



# PLANNING PROPOSAL

## **Greenway**

**48 Macquarie Street and 220-230 Church Street,  
Parramatta**

### Planning Proposal drafts

Proponent versions:

No.	Author	Version
1.	JBA Planning	April 2015

Council versions:

No.	Author	Version
1.	Parramatta City Council	20 October 2015
2.	Parramatta City Council	Section 56(1) submission to the DP&E

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## INTRODUCTION

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This planning proposal explains the intended effect of, and justification for, the proposed amendment to Parramatta Local Environmental Plan 2011. It has been prepared in accordance with Section 55 of the *Environmental Planning and Assessment Act 1979* and the Department of Planning and Environment guides, 'A Guide to Preparing Local Environment Plans' (April 2013) and 'A Guide to Preparing Planning Proposals' (October 2012).

The objective of this Planning Proposal is to facilitate the redevelopment of the land at 48 Macquarie Street and 220-230 Church Street, Parramatta for a mixed use development incorporating retail and residential uses. This planning proposal seeks to amend the floor space ratio controls within Parramatta Local Environmental Plan 2011 (PLEP 2011).

### Background and context

On 24 April 2015 Council received a planning proposal and supporting documentation for land at 48 Macquarie Street and 220-230 Church Street, in the Parramatta CBD. The Parramatta CBD is located approximately 20 kilometres to the west of the Sydney CBD. The site is within the centre of the Parramatta CBD and is in close walking proximity to the Parramatta Railway Station and T-Way bus interchange.

The site has an irregular 'L' shape and is approximately 3,684.4m<sup>2</sup> in size. It comprises of three properties bounded by Macquarie Street to the south, Church Street and United Lane to the west, Houison Lane to the north and Horwood Place to the east, see Figure 1. The site also has access from and frontage to United Lane from the south.

- Lot 1 DP702291 (230 Church Street)
- Lot 1 DP 1041242 (220 Church Street)
- Lot B DP 394050 (48 Macquarie Street).



**Figure 1** - Site at 48 Macquarie Street and 220-230 Church Street, Parramatta subject to the planning proposal

The site is currently occupied by three commercial and retail buildings, varying in height between two and three storeys, refer to photographs at Figures 2 to 6.

Under PLEP 2011, the site:

- Is zoned B4 Mixed Use.
- Has a fixed maximum building height of 12m along the portion of the site fronting Church Street (i.e. 18m deep from the street frontage). The maximum height for the remainder of the site, in accordance with Clause 4.3 of PLEP 2011, is subject to compliance with the sun access plane controls established within the *Parramatta Development Control Plan 2011*.
- Has a maximum FSR of 3:1 fronting Church Street, 10:1 for the central portion and 6:1 for the eastern portion of the site in accordance with Clause 4.4 of PLEP 2011.
- Has a site specific clause (C7.2 (3)) that allows at a maximum an FSR of 11:1 to apply to the area of the site that fronts Macquarie Street if the land fronting Church Street does not exceed 2:1. This FSR can only be achieved if the land use is for a non-residential purpose.



**Figure 2** – 48 Macquarie Street, as viewed from Macquarie Street  
Source: JBA



**Figure 3** – The 'Greenway Plaza' as viewed from Macquarie Street  
Source: JBA



**Figure 4** – United Lane, facing north  
Source: JBA



**Figure 5** – 220 and 230 Church Street, as viewed from Church Street  
Source: JBA



**Figure 6** – The Greenway Plaza, as viewed from Horwood Place  
Source: JBA

### Pre Lodgement

In April 2014, G&J Drivas Pty Ltd and Telado Pty Ltd submitted a pre-planning proposal to Council. The pre-planning proposal was supported by a preferred design option with a mixed use scheme (largely residential), a height of 190m (55-60 storeys) and a FSR of 14:1. The pre-planning proposal sought Council's feedback on the following proposed amendments to the LEP based on the preferred design option:

- FSR of 14:1; and
- Amend or remove clause 7.4 of the LEP (sun access plane control).

On 15 December 2014, Parramatta City Council considered the pre-planning proposal as well as other proposals submitted for 20-22 Macquarie Street and 197 Church Street. 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 to Willana Associates (the previous town planners who prepared the pre-planning proposal) dated 18 December 2014 set out the information required for the LEP amendment. This letter informed the revised reference design.



On 16 March 2015, the proponents' representatives met with officers of Parramatta City Council to discuss the revised scheme, the subject of this Planning Proposal. Council provided the following feedback:

- The indicative scheme appears to have resolved an envelope that can demonstrate a taller building height with reduced shadowing impacts on Parramatta Square;
- Council officers advised that the scheme needs to consider how a high quality design and architectural design excellence can be achieved to correlate with Council's desire to achieve a CBD of international significance; and
- The site is located outside an area of high sensitivity for Old Government House so the Planning Proposal is not required to be referred to the Department of Environment under the Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act).

### **Parramatta CBD Planning Strategy**

Council adopted the Parramatta CBD Planning Strategy at its meeting of 27 April 2015. The Strategy is the outcome of detailed technical studies which reviewed the current planning framework and also a significant program of consultation with stakeholders and the community. The Strategy sets the vision for the growth of the Parramatta CBD as Australia's next great city and whilst additional work remains to be undertaken, the Strategy is a tool to inform planning controls for the CBD in the future.

Key details of the Strategy include a potential Floor Space Ratio (FSR) of 10:1 throughout the majority of the City Centre and maximum building heights that respond to sun access for key public spaces. The Strategy identifies a need for significant growth in the Parramatta City Centre and has informed the indicative scheme presented in this Planning Proposal.

## PART 1 – OBJECTIVES OR INTENDED OUTCOMES

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The objective of this Planning Proposal is to facilitate the redevelopment of the land at 48 Macquarie Street and 220-230 Church Street, Parramatta for a mixed use development incorporating retail and residential uses.

## PART 2 – EXPLANATION OF PROVISIONS

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This planning proposal seeks to amend *Parramatta Local Environmental Plan 2011* (PLEP 2011) in regard to floor space ratio controls.

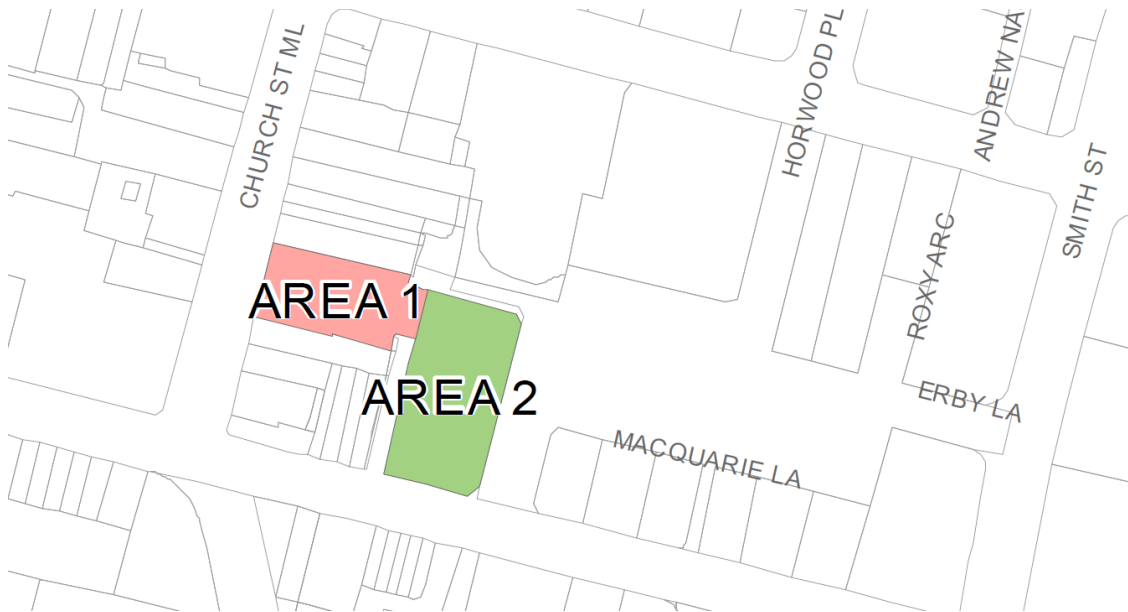
In order to achieve the desired objective the following amendments to the PLEP 2011 are required:

1. Amend the maximum FSR in the **Floor Space Ratio Map** (Sheet FSR\_010) from 3:1, 10:1 and 6:1 to 10:1 across the entire site. Refer to Figure 26 in Part 4 of this planning proposal.
2. Remove Clause 7.2 (3), a site specific FSR provision.
3. Amend the **Special Provisions Area Map** to remove Area 1 and Area 2 (the site) as Clause 7.2 (3) will no longer apply.

The proposed FSR increase as part of this planning proposal, seeking an FSR of 10:1 across the entire site makes Clause 7.2 (3), as detailed below, superfluous:

- (4A) *The maximum floor space ratio for any development that does not include residential accommodation on land identified as “Area 2” on the Special Provisions Area Map is as follows:*
- (a) *if the floor space ratio for all development on land identified as “Area 1” on that map does not exceed 2:1—11:1,*
  - (b) *if the floor space ratio for all development on land identified as “Area 1” on that map exceeds 2:1—6:1.*

An extract of the Special Provisions Area Map featuring the subject site is included at Figure 7.



**Figure 7 – Extract of current PLEP 2011 Special Provisions Area Map**

### **Design Excellence**

The site is located within the area covered by Clause 7.10 of PLEP 2011 which enables proposals exceeding 55 metres in height to pursue an architectural design competition. Proposals that demonstrate design excellence under this clause are able to seek variations to development standards (height and FSR) of up to 15%. This planning proposal seeks an FSR of 10:1 and a maximum FSR of 11.5:1 is achievable with design excellence.

The design excellence process along with the accompanying DCP controls will facilitate the final built form in achieving an acceptable urban design and public domain outcome.

## PART 3 – JUSTIFICATION

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This part describes the reasons for the proposed outcomes and development standards in the planning proposal.

### 3.1 Section A - Need for the planning proposal

#### 3.1.1 Is the Planning Proposal a result of any study or report?

This Planning Proposal is not the result of any site specific study or report however it was prepared in response to the exhibition of the draft Parramatta CBD Planning Framework which has informed the Strategy.

Council adopted the Parramatta CBD Planning Strategy at its meeting of 27 April 2015. The Strategy sets the vision for the growth of the Parramatta CBD as Australia's next great city and whilst additional work remains to be undertaken, the Strategy is a tool to inform planning controls for the CBD in the future. Key details of the Strategy, as they apply to this site, include a potential Floor Space Ratio (FSR) of 10:1 throughout the majority of the City Centre and a maximum building height that responds to sun access for key public spaces, with towers characterised as tall and slender.

The Framework has informed the indicative scheme presented in the Urban Design Analysis included at **Appendix 1**. The Strategy identifies a need for significant growth in the Parramatta City Centre and the planning proposal is consistent with this newly released documentation.

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

This Planning Proposal is the best means of achieving the intended outcome of the development, which is to facilitate a mixed use development in keeping with the B4 Mixed Use zone. The current FSR controls are currently under review, being updated to reflect Parramatta's emerging CBD, characterised by significantly increased densities. The proposed amendment to the planning controls will deliver an appropriate built form that responds to Parramatta's CBD Planning Strategy.

### 3.2 Section B – Relationship to strategic planning framework

This section assesses the relevance of the Planning Proposal to the directions outlined in key strategic planning policy documents. Questions in this section consider state and local government plans including the NSW Government's *A Plan for Growing Sydney*, State Environmental Planning Policies, local strategic and community plans and applicable Ministerial Directions.

#### 3.2.1 Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy?

##### NSW Long Term Transport Plan 2012

*The NSW Long Term Transport Plan 2012* has the aim of better integrating land use and transport. *A Plan for Growing Sydney* has been prepared to integrate with the Long Term Transport Plan.

