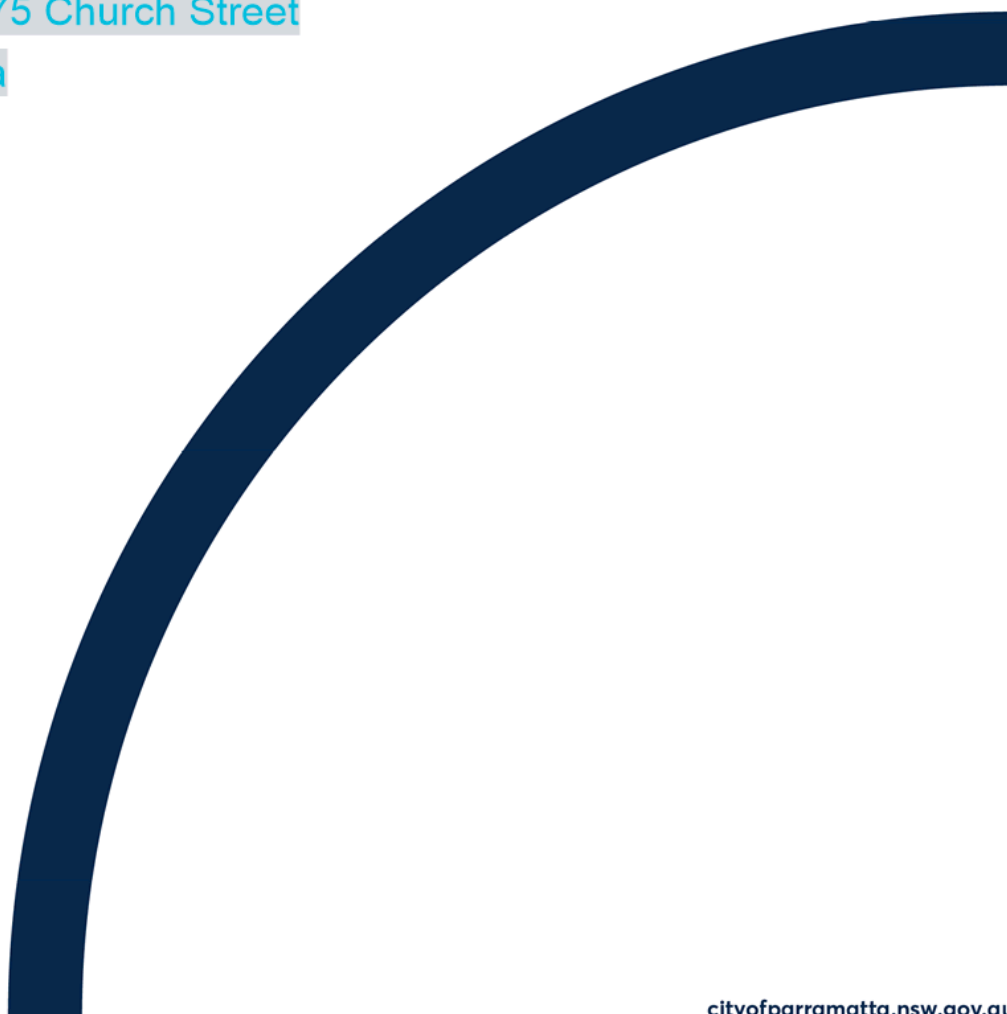




PLANNING PROPOSAL

355 and 375 Church Street
Parramatta



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Planning Proposal drafts

Proponent versions:

No.	Author	Version
1.	Ethos Urban	14 November 2019
2.	Proponent	12 May 2020 - Draft in preparation for pre-Gateway report to Local Planning Panel and Council
3	Proponent	16 August 2021 – Draft in response to Department recommendation dated 14 July 2021.

Council versions:

No.	Author	Version
1.	City of Parramatta Council	June 2020 – final version for attaching to pre-Gateway report to Local Planning Panel and Council
2.	City of Parramatta Council	July 2020 – amendments to the Planning Proposal in response to Council's resolution of 13 July 2020 prior to submitting for Gateway assessment; administrative amendments as required
3.	City of Parramatta Council	September 2021 – review of Proponent version 3 and final version for attachment to Council report recommending a new Planning Proposal

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PLANNING PROPOSAL – 355 & 375 Church Street, Parramatta

INTRODUCTION

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 (DP&E) guides, 'A Guide to Preparing Local Environment Plans' (August 2016), 'A Guide to Preparing Planning Proposals' (August 2016) and 'Guidance for merged councils on planning functions' (May 2016).

Background and context

The subject site is located at 355 and 375 Church Street, Parramatta, on the north-west corner of the intersection of Victoria Road and Church Street, Parramatta; see Figure 1. The legal description is Lot 1 in DP668821 (the southeastern corner lot) and Lot 1000 in DP791977. The site has a total area of approximately 4,796m² and is currently occupied by a vacant low-rise retail building on the southeastern corner, with the remainder of the site accommodating an existing McDonald's restaurant and drive-through facility.



 The Site

Figure 1 – Site at 355 and 375 Church Street, Parramatta subject to the planning proposal

McDonald's has been operating at 355-375 Church Street since 1978, some 43 years. The present McDonald's restaurant building and take away operation is supported by a dual drive-thru facility and approximately 60 at-grade parking spaces. The site also benefits from a high level of

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visibility and accessibility, with multiple entries and unrestricted operation (entry/exit) from both Victoria Road and Ross Street.

Under the *Parramatta Local Environmental Plan 2011* the site:

- is zoned B4 mixed use;
- has a maximum building height of 24 metres (northern and western part of the site) and 34 metres (south-eastern corner of the site);
- has a maximum floor space ratio (FSR) of part 3:1 and part 4:1.

In 2015, McDonald's submitted a Development Application (DA96/2015A) for a staged development of the site involving the demolition of existing structures, consolidation and subdivision to create 2 Torrens title allotments, construction of a McDonald's restaurant on proposed Lot A (Stage 1) and concept approval for a future mixed-use development over basement parking on proposed Lot B (Stage 2).

That application was supported by Council and the RMS at the time and was reported to the then Sydney West Joint Regional Planning Panel (the Regional Planning Panel) in November 2015 with a recommendation for approval. The Panel however deferred its formal determination of the matter, noting:

"The panel considers the development as now proposed is a lost opportunity to present a major architectural feature on this significant site which is located at the intersection of two historical roadways within Parramatta. The Panel acknowledge the Design Excellence Advisory Panel's opinion that substantial amendment is required to create a building of more appropriate scale and city character in this very significant location of Parramatta, particularly given Parramatta's role as Sydney's western CBD."

Following this McDonald's entered a joint venture with Stockland (the proponent for the original Planning Proposal) with a commitment to undertake a more comprehensive redevelopment of the site in response to the Regional Planning Panel recommendation. Retention of McDonalds operation on site as part of any future mixed-use scheme is a key requirement of that joint venture agreement. A site-specific Planning Proposal was subsequently prepared and submitted by Stockland on 21 August 2018 to facilitate changes to the LEP that would enable the site to be redeveloped in accordance with the Council's draft controls for the Parramatta CBD, whilst importantly retaining a McDonalds on site.

Following negotiations and some amendments to the Planning Proposal submitted by Stockland, it was presented to and endorsed by Council in July 2020. The endorsed Planning Proposal was then forwarded by Council to the Minister for Planning and Public Spaces (the Minister) in August 2020 for Gateway Determination. The Planning Proposal issued by Council to the Minister sought to introduce site specific local provisions to the Parramatta LEP which contained an incentive height control and an incentive FSR control allowing for a maximum potential of 7.2:1 (including design excellence and high-performance building bonuses). A site-specific parking provision for Take Away Food and Drink Premises was also endorsed by Council and included in the original Planning Proposal, as well as other parking rates consistent with the then-current Parramatta CBD Planning Proposal. This provision was included due to the need to ensure that a viable McDonalds operation could occur on site as part of the future mixed-use scheme.

The original amendments to the Parramatta LEP were sought with the intention of providing a mixed-use residential and commercial tower complex at the site. An indicative development concept was prepared to test the opportunities for built form within the envelopes sought, consisting of a 31-storey mixed-use building that is inclusive of a three (3) to four (4) storey podium and two (2) towers (31 and 28 storeys) over a single basement level for car parking. The

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indicative concept that accompanied the Planning Proposal originally submitted by Stockland is shown in Figure 2 below.



Figure 2 – Indicative design concept

Following submission of the Planning Proposal in August 2020, a Gateway Determination was issued in November 2020 by the Department of Planning, Industry and Environment (the Department). The Gateway Determination endorsed the amendments sought to the Parramatta LEP, except for the site-specific parking provision for Take Away Food and Drink Premises. The Gateway Determination also required inclusion of the neighbouring site at 385 Church St in the Planning Proposal.

This matter was then the subject of a Post Gateway Review that was considered by the Independent Planning Commission (IPC) in April 2021, with the IPC commissioner recommending the Department to amend the Gateway Determination to allow inclusion of the parking rate for Take Away Food and Drink Premises and to remove the condition relating to the neighbouring site. An updated Gateway Determination which reflected the IPC's recommendations was issued by the Department on 13 May 2021.

Concurrent to this site-specific planning proposal process, Council has substantially progressed the Parramatta CBD Planning Proposal which identifies the site as being suitable for increased density to support the future growth of the Parramatta CBD, and which seeks to introduce controls that were also proposed in the site-specific Planning Proposal.

The CBD Planning Proposal was placed on public exhibition from 21 September 2020 to 2 November 2020. Following this some minor adjustments to the CBD Planning Proposal in response to the feedback received. On 15 June 2021, Council resolved to approve the Parramatta CBD Planning Proposal with some minor changes and forward it to the Department of Planning, Industry and Environment (DPIE) for finalisation. This was completed on 1 July 2021.

Given the advanced nature of the CBD Planning Proposal the Department wrote to Parramatta Council on 14 July 2021 asking Council to consider amending the site-specific planning proposal for 355-375 Church Street. An extract from that letter is provided below.

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'Given the significant milestone of the CBD proposal being submitted for finalisation, I encourage Council to consider refining this planning proposal to relate only to those matters which are not aligned to the CBD proposal.'

I consider that this would reduce the complexity of the proposal and allow for a more expedient planning process. Refining the proposal also focuses community and Council discussion to the matters under contention while allowing the remaining matters to be addressed through the CBD proposal's finalisation process.'

In response to the Department's recommendations the Planning Proposal has been updated to focus solely on the site-specific parking provision for Take Away Food and Drink Premises, which represents the only point of difference between it and the CBD Planning Proposal.

Importantly the amendments to the planning controls as they relate to the site will still be delivered as proposed, the only difference being that these changes will be facilitated via two separate LEP amendments, as opposed to being contained entirely within the site specific LEP amendment. The separation of these controls is shown below.

Planning Proposal	LEP Amendments as they relate to 355-375 Church Street
Site Specific Planning Proposal	<ul style="list-style-type: none"> • Site-specific parking rate for Take Away Food and Drink Premises
Parramatta CBD Planning Proposal	<ul style="list-style-type: none"> • Incentive height control • Incentive floor space ratio control • High performance building clause • Parking rates for residential and non-residential uses

This Planning Proposal is a result of the findings of the Parramatta CBD Planning Strategy (2015) and Parramatta CBD Planning Proposal (2016), both of which identify the site as being suitable for increased density to support the future growth of Parramatta CBD. This Planning Proposal seeks to amend the LEP to introduce a site-specific parking provision that will enable McDonalds to maintain a viable operation on site, and in doing so unlock the site for future redevelopment in accordance with the vision and proposed controls set in the Parramatta CBD Planning Proposal.

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PART 1 – OBJECTIVES OR INTENDED OUTCOMES

The key objective of this planning proposal is to deliver a parking rate for Take Away Food and Drink Premises that will enable the site's redevelopment to be carried out in accordance with the building controls provided in the Parramatta CBD Planning Proposal.

The intended outcomes of this planning proposal are as follows:

- Enable retention of the existing historical Take Away Food and Drink Premises of the site
- To deliver a site-specific parking rate for Take Away Food and Drink premises that halves the amount of car parking on site for this use compared to the existing situation.
- To ensure any future parking provision for Take Away Food and Drink Premises does not result in an unacceptable traffic impact on the local road network.

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PART 2 – EXPLANATION OF PROVISIONS

This planning proposal seeks to amend *Parramatta LEP 2011 (PLEP 2011)* by way of introducing a site-specific parking provision for Take Away Food and Drink Premises at 355 and 375 Church Street, Parramatta (the site).

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

1. Introduce a site-specific local provision in Part 7 to enable a site-specific maximum car parking rate for *Take Away Food and Drink Premises* uses as outlined in the example clause below:

7.XX Development on land at 355 and 375 Church Street, Parramatta

1. *This clause applies to land marked "Area #xx" on the Special Provisions Area Map.*
2. *Despite any other provisions of this Plan, the maximum number of car parking spaces for Take Away Food and Drink Premises in a building on land to which this clause applies is as follows:*

*1 parking space / 30 sqm of gross floor area of all Take Away Food and Drink Premises, or a maximum of 30 parking spaces, whichever is less**

**Note: The parking rate described above for Take Away Food and Drink Premises will also have a "sunset" clause which will end the application of this provision after 5 years from the date of notification of the amendment. Once this part of the clause ends, all future development applications will be required to be assessed against the standard parking rate for the relevant use in the Parramatta CBD.*

1.1. Other relevant matters

1.1.1. Draft DCP

A site-specific DCP is being advanced for this site, and the parameters for commencing this process were set out in the pre-Gateway reports to Local Planning Panel and Council. The report to Council in September 2021 which recommends progressing this new Planning Proposal also considered and made recommendations on advancing the site-specific DCP process.

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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 on the proposal.

3.1.1. Is the planning proposal a result of an endorsed local strategic planning statement, strategic study or report?

Yes. The primary outcome of this Planning Proposal, which is to provide a site-specific parking rate for Take Away Food and Drink Premises to enable the envisaged mixed use development in line with the built form and density controls provided in the Parramatta CBD Planning Proposal, stems from local and state government strategic plans including the NSW Government's 'A Metropolis of Three Cities – Greater Sydney Regional Plan' (the Regional Plan) and the Parramatta CBD Planning Strategy. The proposal's consistency and alignment to these two strategies, is outlined later in this section of the report.

Council adopted the Parramatta CBD Planning Strategy at its meeting on 27 April 2015. The Strategy is the outcome of a study 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. Council has subsequently prepared a CBD-wide Planning Proposal which, as discussed previously in this document, has been endorsed by Council for finalisation and forwarded to the Department.

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

Yes. A Planning Proposal seeking to amend the LEP is the most effective way of providing certainty for Council, the local community and the landowner. The commercial parking rate standards that are to be provided under the CBD Planning Proposal do not provide sufficient parking that would enable the existing Take Away Food and Drink Premises to remain on site in a redeveloped scenario. The existing owner would therefore be unable to redevelop their land which would result in a significant missed opportunity to redevelop a large strategic site in the Parramatta CBD that will be instrumental in catalysing renewal for the CBD area north of the Parramatta River.

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 Greater Sydney Commission's *Greater Sydney Region Plan* and District Plans, State Environmental Planning Policies, local strategic and community plans and applicable Ministerial Directions.

3.2.1. Will the planning proposal give effect to the objectives and actions of the applicable regional, or district plan or strategy (including any exhibited draft

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plans or strategies)?

A Metropolis of Three Cities

In March 2018, the NSW Government released the *Greater Sydney Region Plan: A Metropolis of Three Cities* ("the GSRP"), a 20 year plan which outlines a three-city vision for metropolitan Sydney for to the year 2036.

The GSRP is structured under four themes: Infrastructure and Collaboration, Liveability, Productivity and Sustainability. Within these themes are 10 directions that each contain Potential Indicators and, generally, a suite of objective/s supported by a Strategy or Strategies. Those objectives and or strategies relevant to this planning proposal are discussed below.

Liveability

An assessment of the planning proposal's consistency with the GSRP's relevant Liveability objectives is provided in Table 3a, below.

Table 3a – Consistency of planning proposal with relevant GSRP Actions – Liveability

Liveability Direction	Relevant Objective	Comment
Housing the city	O10: Greater housing supply	The control introduced by this planning proposal will enable the site's future development in line with the Parramatta CBD Planning Proposal and in doing so will contribute to delivering housing targets in the Central District and facilitate the Greater Parramatta Growth area. Consistent with the objective it will link the delivery of new homes in the right locations with local infrastructure evidenced by the proximity of the proposal to the Parramatta Light Rail.
	O11: Housing is more diverse and affordable	The planning proposal will enable the site's future development in line with the Parramatta CBD Planning Proposal which in turn will facilitate a diversity of housing types, sizes and price points that can help improve affordability. It will increase the supply of housing that is of universal design and adaptable to people's changing needs as they age which is increasingly important across Greater Sydney.

Productivity

An assessment of the planning proposal's consistency with the GSRP's relevant Productivity objectives is provided in Table 3b, below.

Table 3b – Consistency of planning proposal with relevant GSRP Actions – Productivity

Productivity Direction	Relevant Objective	Comment
A well connected city	O14: The plan integrates land use and transport creates walkable and 30 minute cities	The planning proposal will enable the site's future development in line with the Parramatta CBD Planning

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		Proposal and in doing so will attract housing in the Parramatta Metropolitan centre to create walkable, cycle-friendly neighbourhoods. Specifically, the site is in the Parramatta CBD and therefore provides future residents with excellence access to jobs and services, well below 30 minutes.
	O15: The Eastern, GOPP and Western Economic Corridors are better connected and more competitive	The planning proposal will enable the site's future development in line with the Parramatta CBD Planning Proposal and in doing so provide an outcome consistent with this objective and which will contribute to delivery of the Greater Parramatta and Olympic Peninsula (GPOP) vision. The planning proposal will unlock the ability for the site to deliver new housing and business opportunities in the GOPP area directly adjacent to the future Parramatta Light Rail.
Jobs and skills for the city	O22: Investment and business activity in centres	The planning proposal and the proposed controls under the Parramatta CBD Planning Proposal will work in unity to create the conditions for residential development within the Parramatta strategic centre within walking distance of the CBD core.

