

Gateway determination report

LGA	City of Parramatta
PPA	City of Parramatta Council
NAME	355 and 375 Church Street, Parramatta (+ 169 dwellings)
NUMBER	PP_2020_COPAR_008_00
LEP TO BE AMENDED	Parramatta Local Environmental Plan 2011
ADDRESS	355 and 375 Church Street, Parramatta
DESCRIPTION	Lot 1 DP 668821 and Lot 1000 DP 791977
RECEIVED	19 August 2020
FILE NO.	IRF20/4624
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.

1. INTRODUCTION

1.1 Description of planning proposal

The planning proposal (**Attachment A**) seeks to amend the development controls for land at 355 and 375 Church Street, Parramatta (the site), by introducing a site-specific clause in the Parramatta Local Environmental Plan 2011 (PLEP 2011) to include the following:

1. Amend the Special Provisions Area Map to identify the site;
2. Introduce a maximum height control with the maximum height to be determined by the proposed sun access plane to Prince Alfred Square which requires no overshadowing of the protected area of the Square between 12pm and 2pm in mid-winter;
3. Amend the Sun Access Protection Map to identify the portion of Prince Alfred Square subject to sun access protection;
4. Introduce a maximum FSR of 6.9:1, but only if the design excellence provisions within Clause 7.10 are satisfied at development application stage;
5. Enable an additional 5% FSR bonus (bringing the maximum FSR on the site to 7.2:1) if a high performance building is provided; and
6. Specify maximum car parking rates for residential, commercial and take away food and drink premises that differ from those adopted in the Parramatta CBD in relation to take away food and drink premises.

The planning proposal seeks to facilitate the redevelopment of the site for a mixed-use outcome consisting of two towers above a podium (31 and 28 storeys podium inclusive) over a single basement level for car parking. Except for the proposed car parking rates for take away food and drink premises, the planning proposal is consistent with the intent of the Parramatta CBD planning proposal to intensify commercial activities and support higher

density mixed use and residential development. It is anticipated that the proposal will provide 346 residential apartments and facilitate 1,355m² of commercial space.

1.2 Site description and surrounding area

The site is legally defined as Lot 1 in DP668821 and Lot 1000 in DP791977, with an approximate total area of 4,796m². The site has frontages to Church Street, Ross Street and Victoria Road.

The site is occupied by a vacant low-rise retail building on the south eastern corner, and a McDonald's restaurant, associated carpark and drive-through facility on the remaining portion of the site. The site is shown in **Figure 1** below.



Figure 1: Aerial view of 355 & 375 Church Street, Parramatta.

The site is located at the northern end of the Parramatta CBD Precinct, approximately 1km from Parramatta Railway Station. The site is also situated adjacent to the Parramatta Light Rail Stage 1 corridor, with a future Light Rail stop at the junction of Church Street and Victoria Road.

The site is bounded by Church Street, Victoria Road and Ross Street, leaving an isolated site at 383 Church Street. The isolated site comprises a three-storey mixed use development, with retail and office space. Development to the west of the site comprises a 5 storey mixed use development.

There are several heritage items in proximity to the site. These are summarised and illustrated in **Table 1** and **Figure 2** below.

Item No.	Item	Address	Listing
1686	Prince Alfred Park	353D Church Street	State
1742	Single storey residence	14 Ross Street	Local
1743	Wine bar bistro	16 Ross Street	Local

Item No.	Item	Address	Listing
I691	Royal Oak Hotel and stables (and potential archaeological site)	387 Church Street	Local
I747	Horse trough	Victoria road (adjacent to 353a Church Street)	Local
I690	Anthony Malouf and Co	366 Church Street	Local
I687	St Peters Uniting Church and studio theatre (and potential archaeological site)	356 Church Street	Local

