

Your Reference:  
Our Reference: RZ/3/2017  
Contact: F. Roberts  
Telephone: 9806 5710  
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Jazmin Van Veen  
Department of Planning, Industry and Environment  
GPO Box 39  
SYDNEY NSW 2001

18 May 2020

Dear Ms. Van Veen

**Request for Gateway determination – 135 George Street and 118 Harris Street (Albion Hotel site), Parramatta (RZ/3/2017)**

I am writing to you to submit via the NSW Planning Portal, a request for a Gateway determination for a Planning Proposal seeking to amend the Parramatta Local Environmental Plan 2011 as it applies to land at 135 George Street and 118 Harris Street, Parramatta. At its Meeting on 23 March 2020, Council considered a report on the above planning proposal and resolved as follows:

*“(a) **That Council endorse for the purposes of requesting a Gateway determination from the Department of Planning, Industry and Environment, the Planning Proposal included at Attachment 1 and the addendum at Attachment 2 for land at 135 George Street and 118 Harris Street, Parramatta which seeks to increase the maximum height of buildings control from 54 metres to 166 metres and allow for FSR consistent with the provision of the CBD Planning Proposal by including the following provisions in the site-specific Planning Proposal:***

- i. Floor space ratio (FSR) – reduction in the floor space ratio from the applicant’s proposed 13.5:1 to a mapped FSR of 10:1; (noting that the Design Excellence and High Performing Buildings bonuses and the unlimited commercial floor space site specific provision allows for an FSR of 12:1 or greater subject to the proposal not exceeding 165.6 metres in height)*
- ii. Height of Buildings – Reduction in the Height of Buildings control from the applicant’s proposed height of approximately 166 metres to a mapped height control of 144 metres noting that this provides for a total height of 165.6 metres when applying the 15 percent Design Excellence bonus;*
- iii. Inclusion of a site specific clause that allows for*
  - ☐ *Minimum Commercial Provisions – inclusion of a site-specific LEP clause in keeping with draft Clause 7.6C(4) of the Parramatta CBD Planning Proposal that requires a minimum commercial floor space area equivalent to an FSR of 1:1 and allows for any additional commercial premises floor space in excess of this to be exempt from the maximum FSR as long*

as this does not result in the proposal exceeding 165.6 metres in height;

- High Performing Buildings Bonus - Provision outlining an additional FSR of 0.5:1 is achievable, provided that high-performing buildings standards are met and this bonus does not result in the proposal exceeding 165.6 metres in height.
  - iv. Car parking – inclusion of a site-specific LEP clause that applies the maximum car parking rates previously endorsed by Council as part of the Parramatta CBD Planning Proposal; and
  - v. Overshadowing – inclusion of a site-specific clause that ensures that the proposed building does not cause additional overshadowing to the Experiment Farm heritage item between the hours of 10.00am and 2.00pm on 21 June consistent with the draft amendment to Clause 7.4 under the Parramatta CBD Planning Proposal.
- (b) **That** the Planning Proposal, as amended in accordance with resolution (a) above, be forwarded to the Department requesting a Gateway determination.
- (c) **That** a draft site-specific development control plan (DCP) be prepared and reported to Council for endorsement prior to its public exhibition.
- (d) **That** the applicant be invited to negotiate a Planning Agreement for the subject site and that delegated authority be given to the Chief Executive Officer to negotiate a Planning Agreement with the landowner in relation to the Planning Proposal on behalf of Council. The outcome of negotiations shall be reported back to Council prior to the draft Planning Agreement being placed on public exhibition.
- (e) **That** the Planning Proposal, draft DCP and draft Planning Agreement be exhibited concurrently.
- (f) **That** the reference design be amended by the applicant to reflect the changes in (a) and any changes required by any Gateway Determination issued, prior to exhibition of the Planning Proposal.
- (g) **That** Council advises the Department of Planning, Industry and Environment that the Chief Executive Officer will be seeking to exercise the plan-making delegations for this Planning Proposal.
- (h) **That** Council grant delegated authority to the Chief Executive Officer to correct any minor anomalies to the Planning Proposal, draft DCP and draft Planning Agreement of a non-policy and administrative nature that may arise during the amendment process.
- (i) **That** Council note the Local Planning Panel's advice to Council is to defer the Planning Proposal subject to overshadowing analysis (refer

*Attachment 3), which has been conducted as part of the Parramatta CBD Planning Proposal and is addressed in this report.*

- (j) ***Further, that the Incentive Height of Buildings Map within the Parramatta CBD Planning Proposal be amended to indicate a height control of 144 metres (165.6 with design excellence) for the site noting that a portion of the site will still retain the Sun Access Protection controls under draft Clause 7.4 relating to the protection of solar access to Experiment Farm.***

Please find enclosed the information required in accordance with the guidelines 'A Guide to Preparing Local Environmental Plans' together with Council's report and the Local Planning Panel's report on the matter. Should you have any questions, please contact me on 9806 5710.

Yours sincerely



Felicity Roberts  
**Project Officer**