



PLANNING PROPOSAL

66 Phillip Street, Parramatta

Planning Proposal drafts

Proponent versions:

No.	Author	Version
1.	Planning Direction Pty Ltd	December 2015

Council versions:

No.	Author	Version
1.	Parramatta City Council	March 2016 - Section 56(1) submission to the DP&E

Contents

INTRODUCTION.....	4
Background and context	4
PART 1 – OBJECTIVES OR INTENDED OUTCOMES.....	6
PART 2 – EXPLANATION OF PROVISIONS.....	6
2.1 Other relevant matters	6
PART 3 – JUSTIFICATION	7
3.1 Section A - Need for the planning proposal	7
3.2 Section B – Relationship to strategic planning framework	7
3.3 Section C – Environmental, social and economic impact	16
1.4 Section D – State and Commonwealth Interests	19
PART 4 – MAPPING.....	20
4.1 Existing controls	20
4.2 Proposed controls	25
PART 5 – COMMUNITY CONSULTATION	29
PART 6 – PROJECT TIMELINE	29
Appendix 1 – Architectural plans and analysis, Jones Sonter Architects	30
Appendix 2 – Landscape concept plan, Oculus	31
Appendix 3 – Urban design report, ae design partnership	32
Appendix 4 – Heritage Statement, Archnex Designs	33
Appendix 5 – Flood risk report, RGH Consulting	34

INTRODUCTION

This planning proposal explains the intended effect of, and justification for, the proposed amendment to *Parramatta Local Environmental Plan 2011 (PLEP 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).

Background and context

On 23 December 2014, Council received a planning proposal and supporting documents from Planning Direction Pty Ltd affecting land at 66 Phillip Street, Parramatta.

The subject site located at 66 Phillip Street, Parramatta has a primary frontage to Phillip Street and a secondary frontage to George Khattar Lane. The northern rear boundary adjoins the Parramatta River Foreshore Reserve. Refer to **Figure 1** below.

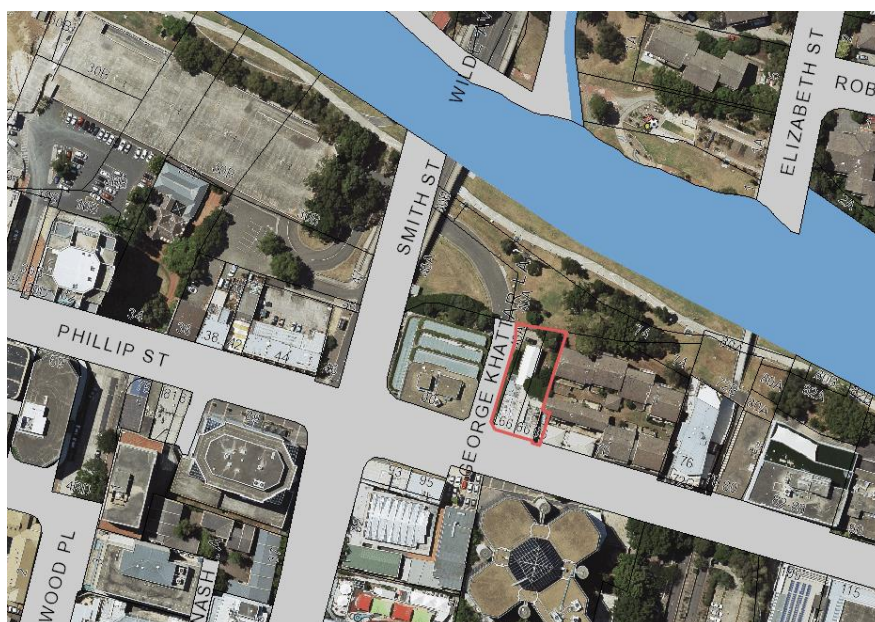


Figure 1 – Site at 66 Phillip Street, Parramatta subject to the planning proposal

The total area of the subject site is approximately 908.5m² and comprises the following allotments (refer to **Figure 2**):

- Lot 1 in DP 128452
- Lot 36 in DP 1104223
- Lot 102 in DP 1201615
- Lot 101 in DP1201615

The subject site for the purpose of this planning proposal comprises the adjoining strip of Council owned land at 40A Smith Street, effectively part of the road reserve and comprising Lot 101 in DP1201615. The Council land has been included in the subject site area because the applicant has a series of easements over the Council site, one of which would allow a 0.6m encroachment over the site. In addition, the applicant's site now includes a stratum below the Council site to allow the formation of basement car parking.

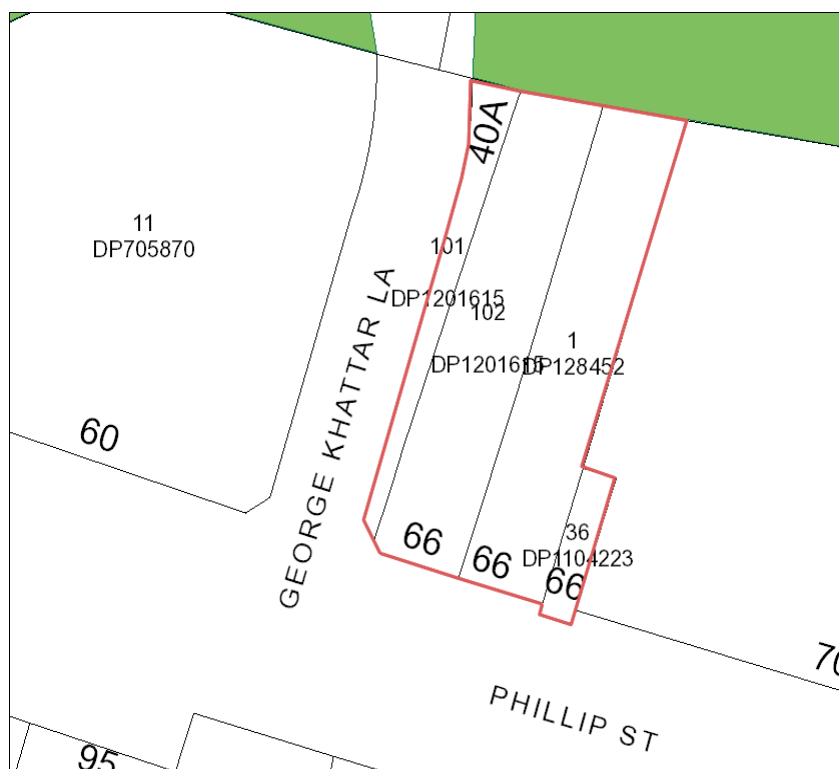


Figure 2: Allotments within site boundary

The subject site contains a heritage listed building on the Phillip Street frontage of the site that until recently was used for the purposes of a restaurant. More recent additions to the rear will be demolished making way for the proposed development.

Adjoining the subject site to the east (No. 70 Phillip Street) are two single-storey heritage listed cottages used for commercial purposes with a three-storey residential building complex constructed to the rear of the heritage items. Situated immediately opposite the subject site across George Khattar Lane to the west is a medium rise commercial building. Commercial development of a greater scale is located on the southern side of Phillip Street.

Following a design competition, development consent was granted in September 2013 for the construction of a 13 storey mixed use building comprising 49 apartments, ground floor cafe, three levels of basement car parking on the subject site and providing for the retention of the heritage listed building on the site. In obtaining development consent the applicant relied on the incentive bonus floor space ratio (FSR) provisions achievable through the design competition process and pursuant to Clause 35(9) of the PCCLEP 2007 – Heritage Incentive provisions. The consent was issued with an FSR of 4.46:1.

