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Planning Proposal

Proposed Amendments to Parramatta Local Environmental
Plan 2011

197 Church Street, Parramatta

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11 Dartford Road
Thornleigh NSW 2120

PO Box 230
Pennant Hills NSW 1715

t: 02 9980 6933
f: 02 9980 6217
e: dfp@dfpplanning.com.au

DFP Planning Pty Limited
ACN 002 263 998

www.dfpplanning.com.au

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Executive Summary

1. The Planning Proposal and Concept

This Planning Proposal has been prepared on behalf of Holdmark Properties Pty Ltd and seeks to amend the relevant planning provisions in the Parramatta LEP (PLEP) 2011 to:

- Amend the Height of Buildings map to remove the height limit applying to the site;
- Increase the Maximum Floor Space Ratio to 15:1 (excluding design excellence)
- Insert site specific controls in Part 7 Additional Local Provisions – Parramatta City Centre in the PLEP 2011 seeking exemptions to certain clauses within the LEP
- Introduce a Site Specific Clause requiring an international design competition to be run on the subject site.

The *Boomerang* will be a landmark iconic building in Parramatta with a notional height of 250m to the top of the roof. The design concept includes:

- An innovative angled tower form;
- A mix of residential commercial and retail uses;
- 71,000m² of gross floor area (GFA);
- Publicly accessible ground level spaces; and
- Through site link to Marsden Street.

Under the current planning regime and under that recommended in the draft *Planning Framework Study* an economically viable development cannot be achieved on the site, particularly given the potential for archaeological items to be located on the site.

The development that could be achieved should this planning proposal be supported strikes a balance between the DCP outcomes for solar access to Parramatta Square against the significant benefits that a striking and iconic building will have for Parramatta's image and the public benefits that can be delivered through the redevelopment of the site as proposed.

2. The Site

The site is located at the north western corner of the intersection of Church Street and Macquarie Street in the Parramatta CBD and is approximately 250m north of Parramatta Railway Station.

The site address is 197 and 207 Church Street and 89 Marsden Street, Parramatta. The site has three street frontages (Church, Macquarie and Marsden Streets) and a site area of 4,307.4m².

Existing development on the site comprises:

- A two storey, heritage listed building known as Murray Brothers building currently used for retail purposes. It is known as 197 Church Street;
- A modern three storey retail/commercial building fronting Church Street (known as 207 Church Street); and
- A modern four storey commercial building fronting Marsden Street (known as 89 Marsden Street).
- This is a strategically significant site in the context of Parramatta CBD:
- It has historically been an important site in the heart of Parramatta.
- It anchors the northern end of the CBD's civic heart.
- It is a complementary 'bookend' to the southern key site – *Aspire* tower.

3. Current Planning Controls

The site is zoned B4 Mixed Use under P LEP 2011, and a broad range of land uses are

permissible with consent including retail, commercial and business premises, shop top housing and residential flat buildings.

The site has a 12m building height limit for that part of the site fronting Church Street and a 36m height limit for the remainder of the site. Floor space ratios (FSR) of 3:1 and 4:1 apply to the site.

4. Parramatta Council's Future Planning Direction

The Parramatta CBD Planning Strategy (adopted by Parramatta Council on 27 April 2015) puts forward a future development scenario of 'Increased FSR and no height control' to deliver Council's vision *to develop a planning framework to firmly establish Parramatta as Sydney's premier Regional City and a real alternative to Central Sydney as an employment and mixed use centre*. A FSR of 10:1 has been recommended for much of the CBD including the site.

5. Urban Design

The proposal is the result of site investigations and Urban Design Study prepared by Robertson + Marks Architects which details the concept and rationale for a future urban form on the site. The development potential of the site has been considered in the context of metropolitan, regional and local planning frameworks, recent development trends for taller buildings in the CBD and Council's vision for Parramatta Square.

6. Public Benefits

Holdmark is willing to enter into a Planning Agreement with Council under Section 96F of the EP&A Act, 1979 to delivery community benefits that provide, or can be applied, towards a public purpose as per Section 93F(2) of the Act.

Potential on-site public benefits:

- Establish whether archaeological items exist on the site, the significance of those items and depending on the results of investigations, the retention and/or interpretation of that archaeology.
- Provision of affordable housing plus a contribution towards the administration of Council's affordable rental housing scheme.
- The provision to the community of a new cosmopolitan piazza as part of the undercroft of the building – subject to further archaeological investigations and a determination by Council as to the treatment and management of the Murray Bros building façade.
- A glass floor to the public piazza to expose, display and interpret any archaeology that might lie beneath the building, subject to future archaeological investigations
- Provision of a multi-purpose community space to be owned and managed by Council.

Potential off-site public benefits

- Undertaking a traffic study to evaluate the potential to convert Macquarie and George Streets to two-way traffic and/or contributions towards works identified in Council's Civic Improvement Plan Amendment No.3.
- Treatments to the road pavement of Church Street and Macquarie Street to create a seamless connection between adjacent public spaces and the proposed public piazza.
- Upgrading of the footpath pavement along the Macquarie Street frontage of the site and possibly other public domain works near the site.
- Monetary contributions towards Parramatta Square, River Foreshore Park, Robin Thomas Park, and the upgrading of Horwood Place or Erby Place car parks and/or the Aquatic Leisure Centre.

7. Solar Access

The Urban Design Study and building design has thoroughly analysed the sunlight capable of being achieved to the DCP solar zone of the future Parramatta Square and other public spaces. Whilst the *Boomerang* would reduce sunlight to the solar zone between 12noon to 2pm at mid-winter, the following outcomes are relevant in balancing that impact:

- The *Boomerang* will not shade the solar zone until 12.41pm.
- The additional shading of the solar zone as a result of the *Boomerang* is 10% at 1pm. At 1pm 53% of the solar zone will have solar access.
- At 2pm buildings (other than the *Boomerang*) and trees shade 44% of the solar zone. The *Boomerang* will increase the shading of the solar zone by a further 24%.
- The slender form of the *Boomerang* tower will ensure the shadow moves quickly over the space.
- Jan Gehl's 12 principles explore the criteria that contribute to a good functioning city space. Access to sunlight is not one of the key attributes nominated by Project for Public Space as contributing to a successful public space.
- Other areas of Parramatta Square, Church Street Mall and Centenary Square will have good solar access. At 1pm over 2,000m² of the central civic space in the CBD will have solar access and at 2pm this will increase to almost 3,700m².

A 250m tower on the site, although tall, will be slender confining overshadowing impacts to a reasonably short term period at any one point in Parramatta Square and other public domain areas. Whilst there is a shadow impact to the DCP solar zone, the outcome of that impact should be balanced against the significant benefits that can be realised from a striking and iconic building for Parramatta's image and economic profile. Impacts should also be balanced against the very significant public benefits that can be delivered through the redevelopment of the site.

8. Other planning considerations

Other planning considerations relevant to the Planning Proposal have been considered:

8.1 Heritage

The redevelopment of the site offers a unique opportunity to excavate and investigate the potential for suspected archaeological items; an opportunity that would not be available unless the site is redeveloped.

A Statement of Heritage Impact has been prepared by Rappaport Heritage Consultants. Heritage values include:

- The Murray Brothers building is identified as a heritage item in the PLEP 2011. The façade is the only original component of heritage value. Design options have been explored in relation to retaining or removing the façade. Council resolved on 7 December 2015 that any future development must retain the heritage façade of the existing building.
- Potential archaeology from former uses including the first State School in Australia which opened in 1810, the Australian Joint Stock (AJS) Bank (constructed during phase 3: 1858-1925), a Primitive Methodist Church and *Caerleon* home of Dr R.A.P. Waugh constructed circa 1911.
- The remnants of buildings previously known to have occupied the site might still remain. Until such time as any subterranean heritage items can be assessed, the methodology of treatment and management of those items cannot be determined. The *Boomerang* has been designed to ensure minimal disturbance to items based on their suspected location. The ultimate building can be designed to incorporate measures to access the heritage items and archaeological artefacts on the site thus furthering Council's objective of protecting and providing public access to Parramatta's past. As referenced above, Council resolved to retain and manage the heritage façade of the existing building as part of the future Design Excellence Competition process and subsequent Development Application.

8.2 Traffic

Thompson Stanbury Associates has found that the surrounding city centre road network is capable of accommodating the additional traffic projected to be generated by the redevelopment on 197 Church Street (and the two other neighbouring potential redevelopment sites) in a safe and efficient manner.

8.3 Structural

In order to ensure the *Boomerang* is able to be constructed, a preliminary structural engineering assessment has been undertaken by van der Meer Consulting who has confirmed that the development is able to be constructed based on accepted engineering practice and taking into account potential archaeology.

8.4 Wind Shear

Windtech has prepared a Pedestrian Wind Environment Statement. Whilst final solutions to managing wind impacts is subject to detailed design at DA stage, Windtech has confirmed that practical solutions are available for the *Boomerang*.

9. Consistency with Strategic Planning Framework

The planning proposal is consistent with the relevant strategic planning framework including

- The Metropolitan Plan for Sydney A Plan for Growing Sydney which identifies Parramatta as a key strategic centre within metropolitan Sydney and aims to continue growing Parramatta as Sydney's second CBD.
- *Parramatta 2038* which is Parramatta's Community Strategic Plan and plans for the concentrated growth of housing around public transport centres, precincts and hubs.
- *The Parramatta CBD Planning Strategy (adopted by Parramatta Council on 27 April 2015)*, which in recognition of Parramatta's status as Western Sydney's Premier Regional City reviews the current planning framework, market conditions, opportunities and constraints and propose a new planning framework to encourage the growth and development of Parramatta.
- The Planning Proposal is not inconsistent with the relevant SEPPs and Section 117 Directions.
- The development capable of being achieved as a result of this planning proposal will be consistent with the aims of the PLEP 2011.

10. Conclusion

It is clear from the foregoing that a unique opportunity exists to redevelop this important site to create an outstanding, iconic, new landmark for Parramatta. The very significant public benefits proposed to be provided as part of this development are, of course, very costly to create. Accordingly, to generate the revenue required to fund the provision of these benefits the development must comprise a sufficient quantum of saleable GFA. The proponent has determined that the proposed controls would enable such a development to be undertaken and the associated benefits to be provided.

At the time the preliminary proposal for 197 Church Street Parramatta was presented to Council for consideration, preliminary proposals for two other nearby sites were also submitted. Council reviewed these three proposals in terms of the cumulative effect, rather than the individual merits of each case. 197 Church Street has many unique features which set it apart from the other two sites and render it much more strategically important in urban planning terms.

The unique attributes of the site and the signature building – the *Boomerang* – was recognised by Councillors at the meeting of 15 December 2014 during which the opportunity to secure a world class development such as the *Boomerang* needed to be encouraged and that there may need to be some compromise in relation to certain previously held ideals in order to attain this iconic building.

In this regard the development that could be achieved should this planning proposal be supported strikes a balance between the DCP outcomes for solar access to Parramatta Square against the significant benefits that a striking and iconic building will have for Parramatta's image and the public benefits that can be delivered through the redevelopment of the site as proposed.

197 Church Street is:

- A **key site** which is of a size and configuration to allow for the development of a significant building
- In a **strategic location** – on junction of the major links between the river, the park and the CBD core and civic areas.
- A **prominent street corner** at the northern end of Centenary Square - demands the development of an iconic, landmark building to respond to the *Aspire* building as the southern anchor
- The location is such that a development of the scale and quality proposed will make a **significant and positive contribution** towards the built heritage and urban vitality of the city through extension and improvements to the civic space.
- There is an **abundance of heritage items** on the site which require careful and thorough documentation and consideration.
- Provides an opportunity to **increase permeability** of the city core by creating activated spaces and links on the ground plane.

The redevelopment of the site offers a unique opportunity to excavate and investigate the potential for suspected archaeological items thereby making a significant contribution to Parramatta's rich history. This opportunity will not be available unless the site is redeveloped.

In view of the above, it is recommended that Council support this planning proposal to vary Parramatta Local Environmental Plan 2011 to allow a building to be developed on the site with

- The Gross Floor Area permitted under and FSR of 15:1 (excluding design excellence)

1 Introduction

1.1 Commission

DFP has been commissioned by the Holdmark Property Group (Holdmark) to prepare a Planning Proposal to amend the planning controls applying to 197 Church Street, Parramatta (the site) to facilitate the redevelopment of the site to include an iconic tower – The *Boomerang*. The Planning Proposal seeks to amend height and floor space ratio controls applying to the site to enable the development of a building with a notional tower height of 250m. This report has been prepared to assist Parramatta City Council (Council) in the preparation of a Planning Proposal to the Department of Planning and Environment (DP&E).

The mix of uses, numbers of levels and numbers of apartments noted in this report are preliminary and indicative only and are subject to review as the design is developed within the proposed nominated height and gross floor area (GFA) planning controls.

This Planning Proposal should be read in conjunction with the Urban Design Study (**Appendix 1**) and other supporting documentation appended to this report.

This report has been prepared to satisfy the requirements of the Department's *A Guide to Preparing Planning Proposals*.

1.2 Background and Council Consultation

In April 2014 a preliminary concept proposal for the redevelopment of the site was submitted to seek initial feedback from Council on the merits of a proposal to redevelop the site for a landmark building. The concept proposal was accompanied by a planning and urban design report which set out a vision for the redevelopment of the site. The concept proposal was a preliminary report and the first step in the preparation of a detailed Planning Proposal for formal consideration by Council.

In September 2014, the concept proposal was presented to Council together with additional detail in relation to overshadowing.

In October 2014 a PowerPoint presentation and fly through video with commentary was presented at a Councillor workshop in relation to the proposed redevelopment of the *Boomerang*.

