

## Greater Sydney, Place and Infrastructure

IRF20/3753

### Gateway determination report

<b>LGA</b>	City of Parramatta
<b>PPA</b>	City of Parramatta Council
<b>NAME</b>	8-14 Great Western Highway, Parramatta (399 homes, 100 jobs)
<b>NUMBER</b>	PP_2020_COPAR_006_00
<b>LEP TO BE AMENDED</b>	Parramatta Local Environmental Plan 2011
<b>ADDRESS</b>	8-14 Great Western Highway, Parramatta
<b>DESCRIPTION</b>	Lot 10 on DP1097949, and SP8700
<b>RECEIVED</b>	27 July 2020
<b>FILE NO.</b>	IRF20/3753
<b>POLITICAL DONATIONS</b>	There are no donations or gifts to disclose and a political donation disclosure is not required.
<b>LOBBYIST CODE OF CONDUCT</b>	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 8-14 Great Western Highway, Parramatta (the site) by amending the Parramatta Local Environmental Plan 2011 (PLEP 2011) as follows:

- Increase the Height of Building (HOB) control from 28 metres to 211 metres;
- Increase the Floor Space Ratio (FSR) control from 3.1:1 to 10:1 (16.42:1 including bonuses);
- Amend the Special Provisions Area Map to identify the site;
- Insert site specific provisions which include:
  - a minimum non-residential floor space ratio of 1:1 to be provided within the maximum proposed FSR of 10:1;
  - Unlimited commercial FSR above the minimum 1:1 requirement;
  - Allow additional FSR if high performance building and opportunity site requirements are met; and
  - Insert maximum car-parking rates.

The planning proposal seeks to allow for redevelopment of the site for the purpose of a high-density mixed use development in line with the proposed controls of the Parramatta CBD planning proposal. The proposed uplift will allow for approximately 399 dwellings on the site. It is anticipated that the proposal will provide a minimum of

90 jobs, but this may increase depending on the amount of commercial floorspace provided under the proposed bonus provisions.

## 1.2 Site description and surrounding area

The site is defined as Lot 10 DP1097949 and SP8700 with a total site area of 2,386 square metres. The site is on the northern side of the Great Western Highway (**Figure 1**) within the Parramatta Local Government Area. The site is approximately 400m to the Parramatta Bus Interchange and access to the Parramatta Rail Station.

The site is currently occupied by a three storey walk up residential flat building above car parking and adjoining vacant land. Vehicular access to the site is via the Great Western Highway. The site is located in close proximity to two heritage items, including the state listed Lennox House and the Masonic Centre, as shown in Figure 1.



**Figure 1** – Indicative location of subject site

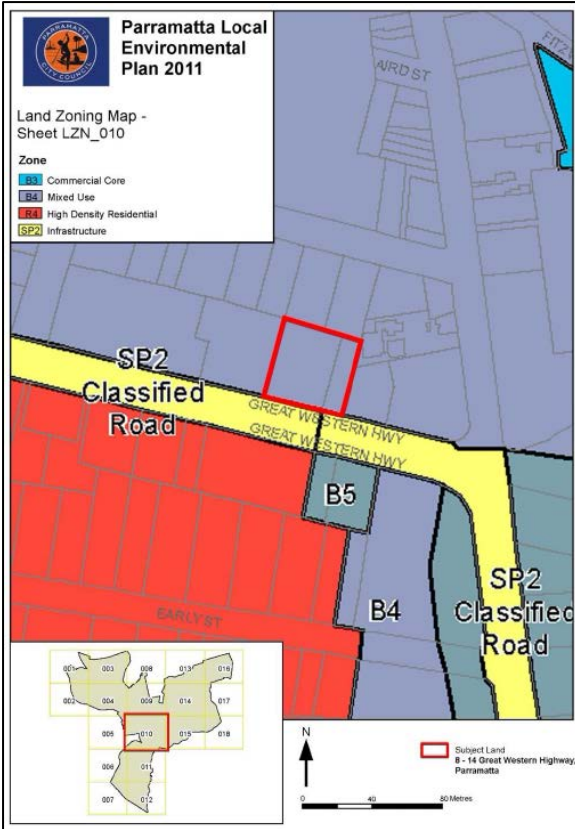
## 1.3 Existing planning controls

Under the PLEP 2011, the site:

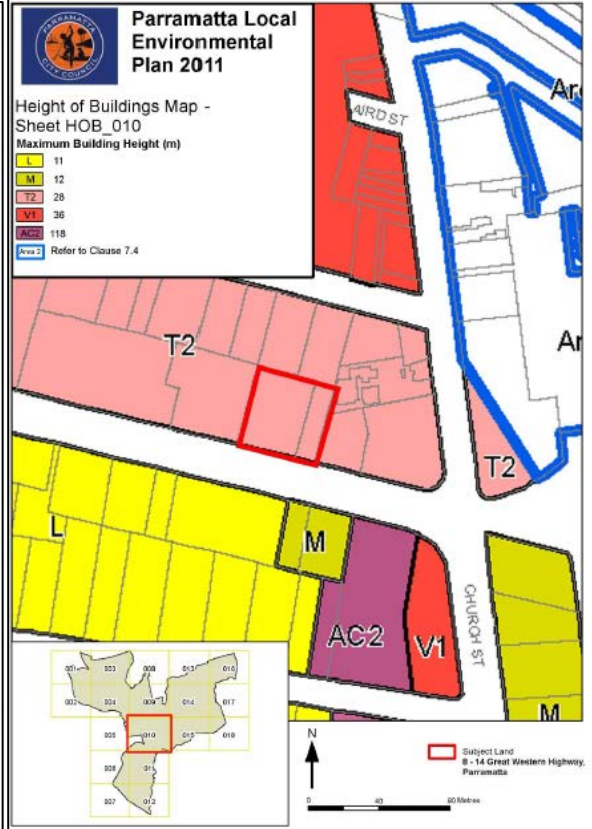
- is zoned B4 Mixed use;
- has a maximum building height of 28 metres;
- has a maximum floor space ratio of 3.5:1;
- is located adjacent to heritage items.

The site is not identified as an item of heritage significance and is not within a Heritage Conservation Area.

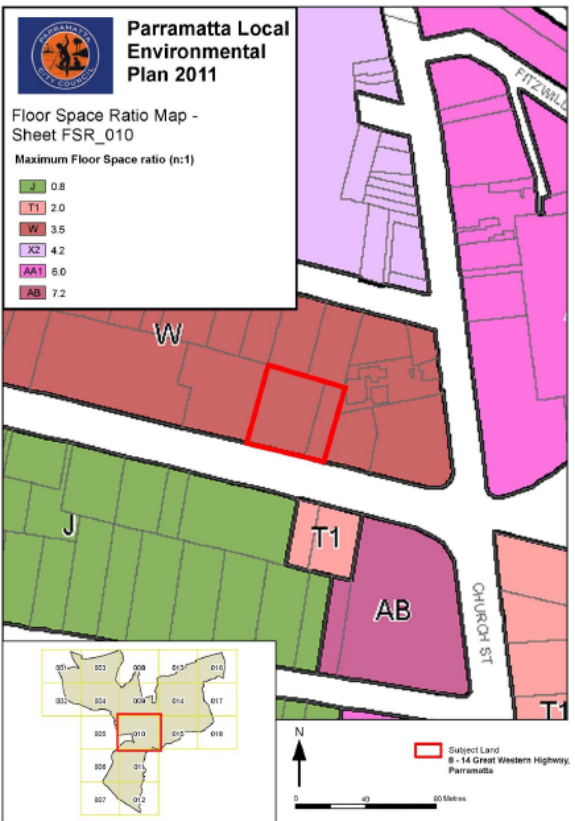
The following map extracts from the PLEP 2011 illustrate the current controls applying to the site in **Figure 2**, **Figure 3**, **Figure 4** and **Figure 5**.