Central City District Plan

In March 2018, the NSW Government released *Central City District Plan* which outlines a 20 year plan for the Central City District which comprises The Hills, Blacktown, Cumberland and Parramatta local government areas.

Taking its lead from the GSRP, the *Central City District Plan* ("CCDP") is also structured under four themes relating to Infrastructure and Collaboration, Liveability, Productivity and Sustainability. Within these themes are Planning Priorities that are each supported by corresponding Actions. Those Planning Priorities and Actions relevant to this planning proposal are discussed below.

Liveability

An assessment of the planning proposal's consistency with the CCDP's relevant Liveability Priorities and Actions is provided in Table 4a, below.

Table 4a – Consistency of planning proposal with relevant CCDP Actions – Liveability

Liveability Direction	Planning Priority/Action	Comment
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Housing the city O10: Greater housing supply O11: Housing is more diverse and affordable	PP C5: Providing housing supply, choice and affordability, with access to jobs, services and public transport <ul style="list-style-type: none"> • A16: Prepare local or district housing strategies that address housing targets [abridged version] 	<p>The planning proposal will provide a parking provision for the site that will unlock the ability for the site to be redeveloped in accordance with the proposed controls under the Parramatta CBD planning proposal. In doing so it will support an outcome consistent with the Planning Priority and actions by facilitating new housing supply and choice which will put downward pressure on affordability. The site is in a key location that will be close to jobs, service and public transport.</p> <p>Importantly, the planning proposal supports the appropriate land use planning of sites proximate to new public infrastructure, ensuring good utilisation of land.</p>
A city of great places O12: Great places that bring people together O13: Environmental heritage is identified, conserved and enhanced	PP C6: Creating and renewing great places and local centres, and respecting the District's heritage <ul style="list-style-type: none"> • A18: Using a place-based and collaborative approach throughout planning, design, development and management deliver great places by (a-e) • A20: Use place-based planning to support the role of centres as a focus for connected neighbourhoods • A21: In Collaboration Areas, Planned Precincts and planning for centres (a-d) • A22: Use flexible and innovative approaches to revitalise high streets in decline. 	<p>The planning proposal will provide a site-specific parking provision that works in conjunction with the controls proposed under the Parramatta CBD Planning Proposal to facilitate renewal of a strategic site in Parramatta CBD. It will enable revitalisation of the locality that will be activated by high quality spaces that will engage with the community.</p>

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Productivity

An assessment of the planning proposal's consistency with the CCDP's relevant Productivity Priorities and Actions is provided in Table 4b, below.

Table 4b – Consistency of planning proposal with relevant CCDP Actions – Productivity

Productivity Direction	Planning Priority/Action	Comment
A well-connected city O19: Greater Parramatta is stronger and better connected	PP C7: Growing a stronger and more competitive Greater Parramatta • A23: Strengthen the economic competitiveness of Greater Parramatta and grow its vibrancy [abridged]	The planning proposal will provide a site-specific parking provision that will unlock the site for redevelopment in accordance with the proposed controls under the Parramatta CBD planning proposal. In doing so it will support an outcome that is consistent with the Parramatta CBD Planning Proposal and will contribute to a stronger and more competitive Parramatta by facilitating a high-quality development in a key strategic location.
O14: The plan integrates land use and transport creates walkable and 30 minute cities	PP C9: Delivering integrated land use and transport planning and a 30-minute city • A32: Integrate land use and transport plans to deliver a 30-minute city	The planning proposal and Parramatta CBD Planning Proposal will work in unity to facilitate housing and jobs in a location close to public transport, consistent with the principles of the 30-minute city.

NSW State Plan 2021

The New South Wales State Plan sets the strategic direction and goals for the NSW Government across a broad range of services and infrastructure. The planning proposal is consistent with the revised NSW State Plan 2021 in that it will work in conjunction with the Parramatta CBD Planning Proposal to create a development that will:

- Create construction jobs
- Contribute to housing supply
- Encourage business investment in the Parramatta City Centre
- Develop a high-quality development in proximity to new infrastructure delivered by the NSW Government, including the Parramatta Light Rail Network.

Future Transport Strategy 2056

The Future Transport Strategy is a 40-year strategy to achieve the Government's vision for the city's transport system. The planning proposal is consistent with the Strategy as it will enable the site to be redeveloped in accordance with the proposed controls under the Parramatta CBD Planning Proposal and in doing so will:

- Integrate land use and transport by increasing density directly adjacent to the future Parramatta Light Rail line on Church Street
- Improve liveability by providing housing and jobs close to high quality, reliable public transport
- Improve sustainability by locating jobs and homes close to public transport which will reduce reliance on private motor vehicles and encourages active transport.

3.2.1. Will the planning proposal give effect to a council's endorsed local strategic planning statement, or another endorsed local strategy or strategic plan?

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

Parramatta Community Strategic Plan, 2018-2038

Parramatta 2018-2038 is a long term Community Strategic Plan for the City of Parramatta and it links to the long-term future of Sydney. The plan identifies priorities and aspirations for the next 20 years and provides a road map how to get there.

This planning proposal will work in conjunction with the proposed controls under the Parramatta CBD Planning Proposal to deliver a future development outcome that is consistent with the strategies and key objectives identified in the Plan, including its key vision for a thriving CBD, that is vibrant, attractive and safe, by facilitating the future provision of a higher density development at 355 and 375 Church Street that exhibits design excellence. It is also consistent with the identified long-term community goals to be "fair", "accessible" and "green", as any future development scheme for the site will increase energy and water efficiency, increase walking/cycling/public transportation usage, and improve housing affordability and diversity.

Parramatta Local Strategic Planning Statement

The Parramatta Local Strategic Planning Statement (LSPS) entered into effect on 31 March 2020, becoming the primary strategic planning document defining Council's long-term vision for land use and infrastructure provision within the LGA and giving guidance to its future character. Local Strategic Planning Statements are statutory requirements under the EP&A Act (updated at least every seven years), giving effect to the *Greater Sydney Region Plan*, *Eastern City District Plan* and other strategies such as *Future Transport 2056* and the *State Infrastructure Strategy*.

The LSPS is a formal matter for consideration for any future rezoning of sites within the LGA. The LSPS will also inform the future revision of Council's LEP and DCP controls. This planning proposal will provide a site-specific parking provision that will enable the site to be redeveloped in line with the Parramatta CBD Planning Proposal which is consistent with the relevant Planning Priorities of the finalised LSPS, including that of the following:

- Expand Parramatta's economic role as the Central City of Greater Sydney
- Focus housing and employment growth in the GPOP and Strategic Centres
- Provide for a diversity of housing types and sizes to meet community needs into the future
- Build the capacity of the Parramatta CBD, Strategic Centres, and Employment Lands to be strong, competitive and productive

Parramatta Local Housing Strategy

The Draft Parramatta Local Housing Strategy was exhibited in conjunction with Council's Local Strategic Planning Statement and Community Infrastructure Strategy for six weeks from September to November 2019. The Strategy was approved by Council in July 2020 and then approved by the Secretary, Department of Planning, Industry and Environment on 29 July 2021.

The planning proposal will work in conjunction with the Parramatta CBD Planning Proposal to deliver a project that is consistent with the overarching aims and objectives of the Draft Local Housing Strategy, including that of the following:

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- Housing delivery complements, not compromises, the economic significance of the City
- Additional housing is focussed in identified growth precincts and is aligned and sequenced with existing transport and capacity improvements
- Housing supports the key essential services in the City through striving for housing affordability.

The Local Housing Strategy, in addition to the *Central City District Plan*, identifies the need for 83,975 new dwellings to be constructed within the LGA between the years of 2016 and 2036. The indicative development concept of this planning proposal will contribute towards meeting this target, by providing an additional 346 apartments.

Parramatta CBD Planning Strategy

The vision and objectives in the Parramatta CBD Planning Strategy were prepared to reflect Council's vision for how the objectives in *A Plan for Growing Sydney* will be achieved in the Parramatta CBD. This planning proposal together with the proposed controls from the Parramatta CBD Planning Proposal will facilitate a future development outcome on the site that is consistent with the principles of the Parramatta CBD Planning Strategy as it will:

- Integrate appropriate land use, density and transport at a strategically important site
- Contribute toward the additional 27,000 additional jobs and 7,500 additional dwellings identified
- Provide financial contribution toward community infrastructure
- Provide value uplift sharing as a result of the incentive floor space
- Enable delivery of a built form outcome that can achieve design excellence and slender tower forms
- Renew an underutilised site in a key location that will improve the public domain.

Parramatta CBD Planning Proposal

The City of Parramatta has expressed clear ambitions to provide for an expanded and more intense commercial core and to support the CBD as a vibrant centre by surrounding the core with higher density mixed use. The commissioning of the Parramatta CBD Planning Strategy lead to the establishment of a vision for growth, including principles and actions to guide a new planning framework and an implementation plan for delivery. This Planning Strategy has been translated into the Parramatta CBD Planning Proposal, against which this planning proposal is generally consistent.

Parramatta Community Infrastructure Strategy

The Parramatta Community Infrastructure Strategy July 2020 outlines the City of Parramatta Council's long-term direction for community infrastructure provision. It will be used by Council to identify priorities for future community infrastructure, direct sound decision making about planning, funding, delivering and negotiating for community infrastructure.

The Strategy outlines ways in which community infrastructure can be integrated within development. In preparing the original Planning Proposal for the site, Stockland submitted an indicative development concept that considered how the McDonalds drive-through could be adapted in the future where it is no longer required, as a way to respond to community requirements in the future. Council's resolution of July 2020 on the principles of a site-specific DCP supports this point as well.

Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan

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The proposed site specific parking provision under this planning proposal will work in conjunction with the proposed controls under the Parramatta CBD Planning Proposal to deliver a mixed-use development consistent with the Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan as it will:

- Contribute to the additional 20,297 housing and 48,763 jobs forecast for the Parramatta CBD District
- Locate new housing and jobs in an urban renewal area that takes advantage of the opportunities the new Parramatta Light Rail will provide
- Provide financial contributions through value uplift sharing that will contribute toward Council infrastructure needs

3.2.2. Is the planning proposal consistent with the applicable State Environmental Planning Policies?

The following State Environmental Planning Policies (SEPPs) are of relevance to the site (refer to Table 5 below).

Table 5 – Consistency of planning proposal with relevant SEPPs

State Environmental Planning Policies (SEPPs)	Consistency: Yes = ✓ No = x N/A = Not applicable	Comment
SEPP No 1 Development Standards	N/A	This SEPP is not applicable to the subject land under Clause 1.9 of the Parramatta LEP 2011.
SEPP 4 – Development Without Consent and Miscellaneous Exempt and Complying Development	N/A	Not relevant to proposed LEP amendment
SEPP 6 – Number of Storeys in a Building	N/A	Not relevant to proposed LEP amendment
SEPP 33 – Hazardous and Offensive Development	N/A	Not relevant to proposed LEP amendment
SEPP No 55 Remediation of Land	✓	Not relevant to proposed LEP amendment. May apply to future development on the sites.
SEPP 60 – Exempt and Complying Development	N/A	Not relevant to proposed LEP amendment
SEPP 64 – Advertising and Signage	N/A	Not relevant to proposed LEP amendment
SEPP No 65 Design Quality of Residential Flat Development	✓	Nothing within this amendment will prevent a future DA's ability to comply with SEPP 65.
SEPP No.70 Affordable Housing (Revised Schemes)	N/A	Not relevant to proposed LEP amendment

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SEPP (Affordable Rental Housing) 2009	N/A	Not relevant to proposed LEP amendment
SEPP (BASIX) 2004	✓	Not relevant to proposed LEP amendment. May apply to future development on the sites.
SEPP (Exempt and Complying Development Codes) 2008	N/A	Not relevant to proposed LEP amendment
SEPP (Infrastructure) 2007	✓	Not relevant to proposed LEP amendment. May apply to future development on the sites.
Sydney Regional Environmental Plan No 18– Public Transport Corridors	N/A	This SEPP is not applicable to the subject land under Clause 1.9 of the Parramatta LEP 2011.
Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005	N/A	Not relevant to proposed LEP amendment
SEPP (Urban Renewal) 2010	✓	The Planning Proposal will assist the Parramatta CBD Planning Proposal to deliver an optimal development outcome for the site which will in turn stimulate broader renewal within Parramatta and contribute to the employment and job targets for the area.

3.2.3. Is the planning proposal consistent with applicable Ministerial Directions (s.9.1 directions)

In accordance with Clause 9.1 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
- Local plan making
- Metropolitan planning

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

Table 6 – Consistency of planning proposal with relevant Section 9.1 Directions

Relevant Direction	Comment	Compliance
1. Employment and Resources		
Direction 1.1 – Business and Industrial Zones	While the planning proposal does not seek to amend the B4 Mixed Use zoning, the planning proposal will facilitate a site-specific parking provision for Take Away Food and Drink Premises that will work in conjunction with proposed controls under the Parramatta CBD Planning Proposal to deliver a mixed-use development consistent with this direction in that it retains a zoning that permits all types of commercial premises with consent.	Yes

PLANNING PROPOSAL – 355 & 375 Church Street, Parramatta

3. Housing, Infrastructure and Urban Development		
Direction 3.1 - Residential Zones	The planning proposal is consistent with the objectives of this direction as it will work with the proposed controls under the Parramatta CBD Planning Proposal to facilitate a development that will increase residential densities and housing choice in a location that is close to public transport, shops, employment and recreational opportunities.	Yes
Direction 3.4 - Integrating Land Use and Transport	<p>This Direction applies due to this planning proposal relating to a residential zone. The Direction states that a planning proposal must be consistent with the aims, objectives and principles of:</p> <ul style="list-style-type: none"> Improving Transport Choice – Guidelines for planning and development (DUAP 2001), and The Right Place for Business and Services – Planning Policy (DUAP 2001). <p>The planning proposal is broadly consistent with the aims, objectives and principles of the above documents in that it deliver a site-specific parking provision for Take Away Food and Drink Premises which will assist the Parramatta CBD Planning Proposal to deliver an optimal development which will provide residential accommodation in an area well serviced by public transport.</p>	Yes
4. Hazard and Risk		
Direction 4.1 - Acid Sulfate Soils	Parramatta LEP 2011 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 LEP.	Yes
Direction 4.3 - Flood Prone Land	<p>A draft LEP may be inconsistent with the requirements of this direction if it "is in accordance with a floodplain risk management plan prepared in accordance with the principles and guidelines of the Floodplain Development Manual 2005."</p> <p>Flood Advice for the site has been prepared that confirms the site is located on the fringe of the PMF extent, is not in a floodway and will not result in significant flood impacts to other properties. Furthermore, while the subject site is located within the extent of the PMF Direction 4.3 states that this is permitted where any development proposal is prepared in accordance with a floodplain risk management plan prepared in accordance with the principles and guidelines of the Floodplain Development Manual 2005.</p> <p>The indicative development concept is in accordance with the requirements of The Floodplain Risk Management Plan for the Upper Parramatta River Catchment and therefore the planning proposal is consistent with the requirements of Direction 4.3.</p>	Yes
5. Local Plan Making		
Direction 6.1 – Approval and Referral Requirements	This planning proposal is consistent with this Direction in that it does not introduce any provisions that require any additional concurrence, consultation or referral.	Yes

PLANNING PROPOSAL – 355 & 375 Church Street, Parramatta

Direction 6.2 – Reserving Land for Public Purposes	This planning proposal is consistent with this Direction in that it does not create, alter or reduce existing zonings or reservations of land for public purposes.	Yes
Direction 6.3 – Site Specific Provision	Site specific amendments to the LEP are sought, to deliver a site-specific parking provision for Take Away Food and Drink Premises.	Yes
6. Metropolitan Planning		
Direction 7.1 - Implementation of A Plan for Growing Sydney	The planning proposal will work in conjunction with the proposed controls under the Parramatta CBD Planning Proposal to deliver a development which is consistent with the Metropolitan Plan, as discussed in above.	Yes
Direction 7.5 – Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	The planning proposal is consistent with the Interim Plan.	Yes

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 does not contain critical habitat or threatened species, populations or ecological communities, or their habitats.