Table 1: Summary of heritage items in the vicinity of the site

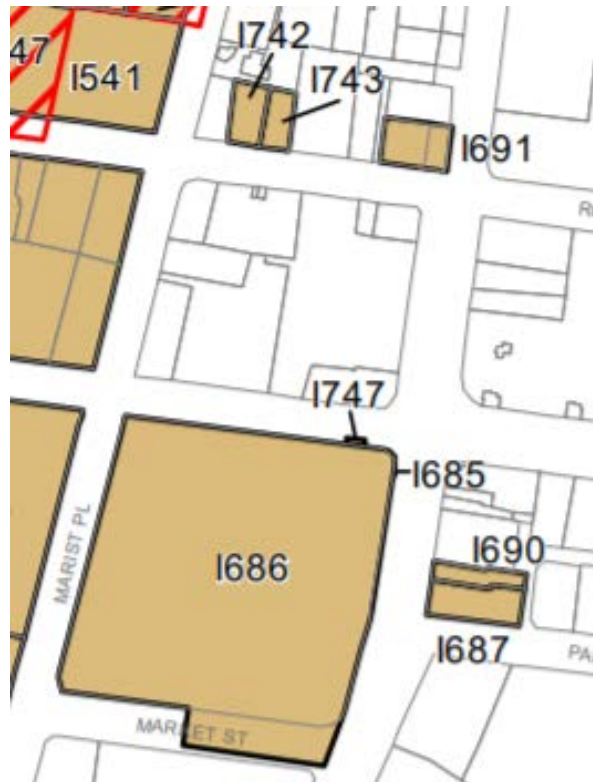


Figure 2: Heritage items in the vicinity of the subject site.

1.3 Existing planning controls

Under the PLEP 2011, the site:

- is zoned B4 Mixed Use;
- has a maximum building height of 24 metres along the northern and western parts of the site, and 34 metres on the south-eastern part of the site;
- has a maximum floor space ratio of part 3:1 and part 4:1; and
- is not identified as an item of heritage significance or within a Heritage Conservation area.

The following map extracts from the PLEP 2011 illustrate the current controls applying to the site in **Figures 3-5**.