Under *PLEP 2011* the site:

- is zoned B4 Mixed Use (refer to Figure 4 in Part 4 – Mapping);
- has a maximum floor space ratio (FSR) of 4:1 (refer to Figure 5 in Part 4 – Mapping).
- has a maximum building height of 80 metres (refer to Figure 6 in Part 4 – Mapping); and

This planning proposal does not seek to amend the land zoning.

PART 1 – OBJECTIVES OR INTENDED OUTCOMES

The objective of this planning proposal is to increase the permissible density of development of the land at 66 Phillip Street, Parramatta in accordance with the current B4 Mixed Use zone to facilitate a high density mixed use development in the north eastern corner of the Parramatta City Centre.

PART 2 – EXPLANATION OF PROVISIONS

This planning proposal seeks to amend *PLEP 2011* in relation to the height and floor space ratio controls.

In order to achieve the desired objectives the following amendments to the *PLEP 2011* would need to be made:

1. Insert a new clause in Part 7, consistent with Council's resolution:

7.11 Development on land at 66 Phillip Street, Parramatta

- (1) *This clause applies to land marked "Area #" on the Special Provisions Area Map.*
 - (2) *Despite clause 7.2, the consent authority may grant consent to development on land to which this clause applies with a maximum floor space ratio of 10:1 (excluding any design excellence bonus granted pursuant to Clause 7.10) with a minimum of 1:1 commercial floor space and any commercial floor space beyond 1:1 not being included for the purpose of calculating FSR.*
2. Amend the maximum building height in the **Height of Buildings Map** (Sheet HOB_001) so as to remove any affection from the site. Refer **Figure 8** in Part 4 of this planning proposal.
 3. Amend the maximum FSR in the **Floor Space Ratio Map** (Sheet FSR_001) from 4:1 to 10:1. Refer **Figure 9** in Part 4 of this planning proposal.
 4. Amend the **Special Provisions Area Map** (Sheet CL1_010) to include the site to relate it to the above floor space ratio exceptions clause at the first amendment in Point 1, above. (Refer to **Figure 10** in Part 4).

The above proposed amendments would need to be legally drafted and included within the *PLEP 2011*.

2.1 Other relevant matters`

2.1.1 Voluntary Planning Agreement

A draft Letter of Offer to enter into a voluntary planning proposal (VPA) accompanies the planning proposal. This will be assessed separately and a draft VPA will ideally be exhibited in conjunction with the planning proposal.

PART 3 – JUSTIFICATION

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

This section establishes the need for a planning proposal in achieving the key outcome and objectives. The set questions address the strategic origins of the proposal and whether amending the LEP is the best mechanism to achieve the aims of the proposal.

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

While the planning proposal is not a direct result of a specific strategic study or report for the site it is in accordance with the NSW state government policy supporting Parramatta's development as Sydney's second CBD. The proposal will facilitate an integrated mixed-use development that creates additional housing and employment growth in the Parramatta CBD, in close proximity to public transport and employment.

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

A planning proposal seeking to amend *PLEP 2011* is the most effective way of providing certainty for Council, the local community and the landowner and allows for orderly and economic development of the land. The existing height and FSR standards would not permit the scale and form of development envisaged in the planning proposal and would not allow the site to fully capitalise on its location on the Parramatta River foreshore.

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 Plan for Growing Sydney and subregional strategy, 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?

A Plan for Growing Sydney

On 14 December 2014, the NSW Government released 'A Plan for Growing Sydney' which outlines actions to achieve the Government's vision for Sydney which is a 'strong global city and a great place to live'.

The actions within the plan that specifically relate to Parramatta are:

1. Grow Parramatta as Sydney's second CBD by connecting and integrating Parramatta CBD, Westmead, Parramatta North, Rydalmere and Camellia;

2. review expansion opportunities in the Parramatta CBD including updated building height controls and removal of barriers to growth to promote more efficient land use outcomes.
3. Grow the specialised health and education precincts at Westmead and Rydalmere;
4. Renew Parramatta North to create a vibrant mixed-use precinct; and
5. Grow the arts and cultural opportunities in Parramatta to include State-level facilities.

The planning proposal will enable the development of residential dwellings and commercial space that will contribute towards dwelling and employment targets on a site located within the Parramatta City Centre. The site is within walking distance to Parramatta Railway Station/Bus Terminal and the Parramatta Ferry Terminal and therefore meets the objective to capitalise on public transport infrastructure. The development concept would also help to revitalise and improve the river foreshore.

West Central Subregion Draft Subregional Strategy

The Subregional Strategy, exhibited in December 2007 to March 2008, translates objectives to the local level, and recognises that some issues extend beyond local government boundaries and require a 'subregional' approach. The draft Subregional Strategies act as a broad framework for the long term development of the area, guiding government investment and linking local and state planning issues. It was.

Key components of the draft West Central Subregional Strategy of relevance to future development of the subject site and the broader development of Parramatta city centre include the following:

- *Economy and Employment: It is projected that Parramatta will provide for an additional 27,000 jobs by 2031 (calculated from 2001). The primary role of Parramatta city centre is a commercial hub which includes business, government, retail, cultural, entertainment and recreational activities.*

Development of the site for residential and commercial uses will support the commercial core but not detract from its importance.

- *Centres and Corridors: Parramatta is identified as a regional centre and has developed as Sydney's second CBD. The Strategy states that Parramatta Council is to investigate the potential for greater development in areas within close proximity to major proposed transit networks such as the Parramatta-Rouse Hill and Parramatta-Liverpool Transitway.*

The proposed changes to the height and FSR standards will allow for the development of residential and commercial uses which will support the viability of Parramatta as Sydney's second CBD. The site is considered valuable in contributing towards dwelling and employment targets due to its location within Parramatta City Centre, close to public transport, strategic bus corridors and light rail investigation corridors.

- *Housing: Housing stress is considered a significant problem for the west central subregion. This is an indicator of poor housing affordability. The Strategy encourages a greater mix of housing types, especially in centres with good public transport, to accommodate changing demands of existing residents and to support the workforce.*

There are no Greenfield sites left within the subregion, therefore most of the future dwelling growth will be located within centres or through infill development. The Strategy recommends that councils should aim to provide at least 80% of new dwellings in locations within 30 minutes by public transport of a Strategic Centre.

The Planning Proposal seeks to deliver approximately 111 apartments which makes a contribution towards Council's housing targets. The proposed development promotes housing affordability by not over designing the residential apartments while maintaining the high level of amenity and urban design merit demanded by the SEPP No 65 design principles.

- *Transport: The state government has invested in a number of new bus corridors include the Parramatta– Liverpool Transitway, Parramatta– Rouse Hill Transitway and the Strategic Bus Corridors connecting Parramatta to surrounding major centres of Bankstown, Burwood, Castle Hill, Hornsby, Macquarie Park, Ryde and the CBD.*

The site is in a good location to provide mixed use development as it is within 550m of Parramatta Railway Station/Bus terminal and 230m from the Parramatta Ferry Terminal.

- *Environment, Heritage and Resources: As the second oldest European settlement in Australia, Parramatta contains significant historical artefacts and archaeological sites. The Strategy also states that when preparing Principal LEP's Councils should incorporate measures that will protect identified Aboriginal cultural heritage values and provide for ongoing participation of Aboriginal communities in the decision-making process.*

The site has the potential to contribute towards our understanding of Parramatta's historical development and Aboriginal heritage. More detailed investigations would take place prior to development.