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?Parking Issues

The Planning Proposal proposes establishing a specific parking rate for the Take Away Food and Drink Premises. This parking rate is supported on the following basis:

- There is a shared vision for this site, which is to see it redeveloped in line with the Parramatta CBD Planning Proposal (with which the proposal is otherwise consistent);
- Feasibility pressures are acknowledged, i.e. the blanket commercial parking rate formula otherwise applied in the Parramatta CBD Planning Proposal would make this development unviable in the short term. It is considered that car parking vs. active transport is one of many “transitional” issues facing the City as it assumes the role of Sydney’s Central City over the coming years. In other words, the viability of this development as proposed at present remains dependent on vehicle traffic. However, it is considered that the business model for this and many other vehicle-dependent businesses will necessarily rebalance toward active transport in coming years as (a) new public transport infrastructure comes on line and (b) a mix of public and active transport modes become the most viable transport option in to, out of and around the Parramatta CBD (given the significant increases in development).
- The proposed rate results in a decrease of approximately 50% in on-site parking associated with this use, and the traffic report states that the net result of the development will be a reduction in vehicle traffic during the peak. For further discussion

PLANNING PROPOSAL – 355 & 375 Church Street, Parramatta

- of traffic and parking issues refer to **Appendix 1**, Updated Transport Report, August 2020 and **Appendix 2** Traffic and Parking Advice, February 2020.
- d. The Design Report includes conceptual work demonstrating how the drive through could be adapted to other uses in the future, and it is considered that this work could be extended to include at least some of the proposed parking.
 - e. Appropriate limits can be applied to the proposed rate at clause drafting stage, as follows:
 - i. Structuring the control to limit the parking to 1 space / 30 sqm or 30 spaces, whichever is less. This ensures that the number of spaces is capped at the 30 spaces, even if the size of the use increases at DA stage. It will also scale down the number of spaces if the size of the restaurant ends up being smaller than currently anticipated.
 - ii. Placing a 5-year “sunset” clause on this parking rate, after which time the control would revert to the blanket commercial rate applied to the rest of the commercial uses through the Parramatta CBD Planning Proposal process. This ensures that, should the Applicant not gain planning permission for development within 5 years of finalising this LEP amendment, the parking question would be reconsidered. During that time, it is anticipated that Council will have established a final parking rate regime through the finalisation of the CBD Planning Proposal, and by which time development feasibility calculations may have changed based on transport mode shifts in the CBD.

The proposed site-specific parking provision has been the subject of a prior Post Gateway Review that was considered by the Independent Planning Commission (IPC) in April 2021. Following consideration of the matter the IPC commissioner recommended that the Department allow inclusion of the proposed parking rate for Take Away Food and Drink Premises.

The IPC’s determination (**Appendix 3**) on this matter was also informed by correspondence received from Transport for NSW (**Appendix 4**), which advised:

“Based on the capped parking for the takeaway food and drink premises and parking for the remainder of any future development on the site being in accordance with the Parramatta CBD Planning Proposal controls, it is agreed that the site-specific implications of the proposal will not likely have any significant material consequences for the surrounding transport network operations.”

The proposed site-specific parking rate is therefore considered to be acceptable on this basis.

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

The Planning Proposal will deliver a site-specific parking provision for Take Away Food and Drink Premises that will enable McDonalds to maintain a commercially viable operation on site as part of a new mixed use development, and in doing so will unlock the site for redevelopment in accordance with the proposed built form controls under the Parramatta CBD Planning Proposal. The site’s redevelopment will result in positive social and economic effects for the local area through the generation of local employment opportunities during construction and operation. It will improve local facilities, employment opportunities, increase housing stock close to public transport and amenities, provide greater housing choice as well as improve public domain facilities and the pedestrian interface with surrounding streets.

Additionally, the site-specific parking provision balances the requirements of the tenant and the public and will deliver an optimal outcome by decreasing on-site parking associated with this use by 50% and ensuring the net result of the future development will

PLANNING PROPOSAL – 355 & 375 Church Street, Parramatta

be a reduction in vehicle traffic during peak periods. Furthermore, a 5-year “sunset” clause can be issued on this parking rate to ensure that it doesn’t last in perpetuity and that the proposed CBD commercial parking rates are reinstated in the future.

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. Any future DA on the site will include further investigations to determine whether any upgrade of existing facilities will be required. These items would be appropriately addressed at DA stage.

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

Consultation with the State and Commonwealth public authorities will be undertaken as required by the Gateway determination.

It is worth noting that consultation was held with TfNSW in early 2021, culminating in them issuing a letter (**Appendix 4**) to the Department with regards to the proposed site-specific parking rate for takeaway food and drink premises. In that letter Transport for NSW state:

“Based on the capped parking for the takeaway food and drink premises and parking for the remainder of any future development on the site being in accordance with the Parramatta CBD Planning Proposal controls, it is agreed that the site-specific implications of the proposal will not likely have any significant material consequences for the surrounding transport network operations.”

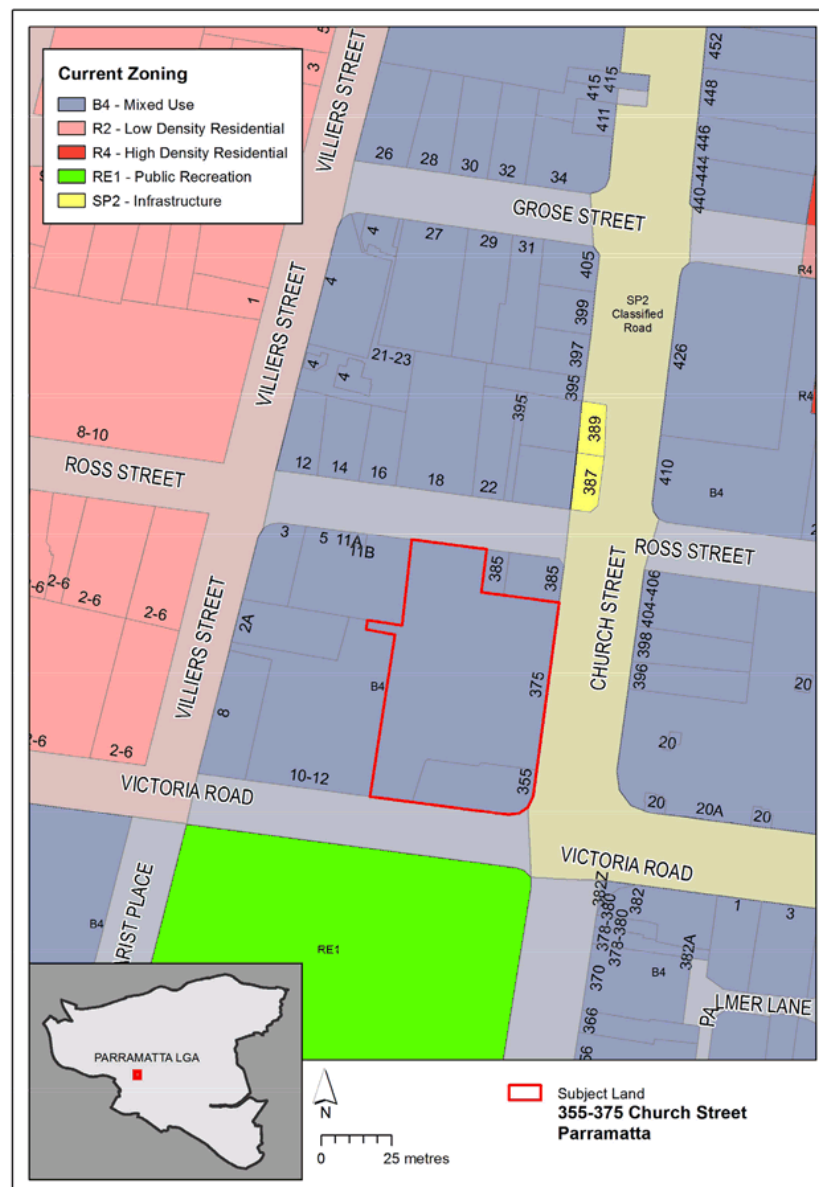
TfNSW did also note in the letter that it reserves the right to provide further comments on the planning proposal from a traffic and transport perspective once it has been updated. Accordingly, it is intended that further consultation will occur once the Planning Proposal is placed on public exhibition.

PLANNING PROPOSAL – 355 & 375 Church Street, Parramatta

PART 4 – MAPPING

Extracts of the current maps - zoning, height of building, floor space ratio, height and Key Sites, Special Provisions, and Sun Access Protection Maps are shown below followed by the change required to facilitate this Planning Proposal.

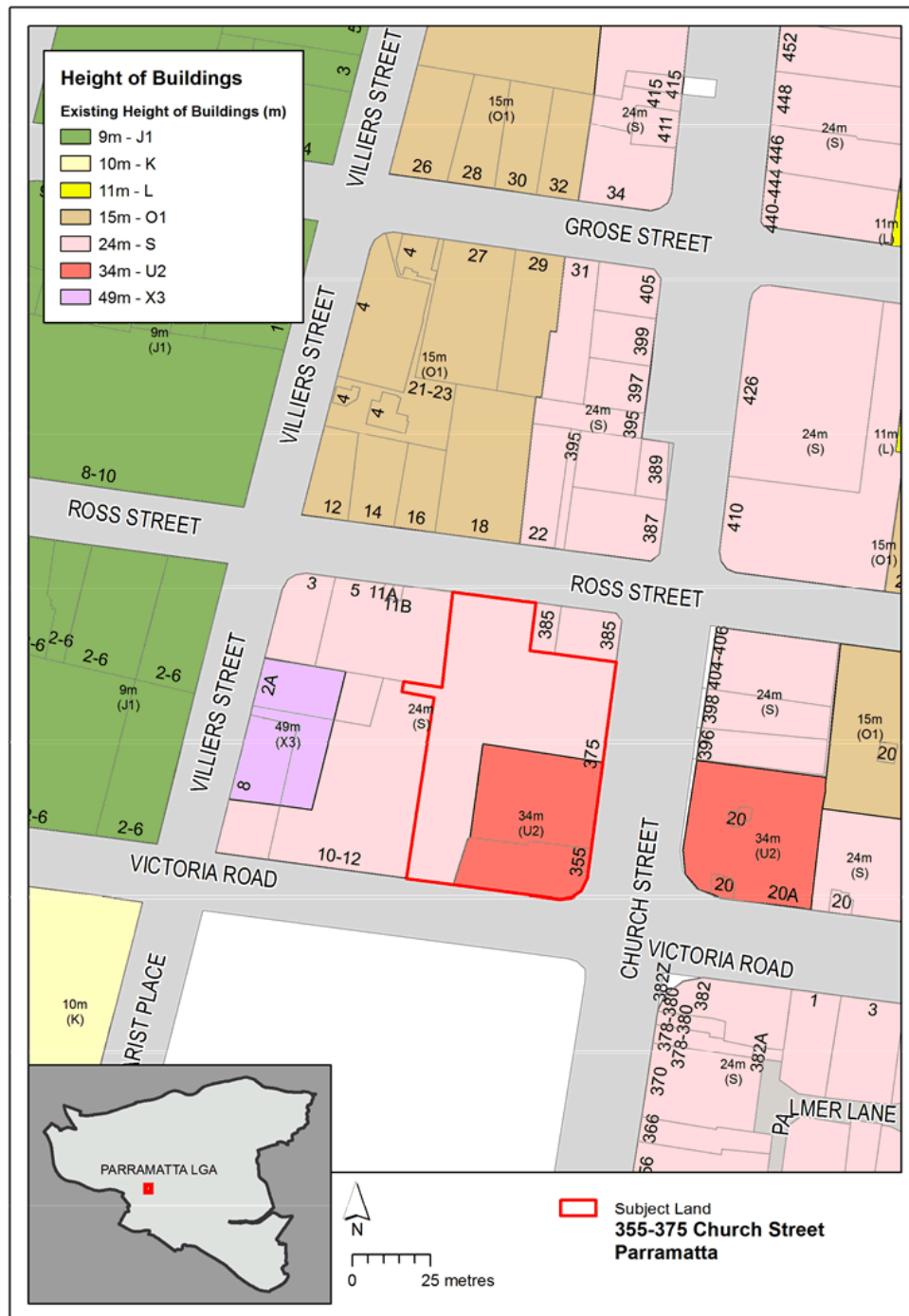
Current Land Use Zoning Map: B4 Mixed Use





PLANNING PROPOSAL – 355 & 375 Church Street, Parramatta

Current Height of Buildings Map: part 24m, part 34m

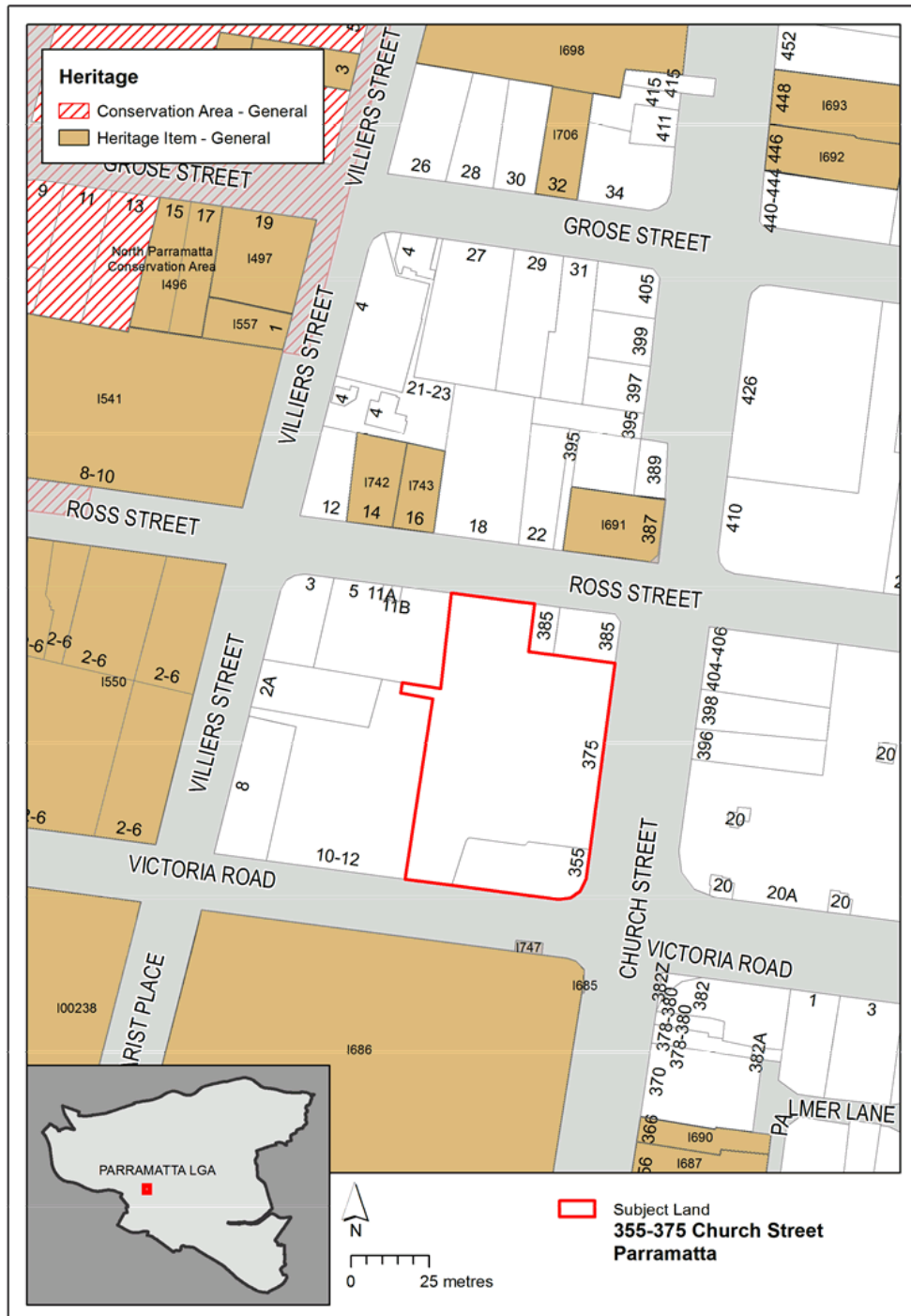


DO##### (RZ/10/2018)

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PLANNING PROPOSAL – 355 & 375 Church Street, Parramatta

Current Heritage Map



DO##### (RZ/10/2018)

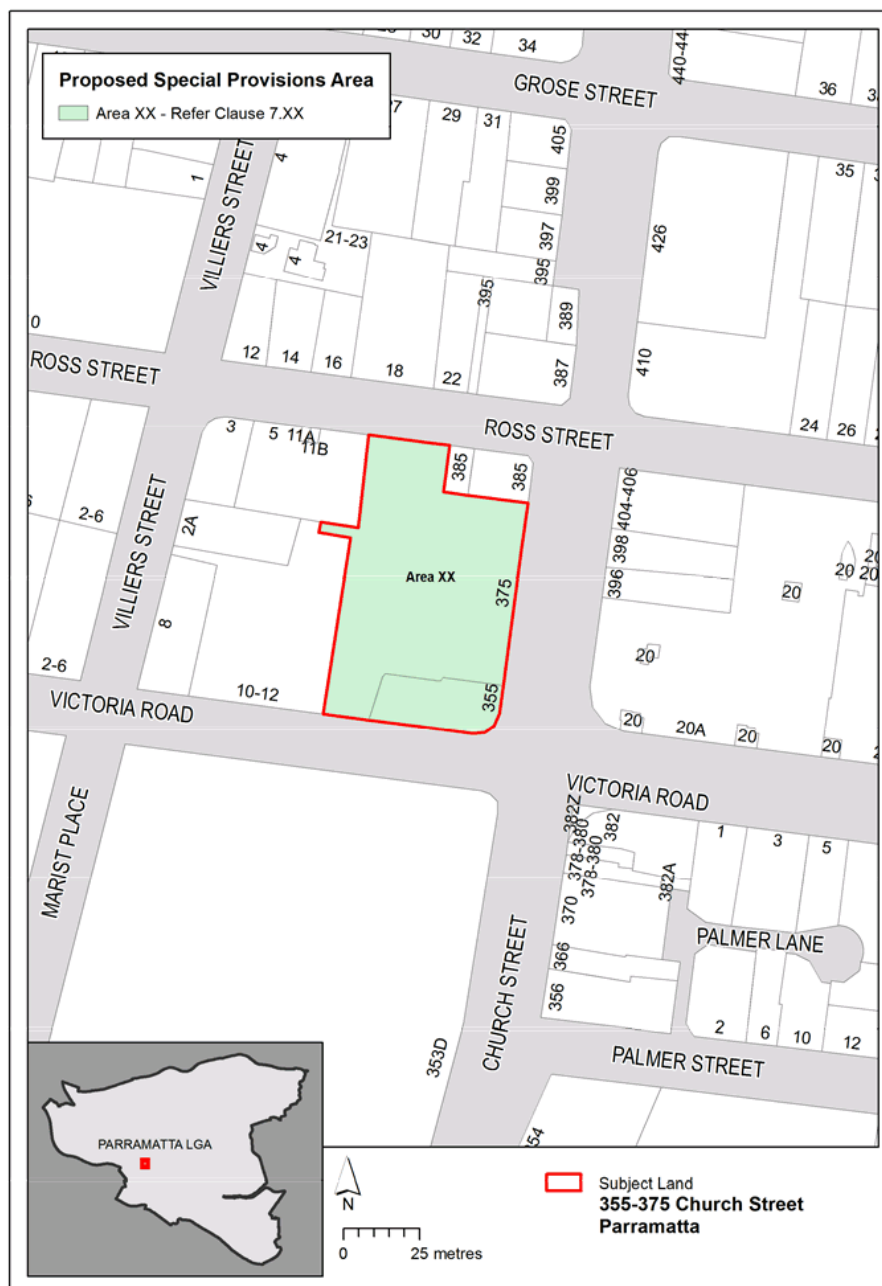
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PLANNING PROPOSAL – 355 & 375 Church Street, Parramatta

Changes to Key Sites, Special Provisions and Sun Access Protection Map

This Planning Proposal proposes to introduce a site-specific clause to give effect to the planning controls changes sought. The mapping notation that responds to this is addition of the site to the Key Sites, Special Provisions and Sun Access Protection Map, as illustrated below. The area number and clause reference will be finalised closer to the end of the process, taking into account any other amendments that have been made in the meantime.