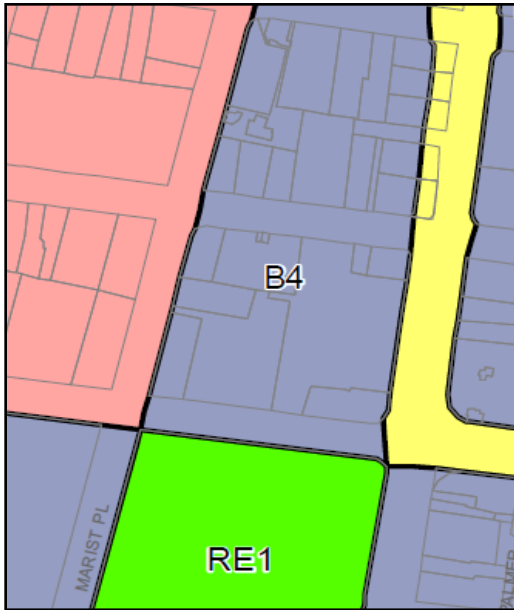


Figure 3: Current Land Zoning

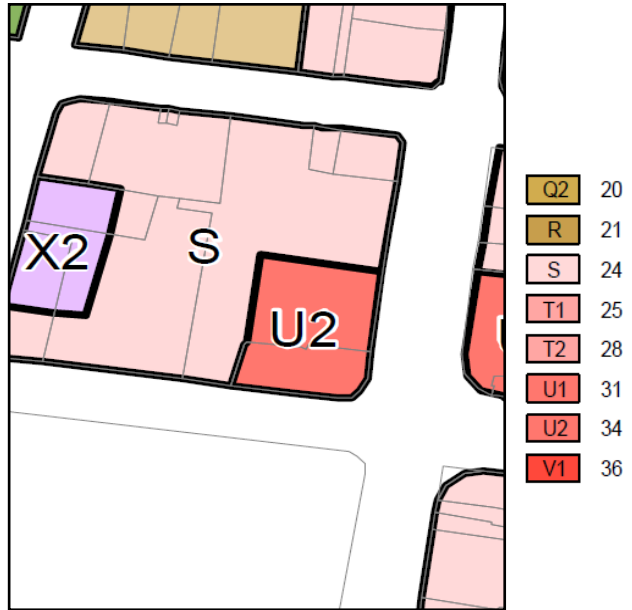


Figure 4: Existing Height of Buildings

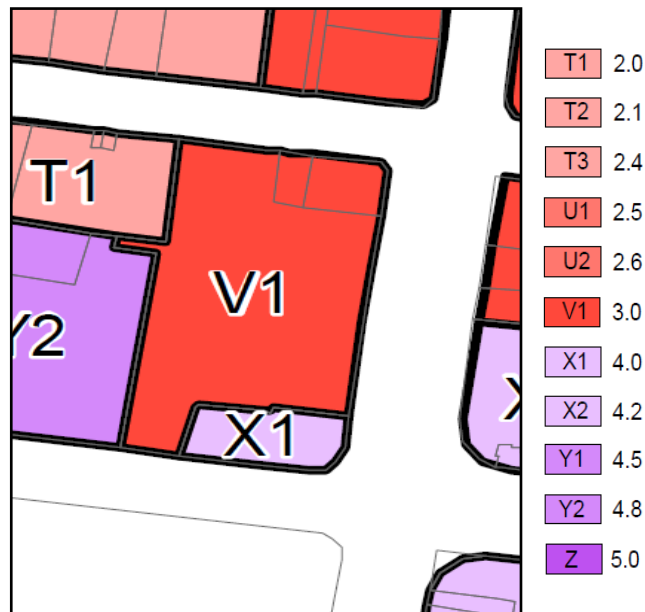


Figure 5: Existing FSR Controls

1.4 Summary of recommendation

The planning proposal is recommended to proceed subject to the conditions specified in this report. Overall, the proposal will facilitate redevelopment for mixed use purposes with residential, commercial and retail space within close proximity of public transport and services that will provide economic and social benefits to the community. The planning proposal gives effect to the Central City District Plan and is considered to have strategic merit and site-specific merit. The proposal will enable housing diversity and supports economic development in the Parramatta CBD.

Amendment is required to the planning proposal in accordance with the Gateway conditions, as outlined within this report to remove the proposed car parking rates for take away food and drink premises which does not align with the CBD PP. Several minor administrative amendments are also required. A gateway condition is also proposed requiring consistency

with the CBD PP at finalisation. This is particularly important as the sun access plane for Prince Alfred Park is being considered as part of this process.

2. PROPOSAL

2.1 Objectives or intended outcomes

The objective of the planning proposal is to facilitate the redevelopment of land at 355 and 375 Church Street, Parramatta, for a mixed-use development comprising two towers above a podium.

The proposal does not intend to rezone the land but to increase housing supply and provide for 1,355m² of commercial floor space in the Parramatta CBD. The proposed uplift will allow for 346 residential units.

The planning proposal is consistent with the Parramatta CBD Planning Proposal except for alternative car parking rates for take away food and drink premises. See further discussion in section 5.1 of this report.

A site-specific development control plan (DCP) will be prepared to address urban design, heritage impacts, traffic issues, active frontage requirements and the relationship of the development with the isolated site at 383 Church Street.

Council has noted the proponent is willing to negotiate a Voluntary Planning Agreement (VPA) to provide community infrastructure.

The objectives of this planning proposal are clear and do not require amendment prior to exhibition.

2.2 Explanation of provisions

In order to achieve the desired objectives, the planning proposal seeks to amend the PLEP 2011 as follows:

Add a site-specific provision under Part 7 Additional Local Provisions addressing the following:

- a. Introduce an incentive height control with maximum height determined by the sun access plane to Prince Alfred Square including amendment to the Sun Access Protection Map to introduce designation of the portion of Prince Alfred Square which is subject to sun access protection;
- b. Enable a 6.9:1 FSR provided the design excellence provisions under Clause 7.10 of the LEP are met;
- c. Insert a high performing building bonus provision allowing an additional FSR bonus of 0.3:1, provided the environmental building standards are met;
- d. Apply maximum car parking rates consistent with the CBD Strategic Transport Study except for parking for take away food and drink Premises;
- e. Apply maximum car parking rates for take away food and drink premises of 1 car parking space per 30m² of GFA or a maximum of 30 spaces, whichever is the lesser with a sunset clause ending the application of this provision after five years from the date of notification of the amendment. The parking rate will revert to the CBD parking rates after the sunset clause expires.

The explanation of provisions will be required to be updated to reflect the Gateway conditions.

2.3 Mapping

The planning proposal does not make changes to the Land Use Zoning, Height of Building or Floor Space Ratio maps in the PLEP 2011. The proposal amends the Key Sites, Special Provisions Area and Sun Access Protection Map to include the subject site and identify the protected area of Prince Alfred Park. A condition of Gateway is recommended for the planning proposal to be amended prior to exhibition to illustrate the 'blue hatched area of Prince Alfred Square' on the Sun Access Protection Map. Subject to this condition, the planning proposal includes both the existing and proposed mapping to clearly demonstrate the intended outcomes and will be suitable for exhibition.