The Planning Proposal will serve the objectives of the Transport Plan by locating both residential and employment generating uses close to an existing railway station and the

future Western Sydney Light Rail. This will promote the use of public transport and reduce reliance on private motor vehicles.

### A Plan for Growing Sydney

In December 2014 the Department of Planning and Environment released *A Plan for Growing Sydney* and presents a strategy for accommodating Sydney's future population growth over the next 20 years.

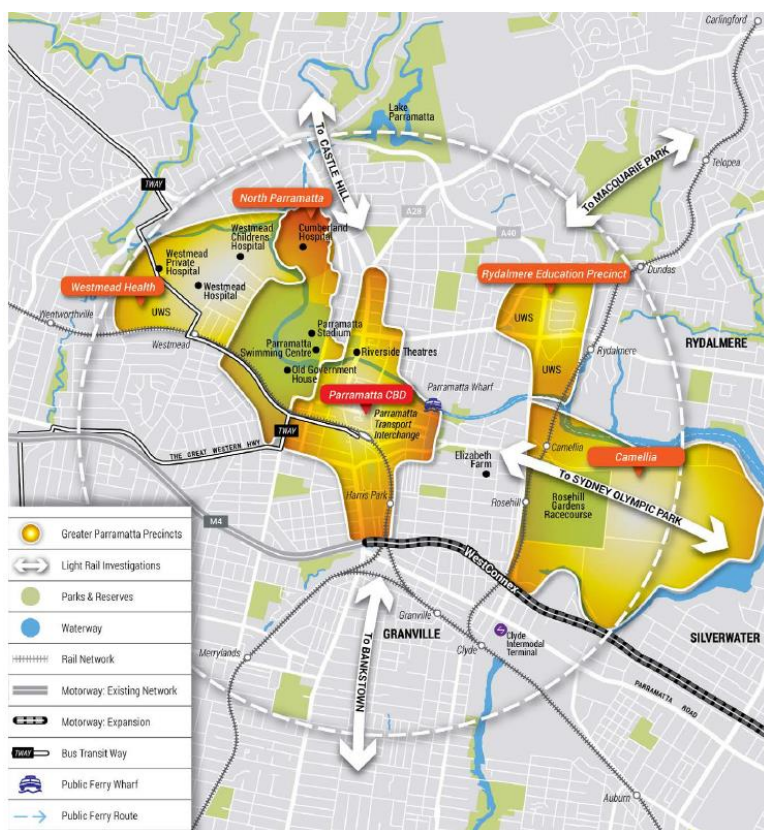
In order to achieve the vision for Sydney to become 'a strong global city and a great place to live', the Plan establishes four goals for Sydney. The goals of the Plan are that Sydney will be:

1. A competitive economy with world-class services and transport;
2. A city of housing choice, with homes that meet our needs and lifestyles;
3. A great place to live with communities that are strong, healthy and well connected; and
4. A sustainable and resilient city that protects the natural environment and has a balanced approach to the use of land and resources.

To support these goals, the Plan sets out planning principles that will guide Sydney's growth. These include:

- Increasing housing choice around all centres through urban renewal in established areas;
- Stronger economic development in strategic centres and transport gateways; and
- Connecting centres with a networked transport system.

The Plan forecasts required increased levels of growth in the employment and residential sectors to cater for population growth. The Plan predicts an additional 664,000 new dwellings are needed in Sydney over the next 20 years. The Plan reiterates Parramatta's Role as Sydney's second CBD and provides that the Greater Parramatta Region (Figure 8) has the potential to reach 100,000 jobs over the next 20 years. The Plan seeks to connect the Parramatta CBD with Westmead, Parramatta North, Rydalmere and Camellia.



**Figure 8 - Greater Parramatta Area**  
Source: A Plan for Growing Sydney

Under the Plan, Sydney has been divided into six subregions, with Parramatta located in the West Central Subregion. Councils, the community, the Greater Sydney Commission and NSW Government will work together to finalise and implement subregional plans. Whilst the West Central Subregional Plan is yet to be prepared, the Plan identifies the priorities for strategic centres. Below are the priorities for Greater Parramatta.

- *Recognise and plan Greater Parramatta as a transformational place;*
- *Plan Greater Parramatta as Sydney's second CBD and Western Sydney's number one location for employment and health and education services, supported by a vibrant mixture of land uses and cultural activity, with the Parramatta River foreshore as a focus for recreational activities;*
- *Provide capacity for long-term employment growth in Greater Parramatta, particularly in its CBD;*
- *Provide capacity for additional mixed-use development in Parramatta CBD and surrounding precincts including offices and retail in Parramatta CBD, health services in Westmead, an education hub around the new University of Western Sydney Campus, a technology and*
- *Education precinct in Rydalmere, arts and culture in Parramatta, a sports precinct around Parramatta Stadium and housing in all precincts;*
- *Improve transport connections between Greater Parramatta and other Western Sydney centres and precincts, commencing with Macquarie Park via Carlingford, Castle Hill via Old Northern Road, Bankstown and Sydney Olympic Park;*

- *Enhance the role of the Parramatta Transport Interchange as the major bus/rail and future light rail interchange of Western Sydney; and*
- *Improve walking and cycling connections between the Parramatta CBD, the Greater Parramatta precincts, Parramatta River and their surrounding area.*

This planning proposal is consistent with *A Plan for Growing Sydney*, in that it will:

- Contribute to the achieving dwelling targets for the subregion and Greater Parramatta.
- Enable more residential floor space on a site that is in close proximity to existing transport infrastructure including the Parramatta Railway Station and Bus Interchange as well as the future Western Sydney Light Rail Route.
- Facilitate a residential development that is in close proximity to employment opportunities, community and civic facilities within the Parramatta Square and throughout the CBD, and educational and health facilities provided by the University of Western Sydney as well as Rydalmere Education Precinct and the Westmead Hospital, respectively.
- Contribute to mixed-use development by activating employment uses on the site, resulting in a strengthening of the Parramatta Commercial Core
- Revitalise an underutilised city centre block by enabling a built form outcome that respects the desired CBD skyline, is consistent with the locality's transitional status, and will be capable of providing high residential amenity and increased employment capacity.

### **3.2.2 Is the planning proposal consistent with the local council's Community Strategic Plan or other local strategic plan?**

The following strategic planning documents are relevant to the planning proposal.

#### **Parramatta 2038 Community Strategic Plan**

The Planning Proposal is consistent with Parramatta City Council's community strategic plan, Parramatta 2038. The plan outlines a series of goals for Parramatta's economy, environment, connectivity, people, culture and leadership. The proposed development will help to achieve these goals by facilitating an integrated mixed-use development in close proximity to public transport.

### **3.2.3 Is the planning proposal consistent with the applicable State Environmental Planning Policies?**

The following State Environmental Planning Policies are of relevance to the site.

#### **State Environmental Planning Policy No. 32 - Urban Consolidation (Redevelopment of Urban Land)**

The planning proposal is consistent with SEPP 32 in providing for the opportunity for the development of additional housing in an area where there is existing public infrastructure, transport, and community facilities, and is close to employment, leisure and other opportunities.

#### **State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Development**

Detailed compliance with SEPP 65 will be demonstrated in a future DA for the building facilitated by this Planning Proposal. Detailed testing of SEPP 65 and the Residential Flat Design Code was conducted throughout the design of the scheme which is capable of demonstrating compliance with the SEPP.

#### **State Environmental Planning Policy (BASIX) 2004**

Detailed compliance with SEPP (BASIX) will be demonstrated in a future development application for the scheme facilitated under this Planning Proposal.

#### **SEPP (Exempt and Complying Development Codes) 2008**

SEPP (Exempt and Complying Development Codes) may apply to the future development of the site.

#### **SEPP (Infrastructure) 2007**

SEPP (Infrastructure) may apply to the future development of the site.

#### **SEPP (State and Regional Development) 2011**

The future development of the site is likely to be deemed as 'regional development' (meeting the relevant thresholds under Schedule 4A of the EP&A Act), with the JRPP acting as the determining authority.

#### **Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005**

The proposed development is not located directly on the Sydney Harbour Catchment foreshore. Any potential impacts as a result of development on the site, such as stormwater runoff, will be considered and addressed appropriately at DA stage.



### 3.2.4 Is the planning proposal consistent with applicable Ministerial Directions (s.117 directions)

In accordance with Clause 117(2) of the EP&A Act 1979 the Minister issues directions for the relevant planning authorities to follow when preparing planning proposals for new LEPs. The directions are listed under the following categories:

- Employment and resources
- Environment and heritage
- Housing, infrastructure and urban development
- Hazard and risk
- Regional planning
- Local plan making
- Metropolitan planning

A summary assessment of the Planning Proposal against the Directions issued by the Minister for Planning and Infrastructure under Section 117 of the EP&A Act is provided in the table below.

Ministerial Directions	Comment
<b>1. Employment and Resources</b>	
1.1 Business and Industrial Zones	The Planning Proposal does not seek to rezone the land or change the range of permitted uses on the site. The Planning Proposal will facilitate the redevelopment of the site that provides for retail uses.
<b>2. Environment and Heritage</b>	
2.3 Heritage Conservation	The site is located in the vicinity of a number of heritage listed items.  As outlined in <b>Appendix 3</b> , the proposed development of the site will not have an adverse impact on the heritage significance of the surrounding heritage items. The site is identified on the State Heritage Registry as Parramatta Archaeological Management Unit 3075. The NSW Office of Environment and Heritage (OEH) are the consent authority for the disturbance of grounds for State significant archaeological sites. OEH has been consulted and recommends an archaeological assessment be submitted as part of the public exhibition of the planning proposal.
<b>3. Housing, Infrastructure and Urban Development</b>	
3.4 Integrating Land Use and Transport	The Planning Proposal, through unlocking the development potential of the site, will facilitate mixed use development to support public transport, and improve access to housing, jobs and services by walking, cycling and public transport. In light of this it is expected that the proposal will reduce travel demand including the number of trips generated by the development and the distances travelled, especially by car.
3.5 Development Near Licensed Aerodromes	Airspace above Parramatta CBD is affected by the operation of Bankstown Airport. If a reference design proposes a height greater than 156AHD an Aeronautical Study would be required to address this 117 Direction. The reference design for this development proposes a height of 220.55AHD which will not impact flight paths and therefore an Aeronautical Study is not required.
<b>4. Hazard and Risk</b>	
4.1 Acid Sulphate Soils	The Parramatta LEP contains acid sulphate soils provisions and this proposal does not seek to amend them. Acid sulphate soils investigations and analysis will accordingly be undertaken as part of any future development of the land in accordance with the requirements of the Parramatta LEP.
4.3 Flood Prone Land	A small portion of the site fronting Macquarie Street is affected by 20 and 100 year Average Recurrence Interval (ARI) events. The site is also impacted by a Probable

Ministerial Directions	Comment
	<p>Maximum Flood (PMF) event.</p> <p>To minimise the impact of the proposal with respect to flooding, the entrance crest of the basement vehicular ramp will be provided at least to Council's required flood planning level (at the 1 in 100 year event + 500mm). With respect to flood events greater than the 1 in 100 year event (including and up to the PMF) principles and measures will be incorporated into any future detailed design. This will include an early warning system including sirens, appropriate signage, depth indicators, refuge areas and overall building management.</p> <p>Further details of these design features and evacuation measures, including a designated on-site evacuation area and protection in the basement car park when flooding occurs will be addressed as part of the Design Excellence and Development Application process.</p>
<b>6. Local Plan Making</b>	
6.1 Approval and Referral Requirements	No new concurrence provisions are proposed.
6.2 Reserving Land for Public Purposes	No new road reservation is proposed.
6.3 Site Specific Provisions	The LEP amendment does not impose any restrictive site specific provisions.
<b>7. Metropolitan Planning</b>	
7.1 Implementation of <i>A Plan for Growing Sydney</i>	<p>This planning proposal is consistent with A Plan for Growing Sydney, in that it will:</p> <ul style="list-style-type: none"> <li>• Contribute to the achieving dwelling targets for the subregion and Greater Parramatta.</li> <li>• Enable more residential floor space on a site that is in close proximity to existing transport infrastructure including the Parramatta Railway Station and Bus Interchange as well as the future Western Sydney Light Rail Route.</li> <li>• Facilitate a residential development that is in close proximity to employment opportunities, community and civic facilities within the Parramatta Square and throughout the CBD, and educational and health facilities provided by the University of Western Sydney as well as Rydalmere Education Precinct and the Westmead Hospital, respectively.</li> <li>• Contribute to mixed-use development by activating employment uses on the site, resulting in a strengthening of the Parramatta Commercial Core</li> <li>• Revitalise an underutilised city centre block by enabling a built form outcome that respects the desired CBD skyline, is consistent with the locality's transitional status, and will be capable of providing high residential amenity and increased employment capacity.</li> </ul>

### 3.3 Section C – Environmental, social and economic impact

This section considers the potential environmental, social and economic impacts which may result from the Planning Proposal.