In December 2014, a report was considered by Council in relation to the preliminary planning proposal on 197 Church Street as well as two other preliminary proposals for sites at 20-22 Macquarie Street and 220-230 Church Street & 48 Macquarie Street (the Greenway site). Holdmark addressed the meeting during the public forum putting a case forward as to why the site at 197 Church Street warranted special consideration.

Following debate, the Council resolved:

- (a) *That Council accept building proposal (a), (b) and (c) and request a further report.*
- (b) *That Council seek an opportunity to create an A Grade building in the CBD by encouraging the developer to submit an innovative plan/proposal for the key site which would then be assessed on its merits.*
- (c) *Further that each application for (a), (b) and (c) be assessed on its merits individually with a 10:1 FSR as stipulated in Council's draft planning framework.*

A letter from Council dated 18 December 2014 provided clarification as to the intent of the Council resolution and invited Holdmark to lodge a planning proposal for increased height and floor space ratio (FSR). Council also confirmed that any planning proposal for the site would not be required to be limited to a FSR of 10:1.

This planning proposal responds to the Council resolution, Council’s letter and the numerous consultations the proponent has had with Council in relation to the redevelopment of this site with the *Boomerang*.

1.3 Project Team

The preparation of the Planning Proposal has been a collaborative effort by a team of consultants including:

Table 1 The Project Team	
Expertise	Consultant
Town Planning	DFP Planning Pty Limited
Architectural & Urban Design	Robertson & Marks
Traffic and Parking	Thompson Stanbury Associates
Heritage	Rappoport Heritage Consultants
Structural Engineering	Van der Meer Consultants
Wind Impact	Windtech

1.4 Report Structure

This Planning Proposal is structured in the following manner:

- Section 2** provides a detailed description of **the Site** and the nature of surrounding development.
- Section 3** considers the **Site Opportunities** and **Design Principles**
- Section 4** outlines the **Concept Proposal** for the site
- Section 5** outlines the **Planning Proposal**.
- Section 6** provides an **Explanation of Provisions**.
- Section 7** provides an **Assessment** of the proposal against the guidelines and a **Justification** for the Planning Proposal.
- Section 8** discusses the potential **Public Benefits** of the proposal.

2 The Site

The site is located at the north western corner of the intersection of Church Street and Macquarie Street in the Parramatta CBD and is approximately 250m north of Parramatta Railway Station (see **Figure 1**). The site address is 197 Church Street, 207 Church Street and 89 Marsden Street, Parramatta and is legally described as Lot 1 DP 710335 and Lot 1 DP 233150.

The site is irregular in shape and has three street frontages being Church Street to the east, Macquarie Street to the south and Marsden Street to the west. The site is 4,307.4m² in area. The frontage to Church Street is 39.3m. The frontage to Macquarie Street is 54.8m and the frontage to Marsden Street is almost 27m. A site survey is provided at **Appendix 1**.

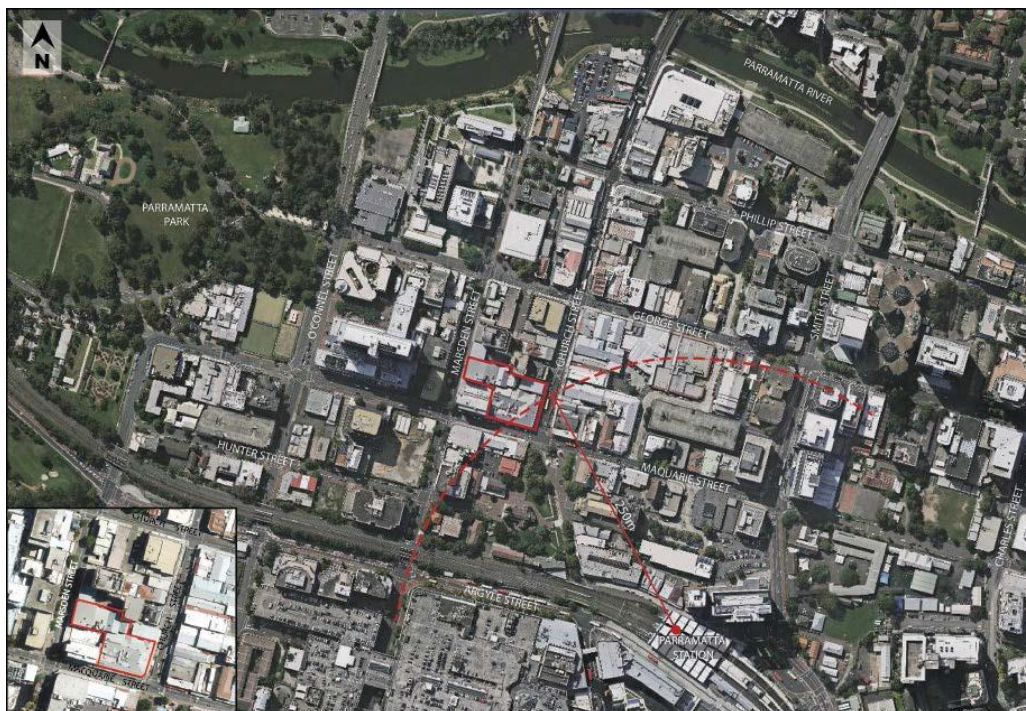


Figure 1 Site Location

The site is relatively flat and is built to the street edges, with no vegetation on the site. There are three buildings standing on the site including:

- A two storey, heritage listed building that is currently used for retail purposes. The building was constructed in 1925 as a hardware store and uses as a Murray Bros department store until the 1980s. The building is considered to be an important element of the streetscape in Church Street, however the heritage fabric of the interior of the building is no longer intact and has no heritage value;
- A modern four storey commercial building fronting Marsden Street (known as 89 Marsden Street); and
- A modern three storey retail/commercial building fronting Church Street (known as 207 Church Street).

Photographs of the site are shown at **Figures 2-7**.



Figure 2 View of the site (corner of Macquarie and Church Streets)



Figure 3 View of 197 Church Street frontage



Figure 4 View of 207 Church Street



Figure 5 View of Macquarie Street frontage



Figure 6 View south along Church Street towards Parramatta Square



Figure 7 View of 89 Marden Street

2.1 Surrounding Development

A seven storey commercial building adjoins the site at the corner of Macquarie Street and Marsden Street. This site is known as 20-22 Macquarie Street. A preliminary planning proposal for this site was also considered by Council at the meeting held on 15 December 2014.

Directly opposite the site to the east (across Church Street) are two storey retail premises, including a heritage listed building at 198 Church Street (on the north-east corner of Macquarie Street and Church Street) which is currently used as a Bendigo Bank branch.

To the south of the site is Centenary Square (formerly part of the Church Street Mall) which comprises public open spaces and a number of heritage items. Centenary Square has recently undergone a major renovation included the installation of new, modern street furniture, water feature, an upgrade of public amenities, new paving, enhanced street lighting, and refurbishment of Centennial Memorial Drinking Fountain and the clock.

Photographs of the surrounding area are shown at **Figures 8-16**.



Figure 8 *Centenary Square*



Figure 9 Centenary Square and Memorial Drinking Fountain and Clock



Figure 10 St Johns Church



Figure 11 *Parramatta Town Hall*



Figure 12 *Bendigo Bank Building, 198 Church Street*



Figure 13 Corner of Macquarie Street and Church Street (opposite the site)



Figure 14 Adjoining Heritage Building at 211 Church Street (former Post Office)



Figure 15 View south along Church Street



Figure 16 View of 20 Macquarie Street (adjoining the site)

2.2 Surrounding Road Network

The road network surrounding comprises

- Macquarie Street – a one-way west bound local collector
- Church Street - a single lane north-bound performing a local access function
- Marsden Street – a two way collector road

- O'Connell Street – a two way arterial road
- George Street – a one way east bound local collector road.

The site is provided with a reasonable level of service and is capable of accommodating additional demands during peak weekday and weekend periods.

The site is located within walking distance to many existing and planned future public transport infrastructure and is therefore compliant with recent government strategic policy of locating mixed use developments within close proximity to public transport.

2.3 Current Planning Controls

The site is zoned B4 Mixed Use under Parramatta Local Environmental Plan 2011 (PLEP 2011), and a broad range of land uses are permissible with consent including retail, commercial and business premises, shop top housing and residential flat buildings.

The site has a 12m building height limit for that part of the site fronting Church Street and a 36m height limit for the remainder of the site. **Figure 17** is an extract from PLEP 2011 Height of Buildings map showing the two height standards which apply to the site and the height standards applying to surrounding properties. Floor space ratios (FSR) of 3:1 and 4:1 apply to the site.

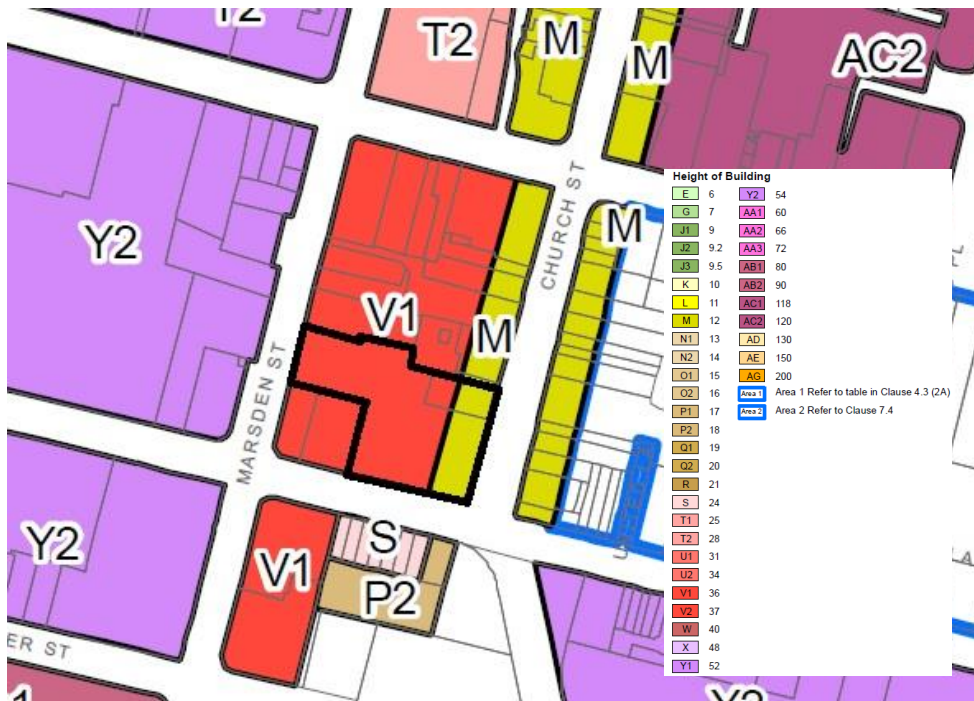
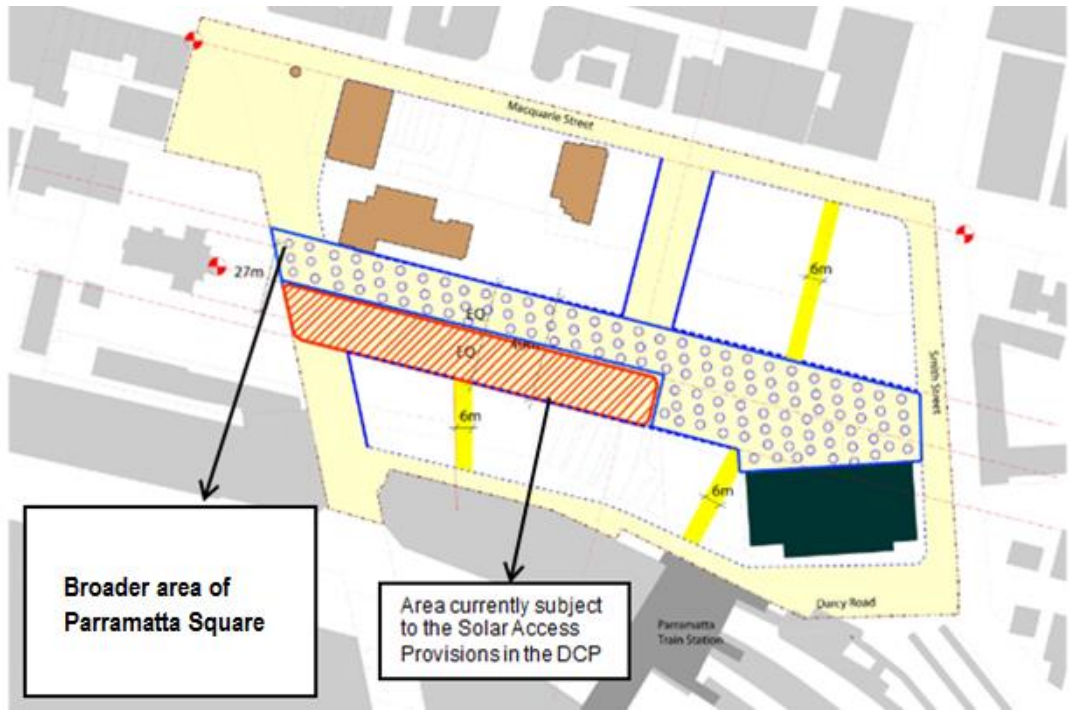


Figure 17 Extract from Parramatta City Centre LEP 2007 Building Height Map

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. The site is heritage listed (I655 in PLEP 2011).

Section 4.3.3 of Parramatta DCP 2011 applies to the site. This section of the DCP applies to the City Centre and provides detailed controls and identifies specific precincts within the city centre. The DCP includes a wide range of development controls in relation to building form, pedestrian amenity, access and parking, environmental management as well as controls for special areas including the Parramatta Square precinct.

