

ECONOMY

ITEM NUMBER	8.7
SUBJECT	Review of the planning controls for the South Parramatta Heritage Conservation Area and adjoining areas
REFERENCE	F2014/00181 - D04692179
REPORT OF	Project Officer- Land Use Planning

PURPOSE:

The purpose of this report is:

- To update Council on the outcome of pre-statutory consultation undertaken for the South Parramatta Heritage Conservation Area (HCA) and adjoining areas.
- To seek Council's endorsement of the planning strategy for the South Parramatta HCA and adjoining areas.
- To seek Council's endorsement of the planning proposal for the South Parramatta HCA and adjoining areas for the purposes of forwarding it to the Department of Planning and Environment for consideration under the Gateway process.

RECOMMENDATION

- a) **That** Council considers the report that was submitted to the Independent Hearing and Assessment Panel (IHAP) on 21 March 2017 (**Attachment A**) and its recommendation (**Attachment B**) which supports the progression of the Planning Proposal for the South Parramatta HCA and adjoining areas.
- b) **That** Council endorses the planning proposal (which is included as **Attachment 1 of Attachment A**) to amend the Parramatta LEP 2011 subject to it being modified where necessary to be consistent with the IHAP recommendation which is for the planning proposal to propose the following amendments to the controls:
 - (i) To reduce the extent of the Heritage Conservation Area (HCA) (see **Figure 2 in Attachment A**).
 - (ii) That for land within the reduced HCA the planning proposal will seek to:
 - amend the zoning from R3 Medium Density Residential to R2 Low Density Residential
 - reduce the permitted FSR from 0.8:1 to an FSR in the range of between 0.4:1 and 0.5:1.
 - reduce the permitted height from 11m to a height in the range of between 7.5m and 9m.
 - limit Torrens title subdivision.
 - (iii) That for land on the north side of Boundary Street (shown shaded orange in **Figure 9 of Attachment A**) the planning proposal will seek to:
 - increase the FSR from 0.8:1 to 1.2:1
 - increase permitted building height from 11m to 14m

and forward for Gateway determination by the Department of Planning and Environment in accordance with section 56 of the Environmental Planning and Assessment Act 1979.

- c) **That** upon receipt of the Gateway determination the planning proposal be placed on public exhibition for a period of 28 days subject to compliance with any conditions of the Gateway determination.
- d) **That** Council advises NSW Department of Planning and Environment that the Interim General Manager will be exercising the plan making delegations for the planning proposal as authorised by Council on 26 November 2012.
- e) **Further, that** Council authorises the Interim General Manager to correct any minor anomalies of a non-policy and administrative nature that may arise during the plan amendment process.

SUMMARY OF ISSUES

1. A summary of the issues in the report (included at **Attachment A**) on the review of the planning controls for the South Parramatta HCA and adjoining areas to the Hearing and Assessment Panel (IHAP) on 21 March 2017 are detailed in this section.
2. The South Parramatta Heritage Conservation Area is of significance as the earliest remaining example in Parramatta of a speculative private subdivision related to the railway. The pattern of subdivision remains relatively intact and the lots contain a collection of intact early 1900 cottages. The single storey scale of most of its housing and associated shops, and the range of building styles, from the 1850s to the 1960s, clearly demonstrate the way in which the suburb gradually developed and allows its history to be experienced and understood.
3. The current development controls for the South Parramatta HCA contained in the Parramatta Local Environmental Plan 2011 (PLEP 2011) include a R3 Medium Density Residential zoning, a Height of Buildings (HOB) of 11m and a Floor Space Ratio (FSR) of 0.8:1. The controls are inconsistent with those in the Parramatta Development Control Plan 2011 (PDCP 2011) which aim to maintain the single storey scale and the historic pattern of development. This inconsistency has created uncertainty and ambiguity for landowners, potential developers and the community in general. Council therefore commenced a review of the South Parramatta HCA planning controls in February 2014.
4. A detailed background of the review actions from February 2014 up to April 2016 is included as **Attachment 2** to the report of 21 March 2017 (**Attachment A**). Action included consultation and workshops with Councillors and Council staff investigations into such matters as development options for the HCA and the heritage controls for other local government areas.
5. The review led to a range of options and proposals for the South Parramatta HCA and that aimed to resolve the inconsistency in the planning controls. In summary the proposals provided for the following:
 - A reduction in the extent of the Heritage Conservation Area.

