

INNOVATIVE

ITEM NUMBER	13.5
SUBJECT	Gateway Request – Planning Proposal – 18–40 Anderson Street, Parramatta
REFERENCE	RZ/4/2018 - D06920212
REPORT OF	Project Officer- Land Use Planning
LAND OWNER:	Australia and New Zealand International Investment Group Pty Ltd
APPLICANT:	Landream

PURPOSE:

To seek Council's endorsement of amendments to the Planning Proposal at 18 - 40 Anderson Street, Parramatta in response to concerns raised by the Department of Planning, Industry and Environment (DPIE).

RECOMMENDATION

- (a) **That** Council note the recommendations of the Local Planning Panel dated 16 July 2019 in relation to this matter as detailed below, noting that the Panel's recommendation is consistent with the Council officer's recommendation to support the amendments.
- (b) **That** Council endorse the proposed amendments to the Planning Proposal at 18 – 40 Anderson Street, Parramatta (included as **Attachment 2**) for the purposes of a Gateway Determination, in relation to the subject site:
- Rezone the site from B5 Business Development to B4 Mixed Use;
 - Insert a site-specific provision requiring a minimum 3:1 non-residential FSR; and
 - Remove the proposed site-specific additional permitted use provisions allowing for residential accommodation and serviced apartments.
- (b) **Further, that** the amended Planning Proposal be forwarded to the Department of Planning and Environment with a request for a Gateway Determination to be issued.

Planning Proposal Timeline



BACKGROUND

1. This summary report is supported by a detailed assessment report included at **Attachment 1** that was provided to the Local Planning Panel at its meeting on 16 July 2019. The Panel supported Council officer's recommendations.

ISSUES/OPTIONS/CONSEQUENCES

2. Key matters and issues in the assessment report are outlined below.
3. On 9 May 2018, Landream lodged a Planning Proposal seeking to amend the Parramatta LEP 2011, in part to rezone the subject site to B3 Commercial Core and to permit residential accommodation and serviced apartments as additional permitted uses.
4. On 11 February 2019, Council endorsed progression of the Planning Proposal, after the matter had been considered by the Local Planning Panel, seeking the following amendments to Parramatta LEP 2011:
 - *Rezone the site from B5 Business Development to B3 Commercial Core;*
 - *Amend Schedule 1 Additional Permitted Uses to add residential accommodation' and 'serviced apartments' as additional permitted uses and include a provision limiting those additional permitted uses to a maximum FSR of 3:1 (and up to 3.9:1 FSR with design excellence) and subject to a minimum FSR of 3:1 being provided as non-residential floor space.*
5. On 28 May 2019, the DPIE after receiving a request for a Gateway determination from Council advised that the Planning Proposal would not be further processed. The Department had concerns with the intent to make residential accommodation an additional permitted use, which could undermine the commercial zone and the CBD Planning Proposal. Council and the proponent were encouraged to discuss a better way forward for this proposal so that it aligned with the Parramatta CBD Planning Proposal.

6. On 5 June 2019, at a meeting between the proponent, Department and Council staff clarified that the Department had no concern with the actual site-specific development outcome proposed under the subject Planning Proposal, which includes residential accommodation. The Department was primarily concerned with maintaining the integrity of the B3 Commercial Core Zone by preventing residential uses being introduced as additional permitted uses, as they considered the approach would undermine the integrity of the B3 Zone proposed in the CBD Planning Proposal. Therefore, the agreed approach between all parties, was to amend the Planning Proposal to rezone the site to B4 Mixed Use and insert a site-specific provision requiring a minimum 3:1 non-residential FSR to address employment targets.
7. Amendments proposed to the Council endorsed Planning Proposal are considered appropriate for the following reasons as they will deliver the same outcomes as the proposal previously endorsed by the Local Planning Panel and Council:
 - The primary reason for the CBD Planning Proposal applying a B3 Commercial Core zoning to the site related to flood risk. However, flooding analysis conducted as part of the subject site-specific Planning Proposal demonstrates that the site is in principle suitable for residential development. Therefore, the main reason for retaining the B3 Commercial Core zoning for the site is considered to be no longer valid.
 - A B4 Mixed Use zoning will result in a more logical land use pattern. This site will have B4 Mixed Use zoned land to the immediate north and south and to the east of Jubilee Park under the draft Parramatta CBD Planning Proposal (as currently endorsed by Council).
 - While the B4 Zone may allow for residential uses, it should not reduce the total potential floor space area for employment uses.

NEXT STEPS

8. Council officers recommend that Council progress the amended Planning Proposal (included at **Attachment 2**), that incorporates amendments described in this report. Pending Council endorsement, the next step would be to send the amended Planning Proposal to the DPIE with a request for a Gateway Determination. If the Department provides a Gateway Determination the Planning Proposal will be placed on public exhibition before being reported back to Council.

Paul Kennedy
Project Officer Land Use Planning

Michael Rogers
Land Use Planning Manager

Jennifer Concato
Executive Director City Strategy and Development

ATTACHMENTS:

- 1 [!\[\]\(633dd45d48d71eb51a85c6dd83ee51e9_img.jpg\)](#) Report to Local Planning Panel 6 Pages
- 2 [!\[\]\(bdddf9191a284aa0945448444083c5b0_img.jpg\)](#) Amended Planning Proposal 43 Pages

REFERENCE MATERIAL