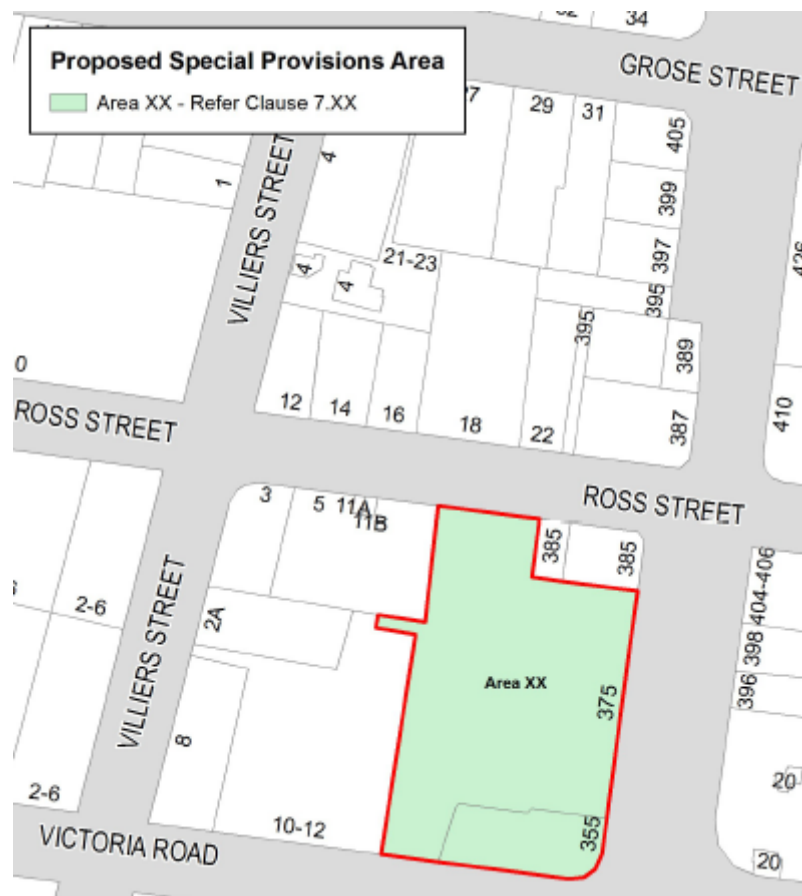


Figure 8: Proposed Key Sites, Special Provision Map

3. NEED FOR THE PLANNING PROPOSAL

The planning proposal is not the result of any site-specific study or report and is a land-owner initiated planning proposal to enable a higher density of development and a greater mix of residential and commercial land uses.

The planning proposal responds to Council's strategic vision for the Parramatta CBD as expressed in its Parramatta CBD Planning Proposal, which seeks to intensify development across the CBD to meet future population and jobs growth and to support Parramatta's role as Sydney's central CBD. Further, the planning proposal responds to the strategic objectives of the Greater Sydney Region Plan and Central City District Plan.

The planning proposal allows for the redevelopment of the site on the existing B4 Mixed Use zoning to a scale aligned with Council's Parramatta CBD planning proposal.

The planning proposal notes an amendment to PLEP 2011 is the best means of achieving the intended outcomes and objectives. An LEP amendment will permit development of a scale that responds to the emerging character of the Parramatta CBD.

The need for the planning proposal is adequately addressed. The planning proposal clearly outlines methods to deliver the overarching objectives providing evidence for the need and provides suitable justification for the proposed approach.

4. STRATEGIC MERIT

4.1 District - Central City District Plan

The Central City District Plan outlines a 20-year strategic plan to manage growth in the context of economic, social and environmental matters to achieve the 40-year vision of Greater Sydney. The plan is a guide to implementing the strategic objectives of the Greater Sydney Region Plan 'A Metropolis of Three Cities' at a district level and is a bridge between regional and local planning.

The planning proposal is considered to give effect to and is generally consistent with the objectives and outcomes of the Central City District Plan. The proposal will facilitate a mixed use development that is specifically consistent with the following:

Planning Priority C1 – Planning for a city supported by infrastructure

The planning proposal will increase commercial and housing opportunities within the Parramatta CBD. The site is located in close proximity to a future Light Rail stop providing a connection for future residents, workers and visitors to Parramatta Railway Station and Westmead and to commercial and retail services. The planning proposal satisfies this priority.

Planning Priority C5 – Providing housing supply, choice and affordability, with access to jobs, services and public transport

The planning proposal will facilitate the redevelopment of the site for approximately 346 residential apartments. The proposal provides the opportunity to increase in housing supply and a range of dwelling types in the CBD. The site is located approximately 1km from Parramatta Railway Station and is in the immediate vicinity of the Parramatta Light Rail Corridor. Employment opportunities and services within the CBD will be available for future residents of the site.

Planning Priority C6 – Creating and renewing great places and local centres and respecting the Districts heritage

The planning proposal will facilitate the renewal of a site that will provide high quality public amenity and assist in revitalising the area. The Heritage Impact Statement (**Attachment F**) supporting the planning proposal has indicated the proposal will not adversely impact on the heritage significance of the nearby and adjacent heritage items. Furthermore, the proposed concept design indicates that solar access to Prince Alfred Square will be maintained in accordance with the CBD PP.