- *Parks, public places and culture: The Sub-regional Strategy states that the provision of new open space should be considered as part of large scale infill developments. Local councils should plan for the acquisition of lands for local open space as part of developer contributions. Urban civic spaces and pedestrianised areas should be considered in the planning for future the growth of Strategic Centres and smaller local centres.*

The development concept will enhance the amenity of the river foreshore. The VPA letter of offer will provide a monetary contribution towards the undertaking of works along the river foreshore.

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 Parramatta Community Strategic Plan (CSP) was adopted and effective from June 2013 and aims to guide the decisions of the Council towards strategic objectives and

measurable goals. The Vision for Parramatta CBD includes the following themes that are relevant to the subject site:

- expansion of the traditional CBD to places including the Parramatta River foreshore;
- land near the Parramatta River evolving into a key cultural precinct facilitating and promoting history, the arts, entertainment and recreation;
- new development of increased density along the Parramatta River to take advantage of the views along the river corridor;
- potential contribution to an Integrated Transport Plan including providing additional housing within walking distance of the Rivercat terminal and adjacent to the shared pathway network;
- a target to create an additional 50,000 jobs in the Parramatta locality within 25 years (which exceeds the target set by the Draft Metrostrategy 2031).

This draft Planning Proposal is consistent with the themes of the CSP and a higher density of development will enhance the capacity of the site to deliver additional dwellings and jobs, potentially increase patronage of existing public transport and pathways and contribute the development of design excellence along the foreshore.

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 objectives of the Strategy are as follows:

1. To set the vision for the growth of the Parramatta CBD as Australia's next great city.
2. To establish principles and actions to guide a new planning framework for the Parramatta CBD.
3. To provide a clear implementation plan for delivery of the new planning framework for the Parramatta CBD.

The planning proposal is consistent with the above Strategy in that it will allow for redevelopment of the site for mixed residential and commercial development replacing the existing low scale building with one more commensurate with Australia's next great city.

Parramatta City River Strategy

This Strategy, which has been publicly exhibited, provides design recommendations for upgrading works and new projects and uses for the public domain area - including the Parramatta River - from Gasworks Bridge (to the north of the site on Harris Street) to Rings Bridge (O'Connell Street). The subject site is situated in the City Quarter East precinct under the draft strategy which will include provision for a city beach and riverside walkway. The planning proposal will promote redevelopment in a manner that integrates with the foreshore environs promoting direct pedestrian access to the foreshore from the building and viewing opportunities towards the foreshore by designing the ground level podium to enable clear sight lines across the site. The planning proposal is accompanied by a letter of offer for a VPA which includes a monetary contribution to Council towards part of the cost of foreshore works immediately in front of the site.

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.

SEPP (Building Sustainability Index: BASIX) 2004

Compliance with BASIX would be achieved under future development applications. There are no site constraints that would preclude compliance with the SEPP.

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

The intention of the State Environmental Planning Policy No. 32 Urban Consolidation (Redevelopment of Urban Land) is to ensure that urban consolidation objectives are met in all urban areas throughout the State. The policy focuses on the redevelopment of urban land that is no longer required for the purpose it is currently zoned or used, and encourages local councils to pursue their own urban consolidation strategies to help implement the aims and objectives of the policy.

State Environmental Planning Policy No. 55 – Remediation of Land

The underlying aim of SEPP No. 55 is to promote the remediation of contaminated land for the purpose of reducing the risk of harm to human health or any other aspect of the environment. Clause 6 of the SEPP requires potential site contamination and remediation to be considered by planning proposals in circumstances where there is a zoning amendment that would permit a change of use of the land. There is no change in zoning (or change in permitted land uses) under the planning proposal. Issues to do with potential contamination were resolved with the issue of the development consent. Further investigations, if required, can be completed at the DA stage.

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

SEPP 65 was recently amended with amendments taking effect on 19 June 2015. The SEPP no longer requires that a provision be included in a draft instrument to ensure the achievement of design quality:

- in accordance with the design quality principles; and
- have regard to the publication Apartment Design Guide.

The SEPP 65 is required to be considered during the assessment of any future development on the site that includes three or more storeys and four or more dwellings and it is reasonable to expect that a design concept supporting a planning proposal demonstrates compliance with the Apartment Design Guide.

The merits of the planning proposal in terms of SEPP 65 design principles have been addressed in **Appendix 1**, the architectural plans and analysis by JSA Studio. Further work may be required by the applicant at the DA stage to address the Apartment Design Guide.

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

The following directions are considered relevant to the subject Planning Proposal.

Employment and Resources - 1.1 Business and Industrial Zones

Business and Industrial Zones The objectives of this direction are to:

- a) encourage employment growth in suitable locations,*
- b) protect employment land in business and industrial zones, and*
- c) support the viability of identified strategic centres.*

The planning proposal will maintain the existing zone which allows for a mix of residential and non-residential uses. A mix of residential and commercial uses will support the core commercial precinct.

Environment and Heritage - 2.3 Heritage Conservation

The objective of this direction is to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance.

The site contains a heritage item and is in the vicinity of several listed items. A Heritage Impact Statement (HIS) has been prepared which concludes that the proposed increase in height of the apartment building from the approved 13 levels to 120m will have minimal impact on the significance and setting of the proposal beyond that which was taken into account in the assessment of the 13 level scheme under development consent DA/587/2012.

The Planning Proposal provides for the retention and refurbishment of the heritage listed conjoined pair of brick single-storey Old Colonial Georgian cottages at the front of the site.

The planning proposal provides for a similar horizontal separation distance between the proposed development and the heritage item as provided in the approved development consent (DA/587/2012). Horizontal separation is seen as an effective measure to mitigate the effect of the proposed development on the heritage item.

Therefore the draft planning proposal is consistent with the objectives and intent of Direction 3.1.

Housing, infrastructure and urban development - 3.1 Residential Zones

The objectives of this direction are:

- a) *to encourage a variety and choice of housing types to provide for existing and future housing needs,*
- b) *to make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services, and*
- c) *to minimise the impact of residential development on the environment and resource lands.*

The planning proposal is consistent with the objectives of this direction as it will increase residential densities and housing choice in a location that is close to public transport, shops, employment and recreational opportunities. All required services including electricity and sewer are available to the site and the planning proposal will allow more efficient use of existing infrastructure and services. As detailed in this planning proposal, the increased density will generally have minimal and acceptable impacts (relevant environmental issues include heritage, overshadowing, built form and urban design, traffic etc). Some concerns relating to the impact of the eastern elevation of the development can be resolved at the Development Application stage.

Housing, Infrastructure and Urban Development - 3.4 Integrating Land Use and Transport

The objective of this direction is to ensure that urban structures, building forms, land use locations, development designs, subdivision and street layouts achieve the following planning objectives:

- a) *improving access to housing, jobs and services by walking, cycling and public transport, and*
- b) *increasing the choice of available transport and reducing dependence on cars, and*
- c) *reducing travel demand including the number of trips generated by development and the distances travelled, especially by car, and*
- d) *supporting the efficient and viable operation of public transport services, and*
- e) *providing for the efficient movement of freight.*

Increasing the density of development in the walking catchment around transport nodes, namely Parramatta Railway Station/Bus Terminal and Ferry Terminal will support the viability of existing and proposed public transport services and reduce dependence on cars. The proposal integrates land use and transport outcomes to a high degree.

