

Jazmin Van Veen
Manager Place and Infrastructure, Central
(GPOP)
Department of Planning, Industry and
Environment

Electronic submission via NSW Planning Portal

Your Reference

Our Reference RZ/10/2018

Contact Sarah Baker

Telephone 9806 5321

Email sbaker@cityofparramatta.nsw.gov.au

19 August 2020

Dear Jazmin

RE: Planning Proposal for 355 & 375 Church St, Parramatta

Pursuant to Section 3.34 of the Environmental Planning and Assessment Act 1979, please be advised that at its meeting of 13 July 2020, Council resolved as follows regarding the above Planning Proposal:

- a. *That Council endorse for the purpose of forwarding to the Department of Planning, Industry and Environment (DPIE) with a request for a Gateway Determination the Planning Proposal included at Attachment 1 to amend Parramatta LEP 2011 for land at 355 and 375 Church St, Parramatta as follows:*
 - 1) *Apply the Prince Alfred Square Solar Access Plane as the height controls for this site and a requirement for a high performing buildings clause*
 - 2) *Increase FSR from part 3:1/part 4:1 to 6:1 (exclusive of Design Excellence)*
 - 3) *Apply maximum car parking rates as follows:*
 - i. *For floorspace used for the purposes of Take Away Food and Drink Premises: 1 space / 30 square metres of Gross Floor Area or 30 spaces (whichever is less). Noting that the Planning Proposal also includes a 5-year sunset clause for this parking rate, after which time this rate would revert to the rate contained in the Parramatta CBD Planning Proposal.*
 - ii. *For residential and other commercial floorspace not part of the use described in 3)(i): the rates which are currently contained in the Parramatta CBD Planning Proposal.*
- b. *That Council advises DPIE that the Chief Executive Officer will not be exercising the plan-making delegations for this Planning Proposal as authorised by Council on 26 November 2012.*
- c. *That a draft site-specific Development Control Plan (DCP) for the subject site be prepared that addresses matters including but not limited to:*
 - 1) *Further defining the preferred two-tower scheme, including podium heights and tower setbacks, with a view to minimising any non-compliances with relevant ADG requirements;*
 - 2) *Relationship to and mitigating impacts on Heritage Items;*
 - 3) *Traffic issues such as sightlines, vehicle queuing, pedestrian safety and bicycle parking;*
 - 4) *Demonstrating adaptive re-use potential of drive-through facility and at least some of the parking spaces proposed;*
 - 5) *Active frontage requirements; and*
 - 6) *Relationship to 383 Church Street isolated site.*

Contact us:

council@cityofparramatta.nsw.gov.au | 02 9806 5050
@cityofparramatta | PO Box 32, Parramatta, NSW 2124
ABN 49 907 174 773 | cityofparramatta.nsw.gov.au

- d. *That the CEO be authorised to negotiate a draft Planning Agreement with the landowner in accordance with the Parramatta CBD Community Infrastructure framework and the following principles:*
- 1) *Dedication of footpath widening at the corner of Victoria Rd and Church St and of the small irregularly-shaped “notch” of land located in the centre of the city block (which would contribute to a future laneway running from Ross St to Victoria Rd), noting that Council’s policy on such dedications is to assign a nominal (\$1) value to such dedications, as the Applicant is receiving the benefit of the FSR from the dedicated land;*
 - 2) *A monetary contribution in line with the Parramatta CBD Community Infrastructure framework, noting that a potential use of some or all of this contribution for improvement of Prince Alfred Square should be explored as part of the negotiations (given the proximity of the site to the Square and that Council has recently completed a masterplan for it);*
 - 3) *Addressing the potential circumstance in which the rate in the Parramatta CBD Community Infrastructure Framework changes;*
 - 4) *Addressing the potential circumstance where this site proceeds in whole or in part as a non-residential use (in which case the framework would not apply to non-residential floorspace); and*
 - 5) *Addressing the potential circumstance in which Council decides not to proceed with the Community Infrastructure framework, and instead pursues amendments to its other contributions plans.*
- e. *That the draft DCP and draft Planning Agreement are reported back to Council prior to their concurrent exhibition with the Planning Proposal.*
- f. *That Council authorise the CEO to amend the Planning Proposal to correct any minor anomalies of a non-policy and administrative nature that may arise during the plan-making process.*
- g. *Further, that Council note that the Parramatta Local Planning Panel’s advice to Council (included in Attachment 1) is consistent with the recommendations of this report.*

