-point increase in the BASIX score compared to current requirements; and
- the water target is a minimum 10-point increase in the BASIX score compared to current requirements.

It is proposed that the subject site be required to comply with the high-performing building provisions for commercial premises within a mixed-use building, which requires compliance with the following:

- the energy target is a maximum 140kg/m² per year; and
- the water target is a maximum .65kL/m² per year.

A site-specific clause can ensure that the high-performing building requirements are met. To ensure the basis for this policy is understood, it is recommended that the high-performance building report (**Attachment F**) that was submitted with the CBD planning proposal be included in the subject planning proposal.

Economic

It is considered that the planning proposal will provide economic benefits through the provision of jobs and housing in a highly desirable location close to amenities and services. The site is more than 1800m², which represents a significant consolidated site and is therefore considered suitable for increased density.

The provisions for commercial floor space will contribute to the activation of Hassall Street and the surrounding area. Potential retail or commercial ground-floor uses can provide for the daily needs of nearby residential uses while contributing to a renewed streetscape with vibrant retail uses. The dominant residential use will deliver housing options near public transport, employment and community facilities.

As mentioned above, the proponent has indicated that a community use may eventuate on this site, which has the potential to support the social and cultural life of residents of this and nearby properties and the community more broadly. If the community use was to revert to commercial uses in the future, this would enhance the employment-generating benefits described above. Therefore, the Department has no objections to the planning proposal proceeding on this basis, while noting the concerns regarding the height of the building and the potential cumulative impact of overshadowing.

Infrastructure

Local

The developer will be required to pay section 94A contributions. Council has requested that the proponent enter into a voluntary planning agreement (VPA) to enable the proponent to appropriately contribute towards the provision of identified local infrastructure that will meet the demands of the future community. This is considered an acceptable outcome.

State

As the planning proposal is located within the Greater Parramatta and Olympic Park corridor and proposes new dwellings, a satisfactory arrangements clause is required to be included in the planning proposal for a contribution towards state infrastructure. This contribution will more than likely be through the imposition of a special infrastructure contribution (SIC). Should the SIC be announced but not determined prior to the finalisation of this plan, the satisfactory arrangements clause will enable the contribution towards state infrastructure to be captured.

CONSULTATION

Community

A community consultation period of 28 days is considered an appropriate amount of time to gauge the community's response to the planning proposal. Consultation should extend to all landowners who are impacted by the proposal (i.e. overshadowing).

Agencies

The following agencies will be required to be consulted:

- Transport for NSW;
- Roads and Maritime Services;
- Office of Environment and Heritage;
- federal Department of Infrastructure and Regional Development; and
- Civil Aviation Safety Authority.

TIME FRAME

The proposed time frame to finalise this planning proposal is 12 months, which is considered appropriate given the scale and complexity of the project and the need to

carry out additional urban design studies. The project time frame in the planning proposal will be required to be updated prior to community consultation.

LOCAL PLAN-MAKING AUTHORITY

Council has requested authorisation to be the local plan-making authority in relation to this planning proposal. However, it is recommended that authorisation is not issued due to the site's location within the Parramatta CBD, the strategic importance of the Parramatta CBD and the need to coordinate several site-specific planning proposals and the CBD planning proposal to ensure a consistent application of policy outcomes.

CONCLUSION

The planning proposal should proceed subject to conditions as it reflects the strategic aims of the Parramatta CBD. However, further evidence is required to be submitted to ensure the proposed height of building does not have a detrimental impact on surrounding low-density heritage conservation areas.

While the proposed provisions are generally consistent with the intent of the Parramatta CBD planning proposal, it is considered that further justification is required to be submitted to demonstrate the suitability of the site for the proposed height and FSR. This further documentation is required to be submitted to the Department for approval prior to community consultation.

RECOMMENDATION

It is recommended that the delegate of the Secretary:

1. agree that any inconsistency with section 9.1 Direction 4.1 Acid Sulfate Soils is justified; and
2. note that the consistency with section 9.1 Directions 2.3 Heritage Conservation, 3.5 Development Near Licensed Aerodromes and 6.3 Site Specific Provisions are unresolved and will require further consideration and/or justification following community consultation.

It is recommended that the delegate of the Greater Sydney Commission determine that the planning proposal should proceed subject to the following conditions:

1. The planning proposal should be made available for community consultation for a minimum of 28 days and all landowners directly affected by the planning proposal should be notified.
2. Consultation is required with the following public authorities:
 - Roads and Maritime Services;
 - Transport for NSW;
 - Federal Department of Infrastructure and Regional Development
 - Office of Environment and Heritage; and
 - Civil Aviation Safety Authority.
3. The time frame for completing the LEP is to be 12 months from the date of the Gateway determination.
4. Given the nature of the planning proposal, Council should not be authorised to be the local plan-making authority to make this plan.

5. Prior to community consultation Council is to amend the planning proposal to:
- (a) update the legal property description;
 - (b) address the Greater Sydney Region Plan and the Central City District Plan;
 - (c) clearly demonstrate the potential cumulative overshadowing impact on the northern section of the Harris Park West and Experiment Farm heritage conservation areas south of Una Street between 12pm and 2pm. This should include an assessment of the impact of the proposed height of building, any approved surrounding buildings and the proposed increase in FSR and height under the Parramatta CBD planning proposal (up to 10:1 FSR). The results of this analysis may require the urban design outcomes for the site to be reviewed;
 - (d) subject to resolution of condition (c), expand the explanation of provisions to clearly articulate and/or identify:
 - i. that while the 14.5:1 FSR is inclusive of a design excellence bonus, the proposed development will be required to undergo a design excellence process in accordance with clause 7.10 of the Parramatta LEP 2011;
 - ii. the minimum 1:1 FSR commercial floor space is required to be provided within the 14:5:1 FSR;
 - iii. the uses that will be permissible in the non-residential floor space (i.e. community use and commercial premises); and
 - iv. that the site will be subject to Clause 7.6 Airspace Operations; and
 - (e) include a provision requiring the application of a satisfactory arrangements clause to enable the funding of state infrastructure.

The amended planning proposal, supporting studies and related documentation are to be referred to the Department for endorsement prior to the commencement of community consultation.

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