Housing, Infrastructure and Urban Development - 3.5 Development near Licensed Aerodromes

The objectives of this direction are:

- a) *to ensure the effective and safe operation of aerodromes,*
- b) *to ensure that their operation is not compromised by development that constitutes an obstruction, hazard or potential hazard to aircraft flying in the vicinity, and*
- c) *to ensure development for residential purposes or human occupation, if situated on land within the Australian Noise Exposure Forecast (ANEF) contours of between 20 and 25, incorporates appropriate mitigation measures so that the development is not adversely affected by aircraft noise.*

Sydney and Bankstown Airports are subject to the federal *Airports Act 1996* and the *Airports (Protection of Airspace) Regulations 1996*. Airspace above the Parramatta CBD is affected by operational requirements for those airports. A building that

penetrates the Obstacle Limitation Surface (OLS) requires approval under that legislation, via the Commonwealth Department of Infrastructure and Regional Development.

This planning proposal does not propose to penetrate the OLS for either the Bankstown or Sydney airports.

Hazard and risk - 4.1 Acid Sulfate Soils

The objective of this direction is to avoid significant adverse environmental impacts from the use of land that has a probability of containing acid sulfate soils.

The site has a 'class 2' acid sulfate soils categorisation.

The subject site benefits from development consent (reference No 587/2012) granted by Parramatta City Council. The issue of potential acid sulfate soils was considered and resolved during the assessment of the development application for the current approval on the site. The planning proposal provides for an increase in the height of the approved development without altering the ground level or excavation associated with the redevelopment of the site; as such there is no tangible change or impact in respect of the resolved acid sulfate soils management of the site. The issue of approval for the additional basement car parking level also resolves issues relating to acid sulfate soils. An Acid Sulfate Soils Management Plan will be required to support any future DA in accordance with the existing provisions of PLEP 2011.

Therefore, the draft planning proposal is considered to be consistent with the aims and objectives of Direction 4.1.

Hazard and risk - 4.3 Flood Prone Land

This direction applies where a planning proposal creates, removes or alters a zone or a provision that affects flood prone land. The planning proposal seeks to introduce residential and commercial development in an area identified as being flood prone.

The objectives of this direction are:

- a) *to ensure that development of flood prone land is consistent with the NSW Government's Flood Prone Land Policy and the principles of the Floodplain Development Manual 2005, and*
- b) *to ensure that the provisions of an LEP on flood prone land is commensurate with flood hazard and includes consideration of the potential flood impacts both on and off the subject land.*

The river front portion of the subject site is within the 1:100 year floodplain. However the entire site would be subject to flooding to substantial depths in the event of a Probable Maximum Flood (PMF).

The Flood Planning Levels (FPLs) for the site are:

RL 5.85 m to RL 7.73 AHD for the 1:100 year flood; and
RL 9.63 m to RL11.65 AHD for the PMF.

The following comments are made on the planning proposal:

- The planning proposal does not propose to rezone the land.
- The subject site benefits from development consent (reference No 587/2012) granted by Parramatta City Council on 10 September 2013 for construction of a 13 storey mixed use development.
- The influence of potential flooding was considered and resolved during the assessment of the development application for the current approval on the site. The planning proposal provides for an increase in the height of the approved development without altering the ground level or excavation associated with the redevelopment of the site; as such there is no tangible change or impact in respect of the resolved flood management of the site.
- A flood risk management plan prepared in accordance with the Floodplain Development Manual 2005 and endorsed under the development consent established that the site's flooding characteristics can be appropriately managed accompanies this planning proposal. The proposed increase in intensity of use on the site can be effectively managed in terms of effective evacuation procedures within the building and off site in the event of a flood.
- The planning proposal does not introduce provisions to regulate works on flood prone land because appropriate provisions are already contained in PLEP 2011 (clause 33A).
- The adopted flood planning level for the site is consistent with the Floodplain Development Manual 2005.
- A future development application will also take into account issues such as development impacts on flood storage and flood flow and provision for evacuation.

Therefore the draft planning proposal is consistent with the objectives and intent of direction 4.3 to the extent necessary to progress the planning proposal to the Gateway process.

Direction 6.3 Site Specific Provisions

The objective of this direction is to discourage unnecessary restrictive site specific planning controls.

Council resolved at its meeting of 14 December 2015 to endorse the planning proposal with an FSR of 10:1 and no height limit with a minimum of 1:1 of commercial floor space and any commercial floor space beyond 1:1 not being included in the FSR. In order to effect this change in FSR, a new site specific clause that applies to No. 66 Phillip Street is to be inserted in Part 7:

7.11 Development on land at 66 Phillip Street, Parramatta

- (3) *This clause applies to land marked "Area #" on the Special Provisions Area Map.*
- (4) *Despite clause 7.2, the consent authority may grant consent to development on land to which this clause applies with a maximum floor space ratio of 10:1 (excluding any design excellence bonus granted pursuant to Clause 7.10) with a minimum of 1:1 commercial floor space*

and any commercial floor space beyond 1:1 not being included for the purpose of calculating FSR.

The site specific clause proposed as part of this planning proposal is deemed necessary to ensure consistency with the Parramatta CBD Planning Strategy and to give effect to an increase in permitted density on site.

Metropolitan Planning - 7.1 Implementation of a Plan for Growing Sydney

This direction applies to land within the Sydney metropolitan area.

The objective of this direction is to give legal effect to the planning principles; directions; and priorities for subregions, strategic centres and transport gateways contained in A Plan for Growing Sydney.

As detailed above in in section 3.2.1, the planning proposal is consistent with the directions, actions and priorities for Parramatta and the West Central Subregion as set out in *A Plan for Growing Sydney*.

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 site is located within a highly modified urban environment and it is very unlikely to contain critical habitat or threatened species, populations or ecological communities, or their habitats.

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 are outlined below. These matters will be subject to further investigations and further directions which may result from the Gateway process. Also, they will be examined in detail with any future development proposal for the site.

Built Form

Design analysis undertaken at this preliminary stage is considered to provide sufficient detail and confidence that the subject land can be redeveloped within the proposed building envelopes and have an acceptable impact on the public domain and adjoining properties. The applicant's planning proposal was accompanied by a detailed site and architectural analysis prepared by *JSA Studio* (previously known as *Jones Sonter Architects*) and is included at Appendix 1. This report was supplemented by a second detailed urban design analysis by *ae design* partnership examining the building's fit with surrounding sites and their future development potential and is included at Appendix 3. The proposed design has also been informed by the design competition outcomes for the approved development application.

The proposed design (refer to **Figure 3**) is for a tall slender tower that:

- is to an indicative height of approximately 132m (38 storeys) containing commercial floor space above a high span ground level lobby and a mix of approximately 111 residential apartments.
- provides for a break-up of massing reflecting the buildings functions and structural and functional requirements.
- has a minimal overshadowing effect.
- establishes an appropriate relationship with the heritage listed building at the front of the site.
- provides for improved access between Phillip Street and the Parramatta River foreshore through an open, publicly accessible ground floor.
- enables development which better addresses the Parramatta River foreshore by providing amenity to the proposed city beach and activity to the foreshore through a ground floor cafe facing the river.



Figure 3: Perspective views; left from Riverside reserve; right from Phillip Street showing the retained heritage item in the foreground

Whilst the proposed concept design generally provides for appropriate articulation of the northern, western and southern facades, there is some concern at the impact of the eastern facade and elevation (which is relatively blank) on the amenity and development potential of the property to the east (70 Phillip Street). Further consideration will be necessary at the development application stage, through such measures as setbacks and articulation, to ensure appropriate treatment of the eastern facade of the site to ensure privacy and address BCA issues and to ensure appropriate building separation can be achieved when adjacent sites are developed at similar densities. This issue will also need to be addressed in a design competition that will be necessary for development on the site.