PLANNING PROPOSAL – 355 & 375 Church Street, Parramatta

PART 5 – COMMUNITY CONSULTATION

The planning proposal (as revised to comply with the Gateway determination as necessary) is to be publicly available for community consultation.

Pending any relevant restrictions relating to COVID-19, it is expected that public consultation will include:

- display on Council's website;
- hard-copy display in Council's central library and customer contact centre; and
- written notification to adjoining and nearby 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.

Consistent with sections 3.34(4) and 3.34(8) of the *EP&A Act 1979*, where community consultation is required, an instrument cannot be made unless the community has been given an opportunity to make submissions and the submissions have been considered.

PLANNING PROPOSAL – 355 & 375 Church Street, Parramatta

PART 6 – PROJECT TIMELINE

Once the planning proposal has been referred to the Minister for review of the Gateway Determination and received a Gateway determination, the anticipated project timeline will be further refined, including at each major milestone throughout the planning proposal's process.

Table 7 below outlines the anticipated timeframe for the completion of the planning proposal.

Table 7 – Anticipated timeframe to planning proposal process

MILESTONE	ANTICIPATED TIMEFRAME
Report to Council regarding a new Planning Proposal	Late September 2021
Referral to Minister for a new determination	Early October 2021
Date of issue of the Gateway determination	November 2021
Commencement and completion dates for public exhibition period	November 2021 – December 2021
Commencement and completion dates for government agency notification	November 2021 – December 2021
Consideration of submissions and post-exhibition report to Local Planning Panel	January 2022
Post-exhibition report to Council	Late February 2022
Submission to the Department to finalise the LEP	Early March 2022
Notification of instrument	30 April 2022

PLANNING PROPOSAL – 355 & 375 Church Street, Parramatta

List of Appendices

Appendix 1 – Updated Transport Report

Appendix 2 – Traffic and Parking Advice

Appendix 3 – IPC Gateway Determination Advice Report

Appendix 4 – TfNSW Letter

STOCKLAND

PLANNING PROPOSAL FOR
PROPOSED MIXED USE
DEVELOPMENT, 355-375
CHURCH STREET, NORTH
PARRAMATTA

TRANSPORT REPORT

JULY 2018
(UPDATED AUGUST 2020)

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Colston Budd Rogers & Kafes Pty Ltd

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3. IMPLICATIONS OF PLANNING PROPOSAL	9

Colston Budd Rogers & Kafes Pty Ltd

CHAPTER I

I. INTRODUCTION

- I.1 Colston Budd Rogers & Kafes Pty Ltd has been retained by Stockland to prepare a report on the transport aspects of a planning proposal for a proposed mixed use development at 355-375 Church Street, North Parramatta. The site is located on the north western corner of the intersection of Church Street and Victoria Road, as shown on Figure I.
- I.2 The planning proposal for the site involves the relocation of McDonald's to the southern eastern part of the site (with some 220 seats and a drive through) and a mixed use building (ground/first floor retail/commercial with residential above) with a potential 5% bonus FSR (as per the LEP discretionary High Performance Building clause). Access is proposed from Victoria Road (entry only) and Ross Street (entry and exit). The planning proposal does not include the existing commercial building located on the north eastern corner of the block which is on a separate site.
- I.3 In mid-2015 a development application (DA) was submitted to Council to construct a new standalone McDonald's on the south eastern part of the site and subdivide the balance of the site. The DA also sought 'concept' approval for a residential building envelope on the balance of the land, comprising a 76 dwelling mixed use development with ground floor retail. The DA was withdrawn following feedback from Parramatta Council and the Joint Regional Planning Panel (consent authority) that the proposed scheme was an under development of a key gateway site to Parramatta.
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- I.4 With respect to access, no objections were raised by Council or RMS on the proposed entry only from Victoria Road (left and right turns in) and Ross Street (all movements)
- I.5 A planning proposal for the site was submitted in 2018. Following submission, Council and Transport for NSW raised matters with respect to parking provision and traffic effects of the Parramatta Light Rail project. The 2018 proposal provided residential parking at the City of Sydney Category B parking rates. Council has indicated that residential parking should be provided at the lower City of Sydney Category A parking rates until Council's Integrated Transport Plan (ITS) is completed. It is understood that as part of the ITP, a review of appropriate parking rates within Parramatta CBD is being undertaken with the potential to provide higher parking rates in areas located further from the centre of the CBD (bus/rail interchange) such as the subject site. The proposal has been amended to provide residential parking at the Category A parking rates (as requested by Council). The report has been updated to reflect this parking provision and the potential 5% bonus FSR (as per the LEP discretionary High Performance Building clause).
- I.6 Transport for NSW (TfNSW) has requested that, as part of the planning proposal, additional information on the impact of the planning proposal on the Parramatta Light Rail (PLR) be provided as set out below:
- A traffic impact assessment (TIA) should consider the existing and future performance of key intersections providing access to the site, supported by appropriate modelling and analysis to the satisfaction of RMS and TfNSW. The TIA should include proposed measures to mitigate impacts of the proposed
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CHAPTER I

development on the operation of existing and future traffic, public transport and bicycle networks including any required upgrades; and

- The TIA should include an assessment of any impacts of the development on the PLR. During the construction and operation phases of the PLR there will be intermittent, short and long term road closures, as well as material changes to the road network operations. These changes may impact pedestrian, cyclist and vehicular access routes to the proposed development and should be included in any analysis.

1.7 The traffic assessment has been updated to include the changes to the road network as a result of the PLR (in particular the changes to the intersection of Victoria Road and Church Street).

1.8 This report assesses the transport aspects of the planning proposal through the following chapters:

- Chapter 2 - describing the existing conditions; and
- Chapter 3 - assessing the transport aspects of the planning proposal.

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CHAPTER 2

2. EXISTING CONDITIONSSite Location and Road Network

- 2.1 The subject site is located on the north western corner of the intersection of Church Street and Victoria Road, North Parramatta. The site also has frontage to Ross Street. The site is currently occupied by a McDonald's and retail/commercial uses (some 400m²) with at grade parking (some 60 spaces). Access is provided from Victoria Road and Ross Street (movements from all directions are provided to/from both driveways). The commercial development located on the north eastern corner of the block does not form part of the site.
- 2.2 The surrounding land use comprises a mix of retail, commercial and residential development to the north, east and south within the northern section of Parramatta CBD. Prince Alfred Park is located to the south of the site. There are a number of schools located to the west and north-west of the site (along Villiers Street).
- 2.3 The road network in the vicinity of the site includes Church Street, Victoria Road, Ross Street and Villiers Street. Church Street is located along the eastern frontage of the site, travelling in a north-south direction. It is a classified road and a major access road to/from Parramatta CBD from the north. Church Street generally provides one traffic lane in each direction (plus bus lanes), widening to two lanes in each direction on both the northern and southern approaches to its intersection with Victoria Road. Church Street does not provide any kerb side parking in the vicinity of the site. Church Street forms a signal controlled intersection with
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CHAPTER 2

Victoria Road and a priority controlled intersection with Ross Street that only permits left in/left out movements to/from Ross Street.

- 2.4 Victoria Road is located along the southern frontage of the site. East of Church Street, Victoria Road is a classified road and a major access road to/from Parramatta travelling in an east-west direction between the Sydney CBD in the east and Parramatta in the west. East of Church Street, Victoria Road generally provides one bus lane and two traffic lanes in each direction. West of Church Street, Victoria Road is a local road and provides two traffic lanes in each direction with no kerb side parking. The intersection of Victoria Road and Church Street is a signal controlled intersection. West of Church Street traffic flows are lower on Victoria Road than they are to the east.
- 2.5 Ross Street is located along the northern frontage of the site and is a local road that provides access to the precinct west of Church Street. Ross Street provides a single traffic lane in each direction providing metered kerb side parking in the vicinity of the site. Ross Street forms a priority controlled intersection with Church Street with traffic movements limited to left turns only.
- 2.6 Villiers Street travels in a north-south direction to the west of the site. It is a local road that provides access to the precinct to the west of Church Street. It is generally subject to a 50 km/h speed limit except during school zone times when a 40km/h speed limit applies. Villiers Street provides a single traffic lane in each direction providing metered kerb side parking. Villiers Street forms a roundabout intersection with Ross Street and a signal controlled intersection with Victoria Road.
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Traffic Flows

2.7 Traffic generated by the proposed development will have its greatest effects during weekday morning and afternoon peak periods. In order to gauge traffic conditions, counts were undertaken at the following intersections:

- Church Street/Victoria Road (signal control);
- Church Street/Ross Street (priority control);
- Victoria Road/Villiers Street (signal control);
- Villiers Street/Ross Street (roundabout);
- Ross Street/Site Access (priority control); and
- Victoria Road/Site Access (priority control).

2.8 The results of the surveys are shown in Figures 2 and 3 and summarised in Table 2.1. The surveys covered school drop off and pick up times.

2.9 Table 2.1 shows that:

- Church Street carried traffic flows of some 625 to 1,720 vehicles per hour two-way during the weekday morning and afternoon peak periods;
 - Victoria Road (east of Church Street) carried some 2,280 to 2,460 vehicles per hour two-way during the weekday morning and afternoon peak periods;
 - Victoria Road (west of Church Street) carried some 1,055 to 1,340 vehicles per hour two-way during the weekday morning and afternoon peak periods;
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- Ross Street carried some 75 to 345 vehicles per hour two-way during the weekday morning and afternoon peak periods;
- Villiers Street carried some 495 to 745 vehicles per hour two-way during the weekday morning and afternoon peak periods; and
- The site generated some 240 to 275 vehicles per hour two-way which was split 50%/50% to the Victoria Road and Ross Street driveways. The surveys also found that some 36% of vehicles entering the site used the drive through.

Table 2.1: Existing Two-Way (Sum of Both Directions) Peak Hour Traffic Flows		
Road	Morning	Afternoon
Church Street		
– north of Ross Street	1,565	1,715
– north of Victoria Road	1,535	1,720
– south of Victoria Road	665	625
Victoria Road		
– east of Church Street	2,460	2,280
– east of Site Access	1,320	1,305
– east of Villiers Street	1,330	1,340
– west of Villiers Street	1,135	1,055
Ross Street		
– east of Church Street	75	110
– east of Site Access	155	165
– east of Villiers Street	145	165
– west of Villiers Street	345	130
Villiers Street		
– north of Ross Street	650	495
– north of Victoria Road	535	510
– south of Victoria Road	680	745
Site Accesses		
– Ross Street	125	135
– Victoria Road	115	140

Intersection Operations

2.10 The capacity of the road network is largely determined by the capacity of its

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intersections to cater for peak period traffic flows. The surveyed intersections have been analysed using the SIDRA computer program. SIDRA analyses intersections controlled by traffic signals, roundabouts and signs.

2.11 SIDRA provides a number of performance measures. The most useful measure provided is average delay per vehicle expressed in seconds per vehicle. Based on average delay per vehicle, SIDRA estimates the following levels of service (LOS):

ρ For traffic signals, the average delay per vehicle in seconds is calculated as delay/(all vehicles), for roundabouts the average delay per vehicle in seconds is selected for the movement with the highest average delay per vehicle, equivalent to the following LOS:

0 to 14	=	"A"	Good
15 to 28	=	"B"	Good with minimal delays and spare capacity
29 to 42	=	"C"	Satisfactory with spare capacity
43 to 56	=	"D"	Satisfactory but operating near capacity
57 to 70	=	"E"	At capacity and incidents will cause excessive delays. Roundabouts require other control mode.
>70	=	"F"	Unsatisfactory and requires additional capacity

ρ For give way and stop signs, the average delay per vehicle in seconds is selected from the movement with the highest average delay per vehicle, equivalent to following LOS:

0 to 14	=	"A"	Good
15 to 28	=	"B"	Acceptable delays and spare capacity
29 to 42	=	"C"	Satisfactory but accident study required

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43 to 56	=	"D"	Near capacity and accident study required
57 to 70	=	"E"	At capacity and requires other control mode
>70	=	"F"	Unsatisfactory and requires other control mode

2.12 It should be noted that for roundabouts, give way and stop signs, in some circumstances, simply examining the highest individual average delay can be misleading. The size of the movement with the highest average delay per vehicle should also be taken into account. Thus, for example, an intersection where all movements are operating at a level of service A, except one which is at level of service E, may not necessarily define the intersection level of service as E if that movement is very small. That is, longer delays to a small number of vehicles may not justify upgrading an intersection unless a safety issue was also involved.

2.13 The SIDRA analysis found that:

- The signalised intersection of Church Street with Victoria Road operates with average delays of less than 40 seconds per vehicle during peak periods. This represents a level of service C, a satisfactory level of service;
- The signalised intersection of Victoria Road with Villiers Street operates with average delays of less than 40 seconds per vehicle during peak periods. This represents a level of service C, a satisfactory level of service;
- The roundabout intersection of Ross Street with Villiers Street operates with average delays for the highest delayed movement of less than 10 seconds per vehicle during peak periods. This represents a level of service A, a good level of service;

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- The priority controlled intersection of Church Street with Ross Street operates with average delays for the highest delayed movement of less than 10 seconds per vehicle during peak periods. This represents a level of service A, a good level of service;
- The Ross Street access operates with average delays for the highest delayed movement of less than 15 seconds per vehicle during peak periods. This represents a level of service A/B, a good level of service; and
- The Victoria Road access operates with average delays for the highest delayed movement of less than 40 seconds per vehicle during peak periods. This represents a level of service C, a satisfactory level of service.

Public Transport

- 2.14 The site is located within the northern section of Parramatta CBD and thus has access to public transport that services the CBD. Hillsbus/Westbus and Sydney Buses operate a number of services along Church Street and Victoria Road past the site. These connect Parramatta CBD with Castle Hill, Pennant Hills, Maquarie Park, Epping, Eastwood, Norwest, Ryde and Strathfield. The site is one kilometre north of Parramatta railway station and is within walking distance of commercial, retail and other services located within the CBD. The surrounding area provides footpaths and signalised intersections within the vicinity which provides full pedestrian crossings.
- 2.15 The Parramatta light rail will run past the site on Church Street with the nearest stop located at Prince Alfred Square, adjacent to the site (on the corner of Victoria Road and Church Street). The light rail will connect Westmead with Carlingford

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via Parramatta with stops at Westmead Hospital and the Western Sydney University campuses at Westmead and Rydalmere as shown in Figure 4.

2.16 The site therefore has good access to public transport.

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CHAPTER 3

3. IMPLICATIONS OF PLANNING PROPOSAL

3.1 The planning proposal for the site involves the relocation of McDonald's to the southern eastern part of the site and a mixed use building (ground level retail/commercial and first/second level commercial with residential above). Access is proposed from Victoria Road (entry only) and Ross Street (entry and exit). The concept plans for the planning proposal show the following indicative scale of development:

- McDonald's – some 900m² GFA/220 seats (including party room) with a drive through;
- some 400m² GFA of ground floor retail/commercial; and
- some 346 residential units.

3.2 At this stage the residential unit mix has not been determined. For the purposes of assessing the traffic and parking effects of the planning proposal, Stockland has advised the following mix of units:

- 35 x one bed units
- 247 x two bed units and
- 76 x three bed units.

3.3 This includes 12 units (5 x two bed and 7 x three bed) that would be permitted with the 5% increase in FSR as per the LEP discretionary High Performance Building clause.

3.4 This chapter assesses the transport aspects of the planning proposal through the following sections:

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- public transport;
- cycling and pedestrian movement;
- parking provision;
- access, servicing and internal layout;
- traffic effects; and
- summary.