#### 3.3.1 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 planning proposal will not result in any impact on critical habitat or threatened species, populations or ecological communities or their habitats, given the site’s urban location.

#### 3.3.2 Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?

The main potential environmental impacts to be examined in detail with any future development proposal for the site are:

- Urban Design and Built Form
- Heritage impacts
- Archaeology
- Transport and Accessibility Assessment
- Flooding

#### Urban Design and Built Form

Crone Partners have prepared a preliminary concept scheme for the development of the site (see Appendix 1). The concept is not a detailed design of the proposed final development of the site, but a reference design. The concept illustrated at Figure 9 is one option of how the site may be developed as a result of the proposed amendments to the LEP. Future development on the site will be subject to an Architectural Design Competition and Development Application (DA).

A numerical overview of the development concept is provided in the table below.

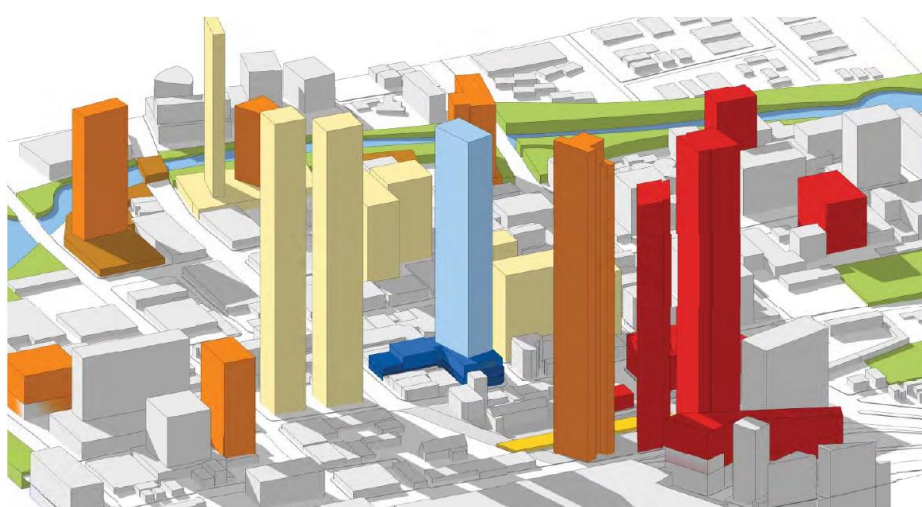
Component	Podium	Tower (residential)	Total
Height	6m-12m (levels 1-4)	191.7m (levels 5-60)	210m RL220.56 (approximately 60 levels plus plant)
GFA	4,500m <sup>2</sup>	37,856m <sup>2</sup>	42,356m <sup>2</sup>
FSR	1.22:1	10.27:1	11.49:1
Indicative apartment yield		416	416

\* Note that the total FSR (11.49:1) includes a 15% design excellence bonus for residential development with a base FSR of 10:1.

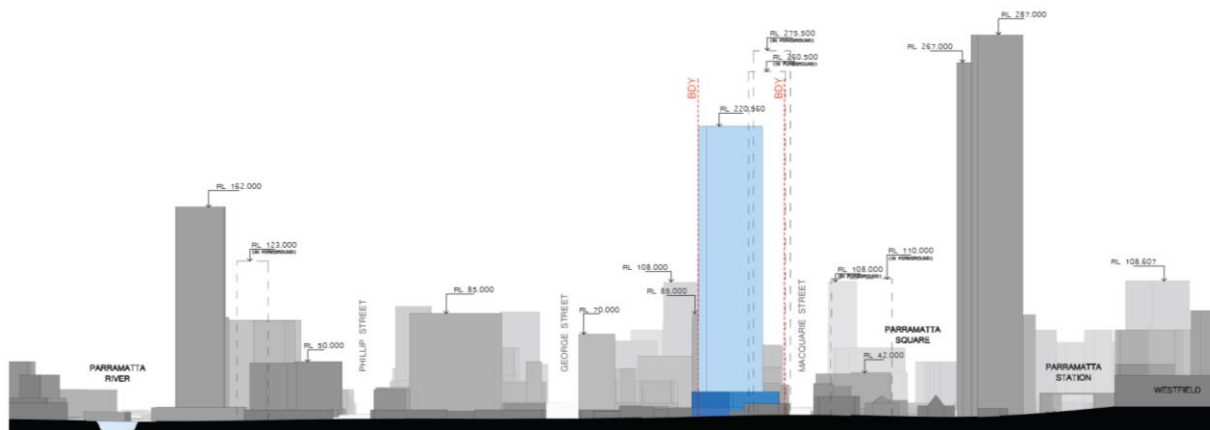


**Figure 9 – Potential future development concept (indicative only)**  
Source: Urban Design Analysis

Figures 10 and 11 illustrate how the indicative built form (blue building) sits within the Parramatta CBD context. Note some of the surrounding forms represent proposed and approved planning proposals and development applications.



**Figure 10 – Future Parramatta CBD context (site shown in blue)**  
Source: Urban Design Analysis



**Figure 11 – Church Street section including the proposal**  
 Source: Urban Design Analysis

An overview of the development concept is provided in the Urban Design Analysis prepared by Crone Partners at Appendix 1. The future mixed-use development will comprise of the following details.

### Basement

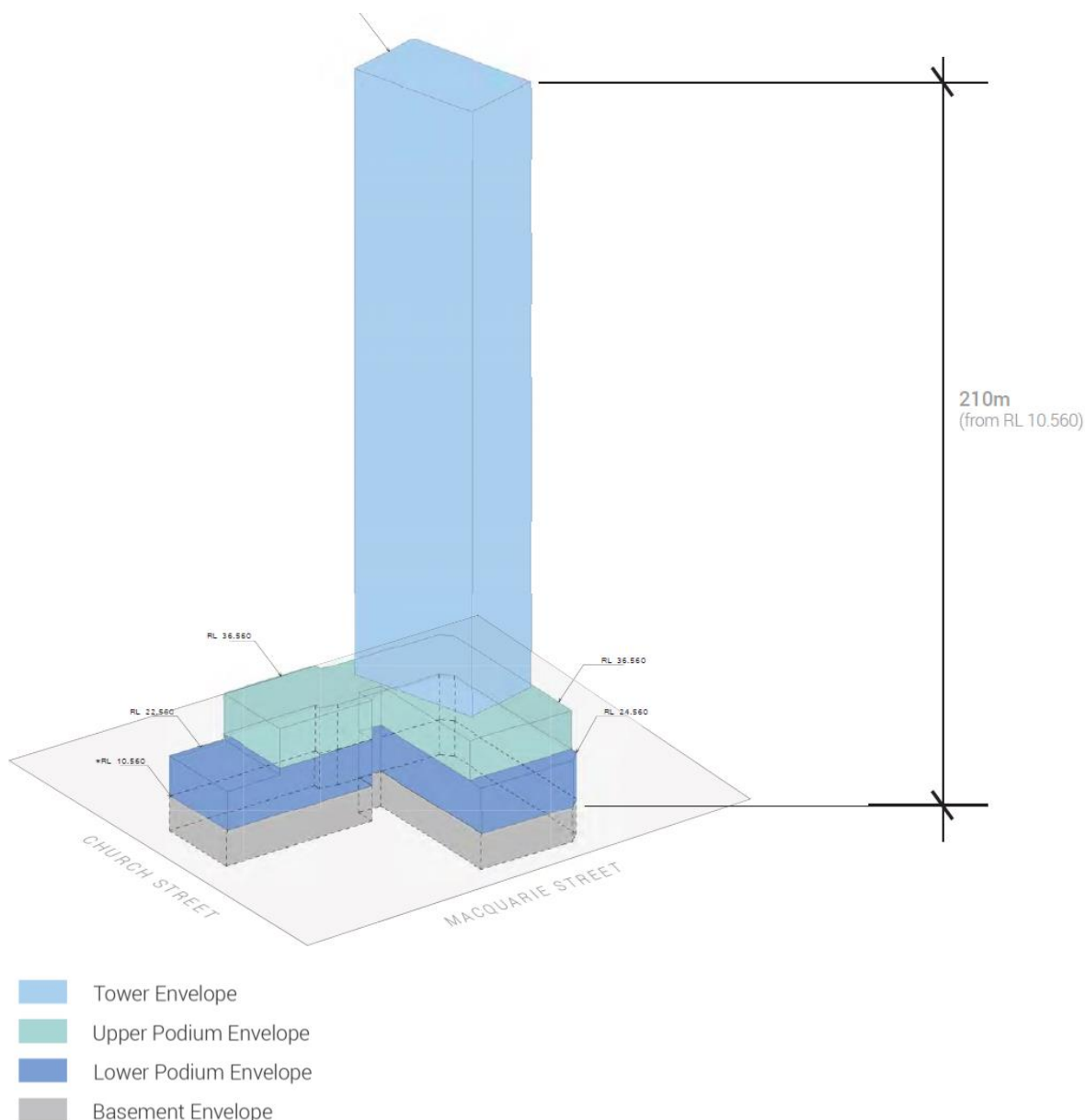
The indicative scheme (Appendix 1) provides four basement levels to be used for the car parking, servicing and loading requirements of the building. The future development of the site will have the option of providing vehicular access to the basement levels from Horwood Place, United Lane or Houison Place.

### Podium

The indicative schemes provided at Attachment A include a double height podium element containing retail stores, a through site link connecting Church Street to Horwood Place and potentially sleeved car parking or commercial uses.

The podium matches the height of the neighbouring shops on Church and Macquarie Street and is designed with regard to the adjoining heritage item (located at 198-216 Church Street and 38–46 Macquarie Street) and retains a building height and scale that is generally commensurate to the existing building on the site.

The future development of the site will be required to ensure that the car parking provided above the ground level is appropriately screened and sleeved from the public domain in accordance with the Parramatta DCP Section 4.3.3.5 (d) On-site Parking.



**Figure 12 – Indicative building massing scheme**  
Source: Urban Design Analysis

### Tower

The tower envelope proposed in the indicative scheme (see Appendix 1 and Figure 12) is the result of an iterative design process to increase the density of the site, minimise impacts on the public domain and ensure appropriate building separation to existing and potential development surrounding the site. The slender tower form has 1,050m<sup>2</sup> floor plates and will comprise approximately 416 residential apartments.

### Public Domain works

As shown in the Urban Design Analysis (Appendix 1) a through site link connecting Church Street and Horwood Place is proposed in accordance with the desired DCP layout. The proposed through site link will contribute to the activation of Horwood Place and facilitate a pedestrian desire line connecting the public spaces in Church Street with Horwood Place.

## Overshadowing

The subject site is in close proximity to two items listed under Clause 7.4 of PLEP 2011, Parramatta Square and Lancer Barracks.