Planning Priority C9 – Delivering integrated land use and transport planning and 30-minute city

The planning proposal will contribute to creating a 30 minute city by providing housing and employment in close proximity to existing and planned transport infrastructure such as Parramatta Railway Station and the Parramatta Light Rail. The proposal will enable

residents to walk to the CBD and access jobs as well as in the nearby Westmead Health and Education Precinct

Planning Priority C10 – Growing investment, business opportunities and jobs in strategic centres

The planning proposal will contribute to the economic growth of the Parramatta CBD through the provision of employment opportunities within the development and is highly accessible to key public transport links.

The Department is satisfied the proposal will give effect to the District Plan in accordance with section 3.8 of the *Environmental Planning and Assessment Act 1979*.

4.2 Local

Parramatta 2038 Community Strategic Plan

Council developed their 2038 Community Strategic Plan in 2018, outlining the visions and aspirations of the local community for the City of Parramatta. The planning proposal is consistent with the strategic objectives of the Plan, specifically, the community goal 'Thriving'. The objectives of this goal are to accelerate local jobs growth and support people in finding employment and deliver a vibrant, attractive and safe CBD and local centres. The planning proposal further aligns with the community vision of creating an affordable urban lifestyle with the prospect of rapid jobs growth close to quality housing in Parramatta.

Parramatta Local Strategic Planning Statement City Plan 2036

Council's Local Strategic Planning Statement City Plan 2036 (LSPS) was published on 31 March 2020. Council's LSPS sets out a 20-year land use planning vision for the City of Parramatta. It balances the need for housing and economic growth, while also protecting and enhancing housing diversity, heritage and local character. The planning proposal is generally consistent and will give effect to the priorities and actions of the LSPS which seeks to build the productivity and liveability of the CBD. Specifically, the proposal will facilitate the growth of employment and housing opportunities in the GPOP area (Priority 4) and deliver a mix of housing to support the diverse needs of the community (Priority 7) and will support the Parramatta CBD in becoming increasingly competitive and productive (Priority 11).

Parramatta CBD Planning Proposal

The Parramatta CBD Planning Proposal received a Gateway Determination on 13 December 2018 and completed exhibition on 2 November 2020. The Parramatta CBD Planning proposal seeks to provide for an expanded and more intense commercial core supported by high-density mixed use and residential development.

The new suite of controls are intended to be implemented CBD wide via amendments to the land use zones, built form controls, introduction of community infrastructure incentives and other bonus provisions. These amendments will assist in providing opportunities for increased capacity for new jobs and dwellings, provision of community infrastructure, high-quality commercial floor space to strengthen Parramatta's position as the Central CBD for metropolitan Sydney. On 27 July 2020 the planning proposal was endorsed for public exhibition.

The planning proposal is generally consistent with the Parramatta CBD Planning Proposal except for the maximum car parking rate proposed for take away food and drink premises. Refer to Section 5.1 of this report for further discussion on this issue.

Local Planning Panel

On 16 June 2020 the Parramatta Local Planning Panel (LPP) considered the planning proposal and endorsed its progression. The LPP did not raise any concerns regarding the proposal (**Attachment E**).

4.3 Section 9.1 Ministerial Directions

The planning proposal is consistent with relevant section 9.1 Directions, with further discussion required in relation to the following matters:

Direction 2.3 Heritage Conservation

The objective of this direction is to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance. The site is not identified as a heritage item or within a Heritage Conservation Area, however, is in the vicinity of local and state heritage items including the state listed Prince Alfred Square.

A Heritage Impact Statement is appended to the planning proposal (**Attachment F**), which notes there is an acceptable heritage impact on the setting of Prince Alfred Square as a result of the development.

Council intends to prepare a site-specific DCP to further consider how the intended built form will relate to and mitigating impacts on the surrounding heritage items. It is noted that there are also planning controls in place to allow the consideration of the impact on heritage items at the development application stage in the Parramatta LEP. It is considered appropriate that the planning proposal proceed to public exhibition, noting that further consultation with Heritage NSW is recommended as a condition of the gateway determination. An additional condition of Gateway is also recommended for the planning proposal to be updated prior to exhibition to address this direction.

Direction 2.6 Remediation of Contaminated Land

The objective of this direction is to reduce the risk of harm to human health and the environment by ensuring that contamination and remediation are considered by planning authorities.

The planning proposal does not specifically respond to this direction, however, identifies that SEPP No.55 Remediation of Land may apply to future development on the site at the development application stage.

The direction contains specific wording requiring consideration of the state and suitability of the site for the anticipated use prior to a planning proposal rezoning land. It is recommended that this Direction remain unresolved to allow Council to address this matter.