There are controls within the DCP which relate to solar access to a specific section of Parramatta Square. It requires development to be designed so it 'minimises' the degree of overshadowing to a portion of the square. Section 4.3.3.7 of the PDCP 2011 requires that buildings must be designed so as to ensure that no point of the area hatched in red in the diagram below is in shadow for a period greater than 45 minutes between 12pm-2pm mid-winter.



Heritage Items

The site is identified as a heritage item in Schedule 5 to PLEP 2011. Item 655 in Schedule 5 identifies a shop and potential archaeological site at 197 Church Street Parramatta as having state significance.

Rappoport Heritage Consultants (RHC) has undertaken a heritage assessment including an assessment of the potential for the site to contain potential archaeological items. A copy of the Statement of Heritage Impact (SoHI) is included at **Appendix 3** to this report.

The town was laid out in June 1790 and named Parramatta on 4th June 1791. For a period of time, Parramatta outstripped Sydney in growth. In the 1790s it was the main settlement of New South Wales and Sydney only the harbour town.

The subject site is at the junction of Church Street and Macquarie Street, Parramatta. This precinct is 'the heart and gathering point of Parramatta'. The pivotal role played by this site is demonstrated by the number of activities that have historically occurred on and around it including:

- The current Town Hall site near this junction was designated for this purpose in 1792 by Governor Phillip.
- In 1792 Essex Henry Bond was granted the first beer licence, and opened Parramatta's first public house at this junction.
- The site of St John's Anglican Cathedral is 'the oldest church site and continuous place of Christian worship in Australia, dating from 1803 [and] one of the two oldest parishes, proclaimed in Australia in 1802'.
- By 1810 many properties along Church Street to either side of Macquarie Street had been set aside for public administration.
- In 1810 the first state school in Australia was built at this corner (Figure 18).
- By 1812 the current Town Hall site near this junction was used as a market site, selling the district's produce and attracting a significant portion of the population; a dedicated market building was built there in 1851; the market remained here until 1878.
- Between 1816 and 1833 this was the location of the annual Meeting of the Aboriginal Tribes organised by Governor Macquarie.
- As early as the 1820s the Parramatta Fair was held near the current Town Hall site. This 'exhibition of stock, horses, cattle, sheep, grain, fruit, poultry, etc' ... 'was a community event equivalent to a modern agricultural show... [and] the first fair held in the colony.'
- The post and telegraph office was built near this corner in 1878-80.
- Construction of the Town Hall on the site of the former markets began in 1878 and was completed in 1883.
- By 1888, when the Centennial Fountain was erected, the junction was a busy traffic intersection 'used by horse and carts, cars and buses turning left from Macquarie street and heading south down Church Street'.
- In the early 20th Century Church Street was a central city artery, used, for example, for highly attended parades.
- In 1926 the Murray Brothers, one of whom had been trading in Church Street since 1876, opened two new buildings at this junction: the Murray Brothers department store on the north-west corner and the Murray's hardware store just north of the Town Hall fronting onto Church and Macquarie Streets.
- In 1925-26 Parramatta's first shopping arcade was built opposite St John's Church.

“As can be seen, this junction was always intended to play and has historically played a major role in Parramatta’s life as a city. It is envisaged that it will continue to do so, as Parramatta becomes more significant in providing employment and accommodation for Sydney’s growing population. Parramatta City Council foresees ‘a future for Parramatta as a centre of excellence... This means forward planning, innovation and investment to ensure that public infrastructure and future development meets the needs of our residents, visitors and workers’. Among plans for future development, the City will develop Parramatta Square, currently Civic Place, north-east of Town Hall, into a major downtown civic precinct, ensuring that the area around the Church and Macquarie Streets junction continues to play a central role in Parramatta (RHC SoHI, February 2015).”

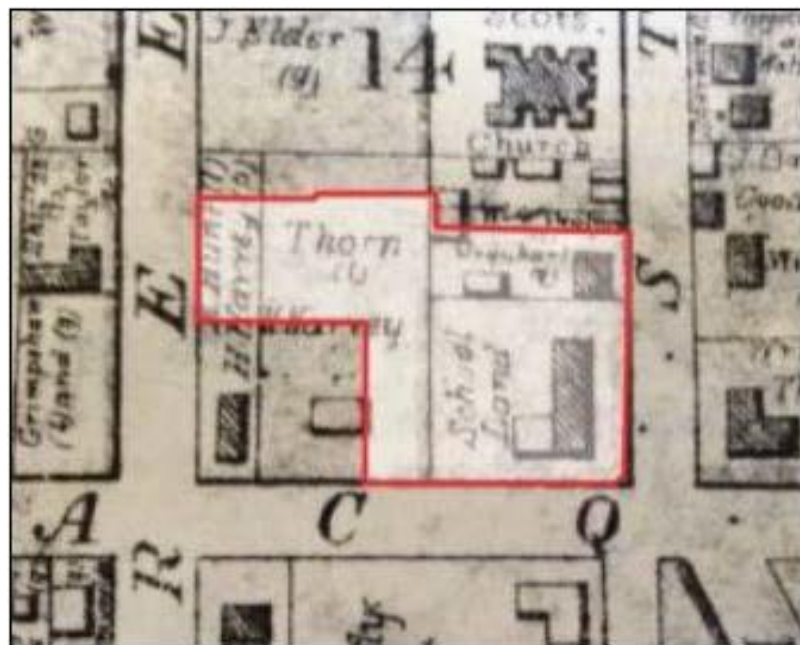


Figure 18 Extracts from RHC SoHI report showing the location of the first state school on 197 Church Street

3 Site Opportunities

3.1 Site Opportunities

The site presents an opportunity for a major landmark building and public domain element that would contribute to the evolving character of the city centre and deliver significant public benefits.

The redevelopment of the site will also provide an opportunity to investigate and, if appropriate, display and interpret the archaeological items currently suspected of existing below ground level. This opportunity would not be available if the site is not redeveloped.

This site is located at the junction of Parramatta Square, Centenary Square, Church Street Mall, and Macquarie and Church Streets and presents an opportunity to create a key anchor within the urban fabric of Parramatta. Having regard to the context of the site and its relationship with other key features of the CBD, the site presents the following opportunities:

- It is a large site centrally located in the heart of the CBD. The size and configuration of the site offers the opportunity to provide a significant building which can be designed having regard its location on north-south and east-west spines through the CBD.
- It is a key corner location at the northern end of the Centenary Square.
- The site is located on major links between Parramatta Park, the river, Church Street Mall, the railway station and Westfield shopping centre.
- A building can be designed which responds and contributes to the evolving nature of the Parramatta skyline.
- There is the opportunity to develop an iconic tower that can act as a marker or landmark within the city centre.
- The site has latent development potential and can make a significant contribution towards meeting employment and sub-regional housing targets.
- The opportunity to promote and enhance more street level retail and restaurant facilities is provided.
- There are opportunities to retain and exhibit on site archaeological artefacts utilising innovative display techniques.
- There are opportunities to extend the public domain into and through the site.
- Redevelopment of the site will have broader social, cultural and economic benefits for Parramatta and contribute to achieving the objectives of Parramatta 2038 and the Parramatta Economic Development Strategy.
- The site has good links to public transport (trains, buses, ferry, future light rail).

3.2 Design Principles

The site presents an opportunity for a major landmark building and public domain element that will contribute to the evolving character of the Parramatta city centre. The following design principles have been prepared to guide the development of the site:

- A strong tower element to provide interest to the skyline and reinforces the urban structure of the city.
- A unique and contemporary design solution for the site, which creates landmark architecture in Parramatta and displays outstanding design excellence.
- A mix of uses including non-residential (retail and commercial) and residential uses.
- A civic piazza or publicly accessible space supported by active retail uses on the ground floor.

- Commercial floor space at the podium levels.
- An east - west pedestrian through site link between Church Street and Marsden Street.
- Improved public domain space on the ground floor plane potentially integrated with Parramatta Square/Church St Mall.
- A building design that incorporates a creative design solution providing for the conservation of the heritage fabric and heritage values of the site.
- An increased curtilage to the adjacent heritage item at 211-213 Church Street.
- The siting, design, orientation and grounding of the tower form is to take account of the site's potential archaeological relics, heritage values and overshadowing impacts.
- A public domain which is sensitively designed to take into account CPTED considerations.

These principles have been applied for the purposes of designing a development proposal for the site.

4 Concept Proposal

The site occupies a significant corner of Church Street and is central to the evolution of the Parramatta city centre. The intersection of Church Street and Macquarie Street has historically played a major role in Parramatta's life as a city. It is envisaged that it will continue to do so as part of Parramatta's role of the other CBD as envisaged in *A Plan for Growing Sydney*.

Parramatta City Council foresees a future for Parramatta as a centre of excellence... This means forward planning, innovation and investment to ensure that public infrastructure and future development meets the needs of our residents, visitors and workers.¹ This includes plans for the development of Parramatta Square, currently Civic Place to link with the existing Church Street Mall and Centenary Square civic spaces, ensuring that the area around the Church and Macquarie Streets junction continues to play a central role in Parramatta.

A number of new developments with heights greater than permitted in PLEP 2011 have been approved in the vicinity of the site. In addition, the design approved for the *Aspire* tower reaches a height of 300m and provides a GFA of 70,000m². This demonstrates that there is capacity in the centre to support a development with a height above that currently permitted (and above that envisaged in the *Parramatta CBD Planning Strategy*)

In the *Parramatta CBD Planning Strategy*, a future development scenario of 'Increased FSR and no height control' was identified as the scenario most likely to deliver the objectives of the study – to develop a planning framework to firmly establish Parramatta as Sydney's premier Regional City and a real alternative to Central Sydney as an employment and mixed use centre.²

The Parramatta City skyline is evolving from that of a low flat city to one with more distinction, character and variety. Slender and taller towers are emerging, punctuating the skyline from the heart of the city to the river foreshore. This follows the pattern emerging for many of the major cities around the world.

The transformation of the city centre is reflected in the number of development applications and planning proposals for mixed use, residential and commercial buildings that have floor space ratios and building heights in excess of those prescribed in PLEP 2011.

Under the existing PLEP 2011 controls redevelopment of the subject site and many other sites within the city centre is unlikely to occur as those controls would realise a very low yield which would preclude the ability to provide public benefits, heritage interpretation or a high quality architectural design.

The scheme proposed for 197 Church Street will result in the development of an iconic landmark building on a strategically and historically significant site in the Parramatta CBD.

The development concept for the *Boomerang* will ensure that this building becomes as recognisable as iconic buildings in other cities.

The proposed tower height is notionally 250m (excluding roof structures such as aerials, lift over-runs, roof mounted plant and the like) and the design concept includes:

- An innovative and unique angled tower form;
- A mix of uses – residential, commercial, retail;
- Publicly accessible ground level piazza space;
- Through site link to Marsden Street

¹ http://www.parracity.nsw.gov.au/your_council/future_planning

² Draft Parramatta City Centre Planning Framework Study, September 2014

4.1 Urban Design Considerations

DFP Planning and Robertson and Marks Architects (R+M) have undertaken an urban design assessment of a mixed use high rise tower with a notional height of 250m at 197 Church St, Parramatta. A detailed Urban Design Report is included at **Appendix 2** to this report.

The objectives of the study were to understand the following key issues:

- What makes a great Civic Space.
- The buildings and street edges that define it.
- Ground plane opportunities.
- Latent potential of the subject site and opportunity for a memorable sculptural form to the residential tower.

The development potential of the site has been considered within the context of metropolitan, regional and local planning frameworks, the site's local context within the Parramatta CBD, best practice architectural principles and urban design as well as recent development trends for taller buildings.

As a result of those investigations and considerations a series of design principles were developed and those design principles informed a design response. Specifically it was determined that any design for the site should recognise the opportunity to provide a unique and landmark development which will make a positive contribution towards the urban form, character and identity of the city.

High quality landmark towers in the Parramatta CBD will add prominence and interest to the city. The delivery of a signature tower on this key site is a positive response to the emerging built form and vision for major high rise buildings in the context of the Parramatta city centre and other major cities. The height potential of the site should be considered in the context of an emerging city skyline comprising tall, iconic buildings. An analysis of the existing and likely future Parramatta skyline is included in an appendix to the Urban Design Study at **Appendix 2** to this report.

With this in mind, R+M envisaged a built form with a distinct identity, architecturally designed to be a landmark visual marker and to act in concert with the proposed *Aspire* tower to 'bookend' the civic heart of Parramatta.

These design responses have been encompassed in the proposed built form which will have the simple yet striking iconic form resembling the shape of a boomerang.

Five key aspects of the site and the development have been considered and have contributed to the design response for this site. Each of these and how they have informed the design of the concept are summarised below. Additional detail in relation to built form, public domain and heritage considerations is included in Sections 4.2, 4.3 and 4.4 of this report.

This is a strategic site

- It has historically been an important site in the heart of Parramatta.
- It anchors the northern end of the civic space.
- It is a bookend to the southern key site – *Aspire*.
- It provides unique opportunities to extend and define the Civic spaces and provide opportunities for public art displays.
- The '*Boomerang*' contributes to the civic space by providing a landmark building that sets a visually pleasing marker for pedestrians and acts as a 'pull' to the north end of the Church St Mall.
- The development could provide up to 600 residential apartments (depending on the mix of apartments) and approximately 11,000m² of retail and commercial floor space in a location proximate to existing transport and infrastructure in the heart of the Parramatta CBD.

Heritage

- Redevelopment of the site provides an opportunity to investigate the heritage and archaeological potential of the site.
- Redevelopment of the site provides an opportunity to open up views to the adjacent heritage item (211 Church Street) by providing an increased curtilage to the former Post Office building.
- Options for the treatment and management of known heritage items (the Murray Bros façade) have been considered and all are achievable.
- Options for the future treatment and management of unknown in situ archaeological items have been explored. Following careful excavation of the site, any items, if found, will be investigated and interpreted in terms of significance. Options for the treatment and management of archaeological items would depend on the significance (in terms of type, location and /or number) of those items. This could range from documentation and removal to on site/in situ display. If this occurs, a section of sub soil would be required to be maintained. The building has been set out to ensure any disturbance of potential archaeological items is minimal.

