

## Assessment of Consistency with Section 117 Directions

Section 117 Direction	Consistency
1. Employment and Resources	
1.1 Business and Industrial Zones	Consistent. The Planning Proposal is seeking to facilitate a mixed use development of the site and does not seek to impose restrictions on the amount of commercial or business floorspace developable on the site.
1.2 Rural Zones	Not applicable
1.3 Mining, Petroleum Production and Extractive Industries	Not applicable
1.4 Oyster Aquaculture	Not applicable
1.5 Rural Lands	Not applicable
2. Environment and Heritage	
2.1 Environment Protection Zones	Not applicable
2.2 Coastal Protection	Not applicable
2.3 Heritage Conservation	Consistent. The land includes Heritage Item 655. PLEP 2011 currently contains provisions for the conservation and protection of heritage items and areas and the Planning Proposal does seek to amend these controls. <b>Appendix 3</b> of this Planning Proposal includes a detailed Heritage Assessment Report which discusses management options for the heritage item. Council resolved on 7 December 2015 that any future development must retain the heritage façade of the existing building.
2.4 Recreation Vehicle Areas	Not applicable
3. Housing, Infrastructure and Urban Development	
3.1 Residential Zones	<p>Consistent. The Planning Proposal promotes the efficient and economic use of land that is serviced by existing infrastructure.</p> <p>The Planning Proposal is seeking to facilitate a mixed use development of the site. A future mixed use development will add additional dwelling stock and provide a mix of apartment sizes which will include 1, 2, and 3 bedroom apartments.</p> <p>The Planning Proposal also seeks to increase the density of development on the land which will allow for additional dwellings in a major metropolitan centre.</p>
3.2 Caravan Parks and Manufactured Home Estates	Not applicable
3.3 Home Occupations	Consistent. The Planning Proposal does not contain provisions that would restrict the use of dwellings for home occupations.
3.4 Integrating Land Use and Transport	Consistent. The Planning Proposal will encourage high density urban development in a major metropolitan centre with access to public transport, shops and employment,
3.5 Development Near Licensed Aerodromes	Not applicable
3.6 Shooting Ranges	Not applicable
4. Hazard and Risk	
4.1 Acid Sulfate Soils	The land is not affected by Acid Sulphate Soils.
4.2 Mine Subsidence and Unstable Land	Not applicable

4.3 Flood Prone Land	<p>Small portions of the site at the Macquarie Street and Marsden Street frontage are affected by the 20 and 100 year ARI. The site is also affected by the PMF, as is much of the Parramatta CBD.</p> <p>A Flood Study (<b>Appendix 10</b>) was conducted to determine the specific design controls that need to be incorporated into the design competition brief. In conjunction with Council Officers the outcome of this study was further assessed and expanded to deliver a series of design measures to ensure awareness, safety, and access in the event of a flood. These design measures have been embedded as an addendum to the Design Competition brief for the subject land attached as <b>Appendix 11</b>.</p> <p>This will ensure the design outcome appropriately responds to any challenges relating to street frontage activation, pedestrian and vehicular access and protection to basement car parking facilities, flood emergency response considerations, and fire exit considerations. Considering these factors early in the design process will ensure that the scheme to result from the design competition process is acceptable from a floodplain risk management perspective.</p> <p>Detailed consideration of the design measures required to manage floodplain risk within the Design Competition process (and further within the Development Application process) satisfies Direction 4.3 Flood Prone Land.</p>
4.4 Planning for Bushfire Protection	The land is not bushfire prone land.
5. Regional Planning	
5.1 Implementation of Regional Strategies	Consistent. The relevant strategies are discussed in Section 7.2 of the Planning Proposal report.
5.2 Sydney Drinking Water Catchments	Not applicable
5.3 Farmland of State and Regional Significance on the NSW Far North Coast	Not applicable
5.4 Commercial and Retail Development along the Pacific Highway, North Coast	Not applicable
5.5 Development in the vicinity of Ellalong, Paxton and Millfield (Cessnock LGA)	Revoked 18 June 2010
5.6 Sydney to Canberra Corridor	Revoked 10 July 2008. See Direction 5.1
5.7 Central Coast	Revoked 10 July 2008. See Direction 5.1
5.8 Second Sydney Airport: Badgerys Creek	<p>An aeronautical study that addresses the impact of any future development enabled as a result of the Planning Proposal on airspace safety and airport operations has not yet been conducted.</p> <p>The Planning Proposal is seeking to remove the subject site from the Height of Buildings map, and subsequently apply no height limit. However the indicative building height of 250m within the Urban Design Analysis translates to approximately 259AHD. Whilst the exact height of the future building is yet to be determined as part of the Design Excellence competition process, the height of the indicative built form of 250m does not comply with the Radar Terrain Clearance Control (RTCC) set by the aviation authorities.</p> <p>Council resolved on 7 December 2015 that should any design competition entry which proposes a height greater than 156AHD will need to be supported by an Aeronautical Study to address the relevant Section 117 Direction.</p> <p>The Design Competition process for the subject site has commenced and the competition is scheduled to be held on 18 May 2016. Should the winning design propose a height greater than 156AHD an Aeronautical Study will be provided to address this direction, and subsequently forwarded to the Department of Planning and Environment as part of this Gateway determination request.</p>
5.9 North West Rail Link Corridor Strategy	Not applicable
6. Local Plan Making	

6.1 Approval and Referral Requirements	Consistent. The Planning Proposal does not include referral or concurrence provisions.
6.2 Reserving Land for Public Purposes	Consistent. The Planning Proposal does not alter, create or reduce the reservation of land for public purposes.
6.3 Site Specific Provisions	Inconsistent. The Planning Proposal includes site specific provisions, however these are considered appropriate given the nature and scale of the proposed development.