Direction 3.4 Integrating Land Use and Transport

The objective of this direction is to ensure that urban structures, building forms, land use locations, development designs and street layouts effectively integrate land use and transport infrastructure.

The planning proposal satisfies this direction by providing increased housing supply in close proximity to public transport services. The planning proposal is consistent with the aims, objectives and principles of 'Improving Transport Choice – Guidelines for planning and development' and 'The Right Place for Business and Services – Planning Policy'.

Direction 4.1 Acid Sulfate Soils

The site is within an area mapped as Class 5 Acid Sulfate Soil levels. While the planning proposal does not seek to amend the acid sulfate soil provisions outlined in the PLEP 2011 and notes this will be considered as part of any future development, 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.

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

Direction 4.3 Flood Prone Land

This Direction seeks to ensure that future uses are in line with the level of flood risk applying to the land. The Direction also requires consideration of the impact of the proposal to flood risk of both the site and off site.

The proposal is affected by the Probable Maximum Flood (PMF) and is not identified as being flood prone. Flood advice (**Attachment G**) supporting the planning proposal advises the proposal will not result in significant flood impacts to other properties and is in accordance with the development controls of *The Floodplain Risk Management Plan for the Upper Parramatta River Catchment* as outlined in the *Parramatta DCP 2011*.

The CBD PP requires occupants of buildings within the PMF area to be able to seek shelter in place above the PMF level or to safely evacuate. This matter can be addressed at the design competition and development application stage.

It is recommended that NSW State Emergency Services are consulted during public exhibition.

It is recommended that the Secretary's delegate agree that any inconsistency with this direction is of minor significance.

Direction 6.3 Site Specific Provisions

This direction seeks to discourage any unnecessarily restrictive site-specific planning controls. The planning proposal is inconsistent with this direction, containing a number of site specific controls, including:

- a provision that allows that maximum height of buildings to be exceeded provided this does not result in any additional overshadowing to the southern portion of Prince Alfred Square between 12pm and 2pm on June 21
- design excellence bonus;
- high performance building bonus; and
- reduced car parking rates consistent with Parramatta CBD strategic transport study and CBD planning proposal with the exception of a separate parking rate for take away food and drink premises.

The inclusion of the exceedance of the maximum height of buildings based on the overshadowing impact to Prince Alfred Square and the design excellence and high performing building bonuses are consistent with the proposed approach in the CBD Planning Proposal.

Notwithstanding the proposed car parking rates for take away food and drink premises, the inclusion of a site-specific provision to reduce car parking rates is consistent with the approach taken on several sites within the Parramatta CBD. Council resolved to adopt the maximum car parking rates for the CBD and apply them to all planning proposals to minimise trip generation rates in the CBD. The proposed car parking rates for take away

food and drink premises is recommended to be removed from the planning proposal. See further discussion in section 5.1 of this report on this issue.

It is recommended that the Secretary's delegate agree that any inconsistency with this Direction is of minor significance, as the provisions will facilitate the appropriate redevelopment of the site and is consistent with the site-specific provisions within the CBD PP subject to conditions.

Direction 7.5 Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan

The objective of this direction is to ensure development within the Greater Parramatta Priority Growth Area is consistent with the Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan dated July 2017.

The proposal is consistent with this direction as it is consistent with the Parramatta CBD proposal (subject to the removal of car parking rates for take away food and drink premises), will contribute towards dwelling and employment targets within the Parramatta City Centre and assist in the funding of infrastructure.

However, the Interim LUIIP also recognises the need for additional regional infrastructure to support growth and this is proposed to be implemented via a Special Infrastructure Contribution (SIC). As the SIC has not been formally exhibited for Greater Parramatta, it is recommended that Council request the proponent to begin discussions with the Department regarding State infrastructure needs. Council should also raise the matter of State infrastructure needs generated by the proposal when consulting State Agencies. It is recommended that this Direction remain unresolved until this matter has been further interrogated as the planning proposal progresses.

4.5 State environmental planning policies (SEPPs)

SEPP 65 – Design Quality of Residential Apartment Development

SEPP 65 provides principles to ensure that residential apartments are of high-quality design and maximise amenity both externally and internally for occupants. The SEPP is supported by the Apartment Design Guide (ADG) which provides further detail on how development can achieve these principles. An urban design report (**Attachment H**) has been prepared in support of the planning proposal, which indicates the suitability of the site for the proposed built form. The planning proposal notes there may be some non-compliances with the ADG however this will be further resolved through the preparation of the DCP and the design excellence process. Any future development application will also need to address SEPP 65 and the ADG.