Civic Space

The development will:

- Enlarge the central civic space area within the Parramatta CBD.
- Make a positive contribution to the Parramatta civic space as a great public space.
- Enhance and complement Church St Mall, Centenary Square and development of Parramatta Square through an extension of material palette and public domain treatments to the site.
- Contribute to a sense of 'feeling safe' by enhancing the public domain in the vicinity of the site and giving priority to pedestrians.
- Contribute to the sense of 'feeling secure' by activating the space in and around the site day and night, through the introduction of residential development on site and elevated public podiums providing passive surveillance and improved street lighting.
- Provide a pedestrian through link / laneway connecting Church Street & Marsden Street that contributes to the lanes network identified in Council's urban form plans.

Building Design

The unique and innovative design of the building will:

- Provide an iconic landmark building on a strategically and historically significant site in the Parramatta CBD.
- Display outstanding design excellence.
- Enhance the pedestrian experience by providing wide accessible footpaths, good surfaces and street lighting.
- Encourage the public to stay and linger in the space by providing by an interesting and engaging 'edge' through active ground level retail.
- Provide a variety of treatments to public spaces including wider footpaths, landscaped areas, formal sitting areas, all of which will have access to views and daylight. Implementation of a number of measures including providing improved street furniture, café spaces and ameliorating the impacts of traffic noise will encourage people to use and interact in the spaces provided.
- Provide a 'human scale' to a civic space by developing ground level activities like laneway style café experience, retail, public piazza and exhibits of archaeological finds and heritage.

- Managing the microclimate in the vicinity of the site by mitigating wind down drafts through the use of large horizontal overhangs, covered walkways & arcades, and landscaping thus protecting against unpleasant sensory experiences.
- Provide an alternative opportunity in terms of public spaces.

Solar Access to Parramatta Square

Jan Gehl's 12 principles explore the criteria that contribute to a good functioning city space. Access to sunlight is not the only consideration by which a public space is successful and useable. Other areas of the Square and Centenary Square will have solar access. Parramatta Square opens up to Church Street mall and Centenary Square – gives users a sense of a much larger space and avoids the sense of enclosure.

The development does not compromise or inhibit the achievement of the 4 key attributes of a successful public space in Parramatta Square, Church Street Mall or Centenary Square as championed by Project for Public Space:

- accessibility
- activities
- comfort
- sociability

Due to the tall slender form of the tower, the shadow swiftly travels across the square at a rate of 46m per hour or 750mm per minute.

4.2 Built Form

Robertson and Marks Architects have designed a built form with a distinct identity to be a landmark/visual marker in the Parramatta CBD. The proposed built form will have a simple, yet striking, iconic form resembling the shape of a boomerang.

The *Boomerang* will exhibit the following features:

- A “gravity defying” form which creates visual interest and has a landmark quality. This will set it apart from other developments in the Parramatta CBD. The design reflects the angle of the pedestrianized section of Church Street defining it as a visual marker unique to the street.
- The built form has been positioned at the corner of the site to allow for an increased curtilage to the adjacent heritage item at 211-213 Church Street and ensure the future development opportunities of the adjacent lot at 20-22 Macquarie Street are not compromised.
- The unique design has the potential to become an identifying feature synonymous with Parramatta.
- The building is oriented east-west with the bent form visible along Church Street and presenting as a tall slender building along Macquarie Street.
- The built form is proposed to have a notional building height of 250m (excluding roof features such as roof mounted plant, aerials, lift over-runs and the like) and a maximum GFA of 71,000m².
- A mixture of apartment sizes and increase housing supply in the area.

The nature of the development envisaged for the redevelopment of the site and the projected floorspace yield is critical to the achievement of the proposed public benefits.

In order to ensure the *Boomerang* is able to be constructed, preliminary assessment by structural engineer has been undertaken. A copy of that advice is included at **Appendix 5** to this report.

The structural engineer – van der Meer Consulting – has confirmed that the development is able to be constructed based on accepted engineering practice and in accordance with the BCA and relevant Australian Standards.

Renders of concept design for the *Boomerang* are shown in **Figures 19** and **20**.

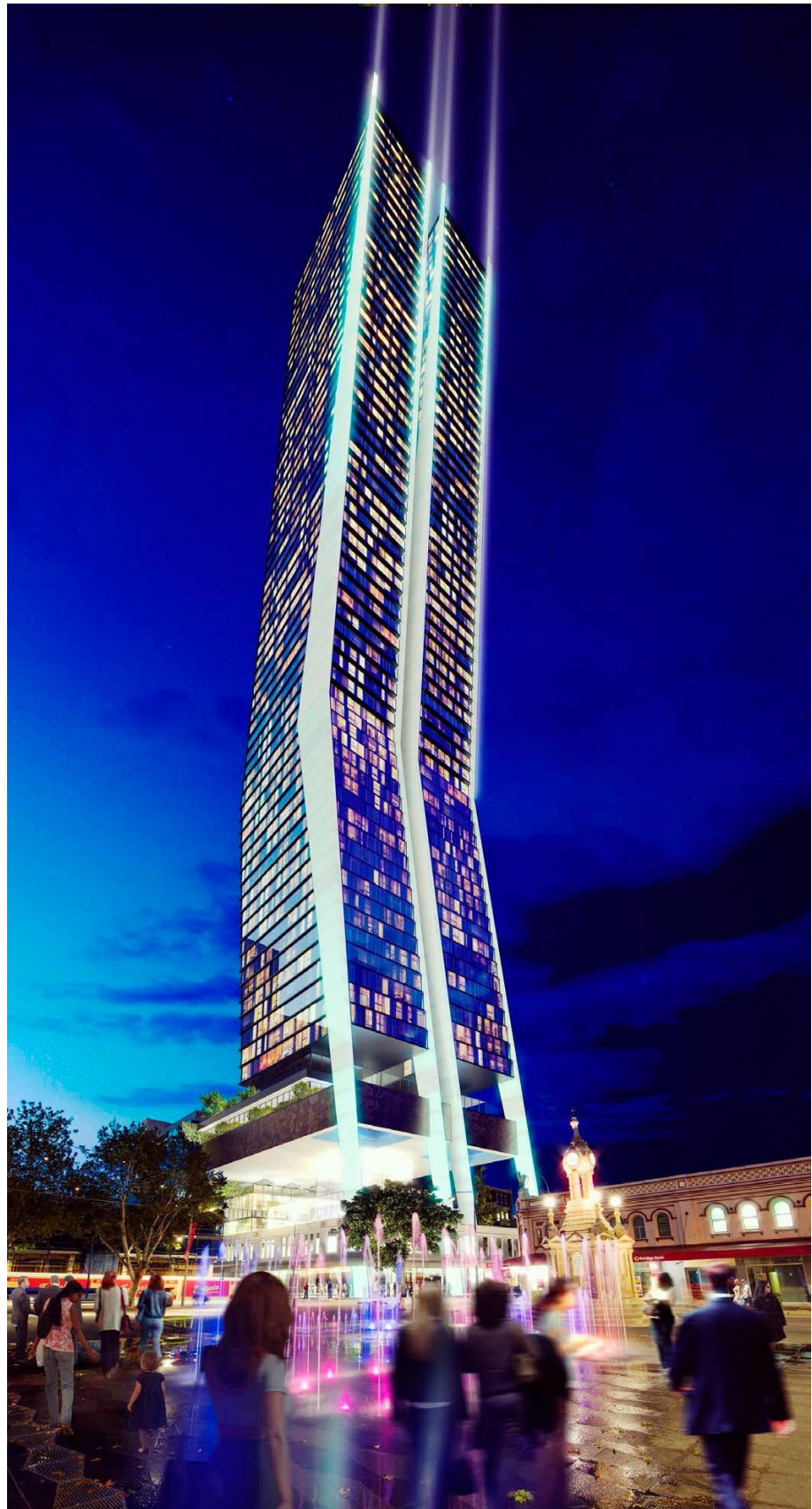


Figure 19 *Render View of Concept Design – View across Centenary Square*



Figure 20 *Render View of Concept Design – Bird's Eye View down Church Street from the north*

4.3 Public Domain

Council's vision for its central civic space in the CBD - Centenary Square and Parramatta Square - indicates that these areas will be safe, vibrant and accessible spaces. The development at 197 Church Street provides an opportunity to extend these public spaces by creating a civic piazza on the ground floor level of the site which will connect seamlessly with these public spaces.

Not only is there an opportunity to integrate a new space with other public domain areas, the area can also be imaginatively designed to provide public access to any archaeological artefacts that may be located on the site thus furthering Council's objective of protecting and providing public access to Parramatta's past.

In terms of the public domain area it is envisaged that the development will:

- Enlarge the central civic space area within the Parramatta CBD through an extension of material palette and public domain treatments used in Church St Mall and development of Parramatta Square to the site.
- Make a positive contribution to the Parramatta civic space as a great public space by enhancing and complementing the formal areas of Centenary Square, Church Street Mall and Parramatta Square.
- Contribute to a sense of 'feeling safe' by enhancing the public domain in the vicinity of the site by giving priority to pedestrians.

- Contribute to the sense of 'feeling secure' by activating the space in and around the site day and night, through the introduction of residential development on site and elevated public podiums providing passive surveillance and improved street lighting.
- Provide a pedestrian through link/laneway connecting Church Street & Marsden Street that contributes to the lanes network identified in Council's urban form plans.
- Provide an opportunity to preserve as yet unknown archaeological artefacts that may be located on the site in a manner that will allow access by the public.

4.4 Heritage

The Statement of Heritage Impact (SoHI) by Rappaport Heritage Consultants (RHC) at **Appendix 3** has investigated both known heritage items on site and in the vicinity of the site as well as the potential for archaeological artefacts to be located below the existing building.

In this regard, the redevelopment of the site offers a unique opportunity to excavate and investigate the potential for suspected archaeological items; an opportunity that would not be available unless the site is redeveloped.

Potential Archaeological Artefacts

Given that the opportunity to undertake these investigations will not be available until such time as more certainty as to the development potential of the site is known, the SoHI has considered a number of options with respect to the treatment and management of potential archaeological artefacts that may be found on site. These options have been informed by previous desk top research undertaken by Godden MacKay Logan who identified four historical phases associated with the development of the site and the buildings relating to those phases. These include:

- The first State School in Australia which was opened in 1810.
- The Australian Joint Stock (AJS) Bank (constructed during phase 3: 1858-1925).
- The Primitive Methodist Church.
- The Murray Brothers department store which opened in 1926. The external facades of this building still exist today.
- Caerleon home of Dr R.A.P. Waugh which was constructed circa 1911.

The suspected locations of footprints of buildings previously known to have occupied the site are shown on the plan at **Figure 21**. It is unknown which, if any, of these buildings/uses may still remain on the site. The SoHI notes the following:

A range of remains may be found dating from Phases 1 through 4, including:

- remains of known or unrecorded buildings, such as postholes, foundations or foundation trenches;
- evidence of external spaces, such as paving, rubbish or ecological samples;
- artefacts associated with site use, such as household and other objects; and
- evidence of street, lane or lot boundaries and alignment, such as kerbs, paving or fencing.

There are varying levels of disturbance across the site. For example, the basement area below the building fronting Marsden Street would have resulted in significant disturbance. Although there is no basement beneath the Murray Brothers building, the installation of services and car parking associated with the recent uses of this building is likely to have resulted in some disturbance.

The potential archaeological artefacts have been assessed in terms of their significance. This ranges from National significance to no significance – **Figure 21**.

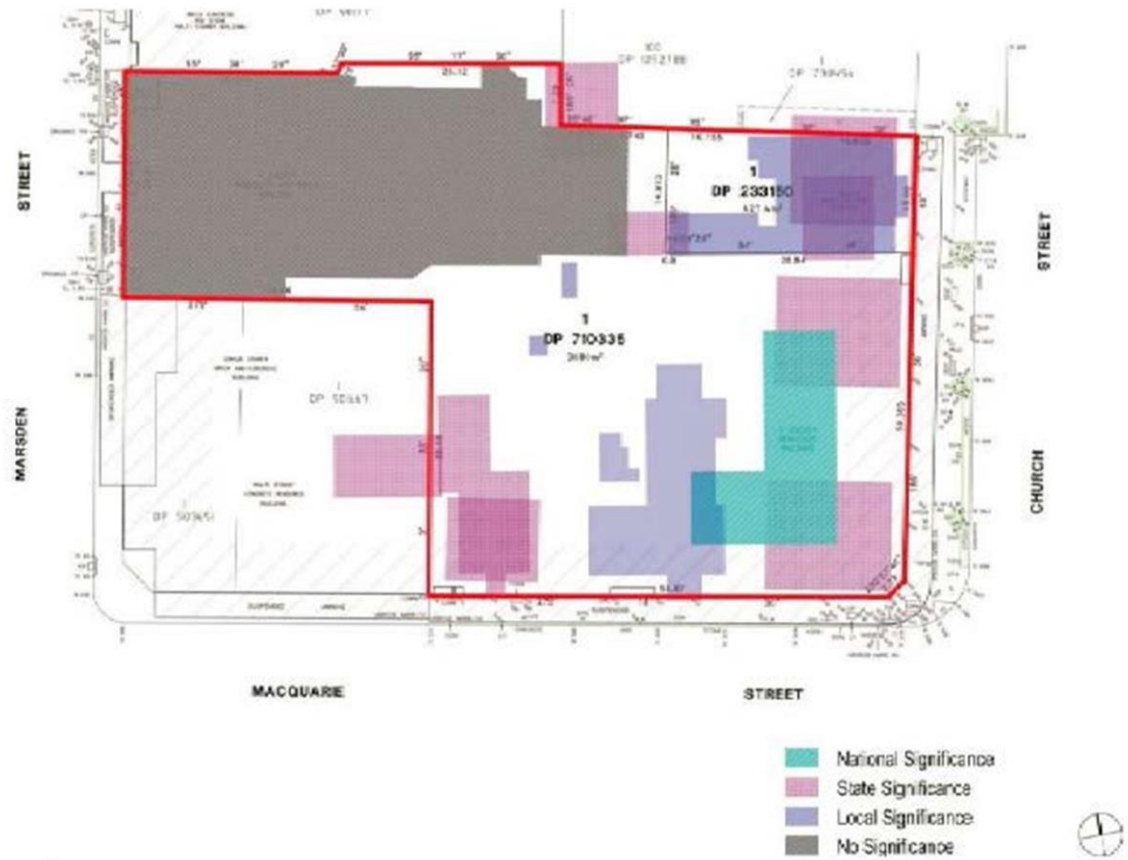


Figure 21 Likely significance patterns (as assessed in the GML report)

The SoHI has considered several scenarios for the management of archaeological items, if found:

- Items of minor significance: these are likely to be approved for removal and could then be displayed interpretively on site, or described in signage.
- Large items of major significance or intact items of State significance: these may be required to be conserved *in situ*.