Overshadowing

Overshadowing impacts of the proposed development, as shown from the midwinter shadow diagrams included in the urban design analysis provided by the applicant, are acceptable having regard to the following:

- The breadth of the shadow is mitigated through the built form having an approximately north-south orientation and slender form minimising length of time existing development to the south is overshadowed.
- The subject site is south of the river foreshore and therefore does not overshadow it.
- Mid-afternoon shadowing of the residential apartments on the adjoining property to the east at 70 Phillip Street should be no worse than a complying development to a height of 80m.

Flooding

Flooding is addressed in 'Hazard and risk - 4.3 Flood Prone Land', Section 3.2.4.

Soil contamination

Refer to the response above in Section 3.2.3 'State Environmental Planning Policy No. 55 – Remediation of Land'.

Heritage

Heritage is addressed in Environment and Heritage - 2.3 Heritage Conservation, section 3.2.4.

European Archaeological

The Parramatta Historical Archaeological Management Study prepared by Godden Mackay Logan in 2001 has divided the Parramatta City Centre into a series of discrete areas referred to as Archaeological Management Units (AMUs). The site sits within AMU 3171 and is predicted to have a high archaeological research potential. While the site is disturbed and contains an existing building, the excavation related to future construction may uncover relics. The Study notes the following:

The physical archaeological evidence within this area may include structural features, intact subfloor deposits, open deposits and scatters, ecological samples and individual artefacts which have potential to yield information relating to major historic themes including Commerce, Cultural Sites, Housing, Land Tenure and Townships. Archaeological evidence at this site is likely to be subject to minor disturbance, with major disturbance in some areas.

The recommended management action is to excavate a test trench and reassess. This recommended management action is most appropriately conducted at the development application stage, and an appropriate archaeological assessment is required to be conducted by the applicant in order to inform any relevant development design.

Aboriginal Archaeological

Council's Aboriginal Heritage Study has identified the subject site as being of high sensitivity meaning that there is a high probability that relics of Aboriginal heritage significance would be likely to be found. Any future DA would be required to be accompanied by an appropriate archaeological assessment and would be required to comply with the provisions of cl. 5.10 Heritage Conservation within *PLEP 2011*.

Flooding

Flooding is addressed in 'Hazard and risk - 4.3 Flood Prone Land', Section 3.2.4.

Transport and Accessibility

Council's Traffic and Transport team has reviewed the proposal and raises no objection to the proposal based on the plans provided which show constrained on-site parking provision, well below the maximum permitted.

However more broadly, there are concerns about the cumulative impacts of the additional traffic generation from the increased development potential in the CBD. As a result, Council has commissioned a strategic transport study as part of the CBD Planning Framework Study to ensure that the road and transport network is able to satisfactorily accommodate the identified potential increase in floor space across the Parramatta CBD. This study will inform future infrastructure and transport improvements to the CBD.

1.3.1 How has the planning proposal adequately addressed any social and economic effects?

There is adequate justification for this planning proposal, which will facilitate an increase in density and the future development of housing and employment.

The Planning Proposal has the potential to result in improvements to the public domain, and contribute to improvements to the Parramatta River foreshore. The future development will likely incorporate a mix of apartment types to respond to the diverse population and potentially contributing to housing choice and affordability. Based on the assumed development outcomes the proposal has the potential to generate jobs during the construction phase and permanent jobs following completion of the development.

A Voluntary Planning Agreement/contributions framework addressing contributions towards community, recreation and physical services will be developed between the proponent and Council. A formal letter of offer has been provided and Council officers will shortly commence its assessment. It is intended that any VPA be exhibited concurrently with the planning proposal in accordance with Council's VPA policy.

1.4 Section D – State and Commonwealth Interests

1.4.1 Is there adequate public infrastructure for the planning proposal?

The subject land is approximately 550m walking distance from Parramatta Railway Station/Bus terminal and 230m from Parramatta Ferry Wharf. Civil and utility infrastructure is suitably accessible to service the subject land and support the proposed development. Redevelopment of the subject site and further development within the area can optimise public infrastructure investment. However, it is

recommended that the relevant infrastructure agencies be consulted during the planning proposal process. A Voluntary Planning Agreement is proposed to be prepared, providing a monetary contribution towards improvements to the Parramatta River foreshore lands in front of the site.

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

State and Commonwealth public authorities will be consulted following the outcomes of the Gateway determination. The following authorities are proposed to be consulted:

- Transport for NSW (Roads and Maritime Services)
- Office of Environment and Heritage – Heritage Division
- Office of Environment and Heritage –regarding flood management
- Endeavour energy
- Sydney Water
- Telstra

PART 4 – MAPPING

This section contains the mapping for this planning proposal in accordance with the DP&E's guidelines on LEPs and Planning Proposals.