Clause 7.4 Sun access of Parramatta LEP 2011 states the following

- (1) *The objective of this clause is to protect public open space in the vicinity of the Parramatta Square site, the Lancer Barracks site and Jubilee Park from overshadowing.*
- (2) *Despite any provision of Part 4, development is prohibited on land to which this Plan applies if the development results in any part of a building projecting above the sun access plane controls established for that land by the City Centre Development Control Plan.*

At the Council Meeting of the 23 November 2015, it was resolved to endorse the following amendment to the Parramatta DCP 2011 sun access provisions:

*Building form – C.7 – Overshadowing is to be minimised within the area outlined in red in Figure 4.3.3.7.3. Buildings shall be designed so as to ensure that no point of the area outlined in red is in shadow for a period greater than 45 minutes between 12pm-2pm mid-winter*

Figure 13 is an extract from Parramatta DCP 2011 and illustrates the solar protection zone (area outlined in red). The control aims to protect Parramatta Square from overshadowing and promotes slender towers with fast moving shadows.

Indicative Site  
location

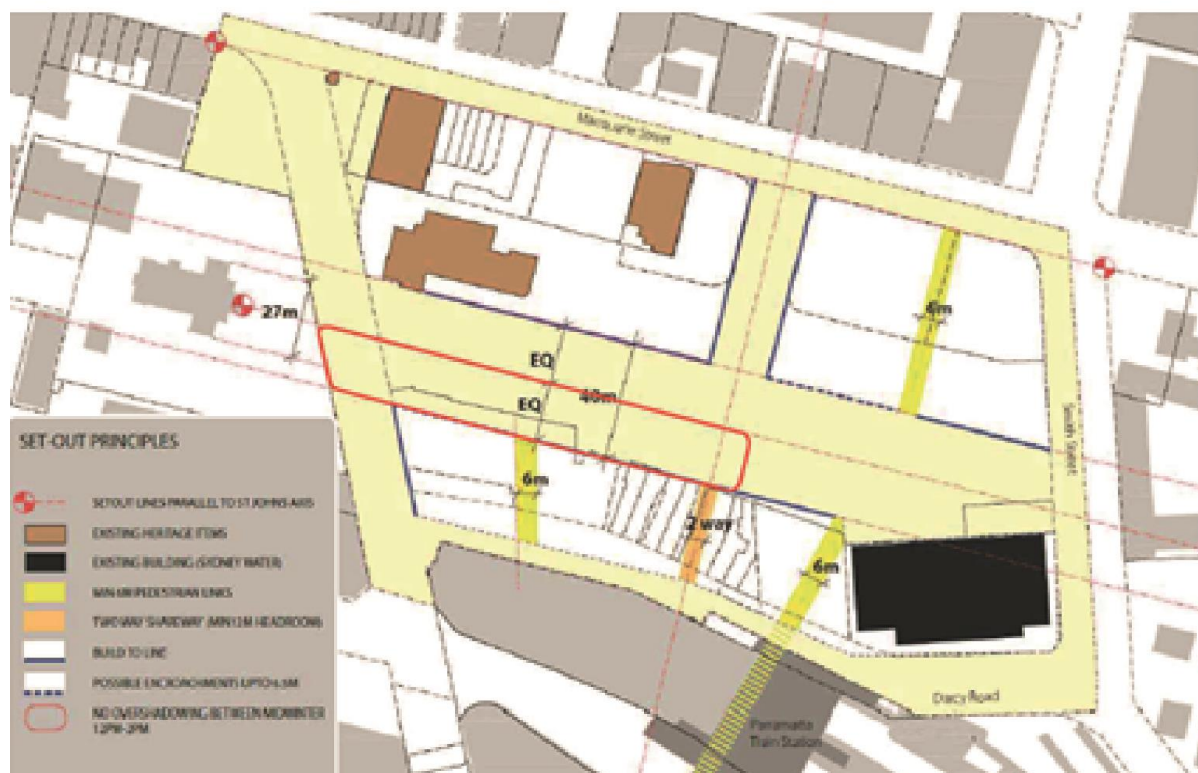


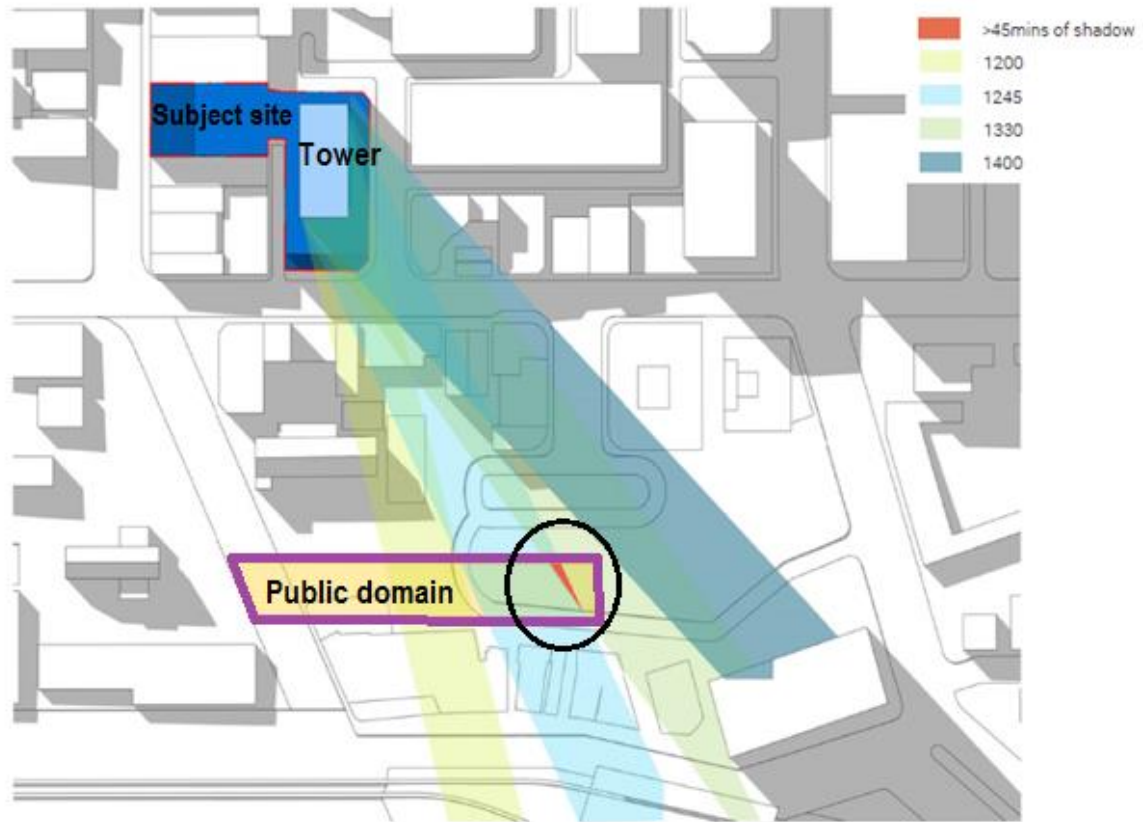
Figure 13 - Parramatta Square Public Domain

A shadow analysis and Parramatta Square shadow investigation of the proposed built form is provided in the Urban Design Analysis (Appendix 1). Various tower envelopes have been tested, Figures 14 and 15 are extracts from Appendix 1 demonstrating options that minimise overshadowing of the public domain.

This planning proposal was lodged prior to Council's DCP amendment that ensures no point of the solar protection zone (Figure 13 outlined in red) is in shadow for a period greater than 45 minutes between 12 and 2pm midwinter. A modified reference design for the subject site was submitted with a shadow diagram see Figure 14 (Appendix 1). The location and shape of the tower (Figure 14 light blue rectangle) demonstrates a built form that provides an appropriate setback of the tower to Macquarie Street and Horwood Place, aligns to the street and provides a narrower shadow that moves across Parramatta Square public domain.

The planning proposal largely complies with Council's new solar provisions. In reviewing the amended design Council's urban design officers determined that despite the small red area of overshadowing (circled in Figure 14) associated with the applicant's model, the site can accommodate a tower element capable of complying with the proposed 45 minute DCP provisions. The shadows illustrated in Figure 14 are based on a building envelope not a final design. In reviewing the amended reference design Council's urban design officers are satisfied a tower form could be developed to comply with the 45 minute control as part of the Design Excellence process.





**Figure 14 - Shadow diagram**

Source: Parramatta Square Shadow Investigation Appendix 1.1

The shadows from the proposed built form do not fall within the Lancer Barracks Sun Access Plane between 12 and 2pm midwinter, as demonstrated in Figure 15. There are no shadow impacts on the Lancer Barracks public domain in keeping with Clause 7.4 of PLEP 2011.



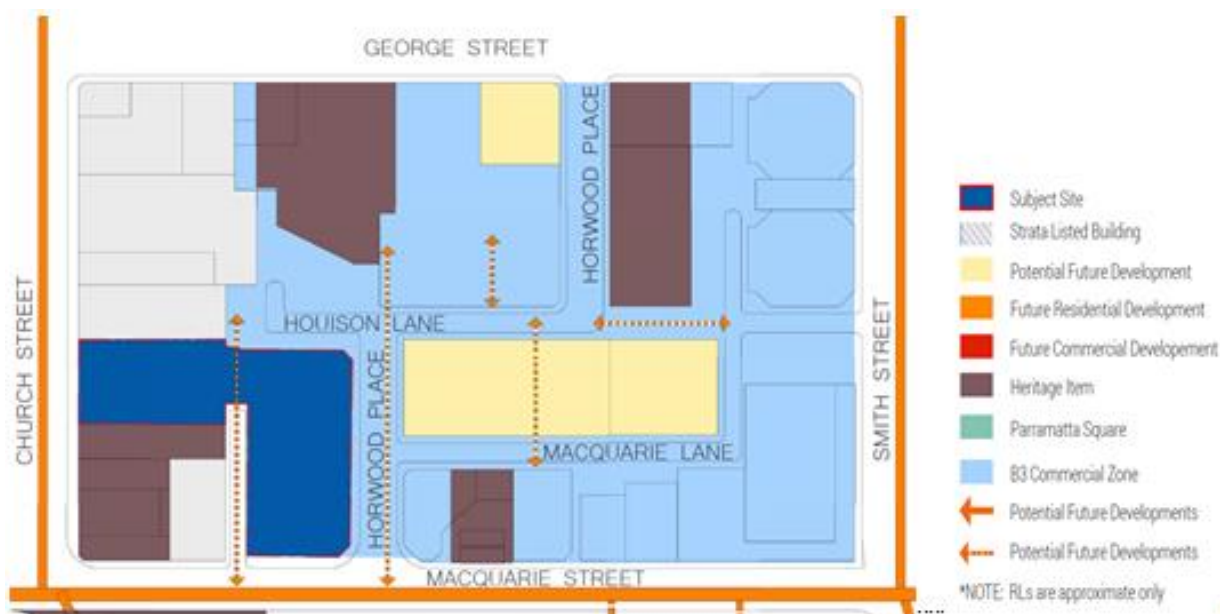
**Figure 15 – Shadow diagram of indicative built form impact on Lancer Barracks**

Source: Urban Design Analysis

## Residential Amenity

The future residential development on the site is capable of achieving a high level of residential amenity through building separation and a northern aspect. The proposed taller tower form and ground level retail and podium treatments enable the development to concentrate residential uses above the street level, into a slender tower form that achieves a high level of solar access and regional views. The indicative tower floor plate provides eight apartments of a single corridor and is able to achieve adequate natural ventilation through future design improvements to the apartment layout, in accordance with the Apartment Design Guidelines. As shown in the Urban Design Analysis (Appendix 1), the scheme maximises apartments with a northern aspect to ensure a high level of solar access is achieved and views to the north are maximised.

The location of the tower on the site responds to the various constraints of the surrounding properties, see Figure 16. As demonstrated in the Urban Design Analysis, a number of the surrounding sites have constrained residential development potential due to heritage provisions, strata title ownership and B3 Commercial Core Zoning. As such, the location of the tower has been designed to maximise separation distances to the surrounding sites that may accommodate future residential buildings to ensure that the amenity achieved on the site is not compromised by future development. The proposed built form is consistent with the Apartment Design Guidelines and SEPP 65.