If the second of these scenarios eventuates (following demolition of existing buildings and excavation and investigation), then one of the following methods of treatment may eventuate:

- conservation of a layer of soil containing the archaeological remains; or
- retention in situ without public exposure but with descriptive signage, or creation of a publicly visible conserved archaeological site; or
- removal of significant items during works and reinstatement upon completion.

The SoHI recommends that should significant remains be found which are required to be conserved in situ, the preferred option would involve the *creation an interpretive heritage space accessible by the public, with the conserved items on display, for example by means of a protective but trafficable glass floor and appropriate signage, artworks, etc. Regardless of whether significant archaeological remains are found, or of whether they are required to be conserved in situ, creation of a public space with an interpretive heritage (and/or archaeological) aspect would in our view not only help to minimise impact on significance but enhance such significance.*

Once excavation has been undertaken and the full extent of the significance of any archaeological items has been assessed, more detailed design will be undertaken. However, the *Boomerang* has been carefully designed to ensure minimal, if any, disturbance will occur in those areas of the site identified as having the potential to contain archaeological artefacts.

Murray Bros building and facade

The Murray brothers were a notable business family who commenced trading in Parramatta in 1877.

In 1926, the building at 197 Church Street that still stands on the site today was constructed together with the Murray's Ltd hardware store which is located to the north of Parramatta Town Hall facing Macquarie Street.

The Statement of Significance in relation to this building as noted in the State Heritage Register states that:

Building or work associated with notable people. Namely the major department store of Murray Bros. Site possesses potential to contribute to an understanding early urban development in Parramatta.

The SoHI acknowledges that while the existing commercial use does contribute to the Murray Brothers building's significance, the existing building is too small to make efficient economic use of its position in the centre of a growing city.

Therefore, RHC has considered three options with respect to this building:

- Option 1: Complete demolition. Complete removal of this heritage-listed building would remove all evidence of this building. In RHC's opinion this would significantly alter the character of the streetscape and the junction although RHC acknowledges that this may be Council's preferred option in which case RHC would recommend photographic archival recording of the building prior to demolition.
- Option 2: Demolition and relocation. Sections of the carefully dismantled Church and Macquarie Street facades would be relocated in the new development. In RHC's view this would not represent best heritage practice and risks approaching 'facadism'.
- Option 3: Partial demolition, retaining only the Church and Macquarie Street first floor facades and the columns below, in their current location. In RHC's view this approach represents the best method of preserving a significant measure of the building's significant fabric and of its contribution to the character of the streetscapes, junction and city

Options considered above with respect to the treatment of the ground floor plane of the building are shown in the renders at **Figures 22, 23 and 24**.



Figure 22 *Option 1 – Complete demolition – large open piazza area*

- With respect to Option 1, this would allow for the provision of an open style piazza area below the tower with small scale free standing retail kiosks to provide added activation to this space. The positive outcomes of this option include:
- Provision of a modern ‘celebratory’ public space that presents a wider presence of Church Street.
- Extension of the public civic space linking to the Centenary Square, Church Street Mall and the Parramatta Square.



Figure 23 *Option 3/Alternative 1 – Concept store behind retained facade*

With respect to Option 3, two alternative uses for the ground floor space have been considered. These are:

- Development of a concept single use store behind the façade with retention of the façade and columns as entry portals to the space occupied by the store –Alternative 1.
- Development of retail stores with integration of the façade as part of the shopfront and shop entries providing greater enclosure of the central space of the building – Alternative 2.



Figure 24 *Option 3/Alternative 2 – Retail shops fronting the street at ground level with retained façade*

These options have been explored at this stage in the project for the purposes of demonstrating to Council and Department of Planning and Environment that, although a range of treatment and management of the façade of the Murray Bros building is available, all have been considered and addressed as part of this planning proposal. In considering these options Council resolved on 7 December 2015 to retain the heritage façade of the existing building of the site.

The traffic consultant has recommended vehicular access be provided to any future development of the site via Macquarie Street. This will have some impacts on the heritage façade of the building if maintained. RHC has assessed the impacts of providing an access in this location and notes that:

Given that much of the existing ground floor façade is not original and given the height of the existing awning (approx. 4.16m above street level), it seems likely that such an opening can be introduced with minimal heritage impact. Should an opening taller than the existing awning be required, Rappoport is confident that a solution of minimal heritage impact can be found.

In terms of the actual location of the access, this would be subject to further investigations and excavation to determine the location of any archaeological items.

Adjacent Heritage Building

The development of 197 Church Street also offers the opportunity to address how the integrity of the adjoining heritage building at 211 Church Street is managed. There is a unique opportunity to design the building to integrate with the publicly accessible areas at 211 Church Street.

The design proposes to raise the tower element above the adjoining heritage item and new works at ground level are set back from the heritage building to respect its heritage integrity and provide a generous curtilage and unimpeded views.

Conclusion

There are known and unknown heritage and archaeological items on the site. Until such time as the significance of subterranean heritage items can be assessed, the methodology of treatment and management of those items cannot be determined. Nevertheless, the *Boomerang* has been designed to ensure minimal disturbance to items based on the suspected location of those items (**Figure 21**). The ultimate building can be designed to incorporate measures to access the heritage items and archaeological artefacts on the site thus furthering Council's objective of protecting and providing public access to Parramatta's past.

The SoHI notes that *the precinct around this street junction has been highly significant in Parramatta's history and social life. As shown in Figure 6 to Figure 13 (of the SoHI), until at least the 1950s part of the junction's character derived from the landmark quality of St John's Church, whose twin spires rose above most other buildings in town and marked the city centre for miles around. Development since then has surrounded the Church with high-rise office blocks, removing the city's original landmark and detracting from the significance of this junction. The proposal for a tall 'iconic' building would thus restore a landmark to this significant and deserving location, providing continuity in what planners/architects such as David Lynch and Aldo Rossi regard as the highly important 'image' and iconographic quality that forms residents' understanding of their city.*

4.5 Traffic

Thompson Stanbury Associates (TSA), Traffic Consultants, has undertaken a traffic impact assessment for a mixed use development on the site. A copy of the traffic assessment is included at **Appendix 4** to this report.

The traffic impact assessment has been based on a development comprising 10,280m² of retail/commercial floor space and 573 apartment with a maximum FSR of 15.3:1. The concept design differs slightly to that assessed by the traffic consultant, due to ongoing design

development. Nevertheless, the traffic assessment has been modelled on a development which is likely to have a similar impact than the above concept design and is therefore acceptable for the purposes of considering potential impacts.

The traffic impact assessment:

- Considers the existing road network conditions including traffic volumes and general traffic safety.
- Identifies vehicular traffic likely to be generated by the development that could occur as a result of the Planning Proposal.
- Compares the traffic generating capability of the Proposal with a LEP compliant development scheme and one which is accords with current endorsed strategic planning for the city centre.
- Assesses the ability of the surrounding road network to accommodate the traffic generating potential of the Proposal; and
- Assesses the cumulative traffic implications of the Proposal together with other known Planning Proposals within the immediate vicinity in terms of road network capacity.

In terms of design, car parking would be provided on site within a series of basement levels accessed via Macquarie Street with all vehicles exiting the site via Marsden Street. No vehicular access to/from Church Street is proposed or recommended. The provision of a vehicular access from Macquarie Street is contrary to Parramatta DCP 2011 which excludes the provision of access driveways servicing new development to / from Macquarie Street (and Church Street). The proposed access strategy, involving the separation of ingress and egress movements, has however been recommend by TSA for the following reasons:

- To reduce the width of driveways servicing the site and thereby reduce potential conflicts with pedestrian movements within the city centre location;
- To create clear access and departure routes to and from the site and thereby reduce the potential for a single road to be burdened with all traffic associated with the development; and
- To eliminate any potential conflicts between ingress and egress movements.

TSA considers the proposed access strategy to result in the least disruption to vehicular and pedestrian movements within the Parramatta city centre and therefore recommends that access to Macquarie Street be permitted upon future redevelopment of the site.

5 The Planning Proposal

The Planning Proposal seeks to amend the relevant planning provisions in the Parramatta City Centre LEP 2007 to:

- Amend the Height of Buildings map to remove the height limit applying to the site;
- Increase the Maximum Floor Space Ratio to 15:1 (excluding design excellence)
- Insert site specific controls through a new Part 7 Additional Local Provisions – Parramatta City Centre to PLEP 2011 seeking exemptions to certain clauses within the LEP
- Introduce a Site Specific Clause requiring an international design competition to be run on the subject site.

A detailed explanation of the proposed amendments to the PLEP 2011 is provided in Section 6.

5.1 Objectives or Intended Outcome

197 Church Street, Parramatta occupies a unique and strategically significant position within the Parramatta CBD. It is the northern 'bookend' of the existing Church Street Mall and Centenary Square civic space and is at the junction of the Mall, Church Street and Macquarie Street.

The vision for the site is to establish a landmark tower for the Parramatta CBD, with a unique design that delivers an architecturally significant building that respects the surrounding heritage items, integrates with Centenary Square, and responds to the surrounding public domain.

The objectives of the Planning Proposal are to:

- Amend the PLEP 2011 controls to allow for the development of an iconic tower that achieves design excellence and provides identified public benefits;
- Establish new planning controls relating to the maximum permissible gross floor area able to be developed to allow flexibility to accommodate minor variations as a result of detailed design, as well as certainty in relation to the scale of the development allowable on the site.

6 Explanation of Provisions

6.1 Proposed Amendments to Parramatta LEP 2011

The Planning Proposal proposes the following amendments to PLEP 2011:

- Amend the Height of Buildings map to remove the current height limit applying to the site;
- Increase the Maximum Floor Space Ratio to 15:1 (excluding design excellence)
- Introduce new local site specific clause in Part 7 of the PLEP 2011 as Additional Local Provisions seeking exemptions to certain clauses within the LEP

The following wording is suggested for the site specific provisions in the new Part 7 – Additional Local Provisions – Parramatta City Centre:

197 Church Street, 207 Church Street and 89 Marsden Street, Parramatta

- 1) *This clause applies to Lot 1 DP 710335 and Lot 1 DP 233150 known as 197 Church Street, 207 Church Street and 89 Marsden Street, Parramatta.*
- 2) *Development to which this clause applies must:*
 - a) *exhibit design excellence in regard to the matters set out in Clause 7.10(4) . Design excellence is to be determined via an International Design Excellence Competition.*
 - b) *provide appropriate heritage conservation and/or interpretation works and appropriate publicly accessible space(s).*
- 3) *Development to which this clause applies must not exceed:*
 - a) *The maximum permitted Gross Floor Area permitted under Clause 4.4 (Floor Space Ratio). For the purposes of this clause gross floor area excludes any floor space for private balconies, communal open space and publicly accessible spaces, whether these areas are enclosed or unenclosed and any areas to be dedicated to or provided for the exclusive use of Council or its nominees.*
- 4) *Clause 4.3 (Height of Buildings) does not apply on land to which this clause applies.*
- 5) *Clause 4.6 (Exemptions to Development Standards) does not apply to development to which this clause applies.*

6.2 Assessment of Proposed Amendments

The planning proposal does not seek to amend the land use zoning or permissible uses that apply to the land.

The site specific clause will not only allow the determining authority for a future development application on this site to appreciate the rationale behind the site specific controls, it will also provide a degree of flexibility to allow for minor variations to address the options for the ground floor plane and podium level. It also provides the proponent with certainty as to the maximum achievable development potential of the site.

There has been significant consultation with Council in relation to this project and consistent positive feedback regarding the concept designs for the *Boomerang*.

As discussed in detail in Section 7.3 of this report and in the Urban Design report at **Appendix 2**, the tower element will have some impact on the designated sun access zone of Parramatta Square as note in Figure 4.3.3.7.3 of Parramatta DCP 2011. This impact is not considered to

be 'detrimental', even though parts of this zone will be shaded between 12 noon and 2pm on the day of the winter solstice (NOTE: The shadow from the Boomerang does not begin to shade the nominated solar zone of Parramatta Square until 12.41pm). The future building design to result from the Design Excellence Competition process will need to ensure the current solar access requirements within Section 4.3.3.7 of the PDCP 2011 are complied with to ensure no part of the nominated portion of Parramatta Square in Figure 4.3.3.7.3 is in shadow for a period greater than 45 minutes between 12:00-2:00pm mid-winter.