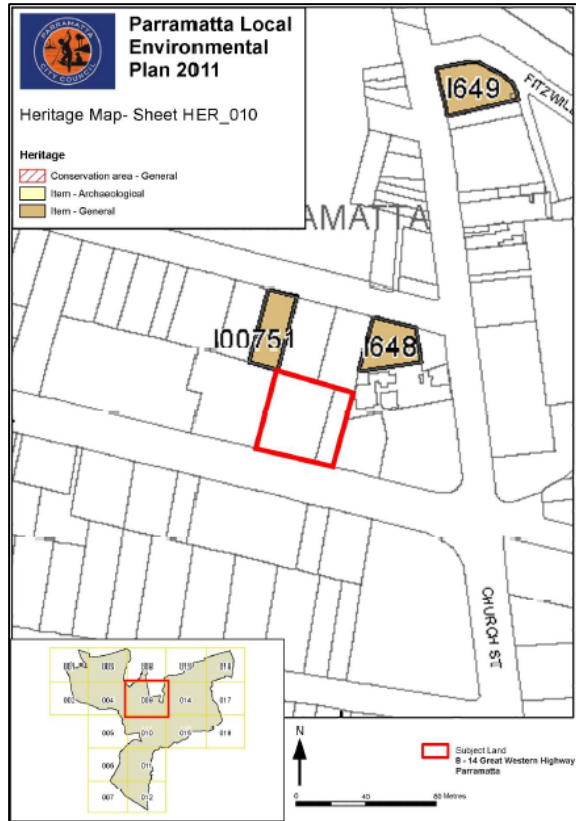
**Figure 2: Existing Land Zoning Map**



**Figure 3: Existing Height of Building Map**



**Figure 4: Existing Floor Space Ratio**



**Figure 5: Existing Heritage Map**

## **1.4 Summary of recommendation**

The planning proposal is recommended to proceed subject to conditions. The proposal will facilitate redevelopment for residential and commercial purposes. The planning proposal is generally consistent with the intended outcomes in the Parramatta CBD planning proposal. The planning proposal is considered to have strategic merit as it gives effect to the Central City District Plan and site-specific merit as it provides opportunities for housing diversity and economic development in the Parramatta CBD.

## **2. PROPOSAL**

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### **2.1 Objectives or intended outcomes**

The objective of this planning proposal is to facilitate the redevelopment of land at 8-14 Great Western Highway, Parramatta for a mixed-use development comprising a single tower above a podium.

The proposal does not rezone the land but will support an increase in housing supply and a minimum of 2,386 square metres commercial floor space in the Parramatta CBD. The proposed uplift will allow for approximately 399 dwellings consistent with the controls proposed as part of the Parramatta CBD Planning Proposal.

A site-specific Development Control Plan (DCP) will be prepared to enhance the urban design and amenity of the site. As part of the planning proposal, Council has noted it intends to negotiate a Voluntary Planning Agreement (VPA) to fund local infrastructure and deliver public benefits.

The objectives of the planning proposal are clear and do not require amendment prior to community consultation.

### **2.2 Explanation of provisions**

In order to achieve the desired objectives, the following amendments to the PLEP 2011 are proposed:

- Increase the maximum height of building (HOB) from 28 metres to RL 211 metres, which reflects the maximum height limit of 243m permitted by the Civil Aviation Authority with Design Excellence;
- Increase the maximum mapped FSR from 3.5:1 to 10:1 (refer to additional FSR bonuses, which could enable an FSR of 16.42:1).
- Amend the Special Provisions Area Map to identify the site for the purposes of Clause 7.6 Airspace Operations.
- Amend Clause 7.14 to include the subject site to apply maximum car parking rates consistent with the CBD Strategic Transport Study.
- Add a site-specific clause under Part 7 of PLEP applying to the subject site which addresses the following:
  - requires a minimum 1:1 commercial floor space to be provided on the site (within the mapped maximum FSR of 10:1);
  - insert a high performing building bonus provision allowing an additional FSR bonus of 0.5:1, provided the environmental building standards are met;

- insert an opportunity sites provision which allows an additional 3:1 FSR if the development demonstrates it meets the ‘opportunity site’ criteria; and
- insert a provision which allows for an unlimited additional commercial FSR above the mapped FSR control.

### 2.3 Mapping

The proposal seeks to amend the following maps:

Map Type	Map Tile Reference
Height of Buildings Map	HOB_010
Floor Space Ratio Map	FSR_010
Special Area Provisions Map	CL1_010

Table 1: Proposed changes to map sheets

The planning proposal includes both the existing and proposed mapping to clearly demonstrate the intended outcomes and is suitable for exhibition.

### 3. NEED FOR THE PLANNING PROPOSAL

The planning proposal is not the result of any site-specific study or report and is a landowner-initiated planning proposal.

The planning proposal is considered to respond to Council’s strategic vision for the Parramatta CBD as expressed in its draft 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. The CBD planning proposal has been endorsed for public exhibition. The planning proposal also responds to strategic objectives in 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 consistent with Council’s Parramatta CBD planning proposal.

Council have advised that a site-specific development control plan will be prepared to enhance urban design and public amenity for the site and enable further consideration of appropriate setbacks to respond to site-specific issues relating to heritage and the potential need for road widening or traffic mitigation.

The CBD PP includes provisions relating to FSR bonuses as envisaged by this planning proposal. The updated CBD PP also seeks to facilitate building heights up to the maximum level permitted by the Civil Aviation Authority (subject to approval under Clause 7.6 Airspace Operations) and a mapped FSR of 10:1. In this regard, this planning proposal aligns with the CBD PP.