4.1 Existing controls

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

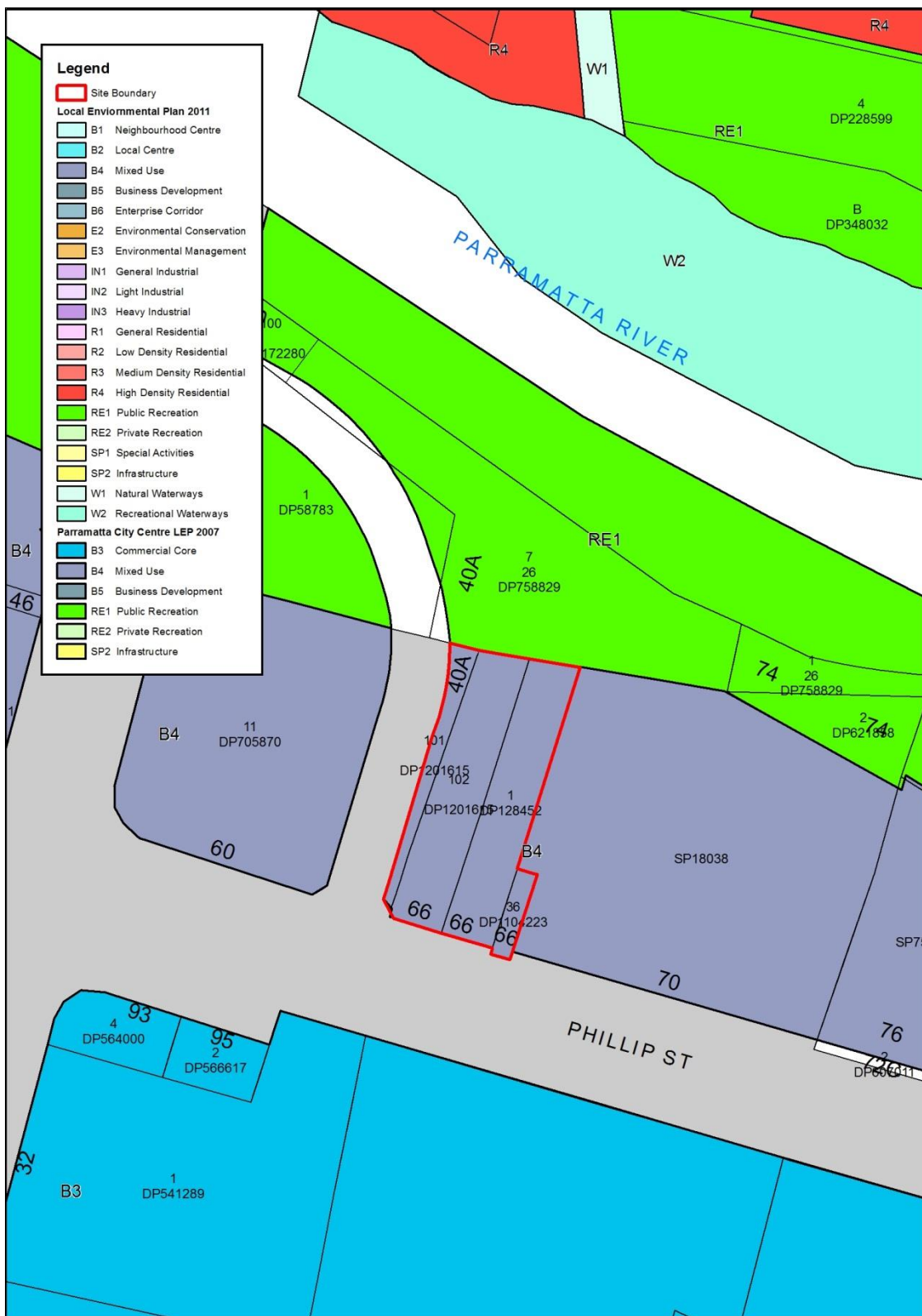


Figure 4 – Existing zoning extracted from the *PLEP 2011* Land Zoning Maps illustrates the existing B4 Mixed Use zone over the site.

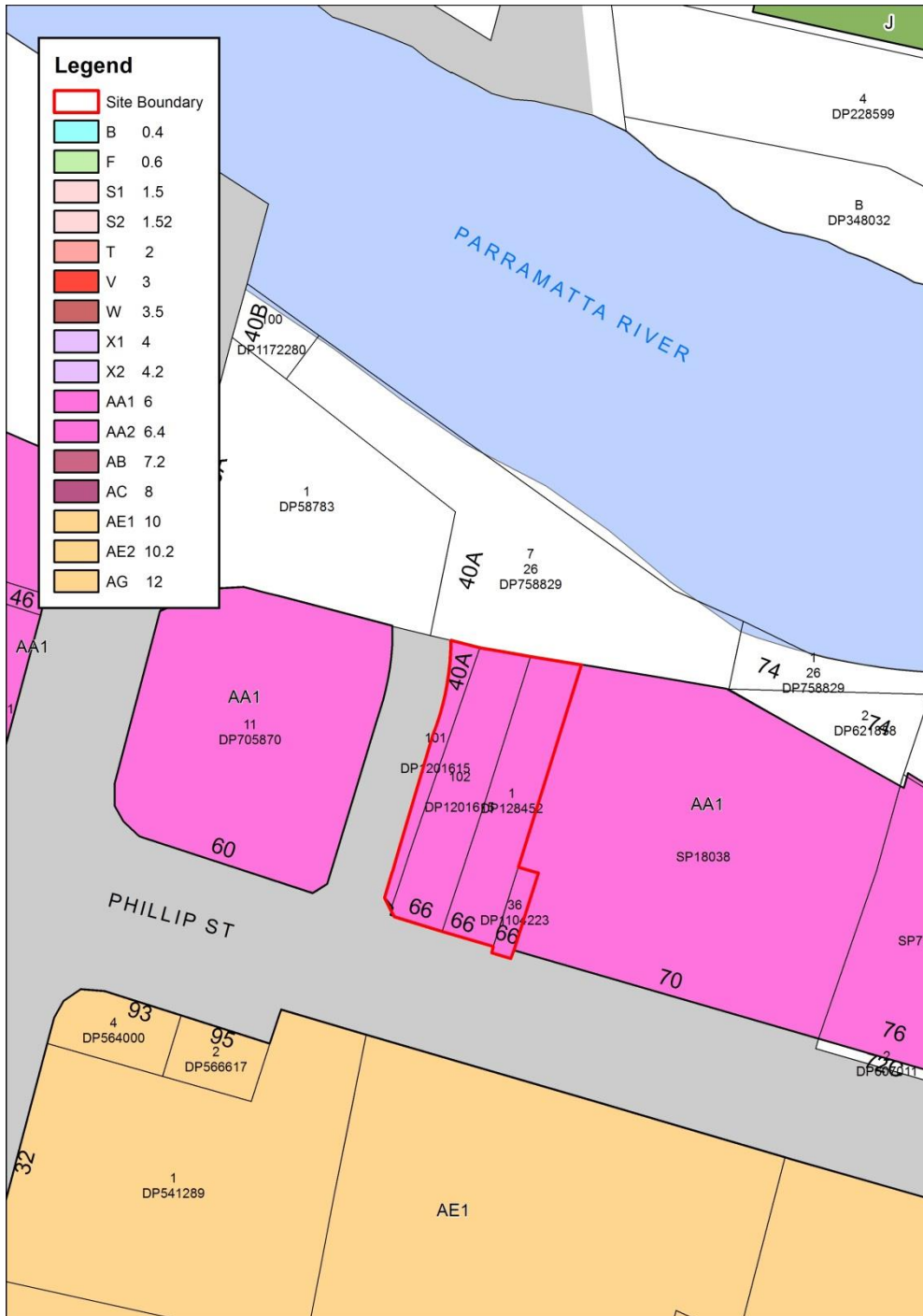


Figure 5 – Existing floor space ratio extracted from the *PLEP 2011* Floor Space Ratio Map. The mapped floor space ratio of the site is 6:1. However, Clause 7.2 of Parramatta LEP 2011 limits the floors pace ratio of the site to 4:1 due to the site size.