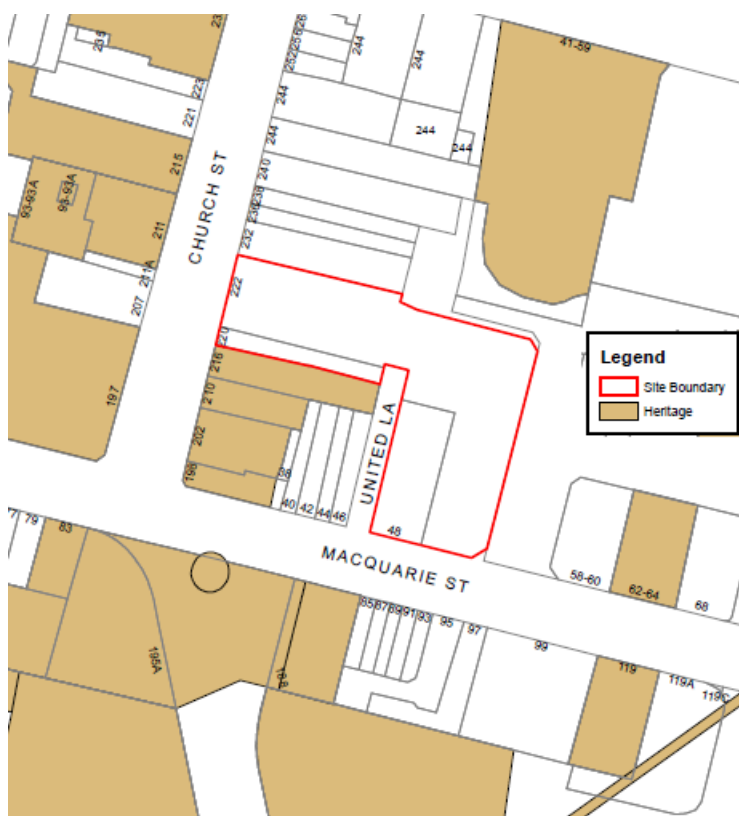
**Figure 162 – Surrounding site constraints**  
Source: Crone Partners

## Heritage

The site does not contain any heritage items, nor is it located within a heritage conservation area under the PLEP 2011. There are, however, a number of local and state heritage items that adjoin and surround the site (refer to Figure 17).

Key heritage items of particular note surrounding the site include:

- Item 651: Bicentennial Square and adjoining buildings
- Item 652: 188 Church Street (South East corner), Murrays' Building and potential archaeological site
- Item 01805: 195 Church Street, St John's Anglican Cathedral
- Item 653: 195 Church Street (rear of 47 Hunter Street), Warden's cottage (verger's cottage)
- Item 654: Centennial Memorial Clock;
- Item 655: 197 Church Street, Shop and potential archaeological site;
- Item 656: 198-216 Church Street and 38–46 Macquarie Street, Horse parapet facade and potential archaeological site;
- Item 657: 211 Church Street (93–93a Marsden Street), Telstra House (former post office) and potential archaeological site;
- Item 658: 215 Church Street, HMV (former Commonwealth Bank) and potential archaeological site;
- Item 659: 223 and 235 Church Street, Former court house wall and sandstone cellblock and potential archaeological site;
- Item 703: 41-59 George Street, Shops and potential archaeological site;
- Item 00711: 69 George Street, Roxy Cinema; and
- Item 719: 119 Macquarie Street, Leigh Memorial Uniting Church.

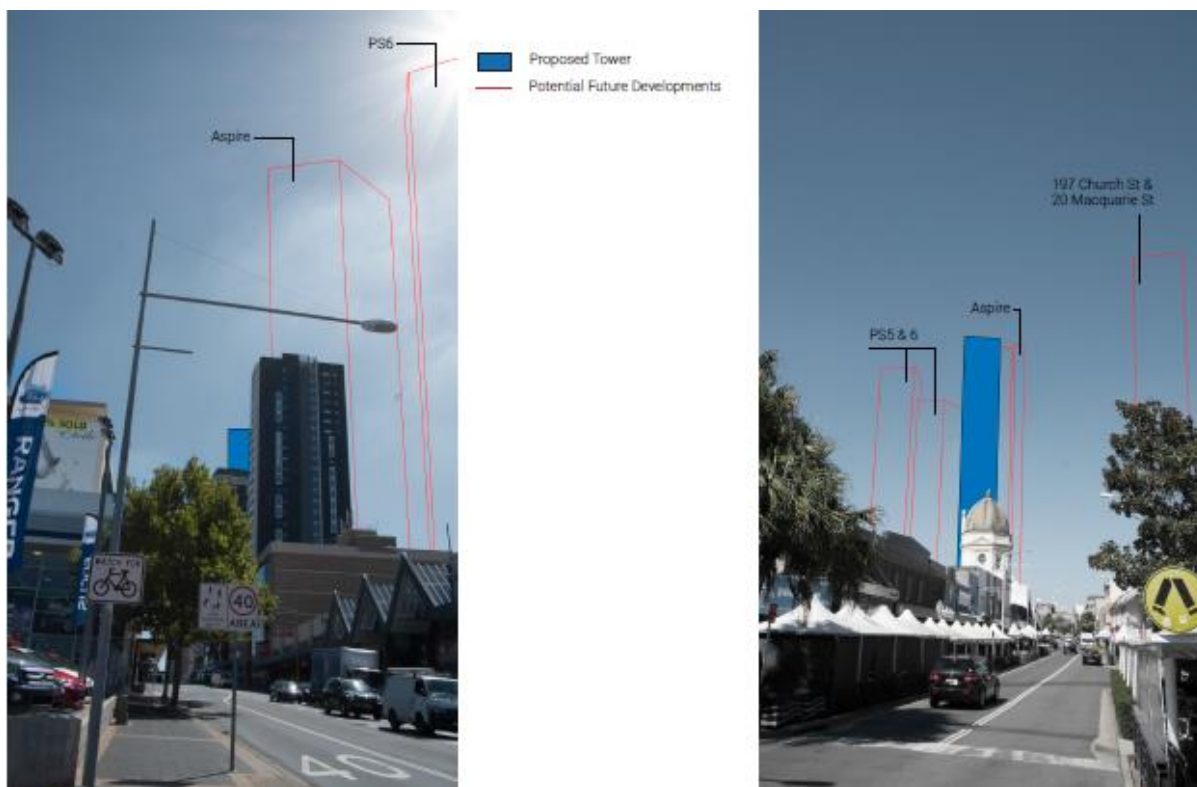


**Figure 17** - Existing heritage context, extract from PLEP 2011  
Source: PLEP 2011

The Heritage Issues Identification Report identifies that the proposal will cause some overshadowing of these heritage items during mid-winter. Visual and shadowing impacts of the sites along Church Street and Bicentennial Square are a matter for consideration as part of the planning proposal process, in particular the adjoining heritage item at 198-216 Church Street and 38–46 Macquarie Street which contains a horse parapet facade of heritage significance. Both Council's heritage expert and the Heritage Issues Identification Report at Appendix 3 determined the proposed built form will create an acceptable impact on the adjoining and nearby heritage items. The visual and overshadowing impacts associated with the proposal are consistent with an emerging CBD context. A more detailed assessment of the streetscape impacts and the interface with the heritage items in close proximity is more appropriately undertaken at the Design Competition or Development Application stage. A more detailed design of the building will include a finer-grain and more articulated built form response and will allow for materials to be selected that mitigate any potential impacts on the heritage items.

The Heritage Issues Identification Report has been prepared by NBR +Partners and is provided at Appendix 3. This report also considered the view diagrams provided in the Urban Design Analysis Report (Appendix 1) which identify the relevant and significant DCP and Old Government House Domain (OGH) views and view corridors, as identified in the *Development in Parramatta City and the Impact on Old Government House and Domain's World and National Heritage Listed Values: Technical Report* (OGH Technical Report). The Heritage Issues Identification Report considers that the proposal will be visible from OGH until the surrounding sites in the City Centre are developed. Notwithstanding this, the report provides that the proposal will not interfere with the significant views nor view corridors and will not cause any significant heritage impact on OGH. As such the proposal does not require referral under the Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act).

The Heritage Issues Identification Report provides an assessment of the Historic view corridors identified in the Parramatta DCP and confirms that the site is within the vicinity of view 3, 'view to St John's Church and square from north'. The view analysis diagrams provided at Appendix 1 provides that the proposed tower envelope is located on the periphery of the view corridor and will not have a direct impact on the views along Church Street to St John's Church. See an extract of Appendix 1 at Figure 18 demonstrating the proposed development's impact on the existing view corridor.



**Figure 18** – Looking north along Church Street and Great Western Highway and looking South along Church Street

### Archaeological

The Heritage Issues Identification Report at Appendix 3 provides that the site falls within AMU3075 which contains the potential for exceptional archaeological research potential of state significance. The Report provides that an Archaeological Assessment of the site should be undertaken prior to any development or excavation on the site. In addition to this, the approval of the Heritage Council would be required prior to any future excavation as the land is entered on the State Heritage Register. The report provides that any potential archaeological resources discovered on the site may be displayed on site to contribute a beneficial heritage impact. The report provides that the existing LEP controls permit a CBD type development that would permit basement car parking. Accordingly, the proposed LEP amendment does not create a significant additional heritage impact.

### Traffic

A Traffic and Transport Assessment has been prepared for the proposed LEP Amendment by ARUP and is provided at Appendix 4. The assessment considers a development facilitated by the Planning Proposal that hypothetically provides the maximum permitted number of car parking spaces under the LEP.

The assessment considers traffic studies undertaken in the Parramatta City Centre in March 2007 and more recent studies in May 2014 to determine if traffic numbers have grown during this time. The Assessment provides that overall traffic has not grown over the period and therefore provides that the traffic counts from 2007 are acceptable for determining background traffic volumes. The Assessment considers the traffic volumes on the local streets surrounding the site including Church Street, George Street, Smith Street and Macquarie Street.

The assessment provides that, pursuant to the car parking provisions of the LEP, the maximum permitted number of car parking spaces facilitated under the Planning Proposal (based on 416 dwellings) is 499, as outlined below:

- Residential apartments: 416
- Visitor parking: 83
- Total 499 car parking spaces.

The assessment considers that, due to the small scale type of retail tenancies and the significant amount of public car parking provided on the surrounding local streets and in the public car parks located in close proximity to the site, the future development on the site is not likely to provide retail car parking spaces.

The assessment considers the traffic generation rates in the RTA Guide to Traffic Generating Development document and therefore determines the peak hour trips generated by the development. For a residential land use this is 84 AM peak trips and 66 PM peak trips. These traffic generation rates are anticipated to be distributed in the order of 20% of traffic travelling into the site and 80% leaving the site during the AM peak. The disbursement patterns are anticipated to be reversed in the PM peak. The assessment also considers that the traffic will disburse into the streets surrounding the site and as such will be absorbed appropriately into the surrounding traffic flows.

As outlined in the Traffic and Transport Assessment (Appendix 4) the site is located in very close walking distance to the Parramatta Railway Station and Transport Interchange. In addition to this the planned Western Sydney Light Rail Network, Western Sydney Regional Ring Road and the Integrated Transport Plan for Parramatta City Centre are all transport initiatives which are anticipated to improve transport in the City Centre. On this basis, ARUP is supportive of the proposal and considers that the anticipated traffic generation will not have an adverse impact on the surrounding road intersections and that the forecast increase in traffic movements is considered to be modest. Council's traffic and transport section found the proposed development has satisfactory parking and traffic impacts.

## Flooding

A small portion of the site fronting Macquarie Street is affected by 20 and 100 year Average Recurrence Interval (ARI) events, see Figure 19. The site is also impacted by a Probable Maximum Flood (PMF) event.