One of the considerations of this Planning Proposal will be an assessment of the likely impacts of amending the controls in Parramatta LEP 2011 as they apply to this site, including the overshadowing impacts that might result.

The discussion in Section 7.3 of this report demonstrates that the positives associated with a redevelopment of the site to allow the development of the *Boomerang* far outweigh any perceived negative impacts in terms of overshadowing. Should this planning proposal proceed, it will be on that basis in which case further assessment of impacts on the sun access plane to Parramatta Square as part of any future development proposal are considered unnecessary.

7 Assessment against NSW Department of Planning & Infrastructure Guidelines

7.1 Need for the Planning Proposal

7.1.1 Is the Planning Proposal a result of any strategic study or report?

The planning proposal is not the result of a strategic study or report.

The proposal is the result of detailed site investigations and design analysis that has been undertaken by the landowner. These investigations and analysis are reflected in an Urban Design Study which has been prepared by Robertson + Marks Architects, which is included at **Appendix 2**.

The Urban Design Study details the concept and rationale for a future urban form on the site. The Urban Design Study is discussed in detail in Section 4 and Section 7.3 of this report.

The development potential of the site has been considered in the context of metropolitan, regional and local planning frameworks, recent development trends for taller buildings in the CBD and Council's vision for Parramatta Square.

It should also be noted that the Parramatta CBD population has increased 98% in the last 10 years and population growth forecasts prepared for the suburb of Parramatta (including the CBD) estimate Parramatta's population will grow by over 32,000 people between 2011 and 2031.

Since 2006, the largest change in age structure in Parramatta was the significant growth in the young workforce age group (25-34 year olds). Reflective of recent growth, the population forecasts also show that Parramatta can expect to attract a predominately younger population in future which will be attracted to higher density housing that is more affordable and accessible to major employment centres and universities.

7.1.2 Is the Planning Proposal the best means of achieving the objectives of intended outcomes, or is there a better way?

An amendment to the PCC LEP is the only feasible way of achieving the desired future redevelopment of the site.

Whilst Clause 24 – Exceptions to Development Standards provides the ability to vary the height and FSR controls, the proposed heights and floor space are a significant departure from the current planning controls and it is not appropriate to lodge a development application based on the development concept that would rely on the provisions of Clause 24.

The planning proposal is considered to be the best and most appropriate means of achieving the intended outcome.

7.2 Relationship to strategic planning framework

7.2.1 Is the Planning Proposal consistent with the objectives and actions of the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)?

Metropolitan Plan for Sydney A Plan for Growing Sydney

The regional strategic planning context for the planning proposal is detailed within the recently released *A Plan for Growing Sydney*, which sets out a strategic planning framework for Sydney.

This includes a series of objectives and actions under four overarching goals:

- Goal 1: A competitive economy with world-class services and transport;
- Goal 2: A city of housing choice with homes that meet our needs and lifestyles;

- Goal 3: A great place to live with communities that are strong, healthy and well connected; and
- Goal 4: A sustainable and resilient city that protects the natural environment and has a balanced approach to the use of land and resources.

Parramatta is identified as a key strategic centre within metropolitan Sydney and the Plan aims to continue growing Parramatta as Sydney's second CBD. The Plan has a strong focus on western Sydney and is aiming to build new housing and continue urban renewal in centres in western Sydney, including Parramatta. The plan is also promoting greater investment in arts, culture and education in Parramatta along with new transport links such as the Parramatta light rail.

The Plan is seeking to deliver sustained growth and intensive development in strategic locations across Sydney such as Parramatta to expand the economy and support more jobs closer to where people live.

The Plan identifies the following core elements for growing Greater Parramatta:

- integrating the precincts within Greater Parramatta and connecting the centre to the wider community and other centres through the proposed Parramatta Light Rail initiative;
- continuing to grow the commercial core as the central focus of business activity; and
- encouraging growth across a range of employment types.

The Plan also states that for Parramatta to fulfil its role as Sydney's second CBD it needs to expand arts, cultural and entertainment activities to increase its appeal as a dynamic and diverse place to work, live and play.

For that Greater Parramatta region the Plan is also seeking to:

- Integrate Parramatta CBD with Westmead, Parramatta North, Rydalmere and Camellia.
- Grow the specialised Health and Education Precincts at Westmead and Rydalmere.
- Renew Parramatta North to create a vibrant mixed-use precinct.
- Establish a new partnership to manage renewal of the Greater Parramatta to Olympic Peninsula priority growth area.
- Identify and deliver enabling infrastructure to support growth and urban renewal
- Deliver priority revitalisation precincts.
- Grow the knowledge economy as part of the extension of the global economic corridor.

The Plan also sets out the priorities for Sydney's subregions. Parramatta is within the West Central subregion. The West Central Subregion is identified as being a significant focus for infrastructure investment and intensive growth over the next 20 years. The relevant identified priorities for the subregion are:

- a competitive economy;
- accelerate housing supply, choice and affordability and build great place to live;
- protect the natural environment and promote its sustainability and resilience;
- provide capacity for additional mixed use development in Parramatta CBD; and
- provide capacity for long-term employment growth in the CBD;

The planning proposal is consistent with the goals of a *Plan Growing for Sydney* as it will facilitate the delivery jobs and housing in the heart of the Parramatta CBD. Redevelopment of the site provides an opportunity to explore the potential for new art, cultural or heritage facilities or experiences within the site, and forge strong links to Parramatta Square. An iconic tower will also assist in raising Parramatta's profile and act as a catalyst to encourage further investment to promote Parramatta's economic status.

7.2.2 Consistency with Council's local strategy or other local strategic plan

Parramatta 2038

Parramatta 2038 is Parramatta's Community Strategic Plan. Parramatta 2038 was adopted by Council in June 2013 and sets out a long term-vision for the LGA.

Parramatta 2038 plans for the concentrated growth of housing around public transport centres, precincts and hubs rather than dispersed growth throughout the LGA. Parramatta 2038 has six strategic objectives based around the economy, environment, connectivity, people, culture and leaderships. Within these broad objectives there are strategies for land and property development, urban vitality in the CBD's streets and precincts, an eco-efficient built environment, a connected city, and concentrating housing growth around centres.

The planning proposal is consistent the vision and direction for Parramatta detailed in Parramatta 2038.

Draft Parramatta City Centre Planning Framework Study and Parramatta CBD Planning Strategy

In recognition of Parramatta's status as Western Sydney's Premier Regional City and Sydney's other CBD, Council engaged Architectus and SGS Economics and Planning to review the current planning framework, market conditions, opportunities and constraints and develop a new planning framework to encourage the growth and development of Parramatta.

The draft *Parramatta City Centre Planning Framework Study* which included built form scenario testing of the City Centre by Architectus and an economic analysis of underlying market conditions by SGS Economics and Planning was considered by Council at a meeting in August 2014.

Development Scenarios

Four built form scenarios were investigated as part of the Planning Framework Study:

1. Scenario A: Existing Controls – A scenario based on sites developing to the current controls.
2. Scenario B: No height or FSR controls – where the main restriction on development is what the market may deliver.
3. Scenario C: Increased FSR, no height control – based on an increased FSR control, similar to that applied in the City of Sydney.
4. Scenario D: Increased height, no FSR control – based on a 'stepped' height transition to adjacent areas and restricting heights to improve solar access outcomes to key locations.

Each of these scenarios was tested and the positives and negatives of each development outcome assessed.

The scenario testing was used as a basis to inform the recommended controls for Parramatta. Key outcomes of the scenario testing which have led to development of the recommended controls include the following:

- 'Scenario C - increased FSR, no height control' has been determined as the preferred approach for Parramatta, particularly as it both allows for the projected floor space demand within Parramatta and encourages tall, slim towers.
- Sun access controls, similar to those shown in Scenario D are also recommended to form part of the proposed controls for Parramatta. Testing demonstrates the effectiveness of these controls in retaining sun access to the key public domain areas of Parramatta City Centre.
- Although Scenarios C and D deliver appropriate overall floor space outcomes, no scenario delivers the appropriate floor space mix required to match projected demand. This highlights the need to implement mechanisms for encouraging employment uses within Parramatta City Centre.

- The preferred approach (Scenario C) also provides better visual outcomes for the City Centre, as a Floor Space Ratio control basis tends to avoid dense clusters of development.
- Existing views of Parramatta are likely to significantly change if Parramatta is to deliver its projected growth, including historic views such as that from Mays Hill.
- Heritage outcomes may also need to be reconsidered in the light of a significant uplift in development capacity across Parramatta. This includes the existing controls relating to the Old Government House and Domain World Heritage Site as well as low-scale conservation areas which form some of the edges to the existing City Centre.

The draft *Planning Framework Study* also included site-by-site testing based on Scenarios C and D and the preferred development scenario (being Scenario C with the sun access controls in Scenario D). The testing for 197 Church Street recommended a development with one tower with a maximum height of 63m and 21,350m² of floor space.

This planning proposal and the Urban Design Study at **Appendix 2** demonstrate that the site is capable of accommodating more floor space and height than that noted in the Framework Study and that the resultant development will still meet all key outcomes with the exception of the sun access controls. However Council resolved that any future building design to result from the Design Excellence Competition process will need to ensure the current solar access requirements within Section 4.3.3.7 of the PDCP 2011 are complied with to ensure no part of the nominated portion of Parramatta Square in Figure 4.3.3.7.3 is in shadow for a period greater than 45 minutes between 12:00-2:00pm mid-winter.

Importantly, the additional floor space that would be permitted if this planning proposal proceeds will assist Council in meeting its overall floor space outcomes. The discussion in Section 7.3 and the attached Urban Design Study considers impacts on solar access to the public domain.

As a result of the resolution adopted by Council, the development scenarios were refined and the *draft Parramatta City Centre Planning Framework Study* and placed on public exhibition until 19 November 2014.

The exhibited draft *Parramatta City Centre Planning Framework Study* investigates the potential for existing zonings, building heights and floor space controls to be varied to encourage development and assist Council in meeting its growth targets for additional dwellings and jobs.

The findings of the Parramatta City Centre Planning Framework Study were further tested and refined by Council post exhibition and was used to inform the Parramatta CBD Planning Strategy. The Strategy recommends an FSR of 10:1 to be introduced across the majority of the City Centre, which includes the subject site at 197-207 Church Street, Parramatta. The achievement of an FSR of 10:1 is subject to compliance with the solar access provisions contained in the LEP and DCP.

The site is not within the commercial core.

The FSR of the building described in the Urban Design Analysis accompanying this planning proposal report ranges from 14.3:1 to 15.3:1, depending on the most appropriate response for the ground floor plane. Notwithstanding that is greater than the maximum 10:1 FSR recommended in the *City Centre Framework Study* and Parramatta CBD Planning Strategy, in the particular circumstances of this site the additional floor space is considered justified. Discussion regarding this is provided in Section 7.3 of this report and in the accompanying Urban Design Analysis (**Appendix 2**).

The building described in the Urban Design Analysis accompanying this planning proposal report will partially overshadow that part of Parramatta Square to which the recommended solar access controls apply. Discussion regarding this is also provided in Section 7.3 of this report and in the accompanying Urban Design Analysis (**Appendix 2**).

LEP & DCP Objectives

The aims of Parramatta LEP 2011 are detailed in Clause 1.2 of the LEP: The aims of the Parramatta LEP 2011 are:

- (a) *to encourage a range of development, including housing, employment and recreation, that accommodates the needs of the existing and future residents, workers and visitors of Parramatta,*
- (b) *to foster environmental, economic, social and physical wellbeing so that Parramatta develops as an integrated, balanced and sustainable city,*
- (c) *to identify, conserve and promote Parramatta's natural and cultural heritage as the framework for its identity, prosperity, liveability and social development,*
- (d) *to improve public access to the city and facilitate the maximum use of improved public transport, together with walking and cycling,*
- (e) *to minimise risk to the community in areas subject to environmental hazards, particularly flooding and bushfire, by restricting development in sensitive areas,*
- (f) *to protect and enhance the natural environment, including areas of remnant bushland in Parramatta, by incorporating principles of ecologically sustainable development into land use controls,*
- (g) *to improve public access along waterways where natural values will not be diminished,*
- (h) *to enhance the amenity and characteristics of established residential areas,*
- (i) *to retain the predominant role of Parramatta's industrial areas,*
- (j) *to ensure that development does not detract from the economic viability of Parramatta's commercial centres,*
- (k) *to ensure that development does not detract from the operation of local or regional road systems,*
- (l) *to ensure development occurs in a manner that protects, conserves and enhances natural resources, including waterways, riparian land, surface and groundwater quality and flows and dependant ecosystems,*
- (m) *to protect and enhance the viability, identity and diversity of the Parramatta City Centre and recognise it as the pre-eminent centre in the Greater Metropolitan Region,*
- (n) *to encourage development that demonstrates efficient and sustainable use of energy and resources in accordance with ecologically sustainable development principles.*

The development capable of being achieved as a result of this planning proposal will be consistent with these aims. Specifically:

- Without an uplift in development potential of this site, redevelopment is not a feasible option. The current development on site does not contribute to the economic revitalisation of the city centre. Feasibility testing of various development scenarios has demonstrated that a tower of at least 200m would be required to realise even a modest development margin. That testing also demonstrated that a development comprising a 75m tower and GFA of approximately 21,500m² will result in a loss to a developer.

The *draft City Centre Planning Framework Study* recommends a tower of only 63m. Given that it has been demonstrated that a 75m tower is not feasible, the development of a 63m is also unlikely to proceed.