5. SITE SPECIFIC ASSESSMENT

5.1 Traffic, Transport and Parking

The site is immediately adjacent to the corridor for the Parramatta Light Rail (Stage 1) (PLR) and is in close vicinity to a future light rail stop providing a connection to the Parramatta Railway Station and Bus-Interchange. Given the proximity of the site to the Parramatta Light Rail corridor it is recommended that Council consult Transport for NSW including the Parramatta Light Rail team during the exhibition of the planning proposal.

The proposal is seeking to align development controls with the CBD planning proposal, including the alignment of reduced car parking rates except for a specific parking rate for take away food and drink premises. The CBD PP specifies maximum car parking rates for

commercial and residential uses, not specific uses. The CBD PP will be subject to a mesoscopic transport model which will identify the anticipated demand/impact on transport infrastructure as a result of the development envisaged as part of the CBD PP.

The planning proposal seeks to introduce a site specific clause relating to maximum parking rates for take away food and drink premises. The proposed rate is 1 space per 30m² or a maximum of 30 spaces, whichever is the lesser. The parking rate is proposed to be subject to a sunset clause that will expire 5 years from the date of the notification of the LEP amendment. After this date, the parking rate will revert to the CBD parking controls.

In its report, Council officers raised concern about the proposed rate when compared against the parking provision in other strategic centres in Sydney and the potential misalignment with the importance of growing Parramatta as the Central City of Sydney. Council officers also raised concern about the precedent this could create for other developments within the CBD. Given these concerns, Council officers proposed an alternative rate of 1 space/45m² (approximately 20 parking spaces). However, it is the proponent's view that the development would not be feasible under the alternative rate.

While the view of Council officers about the alternative parking rate has not changed, it was recommended that the proponent's rate be supported for the following reasons:

- the proposal is generally consistent with the CBD PP and there is a shared vision to see this site redeveloped;
- the commercial parking rate would make the development unviable in the short term as the transformation of the CBD and mode shift towards active transport will happen as new public transport infrastructure (such as PLR Stage 1) becomes operational and as public and active transport become the most practical transport options;
- The proposal will see a decrease of around 50% in the on-site parking associated with the existing McDonald's restaurant and there will be a reduction of traffic during the peak;
- The number of parking spaces is capped at 30 and could not increase if the floor area of the new McDonald's restaurant increased and or would require less car parking spaces if a smaller restaurant was proposed; and
- A sunset clause would ensure the parking rate returns to the CBD PP parking rates if development consent is not obtained within 5 years of the finalised amendment noting that Council will have established its final parking rate for the CBD PP and by which time mode shift will be occurring thus altering development feasibility calculations.

The Department notes that the Parramatta CBD Strategic Transport Study supporting the CBD PP states that the current road network has limited capability to expand; and new surface transport infrastructure like light rail further impacts on the road space allocation for private vehicles. Furthermore, while provision of public transport is a State Government responsibility, Council can actively contribute to encourage mode shift for commute trips by reducing the capacity to support on-site car parking in future developments and work with the State Government to manage congestion.

The Department agrees that the proposed car parking rates for takeaway food and drink premises will create a precedent for other development in the CBD and is inconsistent with the long-term strategic plans for the Parramatta CBD as the Central City. Furthermore, mode shift towards public and active transport will already be occurring when the PLR Stage 1 becomes operational in 2023 by which time a development on the site may have received development approval and be under construction. Given the value of car parking in a CBD location, the Department is uncertain about the likelihood of its adaptive reuse.

While the CBD PP does provide parking rates for the intended use of the site, how the overall quantum of carparking within a development is utilised is a matter that can be further interrogated at DA stage.

Given the above, it is recommended as a condition of Gateway that the proposed car parking rates for take away food and drink premises and the associated sunset clause be removed from the planning proposal prior to public exhibition.

5.2 Urban Design, Built Form and Building Height

The planning proposal provides an indicative built form (**Figure 9**) and is accompanied by an urban design report (**Attachment H**). The intended built form includes commercial and retail uses on the ground floor, a four-storey mixed use podium and two residential towers above. Facilitating these uses will encourage street activation and will support commercial activity in the CBD.

Detailed overshadowing modelling has been undertaken as part of the CBD PP. The CBD PP overshadowing analysis considered the cumulative impact of the potential built form outcomes and key impacts on public spaces, open spaces and heritage items. The subject site adjoins Prince Alfred Square to the south. The planning proposal notes it complies with the Sun Access Protection controls applying to the southern portion of Prince Alfred Square. It is noted that overshadowing impacts would also need to be considered as part of any future Development Application.

The planning proposal notes that the tapering form of each slender tower will minimise overshadowing and building scale and are considered appropriate to the surrounding context. The planning proposal also notes the proposed two tower scheme may have some non-compliances with the ADG however these can be resolved through the development of the DCP, the design excellence process and further considered again at development application stage.