### **3.3.3 How has the planning proposal adequately addressed any social and economic effects?**

The proposed development will result in positive economic and social flow-on effects for the local area. The Planning Proposal will facilitate the redevelopment of an inner-city retail and commercial block that is reaching the end of its economic life span. The development facilitated under this Planning Proposal will deliver an increase in high quality retail and residential floor space facilitating growth within an under developed portion of the City Centre.

The renewed retail components of the development will contribute to employment and commerce in the area by providing better spaces for local businesses in an appropriate location directly adjacent to the commercial core and in close walking proximity to the Transport Interchange. The residential component will deliver valuable housing in a well serviced location and will provide flow on economic benefits for the surrounding businesses with the addition of approximately 416 new residential apartments and therefore residents.

The proposal will deliver a high quality development on the site that will result in a high quality development that exhibits design excellence and improved retail and residential floor space within the City Centre. The proposal will facilitate the delivery of residential dwellings and will not cause any significant adverse environmental impacts.

*A Plan for Growing Sydney* requires the delivery of residential dwellings as well as high quality retail floor space to cope with the high levels of demand and growth projections. Currently an undersupply of housing is driving property prices upwards and forcing many prospective buyers out of the market. This Planning Proposal will facilitate a supply of housing in an appropriate location which is considered to help ameliorate this undersupply and as such will result in an improved social outcome.

## **3.4 Section D – State and Commonwealth Interests**

### **3.4.1 Is there adequate public infrastructure for the planning proposal?**

The site is located in an established urban area and has access to a range of existing services. Further investigations will be undertaken as part of the preparation of the DA material to determine whether any upgrade of existing facilities is required.

### **3.4.2 What are the views of State and Commonwealth public authorities consulted in accordance with the gateway determination?**

State and Commonwealth authorities will have the opportunity to provide comment on the planning proposal as part of its formal exhibition. The NSW OEH are the consent authority for the disturbance of grounds for State significant archaeological sites. Consultation with officers from NSW OEH has been undertaken. It has been confirmed the planning proposal can continue to gateway, however an archaeological assessment is required prior to exhibition.



## PART 4 – MAPPING

This section contains the mapping for this planning proposal in accordance with the Department of Planning and Environment’s guidelines on plan making.

### 4.1 Existing controls

This section contains map extracts from PLEP 2011 which illustrate the current controls applying to the site.

Figure 20 below illustrates the current B4 Mixed Use zone over the site

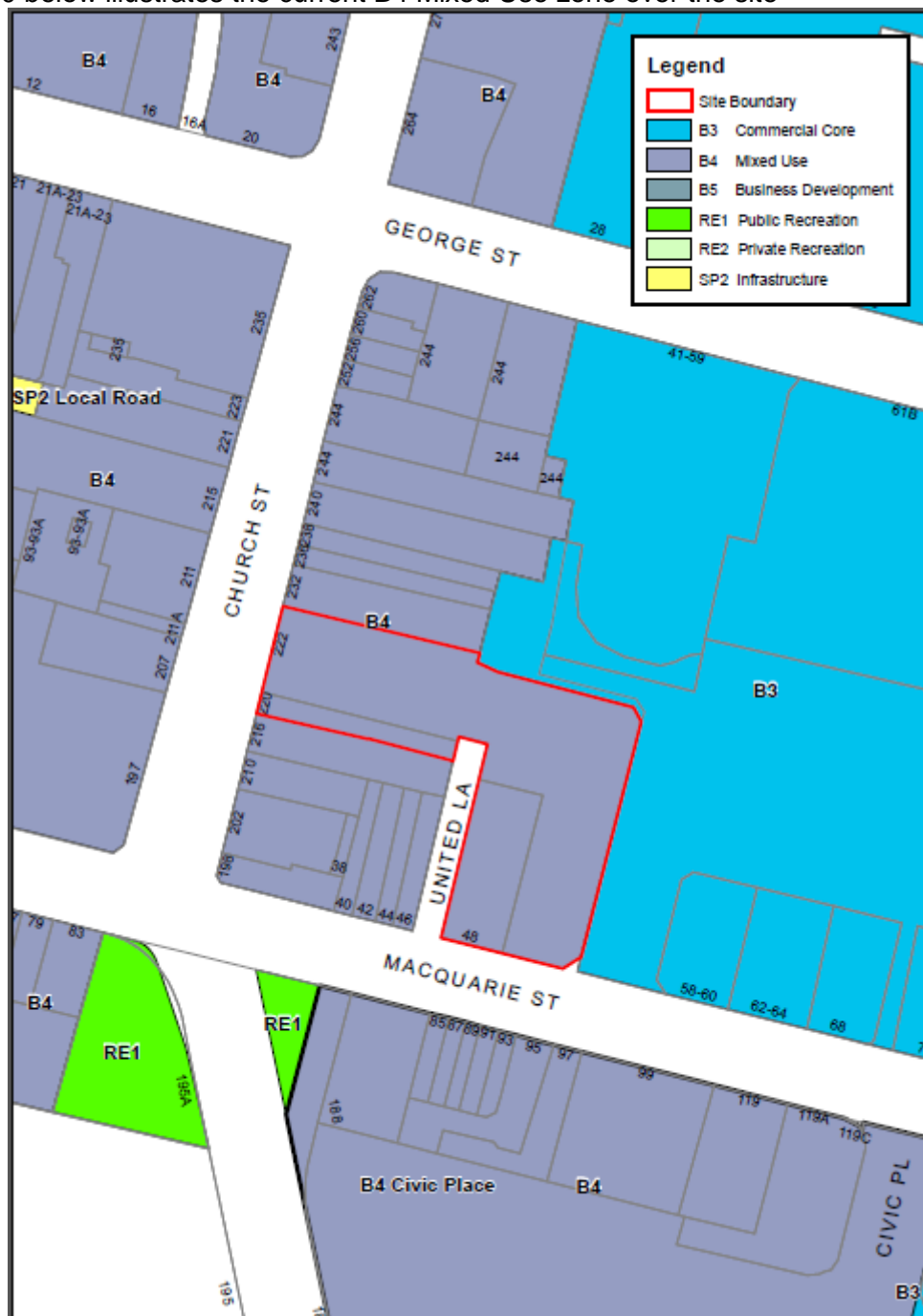
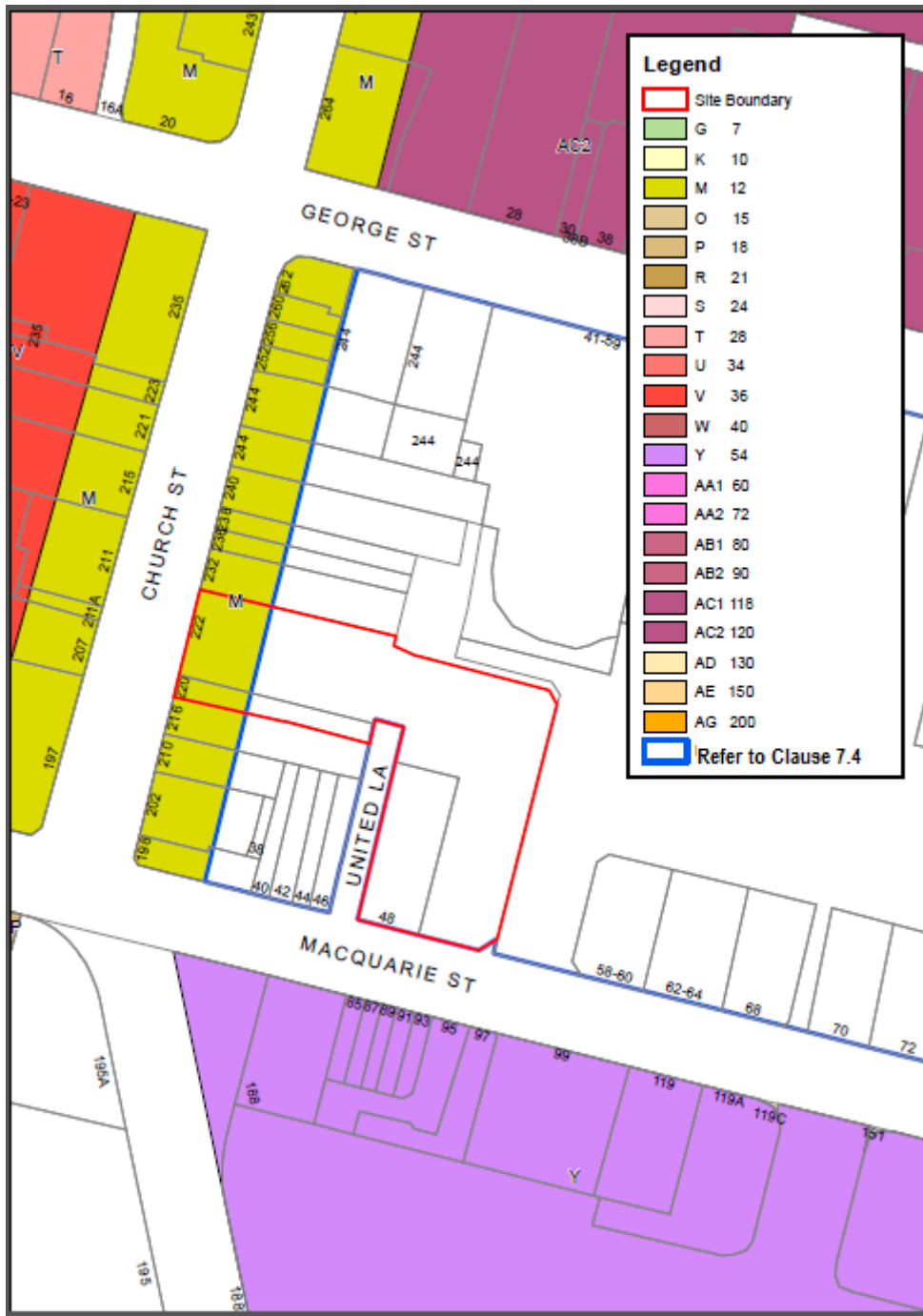


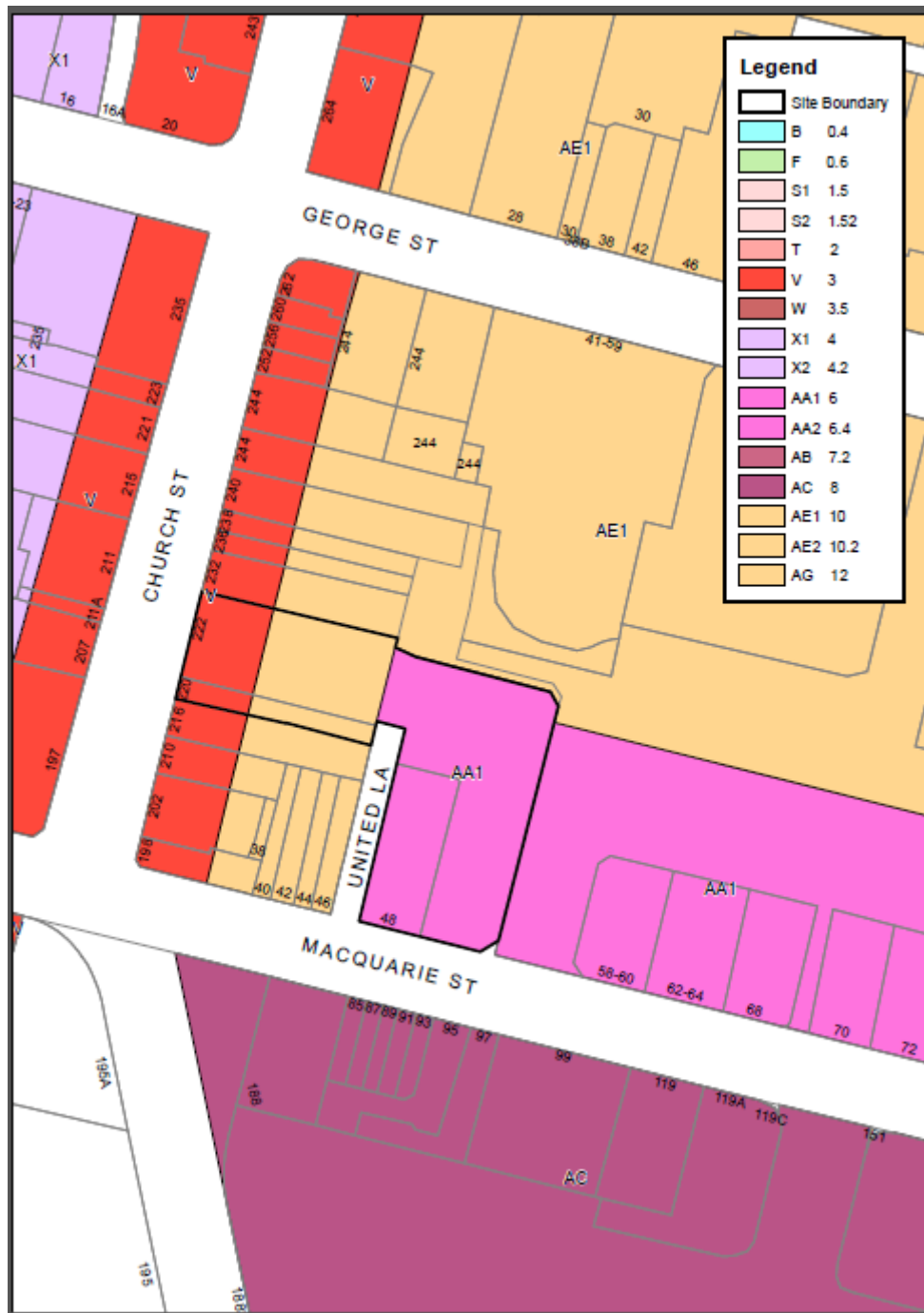
Figure 20 – Current zoning extracted from the PLEP 2011 Land Zoning Maps