Public Transport

- 3.5 The site is close to bus services and the future light rail service along Church Street. Public transport services offer viable alternatives to travel by modes other than car particularly in the weekday morning and afternoon commuter peak periods. While the site's location provides opportunities for travel by means other than car, an appropriate level of on-site parking is required to meet travel that cannot be met by public transport, walking or cycling (such as weekly shopping trips, recreational trips or taking children to weekend sporting activities). In addition car share parking will be provided on site. To support accessibility by bicycles, appropriate bicycle parking will be provided for employees and visitors.
- 3.6 The planning proposal will therefore satisfy the objectives of NSW Making it Happen, A Plan for Growing Sydney, NSW Long Term Transport Masterplan, and Directions for a Greater Sydney 2017-2056, as follows:
- enabling employees, residents and visitors to readily access buses and the light rail, for journeys to work and other travel;
 - improving accessibility to employment and residential by walking, cycling, and public transport;

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- improving the choice of transport and reducing dependence solely on cars for travel purposes;
 - moderating growth in the demand for travel and the distances travelled, especially by car;
 - supporting the efficient and viable operation of public transport services
 - providing an appropriate level of on-site parking, with reference to appropriate council and RMS requirements, to encourage public transport use, increase the proportion of journey to work trips by public transport;
 - provide on-site parking that meet the needs of residents for travel outside of the weekday commuter peak periods;
 - providing retail/employment development close to residential development and other retail, commercial and transport facilities to reduce the need for external travel;
 - being located close to employment centres in Parramatta CBD, which are readily accessible by public transport; and
 - providing appropriate bicycle parking on the site to increase the proportion of trips made by bicycle.

Cycling and Pedestrian Movement

- 3.7 The site is located within Parramatta CBD which provides employees/residents with cycling and walking opportunities to locations such as shops, restaurants, businesses and recreational facilities located within Parramatta CBD. As noted in the previous section, the future light rail will travel along Church Street past the site. Bus stops are also located within a short walking distance from the site. Figure 3.1 shows the existing cycle paths around Parramatta.
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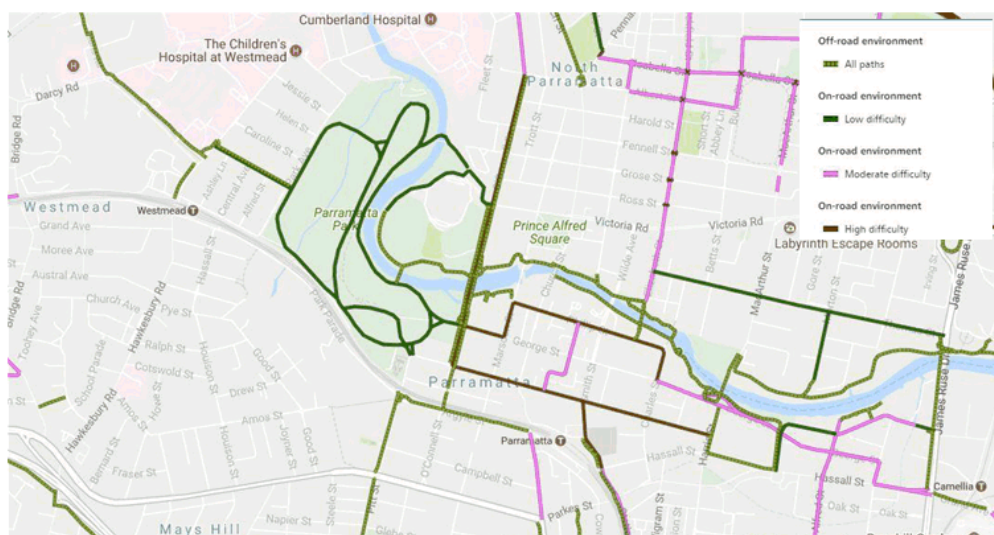


Figure 3.1: Parramatta Cycle Map

Source: Sydney Cycleways

- 3.8 Bicycle parking can be found throughout Parramatta CBD and the site will provide bicycle parking within the basement for residents.
- 3.9 Pedestrian walkways are provided around the site linking the site to local shops and amenities as stated previously. Pedestrian crossings are provided at major intersections to provide pedestrians with adequate walking paths to and from the site.

Parking Provision

- 3.10 For the area in which the subject site is located, Parramatta City Council has advised that the following parking rates will apply:
- residential units;;
 - 0.3 spaces per 1 bed unit;

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- 0.7 spaces per 2 bed unit;
 - 1.0 spaces per 3 bed unit; and
 - no visitor parking;
- drive in/take away food with seating: - a maximum of 1 parking space to be provided for every 30m² of gross floor area or 30 parking spaces maximum, whichever is less; and
- retail/commercial (maximum) – $M = (G \times A) / (50 \times T)$
 where:
M is the maximum number of parking spaces;
G is the gross floor area of all commercial uses in the building (excluding GFA used for the purpose of Take Away Food and Drink Premises) in square metres;
A is the site area in square metres; and
T is the total gross floor area of all buildings on the site in square metres.

3.11 Based upon the rates above, the residential component (some 358 units) could provide a maximum of 260 spaces, the retail/commercial component a maximum 1 space (assuming some 400m² retail/commercial space, 4,737m² site area and a total of 34,106m² GFA) and the McDonald's (with some 900m² GFA) could provide up to a maximum of 30 parking spaces.

3.12 The reference scheme supporting the planning proposal shows provision of 291 spaces comprising:

- 260 residential spaces;
- 1 retail/commercial tenant space; and
- 30 spaces for McDonald's.

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- 3.13 Appropriate accessible, motor cycle and bicycle parking will also be provided (in accordance with the requirements of DCP 2011. Car share spaces are proposed on site.

Access, Servicing and Internal Layout

- 3.14 Vehicular access to the site will be maintained from Victoria Road and Ross Street, with the driveways located as far as practical to the west (to maximize the distance from the Church Street intersections).
- 3.15 The Ross Street driveway will provide for all movements (as per the existing situation).
- 3.16 The Victoria Road access will be entry only (allowing for both left and right turn entry), providing access for the McDonald's, with all vehicles entering from Victoria Road exiting to Ross Street. Thus there will be no change to vehicle queues on Victoria Road as a result of the planning proposal. Overall the intersection of the site access/Victoria Road will be improved as no vehicles will be exiting onto Victoria Road.
- 3.17 Both driveways will be designed to accommodate the swept path of up to 12.5 metre rigid truck and will be designed in accordance with AS2890.1-2004 and AS2890.2-2002.
- 3.18 With regard to the Victoria Road access, as part of the previous DA, RMS advised the following:
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In relation to the McDonalds in North Parramatta, it is established as part of the proposal that;

- *Access to the McDonalds on Victoria Street will be restricted to "In only"*
- *A physical barrier will be provided on site to ensure vehicles cannot exit onto Victoria Street using this driveway.*

In this regard, Roads and Maritime raises no significant concerns to the proposed layout of the development provided access to the site is restricted to "In only"

Roads and Maritime would not require a median on Victoria Road at this stage, given the traffic generation for the McDonalds is anticipated to remain the same.

- 3.19 The development proposes basement, ground level and podium parking. The ground floor car park will be available for the use of McDonald's customers, commercial and car share parking. The single basement level of parking will be allocated to residents. The balance of parking will be located in podium parking levels and allocated to residents. Access to the podium/basement car park levels will be provided on the northern part of the site via two way ramps.
- 3.20 Car parking will be designed to comply with the requirements of AS2890.1-2004. Residential/commercial car park circulation aisles will be a minimum of 5.8 metres wide and provide parking spaces with minimum dimensions of 2.4 metres wide and 5.4 metres long. Disabled parking spaces will be 2.4 metres wide and provided with an adjacent 2.4 metre wide space thus satisfying the requirements of AS2890.6-2009. McDonald's car park circulation aisles will be a minimum of 6.6 metres wide and parking spaces will be a minimum of 2.6 metres wide by 5.4 metres long.
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- 3.21 The McDonald's drive through (with dual order points) is designed to provide capacity for at least 10 queued vehicles behind the order pick-up point with a waiting bay. This satisfies the minimum requirements of the RMS guidelines (minimum queuing for 10 cars) with respect to queue lengths and waiting bays.
- 3.22 A loading dock is provided for on-site (residential and retail) garbage collection and residential deliveries/removals. All service vehicles accessing this dock will enter and exit the site in a forward direction. The loading dock will be designed to accommodate a 12.5 metre rigid truck. Deliveries will be managed through a loading dock management plan.
- 3.23 All vehicles will enter and depart the site in a forward direction. Details of the car park layout and service arrangements for compliance with AS2890 will be provided at DA stage (including provision of vehicle turning paths and a loading dock management plan).

Traffic Effects

- 3.24 Traffic generated by the development will have its greatest effects during the weekday morning and afternoon peak periods. The following traffic generation rates have been adopted for the proposed development:
- Residential - 0.19 and 0.15 vehicles per hour per unit (two way) in the weekday morning and afternoon peak hours respectively (RMS rates for high density residential development close to public transport); and

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- retail/commercial – 0.3 vehicles per hour per parking space (two way) in the weekday AM and PM peak hours (based on surveys of constrained parking in CBD locations).

3.25 For McDonald's, traffic generation is likely to reduce from its current levels due to reduction in on-site parking (of some 50%) and the reduced exposure of the relocated drive through to the street. Based on the operation of the existing McDonald's, some two thirds of traffic generated is from on-site parking with the balance using the drive through. Thus reducing parking by some 50% is likely to reduce this component of the McDonald's traffic generation by some 50%. This decrease in traffic generation from on-site parking may result in a transfer of some trips to the drive through. Taking in account these factors, the existing traffic generation of McDonalds has been reduced by 30%.

3.26 Table 3.1 summarises the traffic generation of the reference scheme.

Table 3.1 Summary of Traffic Generation					
Component	Size	Rate		Traffic Generation (vph)	
		AM	PM	AM	PM
Existing				240	275
Residential	358 units	0.19/unit	0.15/unit	+68.0	+53.7
Retail/Commercial	1 spaces	0.3/space	0.3/space	+0.3	+0.3
McDonalds	30 spaces			-72	-82
Total				236.3	247
Change				-3.7	-28

3.27 Examination of Table 3.1 reveals that the planning proposal would result in a reduction (compared to the existing situation) of some 4 and 28 vehicles per hour (two way) in the weekday morning and afternoon peak hours respectively.

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- 3.28 The traffic from the planning proposal has been assigned to the surrounding road network shown in Figures 2 and 3 and summarised in Table 3.2, taking into account the redistribution of the trips as a result of the change in access arrangements.

Table 3.2: Existing Plus Development Two-Way (Sum of Both Directions) Peak Hour Traffic Flows				
Road	Morning		Afternoon	
	Existing	+ Dev	Existing	+ Dev
Church Street				
– north of Ross Street	1,565	+20	1,715	+10
– north of Victoria Road	1,535	-5	1,720	-10
– south of Victoria Road	665	-10	625	-5
Victoria Road				
– east of Church Street	2,460	-10	2,280	-15
– east of Site Access	1,320	-5	1,305	-20
– east of Villiers Street	1,330	+5	1,340	-5
– west of Villiers Street	1,135	-10	1,055	-20
Ross Street				
– east of Church Street	75	+0	110	+0
– east of Site Access	155	+5	165	+10
– east of Villiers Street	145	+20	165	+30
– west of Villiers Street	345	+5	130	+5
Villiers Street				
– north of Ross Street	650	+0	495	+5
– north of Victoria Road	535	+15	510	+20
– south of Victoria Road	680	+0	745	-10
Site Accesses				
– Ross Street	125	+25	135	+40
– Victoria Road	115	-30	140	-70

- 3.29 Examination of Table 3.1 reveals that:

- Traffic flows on Church Street would increase by up to 20 vehicles per hour (two-way) in the weekday morning and afternoon peak periods;

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- Traffic flows on Victoria Road would generally decrease by 5 to 20 vehicles per hour (two-way). This reduction is due to the closure of the exit movements at the site access to Victoria Road;
 - Traffic flows on Ross Street would increase by some 5 to 30 vehicles per hour (two-way) in the weekday morning and afternoon peak periods;
 - Traffic flows on Villiers Street, north of Ross Street, would increase by some 5 to 20 vehicles per hour (two way) in the weekday morning and afternoon peak periods;
 - Traffic flows at the Ross Street access would increase by some 5 to 30 vehicles per hour (two-way) in the weekday morning and afternoon peak periods; and
 - Traffic flows at the Victoria Road access would decrease by up to some 70 vehicles per hour (two-way) in the weekday morning and afternoon peak periods. This reduction is due to the removal of the movements at this access.

3.30 The six intersections analysed have been reanalyzed using SIDRA with development traffic in place and the redistribution of existing traffic. The analysis found that:

- The signalised intersection of Church Street with Victoria Road would continue to operate with average delays of less than 40 seconds per vehicle during peak periods. This represents a level of service C, a satisfactory level of service;

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- The signalised intersection of Victoria Road with Villiers Street would continue to operate with average delays of less than 40 seconds per vehicle during peak periods. This represents a level of service C, a satisfactory level of service;
- The roundabout intersection of Ross Street with Villiers Street would continue to operate with average delays for the highest delayed movement of less than 10 seconds per vehicle during peak periods. This represents a level of service A, a good level of service;
- The priority controlled intersection of Church Street with Ross Street would continue to operate with average delays for the highest delayed movement of less than 10 seconds per vehicle during peak periods. This represents a level of service A, a good level of service;
- The Ross Street access would continue to operate with average delays for the highest delayed movement of less than 10 seconds per vehicle during peak periods. This represents a level of service A, a good level of service; and
- The Victoria Road access would improve its operation with average delays for the highest delayed movement of less than 10 seconds per vehicle during peak periods (a decrease in delay of some 30 seconds per vehicle). This represents a level of service A, a good level of service.

3.31 Therefore, the surrounding road network will accommodate the traffic from the proposed development. As noted previously the changing of Victoria Road access to entry only (from entry/exit) will result in:

- no change to vehicle queues on Victoria Road; and

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- an overall improvement as no vehicles will be exiting onto Victoria Road.
- 3.32 Council in pre-submission discussions requested that the traffic effects of the planning proposal on the redevelopment of Parramatta Stadium and the Light Rail project be considered. We understand concern was raised with regard to the potential conflict between pedestrian and vehicle movements at the Victoria Road access. As part of the planning proposal, the Victoria Road access will be changed from entry/exit to entry only. This combined with the overall reduction in McDonald's traffic generation results in reduction in vehicles using the Victoria Road access by some 25%. Thus the potential for pedestrian/vehicle conflict at this driveway will be reduced compared to the existing situation.
- 3.33 As requested by TfNSW the traffic effects of the proposed development on the road network following completion of the PLR has been assessed. The EIS for the PLR identified the following changes to the road network in the vicinity of the site:
- banning of the right turn on the Church Street northern approach at the intersection with Victoria Road; and
 - right turn only from the Church Street southern approach at the intersection with Victoria Road.
- 3.34 SIDRA analysis has been undertaken to take into account the changes at the intersection of Church Street/Victoria Road, 2026 traffic flows as set out in the PLR EIS and traffic from proposed development redistributed (taking into account changes to the road network and access arrangements). The results are set out below:
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- The signalised intersection of Church Street with Victoria Road would operate with average delays of some 40 seconds per vehicle during peak periods. This represents a level of service C, a satisfactory level of service;
 - The signalised intersection of Victoria Road with Villiers Street would continue to operate with average delays of less than 40 seconds per vehicle during peak periods. This represents a level of service C, a satisfactory level of service;
 - The roundabout intersection of Ross Street with Villiers Street would continue to operate with average delays for the highest delayed movement of less than 10 seconds per vehicle during peak periods. This represents a level of service A, a good level of service;
 - The priority controlled intersection of Church Street with Ross Street would continue to operate with average delays for the highest delayed movement of less than 10 seconds per vehicle during peak periods. This represents a level of service A, a good level of service;
 - The Ross Street access would continue to operate with average delays for the highest delayed movement of less than 10 seconds per vehicle during peak periods. This represents a level of service A, a good level of service; and
 - The Victoria Road access would improve its operation with average delays for the highest delayed movement of less than 10 seconds per vehicle during peak periods (a decrease in delay of some 30 seconds per vehicle). This represents a level of service A, a good level of service.
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3.35 In summary the SIDRA analysis found similar results to the previous analysis. It should be noted that the proposed development will have similar traffic generation to the existing uses on the site.

3.36 With respect to the second point raised by TfNSW we note the assessment requested would be appropriate for new development that generates significant additional traffic compared to existing uses on the site. However the planning proposal would result in the same or less traffic compared to the existing uses on the site. Thus the measures PLR propose to manage access to the site (for the existing situation) during construction and operation would apply to the planning proposal. Nonetheless it is noted that the site has frontage to three roads (Ross Street, Church Street and Victoria Road) and access to Victoria Road and Church Street. Thus access to the site would be maintained, should works along the PLR corridor (Church Street) affect access to Victoria Road or Ross Street.