- Development being undertaken in accordance with this planning proposal will provide for a landmark, iconic building on the site which will make a positive contribution to the recognition of Parramatta as Sydney's other CBD.
- The concept scheme provides for a similar quantum of retail/commercial floor space to that already provided on site but proposes new residential development on the site in the form of a tower. Future residents will have access to a range of existing and proposed public transport infrastructure and make a positive contribution to the vitality of the CBD.

The broad objectives for the Parramatta City Centre as noted in Section 4.3.3 of Parramatta DCP 2011 are:

- To support the primacy of the centre as an employment node with a strong commercial core occupied by high order quality commercial buildings.
- To support the commercial core with surrounding mixed use development that reinforces and complements the centre's core employment role.
- To ensure high quality design of buildings and public areas.

- To activate the Parramatta River edge and the relationship of the river to the city.
- To provide for the conservation and interpretation of Parramatta's heritage.
- To improve the natural environment.

The planning proposal will allow for a development which is consistent with these objectives in that:

- It will provide for the development of a simple yet striking iconic form resembling the shape of a boomerang on a historically significant site in the CBD.
- It will provide for a mixed use development.
- Consideration has been given as to how to manage known and unknown heritage and archaeological items on site.
- Any development will address the currently unfortunate interface with the adjoining heritage listed building.

Consistency with relevant State Environmental Planning Policies

An assessment of the Planning Proposal against the applicability and consistency with State Environmental Planning Policies is included at **Appendix 8**.

The Planning Proposal is not inconsistent with the applicable SEPPs.

Consistency with relevant Ministerial Directions (s.117 directions)

An assessment of the Planning Proposal against the applicability and consistency with Ministerial Directions is included at **Appendix 9**. The Planning Proposal is consistent with the relevant Ministerial Directions.

7.3 Environmental, Social and Economic impacts

Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?

The site is located in a highly urbanised area and has been developed for urban purposes. There is no vegetation on the site and it is unlikely to contain critical habitat or threatened species.

Are there any other likely environmental effects as a result of the Planning Proposal and how are they proposed to be managed?

The likely environmental effects of the Planning Proposal are built form, solar access to Parramatta Square and traffic impacts.

Urban Design

DFP Planning and R+M have undertaken a planning and urban design analysis of the site in order to consider the metropolitan and local planning frameworks that establish the strategic context for urban renewal and understand the implications of increasing the development potential of the site. This analytical work commenced in mid 2013 and has evolved and been refined over time and fully documented in the Urban Design Study.

The urban design study at **Appendix 2** considers the site in the context of its location within the Parramatta CBD and the future plans for the growth of the city, including the development in and around Parramatta Square and the Parramatta skyline.

In undertaking this study, applicable controls were reviewed and a comprehensive site visit and photographic documentation of the site and its immediate surrounds was conducted. R+M conducted extensive contextual analysis and looked at what makes a city and how Parramatta has the potential to fit into that mould.

These then formed the basis of a comprehensive site analysis which in turn informed the creation of opportunities and constraints diagrams for the site. The constraints and opportunities are discussed in Section 3.1 of this report.

R+M also analysed how the vision for Parramatta is progressively evolving with the proposed

height of recent proposals that have been nominated for the 'gateway' processes and exhibition of the Draft *Parramatta City Centre Planning Framework Study* in late 2014. This was in order to determine the likely height scenarios for the CBD and analyse the potential for any height increases for the subject site with the objective of providing a more sensitive and elegant built form.

From this research R+M then formulated a set of design principles which informed an appropriate built form response for the site.

The design principles and outcomes that were considered for the treatment of the public domain, heritage and traffic were based on the preceding investigations. The study concluded that all or any of the design considerations were possible regardless of the extent of archaeological findings and Council's preference for any public domain space on site.

Built Form

R+M Architects has designed a built form with a distinct identity to act as a landmark/visual marker in the Parramatta CBD. The proposed built form will have a simple, yet striking iconic form resembling the shape of a boomerang.

The *Boomerang* will be a unique and innovative building which will:

- Provide an iconic landmark building on a strategically and historically significant site in the Parramatta CBD that will make a positive contribution to the emerging Parramatta skyline.
- Enhance the pedestrian experience by providing wide accessible footpaths, good surfaces and street lighting.
- Attract people to the site and encourage the public to stay and linger in the space by providing an interesting and engaging 'edge' through active ground level retail, display of heritage items and provision of a variety of public spaces which will be treated to address a range of weather conditions.
- Provide a variety of treatments to public spaces including wider footpaths, landscaped areas, formal sitting areas all of which will have access to views and daylight. Measures including improved street furniture, café spaces and ameliorating the impacts of traffic noise can be incorporated to encourage people to use and interact in the spaces provided.
- Provide a 'human scale' to a civic space by developing ground level activities like laneway style café experience, retail, public piazza and exhibits of archaeological finds and heritage.
- Managing the microclimate in the vicinity of the site by mitigating wind down drafts through the use of large horizontal overhangs, covered walkways & arcades, and landscaping thus protecting against unpleasant sensory experiences.
- Provide an alternative opportunity in terms of public spaces.

The concept design is for a tall, slender, angled tower above a piazza and podium form. The building will be a visually prominent landmark for Parramatta landscape. This, together with the publicly accessible areas that will be provided on site as part of any redevelopment will extend the existing civic spaces to the north and draw people across Macquarie Street, into and through the site and then north along Church Street or west along Macquarie Street to Parramatta Park.

A new pedestrian connection will be able to be established linking Church Street to Marsden Street providing improved pedestrian permeability.

Options for the treatment of the ground floor plane with respect to known and unknown archaeological and heritage items is discussed in the section relating to heritage below.

A greatly increased curtilage to the adjoining heritage post office building at 211 Church Street will be provided with the building being setback in the order of 18m from the site's northern boundary.

The options for the ground floor plane will result in a zero setback to Church Street at ground level. However above that plane the tower element with its signature bend will effectively step back from the Church Street elevation to a maximum of 12m. This will have the effect of

reducing the sense of the tower element intruding onto the pedestrian space and maintain a 'human scale' sensation at street level.

This is demonstrated in the streetscape render view along Church Street – **Figure 25**



Figure 25 Streetscape view looking south along Church Street towards the site

In terms of developments exceeding the LEP height limits, the concept is reflective of other major developments planned or approved in the CBD including the *Aspire Tower*, Parramatta Square (90 storeys), V by Crown, Macquarie Street (28 storeys), Riverside, 330 Church Street (34 and 55 storeys) and Discovery Centre, 330 Church Street (41 storeys).

Parramatta Square and Public Domain

Parramatta DCP 2011 identifies a sun access zone within the proposed Parramatta Square civic space. The location of this zone is identified in Figure 4.3.3.7.3 of the DCP and is reproduced below in **Figure 26**.

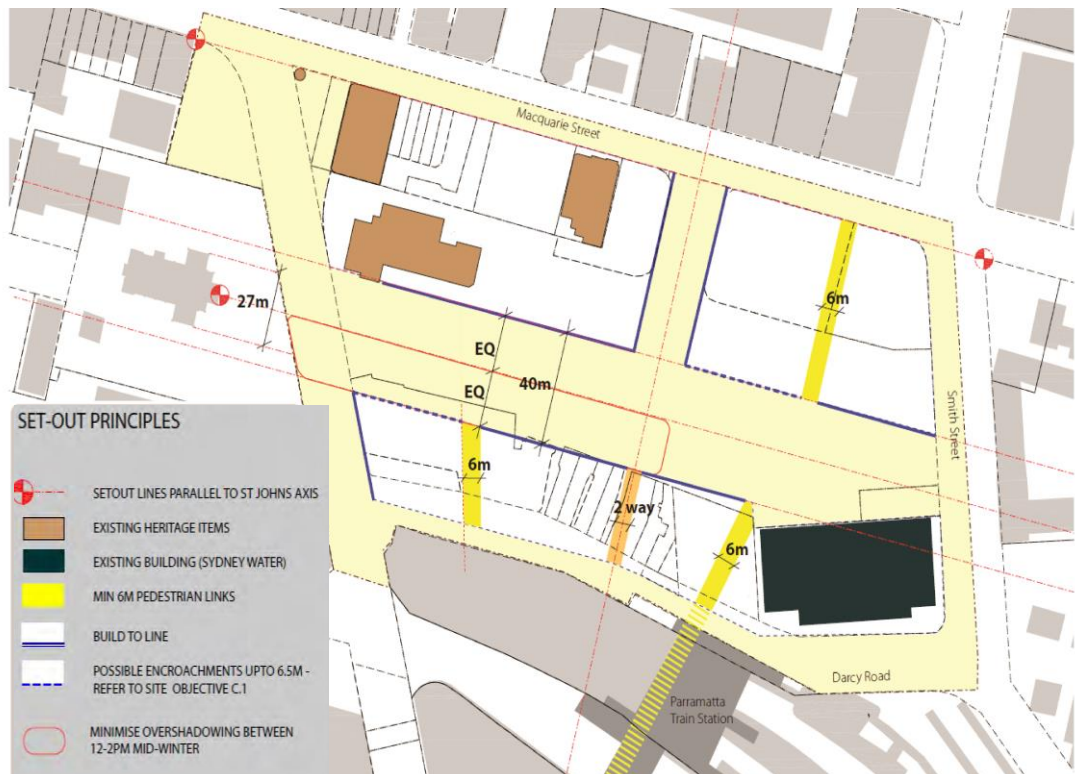


Figure 26 Extract from Parramatta DCP 2011. Figure 4.3.3.7.3 showing sun access zone in Parramatta Square

Control **C.7** of the DCP requires that overshadowing is to be minimised within the area outlined in red in Figure 4.3.3.7.3. Individual buildings shall be designed so that no single point of the area outlined in red is in shadow for a period greater than 45 minutes between 12pm-2pm mid-winter. Council on 7 December 2015 resolved that any future built form on the subject site must comply with this requirement.

The proposed development of a 250m high tower will cast a shadow over this part of Parramatta Square to varying extents. Detailed diagrams of the shadows likely to be cast by the *Boomerang* are included in the Urban Design Report at **Appendix 2**.

In order to address the wind shear from *Aspire*, rows of evergreen trees will be required to be planted in Parramatta Square. Based on previous research by the University of Southern California, these trees will essentially reduce the amount of sunlight to the sun access zone to 64%, i.e the shadows cast by the trees will amount to 36% of the solar zone being shaded in mid winter.

The shadow diagrams in the Urban Design Study indicate that:

- The shadow from the *Boomerang* would not begin to encroach onto the solar zone of Parramatta Square until 12.41pm – **Figure 27**.
- At 1pm in mid winter, due to shadows cast by other buildings and trees, only 63% of the DCP solar zone has solar access. The shadow cast by the *Boomerang* at 1pm would only reduce this by 10%.
- By 2pm the shadow from the *Boomerang* would only contribute to 24% of the shading of the DCP solar zone.
- Due to the slender design of the *Boomerang*, the shadow would move relatively quickly – at a rate of 46m per hour.
- The concept design is for an iconic angled tower form, with the building bend will delay the casting of the shadow on Parramatta Square by 12 minutes.

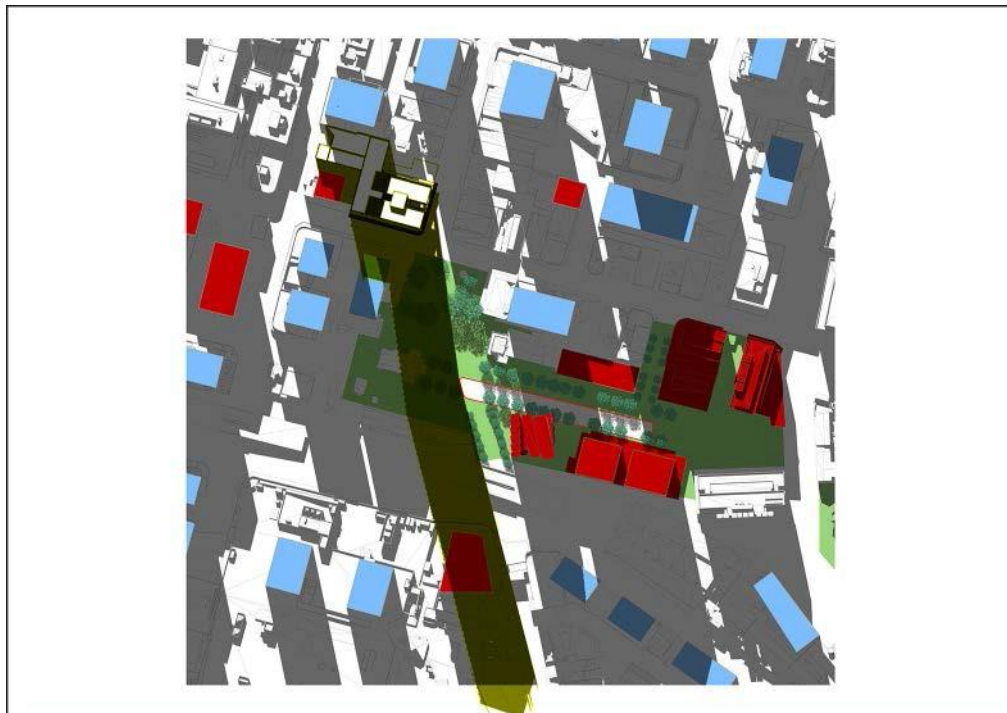


Figure 27 Graphic showing that the shadow of the *Boomerang* does not begin to encroach onto the solar zone of Parramatta Square until 12.41pm in mid winter

Notwithstanding the above, Council resolved that any future building design to result from the Design Excellence Competition process will need to ensure the current solar access requirements within Section 4.3.3.7 of the PDCP 2011 are complied with to ensure no part of the nominated portion of Parramatta Square in Figure 4.3.3.7.3 is in shadow for a period greater than 45 minutes between 12:00-2:00pm mid-winter.