Figure 21 below illustrates the existing 12 metre height frontage, with Clause 7.4 of PLEP 2011 applying to the remainder of the site.



**Figure 21** – Current building heights extracted from the *PLEP 2011* Height of Buildings Maps

Figure 22 below illustrates the existing FSR of 3:1 fronting Church Street, 10:1 in the centre of the site and 6:1 fronting Macquarie Street.



**Figure 22** – Current floor space ratio extracted from the *PLEP 2011* Floor Space Ratio Map

Figure 23 below illustrates the heritage items which are located adjacent to the site.

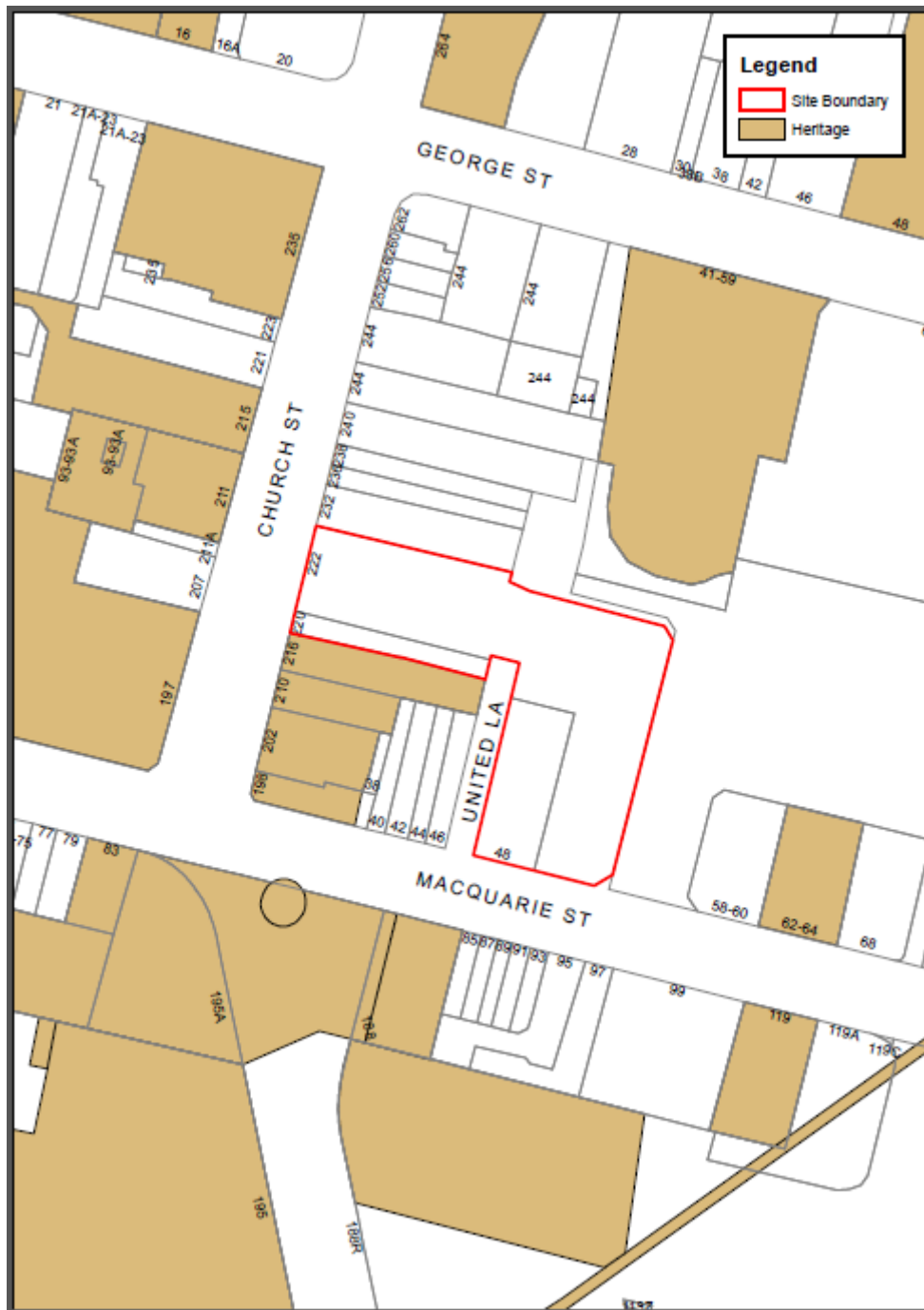


Figure 24 below illustrates the flooding extent in the vicinity of the site.