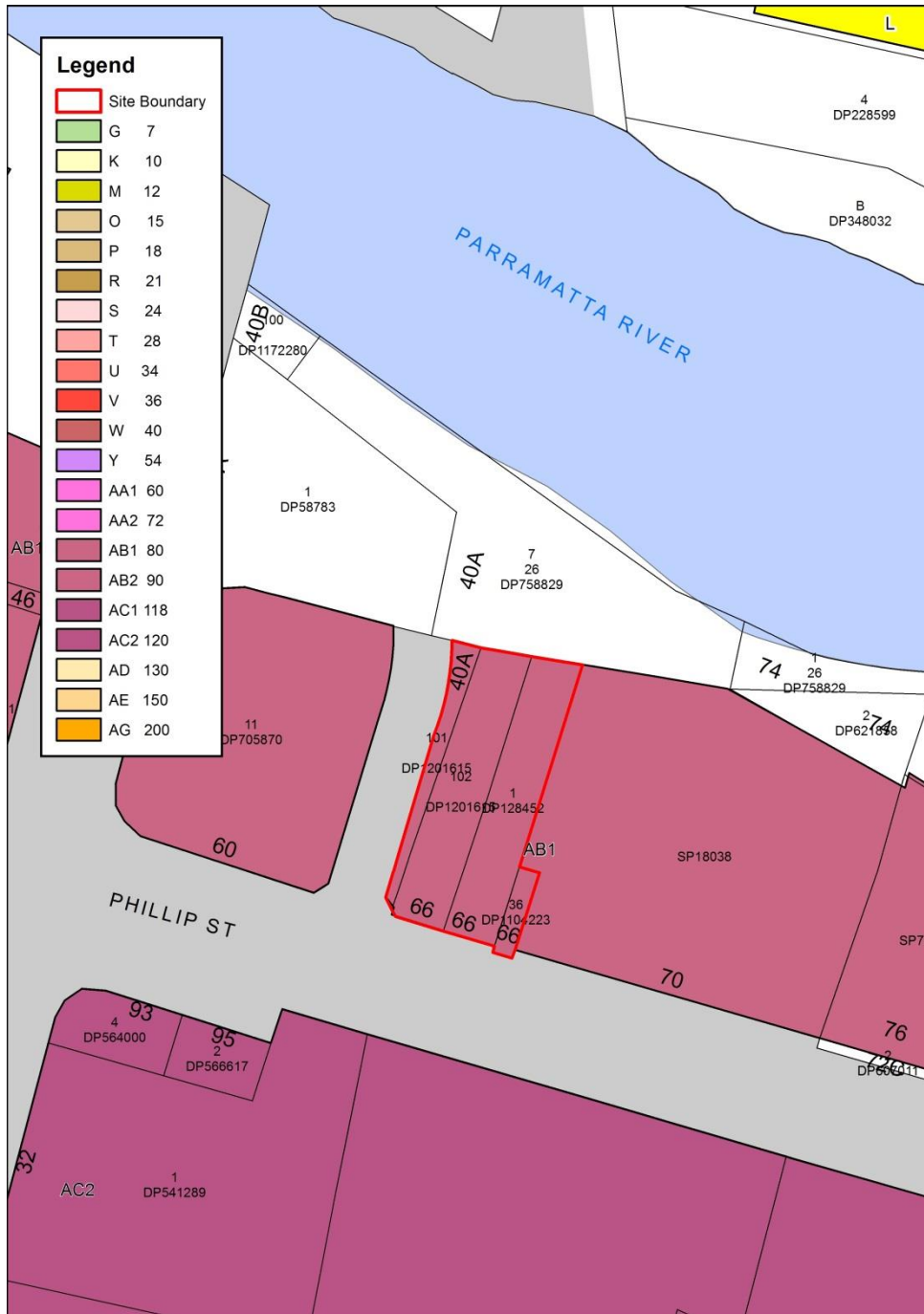


Figure 6 – Existing building heights extracted from the *PLEP 2011* Height of Buildings Maps. Figure 4 above illustrates the existing 54 metre height limit applying to the site.

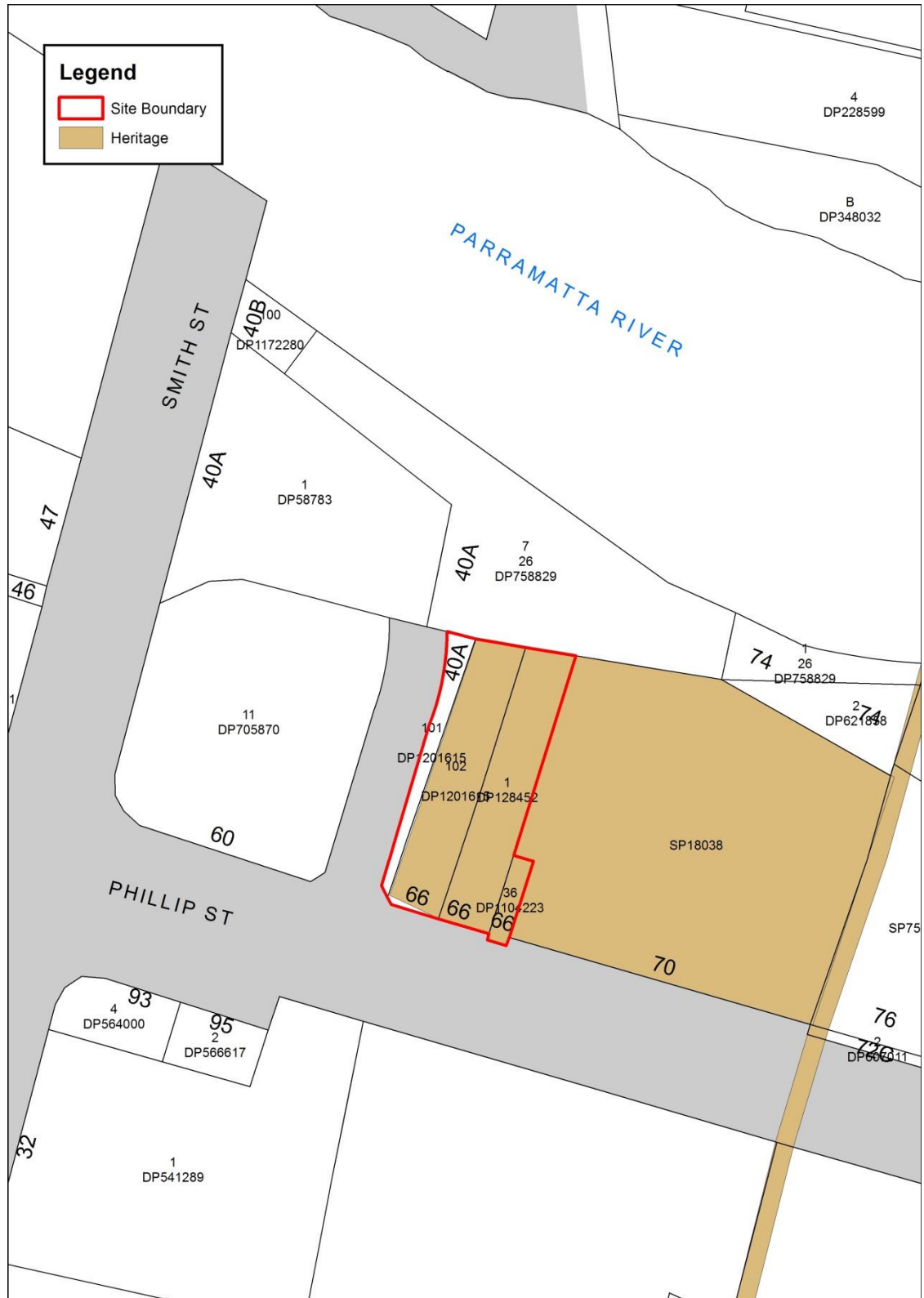


Figure 7 – Existing heritage items extracted from the *PLEP 2011* Heritage Maps illustrates the heritage sites which are located on and adjacent to the site.