Summary

3.37 In summary, the main points relating to the updated transport assessment of the planning proposal are as follows:

- i) the planning proposal is for a mixed use development comprising residential, commercial/retail and a relocated McDonald's;
- ii) the site is well located to existing and future transport services which will:
 - improve the choice of transport and reduce dependence solely on cars for travel purposes;
 - moderate growth in the demand for travel and the distances travelled, especially by car;

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- support the efficient and viable operation of public transport services; and
 - provide the opportunity to provide a balanced level of on-site parking that also meets the demands for travel outside of the commuter peak periods.
 - iii) the site is serviced by existing bicycle paths and pedestrian facilities;
 - iv) the proposed parking provision is consistent with the rates suggested by Council;
 - v) access, servicing and internal layout will be provided in accordance with AS 2890.1 - 2004, AS 2890.2 – 2002 and AS2890.6 - 2009;
 - vi) the planning proposal would result in a reduction (compared to the existing situation) of some 4 and 28 vehicles per hour (two way) in the weekday morning and afternoon peak hours respectively ;
 - vii) the change to the Victoria Road access from entry/exit to entry only will result in a 25% reduction in traffic using this access;
 - viii) the surrounding road network will accommodate the traffic from the planning proposal; and
 - ix) the matters raised by TfNSW have been addressed.
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10884 - Parramatta Mixed Use

Click: <https://goo.gl/maps/EKVituCRokx>

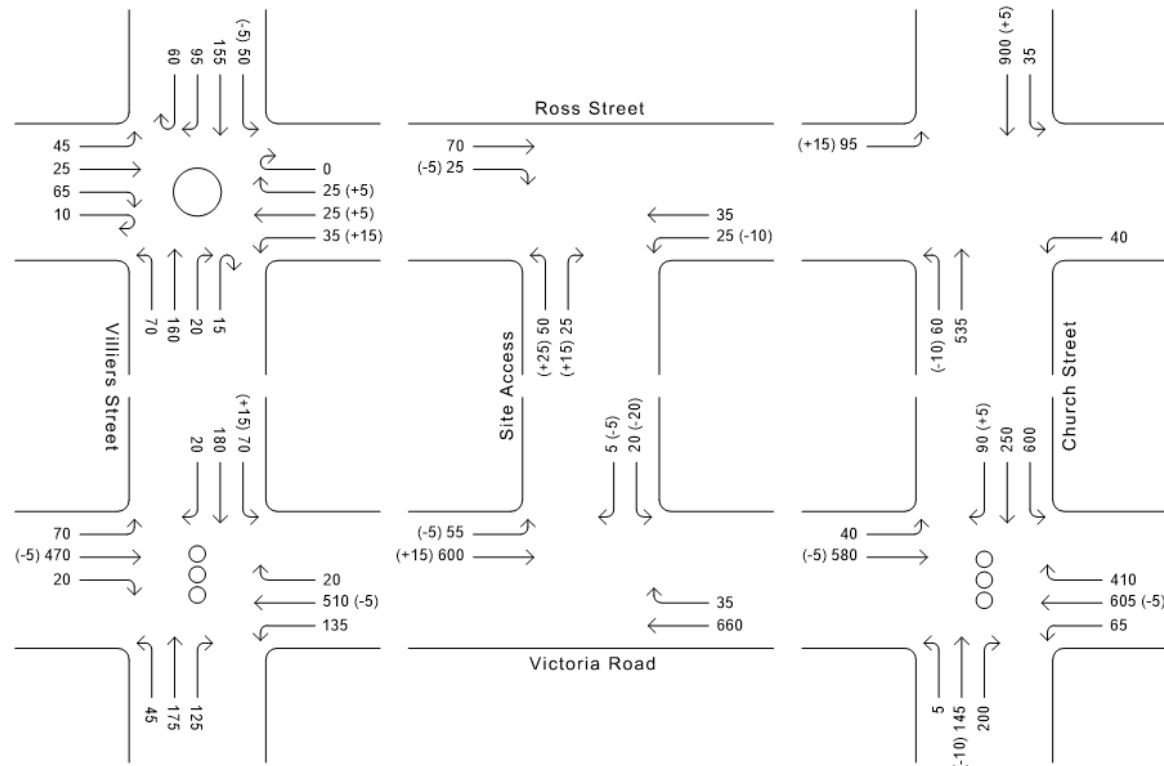
Location Plan

Colston Budd Rogers & Kafes Pty Ltd

DRAWN BY CBRK Pty Ltd_mc Ref: 10884 20.05.2020

Figure 1

10884 - Parramatta Mixed Use

**LEGEND**

- 100 - Existing Peak Hour Traffic Flows
- (+10) - Additional Development Traffic
- ⊞ - Traffic Signals
- - Roundabout

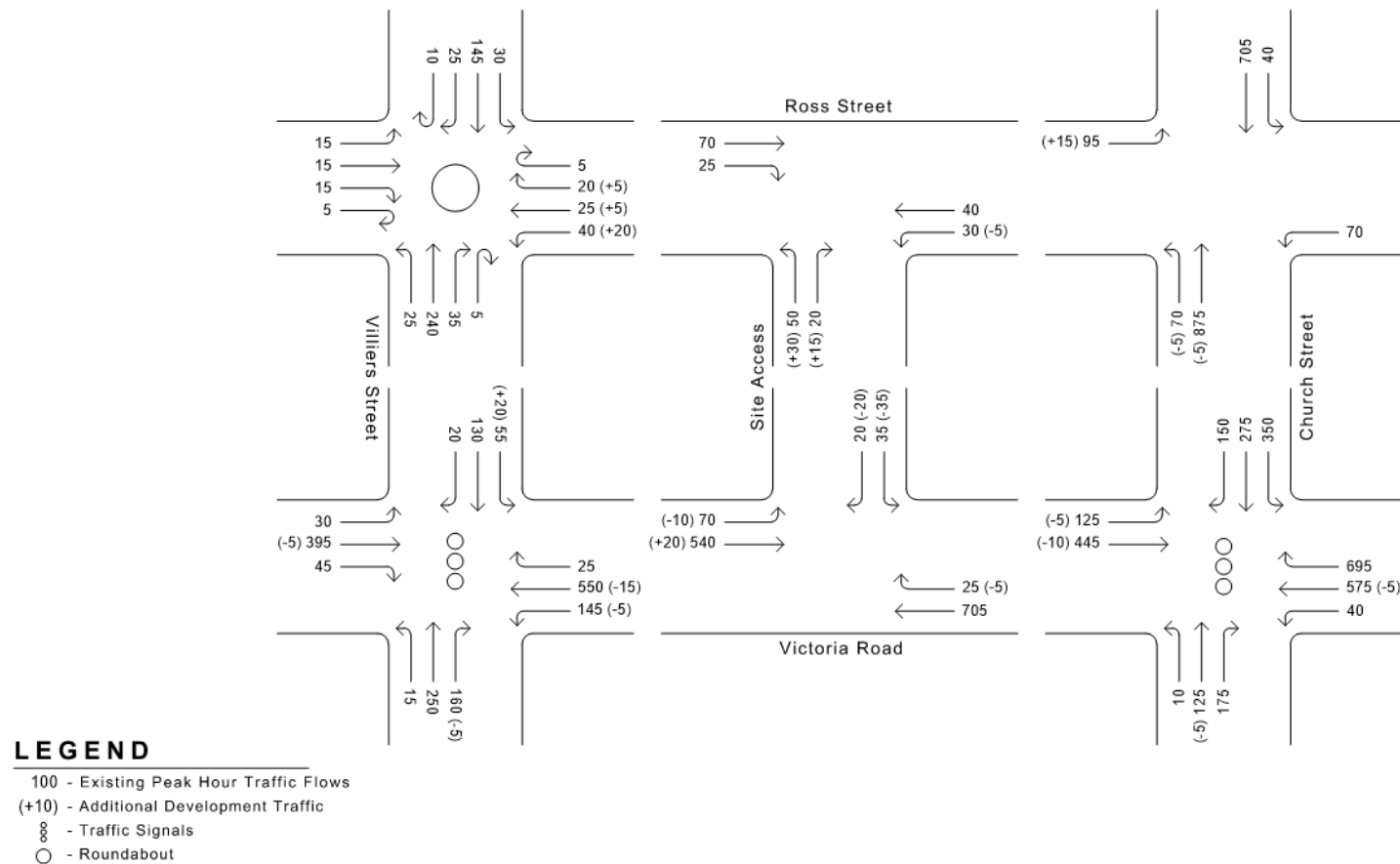
**Existing weekday morning
peak hour traffic flows plus
development traffic
Figure 2**

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20.05.2020

10884 - Parramatta Mixed Use



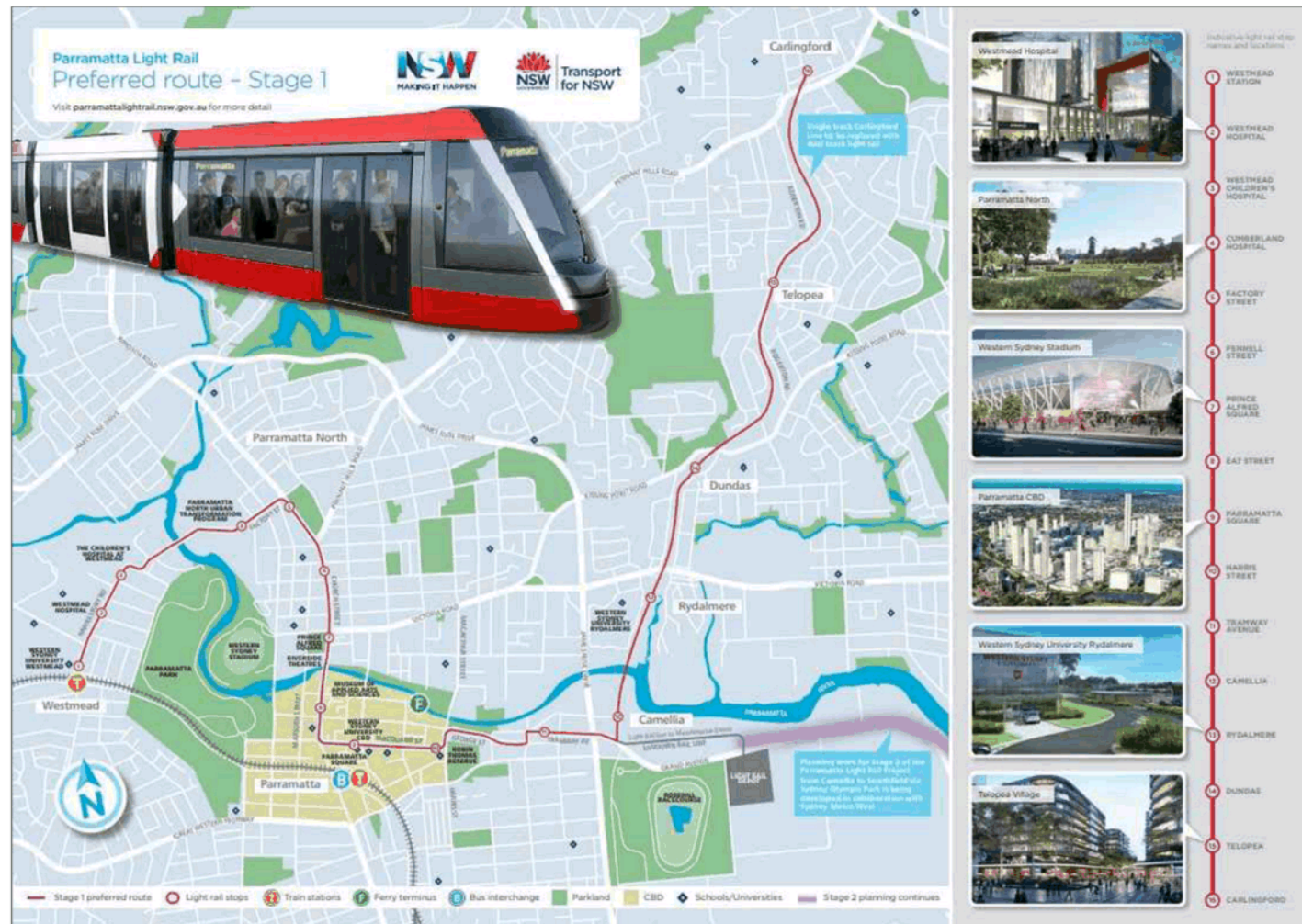
**Existing weekday afternoon
peak hour traffic flows plus
development traffic
Figure 3**

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20.05.2020

10884 - Parramatta Mixed Use



Parramatta Light Rail - Preferred Route

Figure 4

JMT Consulting

23 Leonard Avenue
Kingsford NSW 2032
0415 563 177Melody Potter
Senior Development Manager, Stockland
Level 25, 133 Castlereagh Street
Sydney NSW 2000

3 February 2020

Dear Melody

355 and 375 Church Street, Parramatta | Traffic and Parking Advice

1. Introduction

JMT Consulting has been requested by Stockland to provide traffic and parking advice in relation to the Planning Proposal for a mixed use development at 355 and 375 Church Street, Parramatta. This advice specifically considers the implications of the proposed parking provision for the McDonalds component of the proposal.

2. Background

Stockland have lodged a Planning Proposal for the site at 355 and 375 Church Street, Parramatta. The site is currently occupied by a McDonalds Restaurant, two office and retail buildings and a large car park. The Planning Proposal involves the retention of the existing McDonalds and a mixed use building, including retail/commercial on the ground and first floor as well as approximately 346 residential apartments. The site location is shown in Figure 1 below



Figure 1 Site location
Source: Ethos Urban, 2019

3 February 2020

Page 1

J Milston Transport Consulting Pty Ltd
ABN: 32635830054
ACN: 635830054

3. Transport Assessment

3.1 Proposed parking provision

Under the Planning Proposal the McDonalds Restaurant will include approximately 950m² of Gross Floor Area (GFA) with 220 seats. 34 car parking spaces are proposed to service the McDonalds which equates to a parking rate of:

- 1 parking space per 6.5 seats; or
- 1 parking space per 28m² GFA

3.2 Comparison with relevant guidelines

In considering the appropriateness of the proposed parking provision for the McDonalds, a comparison with relevant guidelines has been undertaken. This comparison has considered the recommended parking rates contained in the following documents:

- Parramatta Local Environment Plan (LEP) 2011
- RMS Guide to Traffic Generating Developments
- Development Control Plans (DCPs) for neighbouring Councils, including:
 - City of Ryde Council
 - City of Canada Bay Council
 - Cumberland Council

This comparative assessment is presented in Table 1 below.

Table 1 Comparison of parking rates for drive in take away food restaurants

Document	Parking rate for drive in take away food restaurants	Permissible parking provision for McDonalds Parramatta under relevant document
Parramatta LEP 2011	1 parking space / 10m ² or 1 parking space / 6 seats (whichever is the lesser)	37
RMS Guide to Traffic Generating Developments	1 parking space per 3 seats	73
City of Ryde Council DCP	1 parking space / 10m ² or 1 parking space / 5 seats (whichever is greater)	95
City of Canada Bay DCP	1 parking space per 3 seats	73
Cumberland (Holroyd) DCP	1 parking space / 10m ²	95

As evident in Table 1, the proposed parking provision of 34 spaces in the McDonalds Parramatta is below the maximum rate identified in the Parramatta LEP, and significantly lower than what would be permissible under the controls in adjacent LGAs. Further, the RMS Guide to Traffic Generating Development document recommends a parking rate of 1 space / 3 seats – more than double the parking rate proposed for McDonalds Parramatta.

3.3 Comparison to commercial parking rates

It is understood Parramatta City Council have recommended that a parking rate for commercial uses be adopted for the McDonalds component of the site.

It is important to recognise that parking demands associated with fast food take away outlets are not comparable to those for commercial offices (or even general retail), particularly within major employment centres such as Parramatta. For this reason the RMS Guide to Traffic Generating Developments, as well as other documents including the Parramatta LEP 2011, provide separate parking rates for fast food outlets and commercial uses.

Recent surveys¹ conducted by the RMS (now Transport for NSW) for fast food take away outlets in the Sydney Metropolitan Area indicate these sites generate parking demand at a rate of approximately 6.8 spaces / 100m² GFA. In comparison, similar surveys² undertaken for commercial office buildings across Sydney indicate a far lower rate of parking demand of approximately 1.3 spaces / 100m² GFA. This is illustrated in Figure 2 below

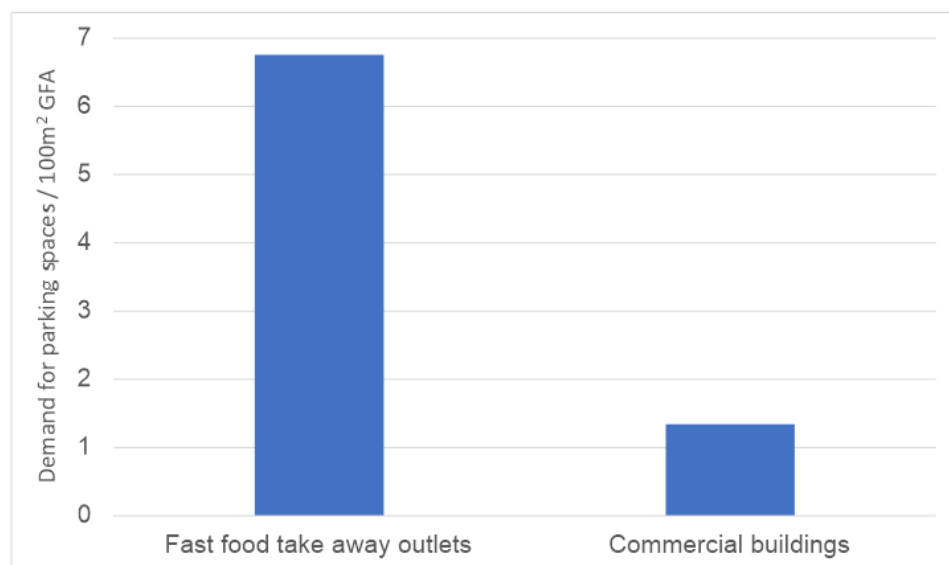


Figure 2 Comparison in parking demand between fast food outlets and commercial buildings

For this reason commercial parking rates should not be utilised to determine the appropriate number of spaces to be provided for the future McDonalds.