The proposal notes an amendment to the PLEP 2011 is considered the only means of achieving the objectives and intended outcome for facilitating increased built form, incorporating high performance building measures and a framework to contribute to infrastructure needs.

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 ASSESSMENT

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### 4.1 Central City District Plan

The Central City District Plan provides a 20-year plan to manage growth in the context of economic, social and environmental matters to achieve the 40-year vision of Greater Sydney. It is a guide for implementing the Greater Sydney Region Plan at a district level and is a bridge between regional and local planning.

The proposal is generally consistent with the objectives and outcomes of the Central City District Plan. The proposal will facilitate housing diversity and is specifically consistent with the following:

#### ***Planning Priority C1 – Planning for a city supported by infrastructure***

The site is located approximately 400 metres from the Parramatta Railway Station and bus interchange. Future residents and workers will be well served as the site is located within the Parramatta CBD, within walking distance to public transport, 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 seeks to redevelop of the site for approximately 399 dwellings. The proposal provides the opportunity to increase housing supply, provide a range of dwelling types within the CBD and within walking distance of the Parramatta Railway Station. The CBD provides various employment opportunities and services for the future residents of the site.

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

The proposal will contribute to creating a 30-minute city by providing new homes in close proximity to existing public transport links. The proposal will enable residents to walk to the Parramatta CBD and access jobs within the CBD and 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 economic growth of Parramatta CBD by providing employment opportunities within the development and is within walking distance of 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 Local Strategic Planning Statement City Plan 2036**

The Parramatta Local Strategic Planning Statement (LSPS) was published on 31 March 2020. The LSPS sets 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 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 Parramatta

CBD. Specifically, the proposal will facilitate the growth of commercial and housing opportunities in the GOP area (Priority 4) and deliver a mix of housing to support the diverse needs of the community (Priority 7), ultimately supporting the Parramatta CBD in becoming increasingly competitive and productive (Priority 11).

#### Parramatta 2038 Community Strategic Plan

Parramatta 2038 is a long-term Community Strategic Plan for the City of Parramatta. The planning proposal is considered to meet the plans strategic objectives. Specifically, the proposal will provide employment opportunities and a diverse mix of housing within close proximity of transport links and services and contributing to the economic growth and revitalisation of Parramatta.

#### Parramatta CBD Planning Proposal

A Gateway determination was issued for the CBD planning proposal on 13 December 2018. The 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 proposed changes within the site-specific planning proposal align with the CBD planning proposal, delivering the broader policy objectives for the Parramatta CBD. To ensure continued alignment with the CBD PP, it is considered appropriate to impose a gateway condition that the site-specific planning proposal be consistent with the Parramatta CBD planning proposal.

#### Local Planning Panel

On 19 May 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.

### **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

This direction seeks to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance. The site is not listed as a heritage item, however, is within close proximity to the state listed Lennox House and state listed Masonic Centre. The site is not within a heritage conservation area.

Council intends to prepare a site-specific DCP to further consider how the intended built form will relate to 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.

#### Direction 3.5 Development Near Regulated Airport and Defence Airfields

The site is located within prescribed airspace surfaces. A proposed height of 211m (243m with 15% Design Excellence bonus) will exceed the Bankstown Airport Obstacle Limitation Surface of 156 AHD. It is intended that the subject site will be identified on the Special Provisions Area Map to trigger a controlled activity within the meaning of the Airports Act 1996 in any future development application. However, it is considered appropriate that further consultation with relevant authorities occurs at the planning proposal stage to ensure that the proposed building height does not trigger any additional requirements. Therefore, consultation with the Commonwealth Department of Infrastructure, Transport, Regional Development and Communications (DITRDC) and Civil Aviation Safety Authority (CASA) should take place to address this Direction.

It is recommended that this Direction remain unresolved pending further consultation and that the planning proposal be updated to further address this Direction.

#### Direction 4.1 Acid Sulfate Soils

This site is within an area mapped as Class 5 Acid Sulfate Soils. While the planning proposal notes the site does not have a probability of containing Acid Sulfate Soils due to its classification, 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 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:

- requirement for a minimum of 1:1 commercial floor space;
- requirement for commercial floor space above the 1:1 to be exempt from the FSR calculation;
- high performance building bonus;
- opportunity sites bonus;
- reduced car parking rates consistent with Parramatta CBD strategic transport study and CBD planning proposal.