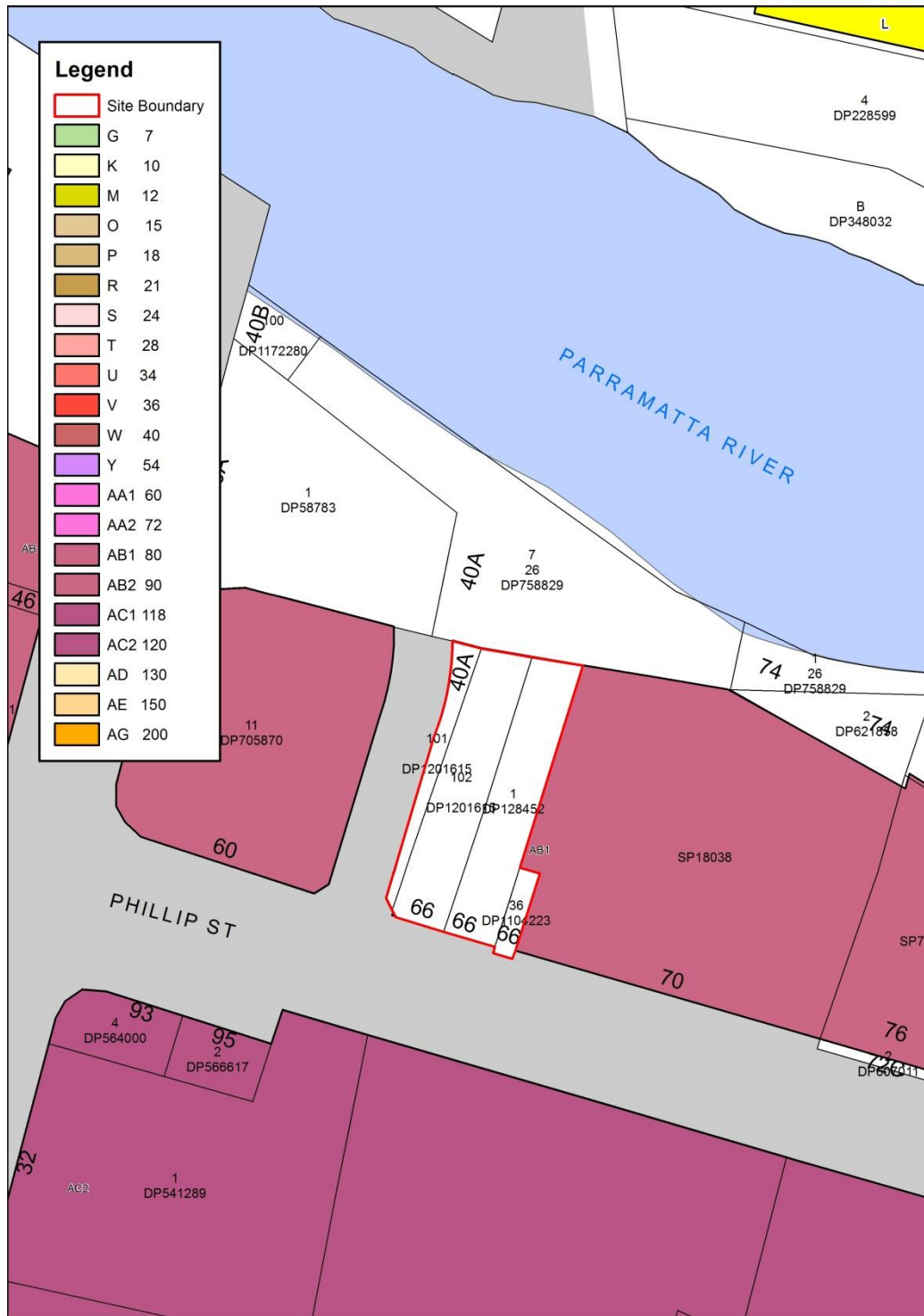


Figure 8 – Proposed amendment to the PLEP 2011 Height of Building Map

Figure 8 above illustrates the proposed amendment to the Height of Buildings Map which proposes to remove any affectation from the site.

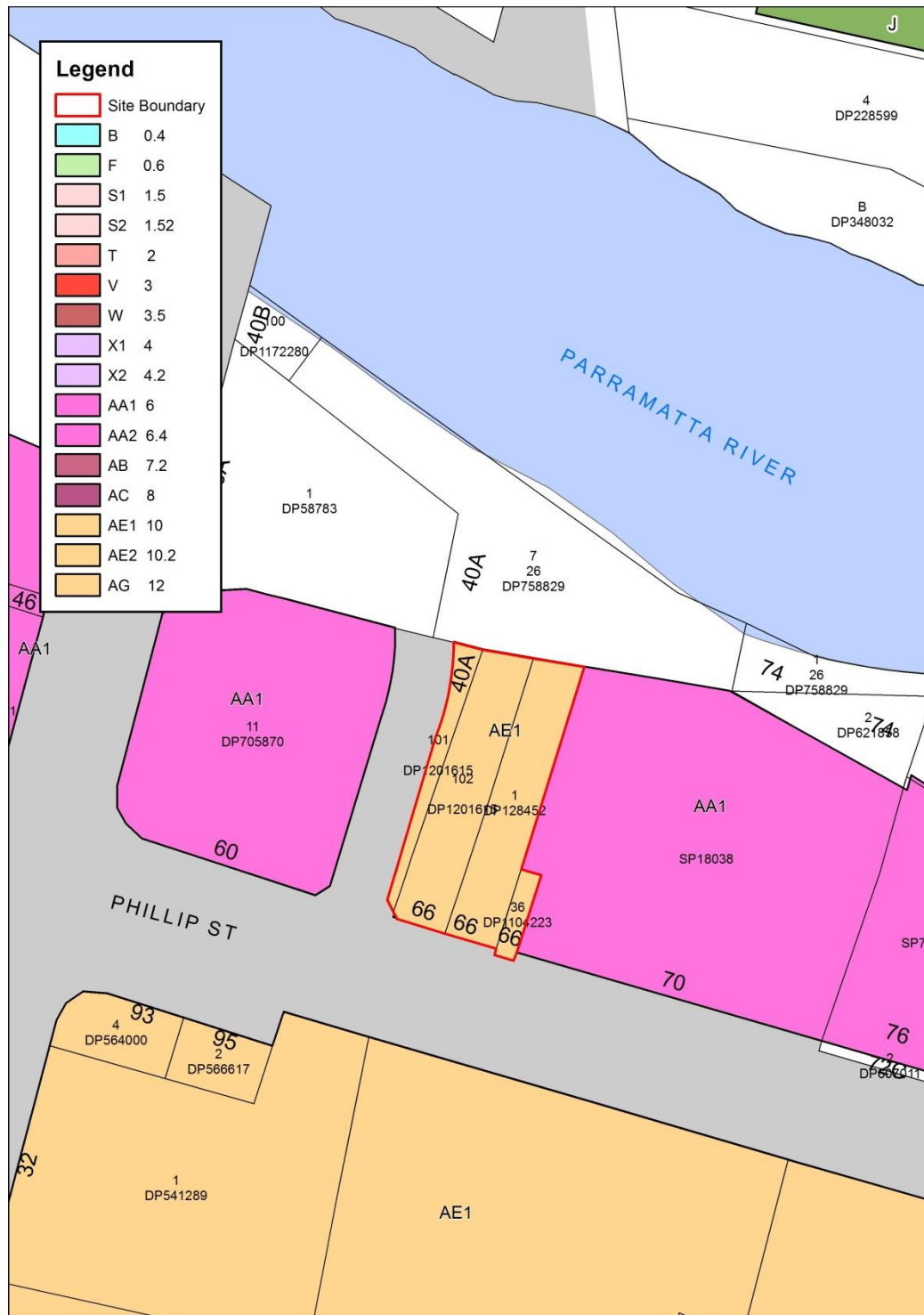


Figure 9 – Proposed amendment to the PLEP 2011 Floor Space Ratio Map

Figure 9 above illustrates the proposed 10:1 FSR over the site. This excludes the additional 15% of GFA (which equates to a total FSR of 11.5:1) which can be achieved through the design excellence clause at the development application stage.



Figure 10 – Proposed amendment to the *PLEP 2011* Special Provisions Area Map

Figure 10 above illustrates the proposed amendment to the Key Site Special Provisions Area Map which effectively excludes the site from the provisions regarding floor space ratio under clause 7.2.

PART 5 – COMMUNITY CONSULTATION

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

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

The following steps and timeframes are anticipated:

Action	Timeframe
Referral to Minister for a Gateway determination	March 2016
Commencement and completion dates for public exhibition period and government agency notification	June 2016
Consideration of submissions	August 2016
Consideration of proposal post exhibition and reporting to Council	September 2016
Submission to the Department to finalise the LEP	October 2016
Notification of instrument	December 2016

Appendix 1 – Architectural plans and analysis, Jones Sontel Architects

Appendix 2 – Landscape concept plan, Oculus

Appendix 3 – Urban design report, ae design partnership

Appendix 4 – Heritage Statement, Archnex Designs

Appendix 5 – Flood impact assessment (evacuation), RGH Consulting



Prepared by Parramatta City Council

PARRAMATTA WE'RE BUILDING **AUSTRALIA'S NEXT GREAT CITY**