¹ Trip generation and parking demand surveys of fast food outlets analysis report, September 2016 (Bitzios Consulting on behalf of Roads and Maritime Services)

² Trip Generation and Parking Generation Surveys (Office Blocks) analysis report, September 2010 (GTA Consulting on behalf of Roads and Maritime Services)

3.4 Traffic implications of proposed parking provision

The proposed parking provision of 34 spaces for the McDonalds represents a reduction of approximately 43% compared to the existing provision. This reduced parking provision, combined with the reduced exposure of the relocated drive through, will result in a reduction in traffic generation from the McDonalds component of the site by 29% when compared with current traffic movements.

This reduced number of parking spaces proposed for the McDonalds will, even taking into consideration the increase in traffic from the residential and retail/commercial components, result in no net increase in traffic movements on the road network. During the afternoon peak hour there will be a small reduction in traffic movements compared to the current situation.

Therefore the proposed parking provision for the McDonalds component of the site will not result in any increased vehicle delays or congestion on the surrounding road network.

3.5 Implications for adopting commercial parking rates

Adopting commercial parking rates for the McDonalds component of the site would result in a total parking provision of three spaces. This provision is substantially lower than that recommended for fast food take away outlets in the current Parramatta LEP and other relevant documents/guidelines.

A parking provision of only three spaces would result in significant overflow parking impacts on local streets, particularly Ross Street and Villiers Street. The demand generated by McDonalds users would limit the available parking supply for other businesses in the area and not result in an optimal transport outcome.

4. Summary

JMT Consulting has reviewed the appropriateness of the proposed parking provision of 34 spaces for the McDonalds component of the Planning Proposal at 355 and 375 Church Street, Parramatta. Key findings of the review are as follows:

- The proposed parking provision is below the maximum rate identified for fast food outlets in the Parramatta LEP, the RMS Guide to Traffic Generating Development document and significantly lower than what would be permissible under planning controls in adjacent LGAs.
- The proposed parking provision will not result in any increased vehicle delays or congestion on the surrounding road network during the critical peak hour periods.
- Recent surveys undertaken by the RMS indicate that parking demand for fast food take away outlets is far greater than that for commercial uses. For this reason commercial parking rates should not be utilised to determine the appropriate number of spaces to be provided for the future McDonalds.
- Adopting commercial car parking rates for the McDonalds would result in significant overflow parking impacts on local streets - limiting the available parking supply for other businesses and residents in the area.

In this context, it is concluded that the proposed parking provision provides an appropriate balance between managing traffic impacts of the proposal and providing for a sufficient level of on-site parking that will not impact surrounding residents and businesses.

Please don't hesitate to contact the undersigned should you require any clarification to the matters discussed in this document.

Regards



Josh Milston

Director | JMT Consulting

MIEAust CPEng



New South Wales Government
Independent Planning Commission

Gateway Determination Review Request – 355 and 375 Church Street, Parramatta

Gateway Determination Advice Report

Chris Wilson (Chair)

23 April 2021

April 2021 Final Report ©
State of New South Wales through the Independent Planning Commission 2021

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1 INTRODUCTION

1. On 19 March 2021, the NSW Independent Planning Commission (**Commission**) received a request from the NSW Department of Planning, Industry and Environment (**Department**) for advice pursuant to section 2.9(1)(c) of the *Environmental Planning and Assessment Act 1979 (EP&A Act)* in relation to a Planning Proposal and Gateway Determination in respect of 355 and 375 Church Street, Parramatta (**Site**) within the Parramatta Local Government Area (**LGA**).
2. On 21 August 2018, a site-specific Planning Proposal request was submitted to the City of Parramatta Council (**Council**) to amend controls relating to the Site under the *Parramatta Local Environmental Plan 2011 (PLEP 2011)*. The Planning Proposal request was submitted as a joint venture between Stockland and McDonalds (**Proponent**) and was prepared by Ethos Urban on behalf of the Proponent.
3. The Department's Gateway Review Justification Assessment Report (**Gateway Report**) provides that the Planning Proposal is intended to facilitate the redevelopment of the Site for a mixed-use development comprising "towers above a podium (31 and 28 storeys, podium inclusive) over a single basement level for car parking" (page 2). The redevelopment of the Site would include a McDonalds restaurant in the south-east corner of the podium.
4. At its meeting on 13 July 2020, Council resolved to endorse the site-specific Planning Proposal.
5. On 19 August 2020, Council submitted the Planning Proposal to the Department for Gateway Determination.
6. On 13 November 2020, as the delegate of the Minister for Planning and Public Spaces (**Minister**), the Department issued a Gateway Determination that the Planning Proposal should proceed subject to conditions (**Gateway Determination**). The Department found the Planning Proposal exhibited strategic and site-specific merit and gave effect to the *Central City District Plan, 2018 (District Plan)*. Amongst other matters, the conditions imposed on the Gateway Determination included conditions requiring the Proponent to:
 - remove the proposed site-specific car parking rates for take away food and drink premises and the associated sunset clause (Gateway condition 1(c)); and
 - include the isolated site to the north of the Site within the Planning Proposal (Gateway condition 1(d)).
7. The Commission notes the correct address of the isolated site is 385 Church Street, Parramatta (not 383 Church Street, Parramatta as described in the Gateway Determination conditions) (**Isolated Site**).
8. On 29 January 2021, Council provided a letter to the Department in support of the Proponent's intention to seek a Gateway Determination review regarding Gateway conditions 1(c) and 1(d). In its letter, Council stated the Proponent's request is "consistent with Council's resolution on this matter on 13 July 2020 and is therefore supported by Council".
9. On 29 January 2021, the Proponent requested the Department review the Gateway Determination. The review request seeks to delete Gateway conditions 1(c) and 1(d) (**Review Request**).

10. In its letter to the Commission, received on 19 March 2021, the Department requested that the Commission review the Planning Proposal and prepare advice regarding the merits of the Review Request and whether, in its opinion, the Gateway Determination issued on 13 November 2020 should be amended.
11. The Department's Gateway Report was also received by the Commission on 19 March 2021. The Gateway Report sets out the Department's consideration of the Review Request and provides recommendations to the Commission (refer to Section 2 below).
12. Professor Mary O'Kane AC, Chair of the Commission, nominated Chris Wilson (Chair), to constitute the Commission Panel to provide advice to the Department on the Gateway Determination review request.

1.1 Site and Locality

13. The Site is located at 355 and 375 Church Street, Parramatta, and comprises Lot 1 DP in 668821 and Lot 1000 in DP 791977 respectively. The location of the Site is identified at Figure 1 below.
14. The Department's Gateway Report states:

The site is bounded by Church Street, Victoria Road and Ross Street, leaving an isolated site at 385 Church Street... The isolated site comprises a three-storey mixed use development, with retail and office space. Development to the west of the site comprises a 5-storey mixed use development.

The site is located at the northern end of the Parramatta CBD Precinct, approximately 1km from Parramatta Railway Station. The site is also situated adjacent to the Parramatta Light Rail (PLR) Stage 1 corridor, with a future Light Rail stop at the junction of Church Street and Victoria Road (page 2).
15. The Commission notes that the new Bankwest Stadium is located approximately 300 metres to the west of the Site, and Prince Alfred Park is located directly opposite the Site to the south.

Figure 1 Site outlined in red and Isolated Site outlined in yellow (source: Gateway Report)



1.2 The Planning Proposal

16. The Department's Gateway Report describes the Planning Proposal as follows:

The planning proposal... seeks to amend the development controls for land at 355 and 375 Church Street, Parramatta... by introducing a site-specific clause in the Parramatta Local Environmental Plan 2011 (PLEP 2011) to include the following:

1. *Amend the Special Provisions Area Map to identify the site;*
2. *Introduce a maximum height control with the maximum height to be determined by the proposed sun access plane to Prince Alfred Square which requires no overshadowing of the protected area of the Square between 12pm and 2pm in mid-winter;*
3. *Amend the Sun Access Protection Map to identify the portion of Prince Alfred Square subject to sun access protection;*
4. *Introduce a maximum FSR of 6.9:1, but only if the design excellence provisions within Clause 7.10 are satisfied at development application stage;*
5. *Enable an additional 5% FSR bonus (bringing the maximum FSR on the site to 7.2:1) if a high-performance building is provided; and*
6. *Specify maximum car parking rates for residential, commercial and take away food and drink premises that differ from those adopted in the Parramatta CBD in relation to take away food and drink premises.*

Regarding 6. above, the proposal requested to apply maximum car parking rates for take away food and drink premises of 1 car parking space per 30m² of gross floor area (GFA) or a maximum of 30 spaces, whichever is the lesser, with a sunset clause ending the application of this provision after five years from the date of notification of the amendment. The parking rate would revert to the Parramatta CBD parking rate after the sunset clause expires (pages 1 and 2).

17. A summary of the Planning Proposal's history, as set out in the Department's Gateway Report, is provided at **Attachment A**.
18. It should be noted that in 2015, McDonalds with Endeavour Property Group submitted a Development Application (DA) (DA/96/2015) for a staged development of the Site involving the demolition of existing structures; consolidation and subdivision to create two lots; construction of a McDonald's restaurant on proposed Lot A (Stage 1); and concept approval for a future mixed-use development over basement parking on proposed Lot B (Stage 2). The DA was subsequently deferred by the Sydney West Joint Regional Planning Panel (JRPP) because it considered the proposed development to be "a lost opportunity to present a major architectural feature on this significant site which is located at the intersection of two historical roadways within Parramatta" (JRPP Memo, dated 23 November 2015). The JRPP recommended that an amended proposal be developed that responded more adequately to a range of design issues and the opportunities presented by the Site in the context of its Parramatta CBD location (JRPP Memo, dated 23 November 2015).

1.3 Proponent's Request

19. As described at paragraph 9, the Proponent sought a review of the Gateway Determination on 29 January 2021 requesting the deletion of:
- Gateway condition 1(c) – *Remove the proposed car parking rates for take away food and drink premises and the associated sunset clause; and*
 - Gateway condition 1(d) – *Include the isolated site at 383 Church Street within the proposal consistent with the Parramatta CBD Planning Proposal.*
20. As part of the material considered by the Commission (described at paragraph 22 below), the Commission has reviewed the Proponent's justification for requesting a Gateway determination review.

2 THE COMMISSION'S CONSIDERATION

2.1 The Commission's Meetings

21. As part of its consideration of the Review Request, the Commission met with various organisations / persons as set out in **Table 1** below. All meeting and site inspection notes have been made available on the Commission's website.

Table 1 – Commission's Meetings

Meeting	Date	Transcript/Notes Available on
Site Inspection	7 April 2021	12 April 2021
Council	7 April 2021	15 April 2021
Proponent	12 April 2021	14 April 2021
Department	13 April 2021	14 April 2021

2.2 Material Considered by the Commission

22. In its review, the Commission has carefully considered the following material (**Material**):
- the Department's request for Gateway determination review letter, dated 17 March 2021 and received by the Commission on 19 March 2021;
 - the Department's Gateway Report, received by the Commission on 19 March 2021, including the following attachments:
 - Post Gateway Review Request report, prepared by Ethos Urban, dated 28 January 2021;
 - Attachment A – Gateway Determination Review Application Form, prepared by Stockland, dated 29 January 2021;
 - Attachment B – Council letter of support, dated 29 January 2021;
 - Attachment C – Gateway Determination, dated 13 November 2020;
 - Attachment D – Planning Proposal, prepared by City of Parramatta Council, dated July 2020;
 - Attachment E – Council report and resolution, dated 13 July 2020;
 - Attachment F – Local Planning Panel Report, dated 16 June 2020;
 - Attachment G – Urban Design Report, prepared by Bates Smart, dated 19 May 2020; and addendum (Additional Floor Space Option, prepared by Stockland, dated August 2020);
 - Attachment H – Landscape Concept Plan, prepared by Turf Design Studio, dated 6 July 2018;

- Attachment I – Transport Report, prepared by Colston Budd Rogers & Kafes Pty Ltd, dated July 2018 and updated August 2020; and Traffic and Parking Advice, prepared by JMT Consulting, dated 3 February 2020;
- Attachment J – Flood Advice, prepared by Cardno, dated 13 July 2018;
- Attachment K – Heritage Impact Statement, prepared by NBRs Architecture Heritage, dated 1 April 2019; and Addendum to the Heritage Impact Statement, prepared by NBRs Architecture Heritage, dated 17 August 2020;
- email advice from TfNSW, dated 2 February 2021;
- email advice from Council, dated 4 March 2021; and
- letter from Transport for NSW (TfNSW), dated 11 March 2021;
- supplementary advice from TfNSW to the Department, dated 1 April 2021 and received by the Commission on 12 April 2021;
- letter from the Department to the Commission, dated 16 April 2021 and received by the Commission on 16 April 2021;
- all comments made to the Commission during the meetings outlined in Table 1;
- *Draft Parramatta CBD Planning Proposal*, dated August 2020, including Appendices 1 to 17 (including the *Parramatta CBD Planning Strategy*, adopted by Council on 27 April 2015);
- *City of Parramatta Local Strategic Planning Statement, 2020 (Parramatta LSPS)*;
- *Central City District Plan, 2018 (District Plan)*;
- *Greater Sydney Region Plan, 2018 (Region Plan)*; and
- Sydney West Joint Regional Planning Panel (JRPP) Memo, Folder Number: DA/96/2015, dated 23 November 2015.

2.3 Council's View

23. The Commission notes that Council supports the Proponent's request to remove Gateway conditions 1(c) and 1(d) from the Gateway Determination.
24. Page 3 of the Gateway Report states:

On 26 February 2021, the Department formally requested Council's views on the Gateway determination review request. On 4 March 2021... Council advised that there were no additional comments in relation to the request, noting that Council had previously provided a letter in support of the proponent's request package dated 29 January 2021... Council supports the Gateway review request to:

 1. *remove Gateway condition 1(c) which requires removal of the proposed car parking rates for takeaway food and drink premises and the associated sunset clause, and*
 2. *remove Gateway condition 1(d) which requires inclusion of the isolated site at 383(385) Church St, Parramatta into the Planning Proposal.*
25. Council provided a letter of support to the Department dated 29 January 2021, which indicates that Council considers the Review Request to be consistent with Council's resolution of 13 July 2020 and is therefore supported by Council.
26. The Commission notes that Council previously requested the Department undertake an administrative review of Gateway conditions 1(c) and 1(d) on 23 December 2020 and recommended the conditions be deleted from the Gateway Determination. As noted in the Gateway Report, because the Proponent provided its intent to submit a Gateway review request, the Department did not proceed to consider Council's request for an administrative review of the Gateway Determination.
27. Further detail of Council's views on Gateway conditions 1(c) and 1(d) is provided in sections 2.5 and 2.6 below.

2.4 The Department's Consideration

28. The Commission notes the Department's position, as stated at its meeting with the Commission on 13 April 2021, that Gateway condition 1(c) should not be removed from the Gateway Determination.
29. The Commission also notes the Department supports the deletion of Gateway condition 1(d) in the context of Council's views (paragraph 24 above) and the justification provided in the Proponent's Gateway Review Request Report.
30. Further detail of the Department's views on Gateway conditions 1(c) and 1(d) is provided in sections 2.5 and 2.6 below.

2.5 Condition 1(c) – Take Away Food and Drink Premises Car Park Rate

31. Condition 1(c) of the Gateway Determination reads as follows:
 1. *Prior to exhibition, the Planning Proposal be amended as follows:*
 - c) *Remove the proposed car parking rates for take away food and drink premises and the associated sunset clause; ...*
32. As described in paragraph 16 above, the Proponent is seeking to achieve a bespoke car parking rate of 1 space per 30m² of gross floor area (GFA) or a maximum of 30 spaces, whichever is the lesser, for a take away food and drink premises on the Site.
33. The Department's view of the proposed bespoke parking rate is set out in the Gateway Report, which states:

The Department notes the justification provided by the proponent and Council's views on the Gateway review request. However, the Department's position remains unchanged on the specific parking rate for take away food and drink premises (page 7).
34. The Commission notes the Department considers that the proposed bespoke car parking rate is inconsistent with the long-term strategic plans for the Parramatta CBD (CBD) as the Central City and will create an undesirable precedent for other development in the CBD (page 7 of the Gateway Report). The Department is of the view that the Site will be supported by public transport and active transport when the Parramatta Light Rail Stage 1 is expected to become operational in 2023.
35. At its meeting with the Commission on 13 April 2021, the Department stated:

[The Department has] been holding a consistent policy position on all planning proposals in the CBD since 2016. So, when... these site-specific planning proposals started coming through, Transport and RMS at the time raised some concerns around parking rates and... not having that underlying analysis and evidence base in terms of [impact of] the development on the road network. So, in 2016 the policy position was taken to implement some fairly stringent parking controls across the CBD which really was there to enable site-specific planning proposals to progress in advance of the CBD planning proposal (page 3 of the meeting transcript).
36. Council's view of the proposed bespoke parking rate is provided in the Gateway Report, which states:

Council officers identify that the car parking rates endorsed by Council represent a balanced approach that limits setting an undesirable precedent for parking provision, while also advancing a shared vision to see this site redeveloped in accordance with the Parramatta CBD Planning Proposal (page 4).