The provisions relating to minimum commercial floor space requirements accompanied with the additional floor space being excluded from the FSR, ensures sufficient facilities and business to support the incoming resident population whilst encouraging non-residential development in the B4 zone.

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.



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.

#### Direction 7.5 Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan (LUIIP)

This Direction seeks to ensure development within the Greater Parramatta Priority Growth Area is consistent with the Greater Parramatta Priority Growth Area Interim (LUIIP) dated July 2017.

The proposal is consistent with this direction as it is consistent with the Parramatta CBD proposal, 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.

#### **4.4 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 F**) has been prepared in support of the planning proposal, which indicates the suitability of the site for the proposed built form. Any future development application will need to address SEPP 65 and the ADG.

### **5. SITE-SPECIFIC ASSESSMENT**

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#### **5.1 Transport**

The site accesses the Great Western Highway and is well serviced by public transport including the Parramatta Rail Station and Bus-Interchange.

The proposal is seeking to align development controls with the CBD planning proposal, including the alignment of reduced car-parking rates. 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.

A future development application will require consideration of a safe and efficient access point onto the Great Western Highway. It is recommended the Council consult Transport for NSW during the exhibition of the planning proposal to consider

the need for any road upgrades and transport safety/efficiency on the Great Western Highway to support ingress and egress into the site.

## 5.2 Urban Design, Built Form and Building Height

The planning proposal provides an indication of the indicative built form (**Figure 6**) and is accompanied by an urban design report (**Attachment F**). The intended built form includes commercial and retail uses on the ground floor and a four-storey podium consisting of commercial uses. Facilitating these uses is supported to encourage street activation and boost commercial activity in the CBD.

Detailed overshadowing modelling has been undertaken as part of the CBD planning proposal. The CBD planning proposal 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 does not impact on these sensitive land uses, although it is noted that overshadowing impacts would need to be considered as part of any future Development Application.

The planning proposal notes that the tower form and controls were designed to ensure overshadowing is minimised on adjoining development and are capable of satisfying the ADG. The urban design report supporting the planning proposal also provides an indication of future setbacks and features in-line with adjoining development applications to assist in minimising impacts to adjoining lots.



**Figure 6** – Indicative built form (source: Planning Proposal)

### **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**

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### **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:

- Transport for NSW;
- NSW Heritage;
- Commonwealth Department of Infrastructure, Transport, Regional Development and Communications (DITRDC); and
- Civil Aviation Safety Authority (CASA).

## **7. TIME FRAME**

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Council proposes to complete the LEP by April 2021. A twelve month timeframe is considered appropriate given the scale and complexity of the project. Council have noted that a site-specific DCP will be prepared and a Planning Agreement negotiated prior to the exhibition of the draft planning proposal. These will be exhibited concurrently with the planning proposal. It is recommended that the planning proposal timeline be updated prior to exhibition to reflect the date of gateway determination.

## **8. LOCAL PLAN-MAKING AUTHORITY**

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Council has sought to exercise its delegations for the planning proposal. It is recommended that Council be given authorisation to make the plan, noting that the proposal must address consistency with the draft CBD PP at finalisation.

## **9. CONCLUSION**

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The planning proposal should proceed subject to conditions as it reflects the strategic aims of growing a stronger and more competitive Parramatta CBD. It will facilitate redevelopment of the site for a mixed-use development, including commercial space with corresponding economic benefit. The proposal is generally consistent with the intent of the draft CBD planning proposal.

## 10. RECOMMENDATION

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It is recommended that the delegate of the Secretary:

1. agree that any inconsistency with section 9.1 Directions 4.1 Acid Sulfate Soils, 6.3 Site Specific Provisions are of minor significance; and
2. note that the consistency with section 9.1 Direction 7.5 Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan and 3.5 Development Near regulated Airport and Defence Airfields 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 is amended as follows:
  - (a) Update the planning proposal to address section 9.1 Direction 3.5 Development Near Regulated Airport and Defence Airfields;
  - (b) Update the project timeline.
2. The planning proposal should be made available for community consultation for a minimum of 28 days.
3. 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:
  - Transport for NSW;
  - NSW Heritage;
  - Commonwealth Department of Infrastructure, Transport, Regional Development and Communications (DITRDC); and
  - Civil Aviation Safety Authority (CASA).

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.

4. Prior to finalising the plan, Council is to ensure consistency between the planning proposal and the Parramatta CBD planning proposal.
5. The time frame for completing the LEP is to be 12 months from the date of the Gateway determination.
6. Given the nature of the planning proposal, Council is authorised to be the local plan-making authority.



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