- The retention of existing zoning, height and floor space ratio controls for land bordering the reduced heritage conservation area.
 - Increased height and floor space ratio controls for properties fronting the north side of Boundary Street.
 - The addition of buildings and 8 and 10 Alma Street to the heritage list.
 - Five different development scenarios for the reduced Heritage Conservation Area including:
 - o **Scenario 1 (for single storey development)** which proposes a **R2** Low Density Residential zoning with a HOB of **4.5m** (except to the rear of properties north of Crimea Street which have a proposed HOB of 6m) and a FSR of **0.33:1**;
 - o **Scenario 2 (for single storey development plus attic)** which proposes a **R2** Low Density Residential zoning with a HOB of **6m** and a FSR of **0.5:1**; and
 - o **Scenario 3 (for double storey development for the rear part of sites)** which proposes a **R2** Low Density Residential zoning with a HOB of **7.5m** and a FSR of **0.33:1**.
 - o **Scenario 4 (for two-storey townhouse development at rear of sites)**, which would retain the **R3** Medium Density Zoning with a HOB of **8m** (double storey, with no attics, for rear of sites) and a FSR of **0.4:1**.
 - o **Scenario 5 (for attached or detached dual occupancy development)**, which proposes a **R2** Low Density Residential zoning with a HOB of **7.5 m** (double storey for rear of sites) and a FSR of **0.4:1**.
6. Council considered all the proposals detailed above and resolved on 26 April 2016 to undertake pre-statutory consultation with landowners in the South Parramatta HCA and adjoining areas. This consultation occurred during 4 October to 7 November 2016 to obtain feedback on the proposals. Responses were received from 58 residents and are summarised as follows:
- A high proportion of residents (40%) seek to maintain the single storey character of the HCA. However, approximately 60% of the respondents seek to allow some form of development, including 38% in support of two storey development (including dual occupancy development) to meet housing and family needs.
 - 62% support the proposal to reduce the extent of the HCA.
 - 65% support the proposal to retain the current height of building and floor space ratio (FSR) controls for land adjoining the HCA.
 - 55% support the proposed increase of height and FSR for land to the north of Boundary Street.
 - 57% support the addition of dwellings at 8 and 10 Alma Street to the heritage list. However, both landowners of these properties advised that they oppose the heritage listing of their properties.
7. Council's Heritage Advisory Committee has considered the proposals for the HCA and its position is generally as follows:
- Whilst scenario 1 (single storey development) is the preferred option of the Committee, Scenarios 3 and 5 (two storey development) were considered generally appropriate.
 - There is no support to exclude Lansdowne Street from the current boundary of the HCA.

- There is support to maintain the current height of building and FSR controls for land adjoining the HCA.
 - There is no support to increase the height and FSR for land north of Boundary Street
 - The proposed heritage listing of dwellings at 8 and 10 Alma Street is not supported.
8. Recommendations for a future planning strategy for the area have been informed by a number of factors including the need to achieve a consistency between the planning controls in the Parramatta LEP 2011 and those in the Parramatta DCP 2011 including the HCA and to ensure that proposals are compatible with the objectives of the HCA and promote heritage conservation. In addition, appropriate weight needs to be given to the responses of residents and of Council's Heritage Advisory Committee.
9. After further review and consideration of all relevant factors the following proposals were recommended by Council officers to IHAP:
- **A combination of Scenarios 3 and 5 for two storey development which allows for dual occupancy development, at the rear of properties.** Under these scenarios Council will seek to (for land within the reduced HCA);
 - o amend the zoning from R3 Medium Density Residential to R2 Low Density Residential
 - o reduce the permitted height from 11m to 7.5m and the FSR from 0.8:1 to 0.4:1.