Isolated site at 383 Church Street

The planning proposal does not include the isolated site at 383 Church Street. The isolated site adjoins the subject site to the north, with a site area of approximately 424m², FSR of 4:1 and maximum building height of 24m under the existing PLEP 2011 controls.

The planning proposal notes that the proponent has undertaken work to demonstrate how the isolated site could be redeveloped under the sliding scale provisions of the CBD PP as well as consideration of the Planning Principle relating to site isolation.

The Department agrees with Council officers that the amalgamation of the subject site with the isolated site would likely facilitate a better planning outcome. It is recommended that the planning proposal be amended prior to exhibition to include the site at 383 Church Street including sliding scale provisions consistent with the CBD PP.



Figure 9: Artist's impression of the proposed development at 355 and 375 Church Street



Figure 10: Illustration demonstrating the relationship between the proposed development and the isolated site at 383 Church Street, Parramatta.

5.3 Infrastructure

The Planning Proposal does not increase density beyond that envisaged in the CBD planning proposal, however, there is a need to consider the ability to fund state, regional and local infrastructure required to support increased densities. As previously discussed, Council intends to negotiate a local VPA and it is recommended that Council begin discussions with state agencies regarding any potential infrastructure required to support the proposed development as the planning proposal progresses.

6. CONSULTATION

6.1 Community

The Planning Proposal notes community consultation is likely to include display on the Council's website and written notification to adjoining landowners. Council has not identified the period of community consultation. A 28-day timeframe is considered appropriate for the proposal given the proposal seeks to align development with the CBD PP.

6.2 Agencies

The Planning Proposal states the Gateway Determination will outline the required consultation with government agencies. It is recommended that Council consult with:

- NSW Heritage;
- Transport for NSW including Roads and Maritime Services and the Parramatta Light Rail team; and
- NSW State Emergency Service.

7. TIMEFRAME

Council have identified a 9 month timeframe to finalise the LEP amendment however, a 12 month timeframe is considered more appropriate given the scale and complexity of the proposal. A site specific DCP and VPA will be prepared and exhibited concurrently with the planning proposal. It is recommended that the project timeline be updated prior to exhibition to respond to this timeframe and reflect the date of Gateway determination.

8. LOCAL PLAN MAKING AUTHORITY

Council has not requested to be the local plan-making authority. Given the nature of the planning proposal it is recommended that Council not be authorised as the local plan making authority.

9. CONCLUSION

The planning proposal is recommended to proceed, subject to conditions, as it is considered to have sufficient strategic and site-specific merit and gives effect to the Central City District Plan. The proposed car parking rates for take away food and drink premises is not supported and recommended to be removed from the planning proposal. The proposal has potential to facilitate redevelopment of the site to provide additional homes and jobs within proximity of public transport and services while contributing to the vision of Parramatta as the Central River City.

10. RECOMENDATION

It is recommended that the delegate of the Secretary:

1. Agree that any inconsistencies with section 9.1 Directions 4.1 Acid Sulfate Soils, 4.3 Flood Prone Land and 6.3 Site Specific Provisions are of minor significance; and
2. Note that the consistency with section 9.1 Directions 2.3 Heritage Conservation, 2.6 Remediation of Land and 7.5 Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan is unresolved and will require further justification.

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

1. Prior to exhibition, the Planning Proposal be amended as follows:
 - (a) Update the proposed mapping to include the Sun Access Protection Map and 'blue hatched area of Prince Alfred Square';
 - (b) Update the planning proposal to address section 9.1 Directions 2.3 Heritage Conservation and 2.6 Remediation of Land;
 - (c) Remove the proposed car parking rates for take away food and drink premises and the associated sunset clause;
 - (d) Include the isolated site at 383 Church Street within the proposal consistent with the Parramatta CBD Planning Proposal;
 - (e) Update the project timeline; and
 - (f) Prepare the site-specific Development Control Plan and concurrently exhibit it with the proposal.
2. Prior to finalising the plan, Council is to ensure consistency between the planning proposal and the Parramatta CBD planning proposal.
3. The planning proposal should be made available for community consultation for a minimum of 28 days.
4. Consultation is required with the following public authorities under section 3.34(2)(d) of the Act and to comply with the requirements of relevant section 9.1 Directions:
 - (a) Transport for NSW;
 - (b) Heritage NSW; and
 - (c) NSW State Emergency Service.Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material and given at least 21 days to comment on the proposal.
5. Given the nature of the planning proposal, Council should not be the local plan-making authority.

6. The time frame for completing the LEP is to be 12 months from the date of the Gateway determination.



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