37. The Commission notes Council's comments at its meeting with the Commission on 7 April 2021 that Council is of the view that the proposed bespoke parking rate would not set a precedent in Parramatta CBD as the Site is the only take away food and drink premises with a drive-through located on an arterial road in the Parramatta CBD Planning Proposal area (page 5 of the meeting transcript).
38. The Commission notes that the Gateway Report states that Council officers had previously expressed concern about the proposed car parking rate when compared against the parking provision in other strategic centres in Sydney and that Council proposed an alternative rate for takeaway food and drink premises on the Site which would result in approximately 20 parking spaces. However, the Gateway Report states that Council accepts the Proponent's view that the development would not be feasible under the alternative rate and therefore support the proposed parking rate.
39. At its meeting with the Commission on 7 April 2021, Council stated:
- ... we have sought to put in place parking controls for sites... that are consistent with what we anticipate will be in the CBD [Planning Proposal] in the future, which is rates consistent with the class A rates in the City of Sydney plan, and we've progressed on that basis.*
- So, the issue that is material to this application is the applicant requested a consideration of a variation to that approach to allow additional car parking on this particular site... (page 3 of the meeting transcript).*
40. Council commented on the unique nature of the proposed land use on the Site within the CBD context and stated that the Proponent was able to "achieve Council's objectives in terms of urban design and other outcomes" (page 4 of the meeting transcript) and that Council felt it "could defend a decision to vary the controls on this particular site" (page 5 of the meeting transcript).
41. At its meeting with the Commission, Council noted that without the proposed bespoke parking rate, the Site may be "retained as it is, with the existing car parking arrangements, and the existing poor urban design outcomes... We didn't think that was a good outcome" (page 4 of the meeting transcript).
42. The Proponent considers that the proposed bespoke parking rate will not create a precedent for other sites in the CBD area and, when compared with the existing situation, will not result in increased traffic volumes. The Proponent's views are stated at page 6 of the Gateway Report:
- *Parramatta Local Environmental Plan 2011 currently contains a parking rate relevant to the proposed use (allowing 37 spaces), however, the draft controls currently contained in the CBD planning proposal do not. This is because the draft CBD proposal adopts City of Sydney rates, which do not include a specific rate for Take Away Food and Drink Premise.*
 - *The site is currently the only Take Away Food and Drink Premise with seating and a drive-through located on an arterial road in the Parramatta CBD planning proposal area.*
 - *The planning proposal provides an opportunity to "unlock" redevelopment of this site in line with the Parramatta CBD planning proposal and the proposed parking rates will not increase traffic volumes or vehicle delays under the redeveloped scenario when compared with the existing situation.*
 - *A bespoke rate will provide development assessment officers with an appropriate policy framework and tool for considering and assessing any future DA involving a Take Away Food and Drink Premise.*
 - *Council's support for the site-specific car parking rate was based on the unique circumstances surrounding the site.*

43. At its meeting with the Commission on 12 April 2021, the Proponent stated that the proposed parking rate would not set a precedent that would impact the operation of the road network in the Parramatta CBD because it is the only premises of its kind in the Parramatta CBD Planning Proposal area (page 7 of the meeting transcript).

Transport for NSW Supplementary Advice

44. On 12 April 2021, the Commission was provided with a copy of written correspondence between TfNSW and the Department, dated 1 April 2021, regarding the proposed maximum parking rates for takeaway food and drink premises on the Site (Supplementary Advice).
45. The Commission notes that the Supplementary Advice provided by TfNSW differs from its previous advice in its letter dated 11 March 2021. While TfNSW previously did not support the proposed maximum parking rate of approximately 30 spaces for a takeaway food and drink premises on the Site, the Supplementary Advice provides that TfNSW no longer objects to the application of a bespoke parking rate. In its Supplementary Advice, TfNSW states that:

Based on the capped parking for the takeaway food and drink premises and parking for the remainder of any future development on the site being in accordance with the Parramatta CBD Planning Proposal controls, it is agreed that the site-specific implications of the proposal will not likely have any significant material consequences for the surrounding transport network operations.

46. The Commission considers TfNSW's Supplementary Advice to be materially important to its consideration of the Review Request. Therefore, on 13 April 2021 the Commission sought the Department's advice with respect to the TfNSW Supplementary Advice.
47. The Department responded to the Commission's request on 16 April 2021. In its letter, the Department stated:

The Department's position remains unchanged for the request to remove the proposed specific car parking rate for take away food and drink premises and associated sunset clause as part of Gateway condition 1(c). The Department notes that further work is being undertaken by [Council] in the preparation of a mesoscopic model and Parramatta Integrated Transport Plan, both of which are required to be completed prior to the finalisation of the Parramatta CBD Planning Proposal (CBD proposal) ...

TfNSW has suggested that the site-specific implications of the proposal will not likely have any significant material consequences surrounding transport network operations. It should be noted that the Parramatta CBD Strategic Transport study supporting the CBD proposal states that the current road network has limited capability to expand; and new surface transport infrastructure like Parramatta Light Rail further impacts on the road space allocation for private vehicles. Without the mesoscopic transport model and the Parramatta Integrated Transport Plan, the cumulative impacts on the network operations in the Parramatta CBD are unknown.

48. Furthermore, the Department's letter to the Commission confirms its views regarding the potential for the bespoke parking rate to create a precedent for development in the CBD area. The Department stated:

It is considered that the bespoke car parking rate will create a precedent for other developments in the CBD and is inconsistent with the long-term strategic vision for the Parramatta CBD as the Central River City. Although there are no other sites containing a takeaway food and drink premises with a drive through and seating located within the CBD proposal area, there is nothing preventing other landowners pursuing such a commercial interest.

Commission's Finding

49. The Commission has considered the Proponent's justification for the deletion of Gateway condition 1(c) and the views of Council and the Department with respect to this issue. The Commission has also considered the views of TfNSW in its Supplementary Advice.
50. Although the Commission acknowledges the Department's objective of maintaining a consistent policy position prior to the finalisation of the Parramatta CBD Planning Proposal and Parramatta Integrated Transport Plan, the Commission considers that in this instance, the benefits of permitting the proposed site-specific parking rate on the Site outweigh any policy implications that might otherwise arise.
51. The Commission agrees with the views of Council, as set out in paragraphs 36 above, and TfNSW, described at paragraph 45 above.
52. The reasons for the Commission's findings are as follows:
 - the Commission accepts that the adoption of the site-specific parking rate provides certainty for McDonalds and consequently an opportunity to renew the Site (in joint venture with Stockland) consistent with the Parramatta CBD Planning Proposal which aims to achieve Council's vision for the growth of the Parramatta CBD as Sydney's second CBD;
 - the Planning Proposal achieves Council's urban design objectives for the area, as stated at paragraph 40, and will result in improved outcomes for this part of the CBD when compared with the existing situation. It also responds to previous concerns raised by the Sydney West Joint Regional Planning Panel regarding design issues and site opportunities;
 - the Commission accepts the findings of the Traffic and Parking Advice (prepared by JMT Consulting, dated 3 February 2020) which concludes that the proposed parking rates under the redeveloped scenario will "result in no net increase in traffic movements on the road network" (Section 3.4) when compared with the existing situation. Consequently, the redevelopment of the Site is unlikely to have further impacts on road space allocation for private vehicles and therefore not contribute to cumulative impacts on network operation;
 - the Commission accepts TfNSW's Supplementary Advice which concludes that the proposed site-specific parking rate would not have significant consequences for surrounding transport network operations; and
 - the Commission is not convinced that the adoption of the site-specific parking rate will set an undesirable precedent in the CBD given it is the only take away restaurant in the CBD with drive-through facilities on a main road. The Commission notes that the Parramatta CBD Planning Proposal will be made in approximately June 2021, as stated by the Department during their meeting with the Commission (meeting transcript page 7), therefore providing for more stringent parking controls across the CBD.
53. Given the above, the Commission finds that the Gateway Determination should be amended to delete Gateway condition 1(c).

2.6 Condition 1(d) – Isolated Site

54. Condition 1(d) of the Gateway Determination reads as follows:

1. Prior to exhibition, the Planning Proposal be amended as follows: ...
- d) Include the isolated site at 383 Church Street within the proposal consistent with the Parramatta CBD Planning Proposal; ...

55. The Commission notes that the Isolated Site is located to the north-east of the Site at the corner of Church Street and Ross Street, as illustrated at **Figure 1**, and that the correct address of the Isolated Site is 385 Church Street, Parramatta (as noted at paragraph 7 above). The Gateway Report states that “the isolated site comprises a three-storey mixed use development, with retail and office space” (page 2).

56. The Commission notes the Department’s reason for imposing condition 1(d) to the Gateway Determination, as set out in the Gateway Report, which is as follows:

Regarding the isolated site, the Gateway determination assessment report noted the proponent had undertaken work to demonstrate how the adjoining site could be redeveloped under the sliding scale provisions of the CBD proposal as well as consideration of the planning principles in relation to site isolation. The Department’s assessment report identified that the amalgamation of the subject site with the isolated site would likely facilitate a better planning outcome. As a result, a Gateway condition (1)(d) was placed requiring that the planning proposal be amended prior to exhibition to include the isolated site within the proposal consistent with the Parramatta CBD planning proposal (page 3).

57. The Commission notes Council’s view of condition 1(d) as described on page 5 of the Gateway Report:

Council notes the controls that would be added to apply to the isolated site are already contained in the draft CBD proposal, which has already been exhibited. Given that the subject site-specific planning proposal still requires the resolution of a Development Control Plan (DCP) and Voluntary Planning Agreement (VPA) before it can be exhibited (consistent with Gateway condition 1(f) and Council resolution) means that it is likely that these controls will be put in place for this site before the site-specific planning proposal can be finalised. As a result, Council states all the resources that go into including the isolated site in this site-specific planning proposal are effectively wasted.

58. The Commission has also considered the Proponent’s justification regarding the deletion of condition 1(d), as outlined on page 6 of the Gateway Report states:

The review request expresses concern that including the isolated site will result in a risk of delaying the progress of the site-specific planning proposal. This is due to Council’s Planning Agreement policy would not allow the isolated site to be included in the site-specific planning proposal unless the owner of that site has entered into a VPA.

Additionally, it is argued that the controls to apply to the isolated site are those contained in the draft CBD planning proposal which has already been exhibited. Given that the site-specific planning proposal still requires the resolution of the DCP and VPA before it can be exhibited it is likely that the CBD proposal controls will be put in place for the isolated site before the site-specific proposal can be finalised. This could result in the inefficient use of resources that go into including the isolated site, such as negotiating a VPA and DCP with the adjoining landowner.

59. The Commission understands that Stockland had previously made efforts to acquire the Isolated Site, as described in the Gateway Report, but that the current landowner did not express an interest in selling.

60. The Commission notes that the Department accepts the argument set out by Council and the Proponent that the Parramatta CBD Planning Proposal will amend the controls of the Isolated Site when it is finalised in any case, and that this is "likely to occur prior to the finalisation of the site-specific planning proposal" (page 8 of the Gateway Report). Additionally, the Gateway Report states:

Although the Department considers the amalgamation of the subject site with the isolated site would likely facilitate a better planning outcome, it is acknowledged that including the isolated site could potentially result in delaying the progression of the site-specific planning proposal (page 8).

61. The Commission notes the Department's recommendation set out on page 9 of the Gateway Report:

Given the State Government's objective to reducing the time taken to complete Local Environmental Plans and the justification provided in the review request and Council's views, it is considered appropriate to delete condition 1(d) from the Gateway determination.

Commission's Finding

62. The Commission has considered the Proponent's justification for the deletion of Gateway condition 1(d) and the views of Council and the Department with respect to this issue. The Commission agrees with the views of Council and the Department as set out in paragraphs 57 and 61 above, that the Parramatta CBD Planning Proposal will amend the controls of the Isolated Site and that this is likely to occur prior to the finalisation of the site-specific Planning Proposal. As such, the Commission agrees that inclusion of the Isolated Site could delay the progression of the site-specific Planning Proposal with no real benefit.

63. The Commission finds that the Gateway Determination should be amended to delete Gateway condition 1(d).

3 CONCLUSION: THE COMMISSION'S ADVICE

64. The Commission has undertaken a review of the Gateway Determination as requested by the Department (paragraph 10 above). In doing so, the Commission has considered the Material (paragraph 22 above), submissions by Council and the Proponent and reasons given for the determination in the Department's Gateway Report.
65. The Commission agrees with the views of Council and TfNSW and finds that the Gateway Determination should be amended to delete Gateway condition 1(c).
66. The Commission agrees with the views of Council and the Department and finds that the Gateway Determination should be amended to delete Gateway condition 1(d).
67. The Commission notes that Gateway condition 2 requires Council to ensure consistency between the Planning Proposal and the Parramatta CBD Planning Proposal prior to finalisation of the plan. The Commission agrees with this condition other than where it relates to site-specific car parking controls for the reasons provided in section 2 of this Gateway Determination Advice Report.
68. The Commission advises the Minister's delegate that the Gateway Determination issued on 13 November 2020 should be upheld and the Gateway conditions should be amended to delete Gateway conditions 1(c) and 1(d) for the reasons provided in section 2 of this Gateway Determination Advice Report.



Chris Wilson (Chair)
Member of the Commission

APPENDIX A

Table 2 – History of the Planning Proposal (source: based on Department's Gateway Report)

Date	Description
November 2015	McDonalds and Endeavour Property Group submitted a Development Application (DA) for the Site to the then Sydney West Joint Regional Planning Panel (JRPP) for a mixed-use development that included an upgraded McDonalds restaurant with 36 dedicated car parking spaces.
21 August 2018	A Planning Proposal request for the Site, prepared by Ethos Urban on behalf of the Proponent, was submitted to Parramatta Council.
13 July 2020	Council resolved to endorse the site-specific Planning Proposal.
19 August 2020	Council submitted the Planning Panel to the Department for Gateway.
2 November 2020	Public exhibition of the <i>Draft Parramatta CBD Planning Proposal</i> concluded (Council is currently reviewing submissions received).
13 November 2020	Gateway Determination was issued by the Department.
23 December 2020	Council Officers made a request to the Department for an administrative review of the two conditions. However, as the Proponent provided their intent to submit a Gateway review request, the Department did not proceed to alter the Gateway Determination.
29 January 2021	Council provided a letter to the Department in support of the Proponent's intention to seek a Gateway Determination review.
29 January 2021	The Proponent submitted a Gateway Determination review request, prepared by Ethos Urban, to the Department.
26 February 2021	The Department formally requested Council's views on the Gateway Determination review request.
4 March 2021	Council advised the Department that there were no additional comments in relation to the request, noting that Council had previously provided a letter in support of the proponent's request package dated 29 January 2021.
19 March 2021	The Commission received the Gateway Determination review request letter and Assessment Report from the Department.
12 April 2021	The Commission was provided with a copy of correspondence between TfNSW and the Department, dated 1 April 2021, regarding the proposed maximum parking rates at the Site.
13 April 2021	The Commission sought the Department's advice with respect to the TfNSW correspondence.
16 April 2021	The Department provided their advice in response to the Commission's request.

**Transport
for NSW**Received by IPC
12 April 2021

Nathalie O'Toole
Senior Manager Planning Concierge
Department of Planning, Industry and Environment
Locked Bag 5022
PARRAMATTA NSW 2124

Dear Ms O'Toole,

**Planning Proposal – 355 and 375 Church Street Parramatta
Supplementary Advice**

Thank you for organising the meeting held on 30 March 2021, where additional information prepared by the proponent of the subject planning proposal was presented. Additional information was also provided by the proponent via email correspondence on 30 March 2020 for our further consideration of the subject matter.

It is noted that the proponent is seeking a maximum parking rate of 30 spaces for the *takeaway food and drink premises* (McDonald's) through a site-specific provision in the Parramatta LEP, together with a proposed sunset clause. The argument put forward by Ethos Urban (in their report) that this will not create a precedent is a planning matter, and as such your Department is best placed to assess and consider this aspect.

It is understood that the proponent is seeking amendment of Gateway condition 1(c) (shown below):

- *Condition 1(c) – Remove the proposed car parking rates for takeaway food and drink premises and the associated sunset clause.*

TfNSW has reviewed the additional information and we raise no objections to the amendment of the Gateway condition 1(c) and site-specific controls in the planning proposal/written instrument. A suggestion for your consideration is outlined below:

- *Amended Condition 1(c) – Apply maximum car parking rates as follows:*
 - *For floorspace used for the purposes of take away food and drink premises at 355 and 375 Church Street Parramatta: 1 space / 30 square metres of Gross Floor Area or 30 spaces (whichever is the lesser).*
 - *For all other uses, the maximum rates are currently contained in the Parramatta CBD Planning Proposal.*

Based on the capped parking for the *takeaway food and drink premises* and parking for the remainder of any future development on the site being in accordance with the Parramatta CBD Planning Proposal controls, it is agreed that the site-specific implications of the

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proposal will not likely have any significant material consequences for the surrounding transport network operations.

Please note that the above advice pertains only to Gateway condition 1(c) and the car parking aspects of the planning proposal. TfNSW reserves the right to provide further comments on the planning proposal from a traffic and transport perspective once it has been updated in accordance with the Gateway requirements and formally referred to us as part of the agency consultation and/or public exhibition.

In particular, we note that a Gateway condition also requires that a site-specific Development Control Plan (DCP) be prepared for the site. TfNSW is currently building the Parramatta Light Rail (PLR), which is due to be operational by 2023. PLR will be operating on Church Street adjacent to the site, and any interactions from adjoining development including vehicles, service vehicles, bicycles and pedestrians will need to be considered in the preparation of the site-specific DCP. This will include the need for detailed consideration of the drive-through operation of McDonald's. The DCP may also consider whether the parking allocated to the *takeaway food and drink premises* can be adapted to other uses in the future.

TfNSW would welcome the opportunity to provide advice during the preparation of the site-specific DCP to ensure that any interface with the adjoining road network poses minimal implications for the PLR operations.

Thank you again for the opportunity of providing advice on the above matter. If you require any further information, please send your query to development@transport.nsw.gov.au. I hope this has been of assistance.

Yours sincerely



1/4/2021

Mark Ozinga

Senior Manager, Land Use Planning & Development
Customer Strategy and Technology

CD21/01402