The scenarios will preclude development such as townhouses and multi-dwelling housing that would be out of character in the HCA and ensure an appropriate scale for new development. The heritage values of the HCA will be protected but some opportunities will be allowed for two storey development at the rear of properties.
 - **A reduction in the extent of the HCA** as it reflects a heritage assessment and removes land of a different character and lesser conservation values than the rest of the HCA.
 - **The retention of the current height and FSR for land bordering the HCA** as it will provide an appropriate buffer between low density development in the HCA and a high density development envisaged for the Parramatta CBD.
 - **An increase in the maximum FSR from 0.8:1 to 1.2:1 and height from 11m to 14m for land on the north side of Boundary Street** as it will provide an appropriate transition to land to the south of Boundary Street and west of Railway Street under the Holroyd Local Environmental Plan 2013.
 - **Properties at 8 and 10 Alma Street should not be added to the heritage list** as listing is opposed by the land owners of these properties and the properties are not considered to be of exceptional historical importance or aesthetic significance. In addition, the dwellings will still be retained under provisions of the HCA.

IHAP RECOMMENDATION

10. On 21 March 2017, a report on a review of the planning controls for the South Parramatta HCA and adjoining areas was presented to the Independent

Hearing and Assessment Panel (IHAP). This report is included at **Attachment A**.

11. The IHAP provided the following determination (**Attachment B**):

DETERMINATION

The Panel has received a report on planning controls for South Parramatta Heritage Conservation area by way of Planning Proposal.

The Panel accepts that a Planning Proposal is an appropriate way to protect this important Heritage Conservation Area and generally is in agreement with the contents of the report's recommendations.

As it is important to advance this heritage issue in a timely fashion this panel recommends as follows:-

That recommendations a), b), c) and d) be recommended to the Council but that Council amend in recommendation a)ii) the range of the FSR be considered at 0.4:1-0.5:1 and range of height be 7.5,-9.0m which may require further consultation of this issue.

12. The IHAP heard a submission from a landowner in the HCA that expressed concern at the proposal to reduce FSR in the modified HCA from 0.8:1 to 0.4:1 and drew attention to the permitted FSR of 0.5:1 for most other HCAs covered by Parramatta LEP 2011. In its recommendation, IHAP modified the staff recommendation to provide for a range in the reduced FSR of 0.4:1 to 0.5:1 and in the reduced permitted height of 7.5m to 9m.

NEXT STEPS

13. Should Council adopt the recommendations of IHAP, the planning proposal and supporting documentation will be forwarded to the Department of Planning and Environment for a Gateway determination. Furthermore it is clarified that:
- The planning proposal as submitted for Gateway determination will provide for a range of permitted FSRs (0.4:1 to 0.5:1) and heights (7.5m to 9m) for the reduced HCA.
 - The planning proposal will be publicly exhibited with a range of permitted FSRs and heights for the reduced HCA that will be supported by urban design data that shows the impact of the different controls.
 - Following public exhibition, submissions will be reviewed and reported to Council along with recommendations on the most appropriate specific FSR and permitted height to be included in the planning proposal to be sent to the Department of Planning and Environment for finalisation.
14. In addition, in order to mitigate the potential negative aspects of development in the recommended combination of **Scenarios 3 and 5** for two storey development (refer to paragraph 9 of this report) proposed amendments to Parramatta DCP 2011 will be prepared during the period when awaiting Gateway determination for the Planning Proposal and will then be submitted

to Council for endorsement so that they can be exhibited with the planning proposal.

ATTACHMENTS:

- 1** A) Report to IHAP-21 March 2017 97 Pages
- 2** B) Minute of IHAP-21 March 2017 1 Page

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REFERENCE MATERIAL