DIVISION A division was called, the results being:-

AYES: Councillors Barrak, Bradley, Dwyer, Esber, Garrard, Issa, Jefferies, Pandey, Prociv, Tyrrell, Wearne and Zaiter

NOES: Councillors Davis and Wilson

Please note that Council’s resolution above included the addition of a High Performing Buildings clause to the Planning Proposal that was reported to Council. In response to this addition, prior to submitting to the Department for Gateway assessment, the Planning Proposal was updated and relevant studies were either replaced or supplemented with addendum reports as discussed further in this letter.

In accordance with Council’s resolution above and the guidelines set in ‘A Guide to Preparing Local Environmental Plans’, the following material is submitted for the Department’s assessment so that a Gateway Determination can be issued:

- Planning Proposal (amended in response to Council’s resolution above)
- Planning Proposal’s supporting studies
 - Urban Design Report
 - Landscape Concept Plan
 - Transport Report (updated in response to Council’s resolution above)
 - Flood Assessment
 - Heritage Impact Statement
 - Addendum Urban Design Study (added in response to Council’s resolution above)
 - Addendum Heritage letter (added in response to Council’s resolution above)
- Minute and Report – Local Planning Panel (16 June 2020)*
- Minute and Report – Council (13 July 2020)*

(Please note: No attachments are included with the Council / Local Planning Panel reports, as the Planning Proposal and some reports have been altered post-Council meeting in response to Council's resolution.)*

I note that the Gateway alteration recently issued for the Parramatta CBD Planning Proposal (27 July 2020) required that Council remove the proposed drafting for the High Performing Buildings clause, and reflect the intent of the proposed clause only. Please note, therefore, that the amendments made to this site-specific Planning Proposal in relation to the High Performing Buildings clause essentially state that, prior to exhibition, this site-specific Planning Proposal will be updated to reflect whatever content goes into the Parramatta CBD Planning Proposal in this regard.

In addition, Council's Land Use Planning team has also considered whether amendments were needed to the Planning Proposal's supporting studies in response to Council's resolution, and summarise the outcomes of that consideration below:

1. Urban Design Report: Council officers consider it appropriate to provide an addendum to this report which demonstrates how the additional FSR bonus allowed for mixed-used residential developments. This addendum is included in the submitted documentation herein.
2. Landscape Concept Plan: Council officers consider that the approach of the original Landscape Concept Plan is not substantially affected by the small additional FSR bonus, and furthermore, landscaping is a consideration for later stages of the development. Therefore, no amendments to this study have been made in response to Council's resolution.
3. Traffic Assessment: The small additional FSR bonus has the effect of making additional residential parking spaces available under the provisions of the Planning Proposal. Therefore, an updated traffic assessment that takes into account those additional spaces is included in the submitted documentation herein.
4. Flooding Assessment: Council officers consider that the general approach of the original flood assessment is not substantially altered by the small additional FSR bonus, as the function of the ground plan and general scale of the development in comparison to present day planning controls has not substantially changed. Therefore, no amendments to this study have been made in response to Council's resolution.
5. Heritage Impact Statement: Council officers consider it appropriate to revisit the conclusions of the original heritage assessment to ensure that the small additional FSR bonus does not change those conclusions, given that the bonus changes the built form impacts. Therefore, an addendum to this report is included in the submitted documentation herein.

Should you have any questions during the assessment of this Planning Proposal, please feel free to contact me at the details provided at the top of this letter.

Kind Regards,



Sarah Baker
A/Team Leader Land Use Planning