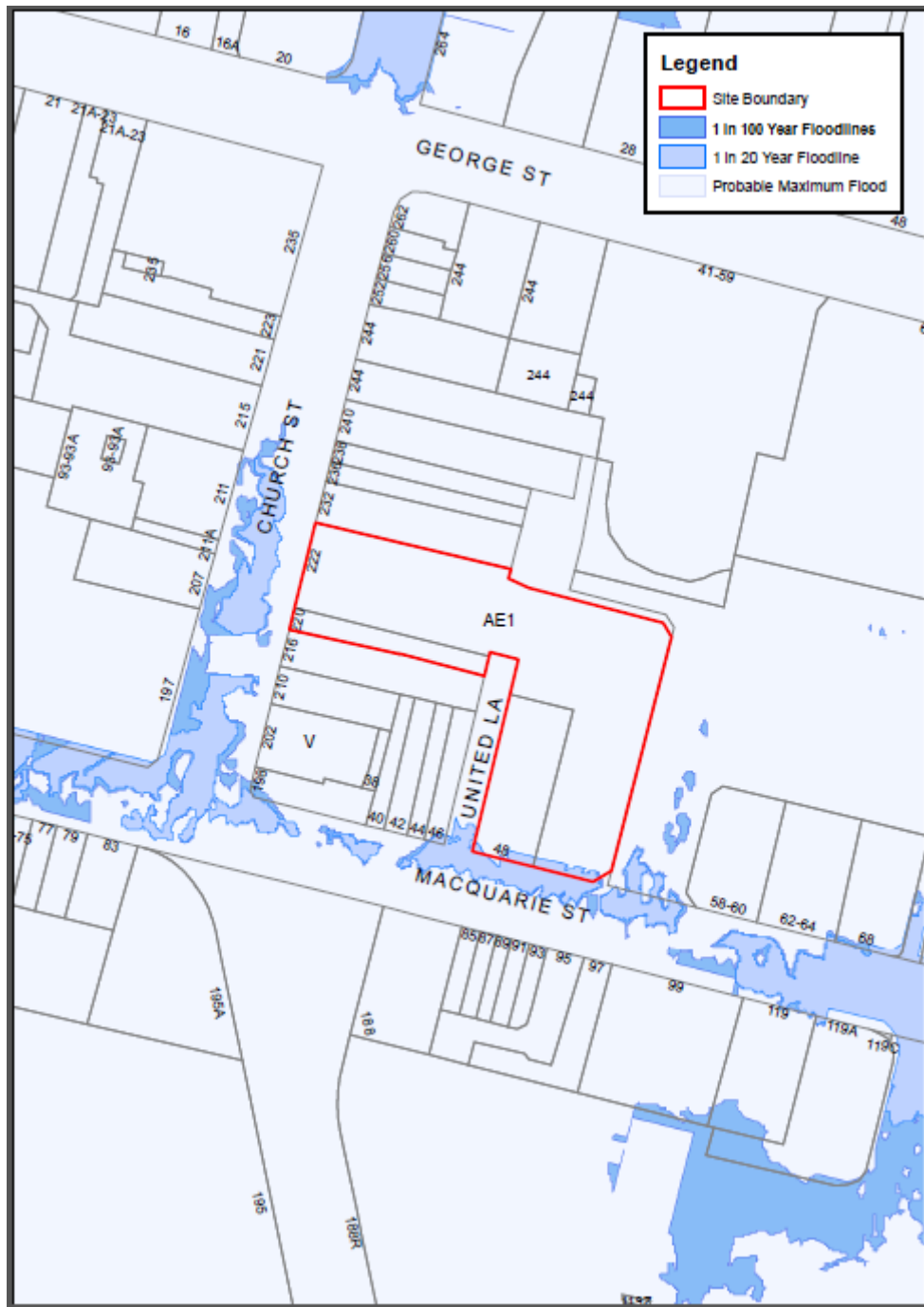


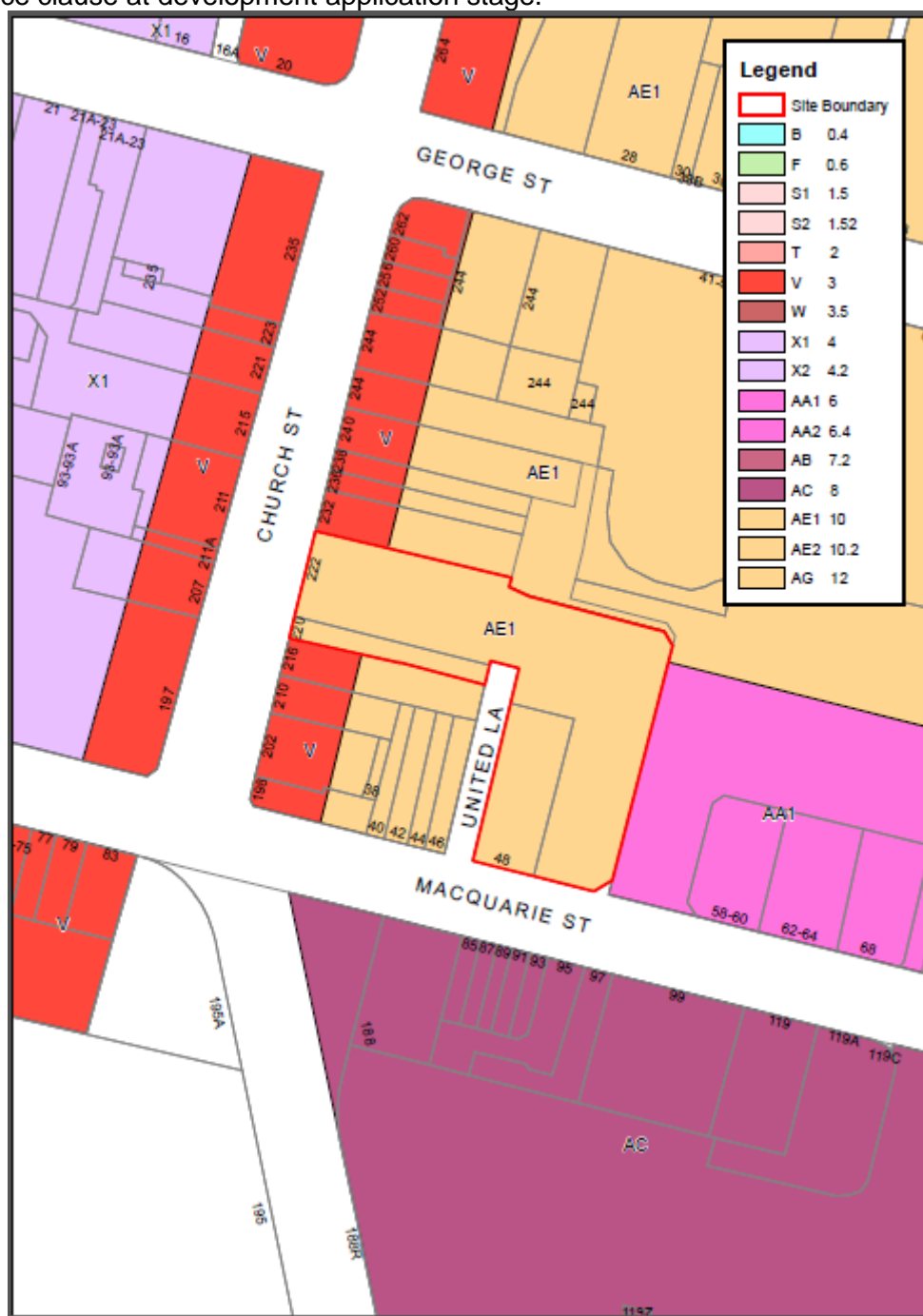
Figure 24 – Current flooding extent extracted from the PLEP 2011 Flooding Maps



## 4.2 Proposed controls

The figures in this section (Figures 26 and 27) illustrate the proposed changes to the Floor Space Ratio Map and Special Provisions Area Map sought by this planning proposal.

Figure 26 below illustrates the proposed 10:1 FSR over the site. This excludes the proposed additional 15% FSR (which equates to a total FSR of 11.5:1) achieved through the design excellence clause at development application stage.



**Figure 26** – Proposed amendment to the *PLEP 2011* Floor Space Ratio Map





## PART 5 – COMMUNITY CONSULTATION

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It is noted that confirmation of the public exhibition period and requirements for the planning proposal will be given by the Minister as part of the LEP Gateway determination.

Any future DA for the site would also be exhibited in accordance with Council requirements, at which point the public and any authorities would have the opportunity to make further comment on the proposal.

In accordance with Section 57(2) of the *EP&A Act 1979*, the Director-General of Planning must approve the form of the planning proposal, as revised to comply with the gateway determination, before community consultation is undertaken.

Public exhibition is likely to include:

- newspaper advertisement;
- display on the Council's web-site; and
- written notification to adjoining landowners.

The gateway determination will specify the level of public consultation that must be undertaken in relation to the planning proposal including those with government agencies.

Pursuant to Section 57(8) of the *EP&A Act 1979* the Responsible Planning Authority must consider any submissions made concerning the proposed instrument and the report of any public hearing.

## PART 6 – PROJECT TIMELINE

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The detail around the project timeline is expected to be prepared following the referral to the Minister for a Gateway Determination.

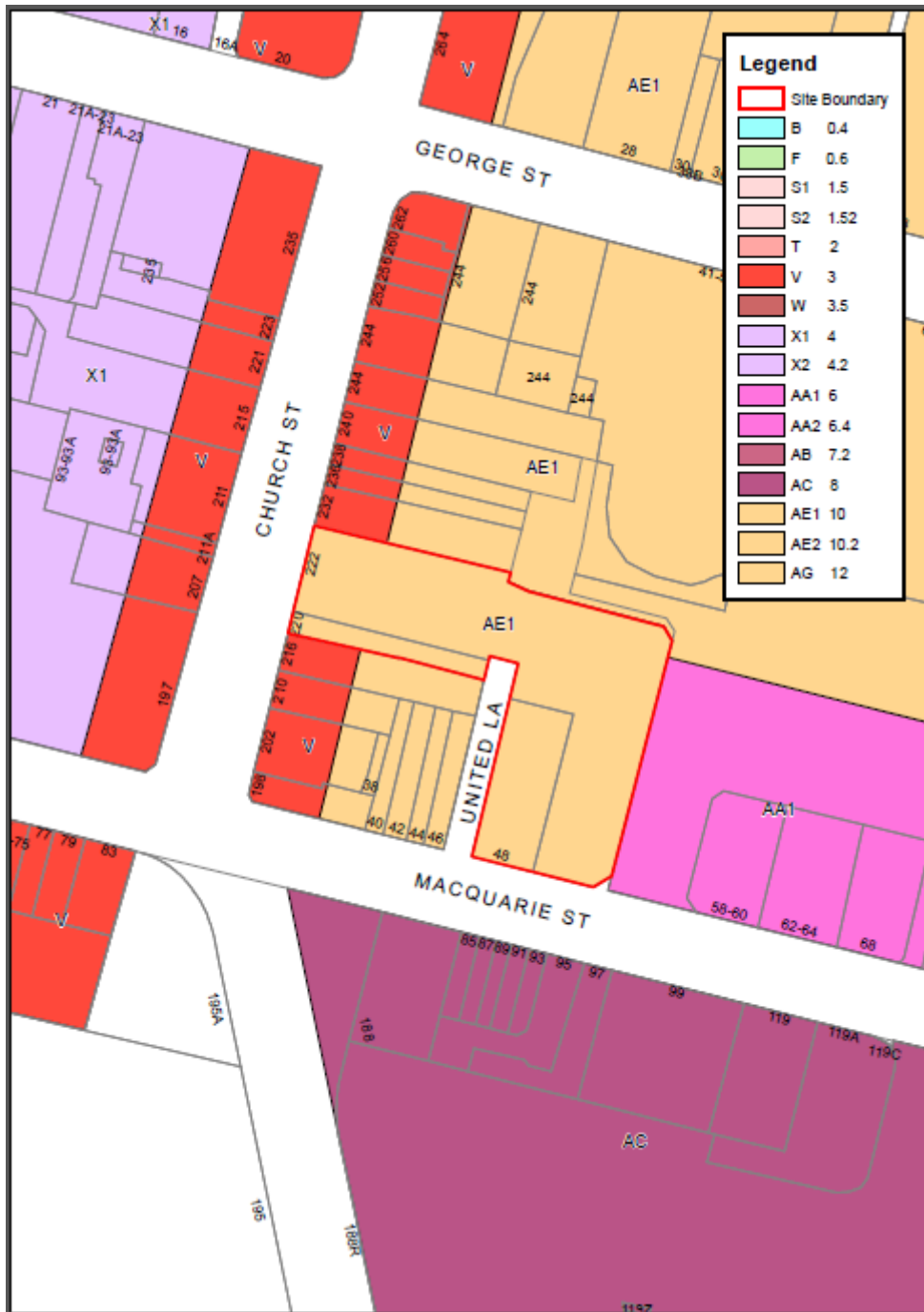
The following steps are anticipated:

- Referral to Minister for a Gateway determination (January 2016)
- Commencement and completion dates for public exhibition period and government agency notification (March 2016)
- Consideration of submissions (April 2016)
- Consideration of proposal post exhibition and reporting to Council (May 2016)
- Submission to the Department to finalise the LEP (June 2016)
- Notification of instrument (September 2016)

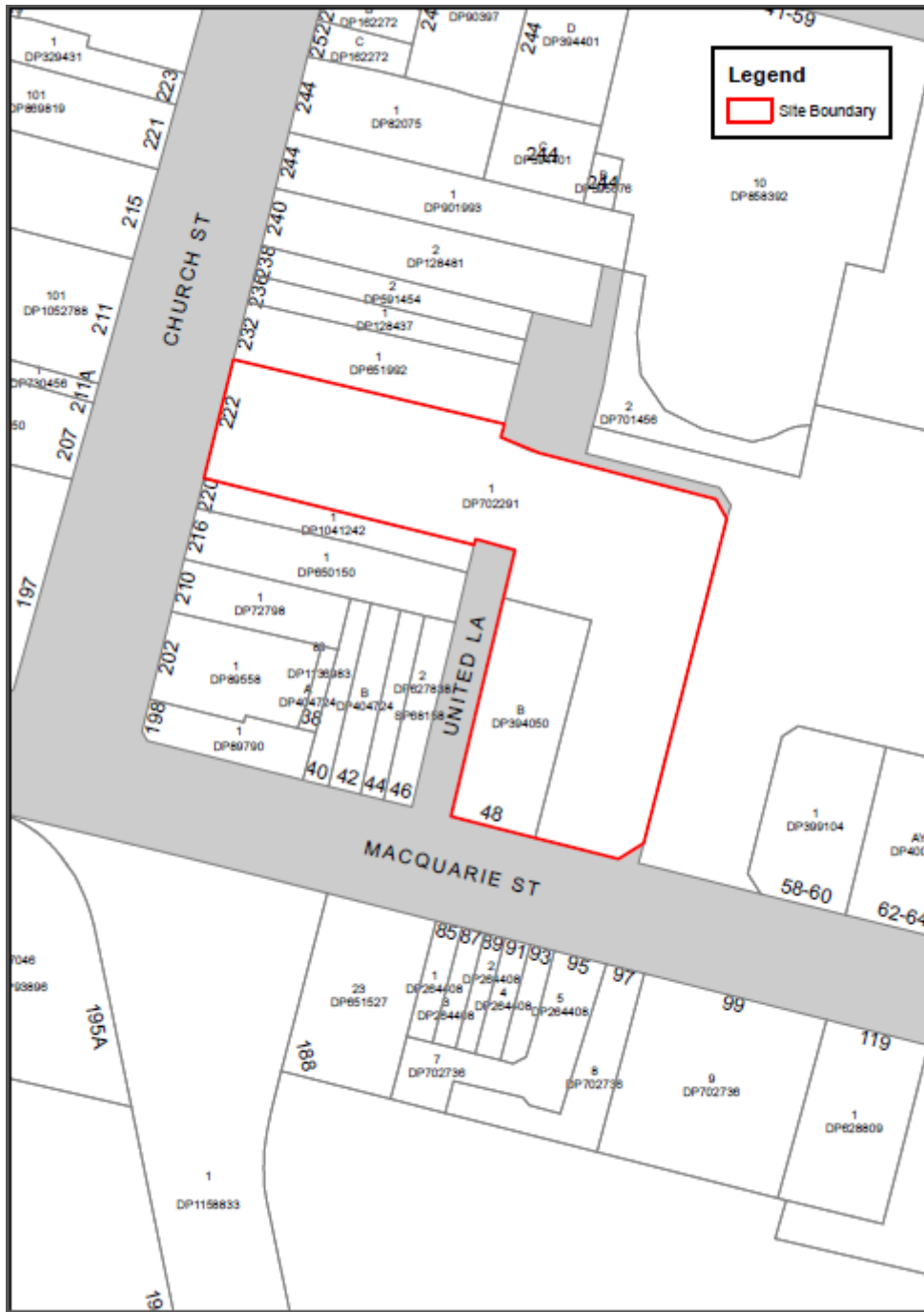
## Appendix 1 –Urban Design Analysis

## **Appendix 1.1 – Parramatta Square Shadow Investigation**

## Appendix 2 – Amended LEP Maps



Proposed amendment to the *PLEP 2011* Floor Space Ratio Map



Proposed amendment to the PLEP 2011 Special Provisions Area Map

## **Appendix 3 – Heritage Issues Identification Report**

## Appendix 4 – Traffic Impact Analysis





Prepared by Parramatta City Council

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