Jan Gehl, in his book *Cities for People*, describes 12 principles that contribute to a good functioning city space. Essentially access to sunlight is not the only consideration by which a public space is successful and useable. Furthermore, other areas of Parramatta Square and Centenary Square will have solar access during these hours in mid winter.

The development will not compromise or inhibit the achievement of the four key attributes of a successful public space in Parramatta Square, Church Street Mall or Centenary Square as championed by Project for Public Space:

- Accessibility
- Activities
- Comfort
- Sociability

Parramatta Square is part of a much larger civic space comprising Parramatta Square, Church Street Mall and Centenary Square and ultimately, the additional area that will be provided as part of the redevelopment of 197 Church Street. Parramatta Square opens up to Church Street Mall and Centenary Square which gives users a sense of a much larger space and avoids a sense of enclosure for users of Parramatta Square.

The total Civic Space (Church Street Mall, Centenary Square & Parramatta Square) comprises almost 48,800m².

Between 12pm and 2pm the areas of the Civic Space (excluding shadows cast by landscape/public domain elements) that will be in sunlight are:

- 12noon 4,085 m²
- 1pm 2,019 m²
- 2pm 3,695 m²

Notwithstanding, solar access is only one element that contributes to a well designed public space. The overriding function of the public domain is to provide life between buildings. Well designed public spaces are active places which encourage people to stop and interact with their environment and other people. Solar access is not the determinant for the success of a public space.

While winter sunlight is desirable, the Parramatta Square space can still function positively as a useable public space even if sections of it are partially shaded on the day of the winter solstice. Further, the collection of public spaces within the Parramatta city centre provide other opportunities for ample winter sunlight.

The development of a 250m tower on the site, although tall, will be slender. Such a design will ensure that any overshadowing impact is reasonably short term at any one point. Whilst there is a shadow impact to the solar zone, Council should balance the outcome of such impact against the significant benefits that can be realised from a striking and iconic building for Parramatta's image and economic profile. It should also be balanced against the public benefits that can be delivered through the redevelopment of the site as discussed in Section 8 of this report.

Heritage

An assessment of heritage impact has been undertaken by RHC – **Appendix 3**. The heritage impact report presents different ways to manage the heritage item. However Council resolved on 7 December 2015 that any future development must retain the heritage façade of the existing building.

The existence of archaeological artefacts on the site is unknown however previous research by others indicates that the site has historically been a location for important and significant events and buildings and some remnants of those buildings may be located on the site.

In this regard, the redevelopment of the site offers a unique opportunity to excavate and investigate the potential for these suspected archaeological items; an opportunity that would not be available unless the site is redeveloped.

Given that the opportunity to undertake these investigations will not be available until such time as more certainty as to the development potential of the site is known, the approximate

location of significant buildings has been mapped and the *Boomerang* (and associated structural infrastructure) has been designed to minimise disturbance in these locations.

Importantly, if significant artefacts are found following excavation and investigation (following demolition of existing buildings), the concept design has taken this into account and the development could be able to be delivered.

Options for the treatment and management of archaeological items, if found, would depend on the significance of the items. Regardless, RHC has recommended that, due to the significance of the site and its pivotal role in the history of Parramatta, an interpretive display should be provided as part of the development to relate the story of the site to the public.

The site is strategically located at the northern end of the existing civic space of Church Street Mall and Centenary Square, both of which are rich in history. The site is uniquely positioned to build on the historical setting of its surrounds and extend the heritage significance of this art of the CBD. As noted in the RHC report at **Appendix 3**:

This proposal offers the opportunity to not only activate the city centre and contribute a dramatic architectural presence, but to contribute to the heritage significance of the site, vicinity and city through the careful interpretation of its rich history and any evidence of it that may be discovered: the ground level of the proposed structure could be a vibrant public space that continues the historical and urbanist theme successfully established in Centenary Square. In addition the proposal would restore to this historically and socially significant location, and to Parramatta, a landmark building that replaces the lost historical landmark, and recognises and respects the great significance of this site.

Options for the treatment and management of the façade of the Murray Rose building have also been considered. These options including recording and removing the façade or incorporating it into part of the new ground floor plane of the new development. This latter treatment is favoured by RHC. The rendered images at Figures 22, 23 and 24 demonstrate how various options for the management of the facade could appear. If the façade is retained, it is imperative that it become an integral component of the redevelopment of the site. The images at Figures 23 and 24 demonstrates that this will be possible. As previously stated, Council resolved on 7 December 2015 that any future development must retain the heritage façade of the existing building.

The option of providing a vehicular access point to the site from Macquarie Street has also been considered by RCH as this could impact on the heritage façade. RHC advises that:

Given that much of the existing ground floor façade is not original and given the height of the existing awning (approx. 4.16m above street level), it seems likely that such an opening can be introduced with minimal heritage impact. Should an opening taller than the existing awning be required, Rappoport is confident that a solution of minimal heritage impact can be found.

Furthermore, with respect to the location of a driveway and basement ramp from Macquarie Street, RHC considers that provided this was located so as to avoid significant remains if found, this would be acceptable from a heritage impact perspective.

In terms of impacts on surrounding heritage items, RHC considers that the *heritage significance of the many listed items in the vicinity would in our view be minimally impacted by the proposal. The proposal would have no physical impact on any listed items other than the former Murray Brothers building. While the proposed tower would be visible from many heritage items, on the whole they would be sufficiently distant from it to not be directly dominated by it, and they would remain visible, legible and appreciable from the public realm. The view along Church Street would be largely unchanged at ground level. The proposal's impact on Old Government House is considered separately below.*

The proposal would impact on the setting of those heritage items within close proximity, ... in as much as it would be visible above or behind such items from certain viewpoints. It should be noted, however, that this planning proposal is made in the context of the changing nature of Parramatta and indeed of urban centres in the modern era. Due to technological change, rapid urbanisation and economic pressure, the option of restricting urban development to the relatively low stratum occupied by the traditional built environment, especially a 19th or pre-war 20th Century built environment, is being superseded: changes to setting are to some extent inevitable, often exciting and must be weighed against other changes affecting significance. In this light Rappoport's view is that as long as the original fabric, character and

visibility of individual items is retained (as they would be in this proposal), some alterations to setting can be acceptable. A clearly contemporary structure juxtaposed with an unaltered, visible and legible heritage item would in our view be in accord with the principles of the Burra Charter (such as Article 22.2 requiring new work to be readily identifiable.) We therefore do not view the proposal as necessarily causing more than minimal loss of significance to items in close proximity.

Figure 4.3.3.4 of Parramatta DCP shows views to heritage or natural features which are considered significant. RHC has also assessed that the development of the *Boomerang* would not impact on significant views.

Traffic

Thompson Stanbury Associates has prepared a Transport, Traffic and Parking Impact Assessment for the proposal.

The assessment sets out the strategic context from a transport, traffic and parking perspective as of relevance to the proposal. The planning proposal demonstrates consistencies with strategic objectives from a transport and traffic perspective at a State, regional and local level in terms of locating housing close to transport and employment in strategic centres, such as Parramatta.

The Assessment has also taken into account the recent Draft Parramatta City Centre Planning Framework. Of particular relevance to traffic generation is the proposed 10:1 FSR for the CBD.

Traffic Generation and Intersection Performance

The traffic assessment has considered traffic generation of the existing development against three scenarios:

1. A LEP compliant scheme (36m height)
2. A 10:1 FSR as per the draft Parramatta City Centre Planning Framework Study
3. The planning proposal with a maximum FSR of 15.3:1

For each scenario assumptions have been made in terms of floor areas for each land use and apartment numbers in similar proportions to that proposed.

The assessment of impacts on the local road network takes into consideration the accessibility of the site to numerous existing and planned future public transport infrastructure. The assessed traffic generation from the concept scheme would be similar to that likely to be generated based on a development with a FSR of 10:1 as recommended in the draft *Parramatta City Centre Planning Framework Study*, September 2014.

Based on Road and Maritime Services traffic generation rates the traffic generation is reasonably consistent with the maximum traffic generated by a redevelopment of the site incorporating a FSR of 10:1 as recommended by Architectus' Parramatta City Centre Planning Framework Study recently endorsed by Council.

The intersection performance has also been studied and additional traffic generated by a 15.3:1 FSR is expected to have minor impacts on the average vehicular delay and degree of saturation of the surveyed intersections. The existing level of service of all intersections is anticipated to remain unaffected. The Planning Proposal is therefore not projected to result in any unreasonable impacts on the surrounding city centre road network performance.

Cumulative traffic impact

The nearby planning proposals at 20-22 Macquarie Street and 220-222 Church Street & 48 Macquarie Street have also been factored into the traffic generation and intersection performance.

The surrounding city centre road network has been assessed being capable of accommodating the additional traffic projected to be generated by the Proposal and the two other potential redevelopment sites (20-22 Macquarie Street and the Greenway site) in a safe and efficient manner.

7.4 State and Commonwealth interests

Adequacy of public infrastructure

The site is located in an area that is already well serviced by public infrastructure. The proposed future development of the site is not expected to generate significant additional demand on infrastructure services. If local augmentation of infrastructure is required this will be assessed and determined during the preparation of a DA.

Potential traffic impacts associated with the development are discussed in Section 5.3.2 above and there are no major upgrades to road infrastructure anticipated.

State and Commonwealth public authorities

Consultation with the remaining relevant State and Commonwealth public authorities can be undertaken in conjunction with the exhibition of the Planning Proposal following Gateway Determination.

7.5 Mapping

The Planning Proposal will require the following mapping amendments as set out in **Table 2** below:

Table 2 Mapping Amendment to PLEP 2011	
Current	Proposed
<p>Height of Building Map – HOB_010</p>  <p>Legend:</p> <ul style="list-style-type: none"> V1 36 M 12 	<p>Height of Building Map – HOB_010</p>  <p>Legend:</p> <ul style="list-style-type: none"> V1 36 M 12
<p>FSR Map – FSR_010</p>  <p>Legend:</p> <ul style="list-style-type: none"> X1 4.0 V1 3.0 	<p>FSR Map – FSR_010</p>  <p>Legend:</p> <ul style="list-style-type: none"> AH 15:1 V1 3.0

7.6 Consultation

As part of any formal exhibition of the Planning Proposal, it is anticipated that Parramatta Council as the relevant planning authority, will consult with State and Commonwealth authorities and agencies and in particular NSW Office of Environment and Heritage and RMS.

Given the height of the building, Council may also chose to undertake pre-Gateway consultation with Bankstown Airport Limited to gauge their views.

8 Public Benefits

8.1 Planning Agreement

The proponent for this project, Holdmark Properties Pty Ltd, is willing to enter into a Planning Agreement with Parramatta Council under Section 96F of the Environmental Planning and Assessment Act, 1979 to delivery community benefits that provide, or can be applied, towards a public purpose.

It is the intention that the planning agreement would contain public benefits that serve a public purpose (as per Section 93F(2) of the EP&A Act). These public benefits can be delivered as either part of the development and/or delivered external to the site. Holdmark is keen to ensure that it provides these benefits which are most valued and desired by Council and the community and it therefore seeks to engage with Council to determine these. The letter at **Appendix 7** to this report includes a list of some of the possible benefits which Holdmark is willing to consider providing. The final list will be the outcome of the further discussions with Council.

8.2 On Site Benefits

The potential for archaeological items to exist on the site has been considered. In order to:

1. Establish whether such items still exist; and
2. The significance of those items;

a considerable amount of resources – time and money – will be required.

Such excavation and investigations cannot commence until existing development is demolished. Not only is there a time factor involved with this work, it also means that during this period the proponent is not receiving rental income.

The heritage consultant has estimated that following demolition in order to carry out an archaeological assessment, apply and receive a permit to excavate and undertake those investigations, a timeframe of 28 weeks (over 6 months) is not unrealistic.

Until such time as these investigations are completed, detailed structural design work in relation to basement design, footings and transfer beams, etc cannot be undertaken.

Therefore, the potential existence of archaeological items on the site will add considerably to the holding costs of the site and impact on the financial feasibility of the development.

Notwithstanding, Holdmark is cognisant of the historical significance of this site and is prepared to undertake this work as a potential public benefit.

Other on site public benefits that could be provided include:

- Provision of affordable housing to be owned by Council and managed by a registered community housing provider, plus a contribution towards the administration of Council's affordable rental housing scheme.
- The provision to the community of a new cosmopolitan piazza as part of the undercroft of the building. The piazza would be seamless with Church Street and Macquarie Street footpath levels to ensure that it is publicly accessible and forms an extension of the existing public domain. Public access would be formalised by means of a right of way on title. [NOTE: This part of any offer would be subject to further archaeological investigations and a determination by Council as to the treatment and management of the Murray Bros building façade].
- The public piazza might also comprise, in part, a glass floor to expose, display and interpret any archaeology that might lie beneath the building (e.g. foundations for former building(s) known to have occupied the site). The cost of providing the glass floor to the piazza and the associated excavation, investigation, display and interpretation would form

part of the planning agreement. [NOTE: This part of any offer is subject to future archaeological investigations].

- Provision of a multi-purpose community space to be owned and managed by Council.

8.3 Off Site Benefits

The undertaking of a traffic study to evaluate the potential to convert Macquarie and George Streets to two-way traffic and/or contributions towards works identified in Council's Civic Improvement Plan Amendment No.3:

- Treatments to the road pavement of Church Street and Macquarie Street in the vicinity of the site to create a seamless connection between the public spaces of Centenary Square, the Church Street public domain and proposed public piazza.
- Upgrading of the footpath pavement along the Macquarie Street frontage of the site and possibly other public domain works near the site.
- Monetary contributions towards Parramatta Square works, River Foreshore park, Robin Thomas Park, the upgrading of Horwood Place or Erby Place car parks and/or the Aquatic Leisure Centre Upgrade.