

# PLANNING PROPOSAL

90-94 Phillip Street, Parramatta

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Planning Proposal drafts

Proponent versions:

No.	Author	Version
1.	Think Planners Pty Ltd	28 May 2024 Version endorsed by Council at its Meeting 8 July 2024

Council versions:

No.	Author	Version
1.	City of Parramatta Council	September 2024 Version submitted to Department of Planning, Housing and Infrastructure seeking Gateway determination

# INTRODUCTION

This Planning Proposal explains the intended effect of, and justification for, the proposed amendment to *Parramatta Local Environmental Plan 2023*. It has been prepared in accordance with Section 3.33 of the *Environmental Planning and Assessment Act 1979* and the Department of Planning and Environment (DPE) guide, 'A Guide to Preparing Local Environment Plans' (December 2021).

## Background and context

In October 2018, the applicant (at that time, Hamptons Property Services, now Think Planners) lodged a Planning Proposal with the City of Parramatta Council for land at 90 to 94 Phillip Street, Parramatta seeking to increase the density of development permitted on the site.

The subject site is located at 90 and 94 Phillip Street, Parramatta and has a legal description of Lot 10 DP 773452 (90 Phillip St) and Lot 2 DP 706033 (94 Phillip Street) (see **Figure 1**). The site is on the southern bank of the Parramatta River and is to the west of the Ferry Wharf known as “Parramatta Quay” and the recently completed Charles Street Square. The total site area is 2,192 sqm.

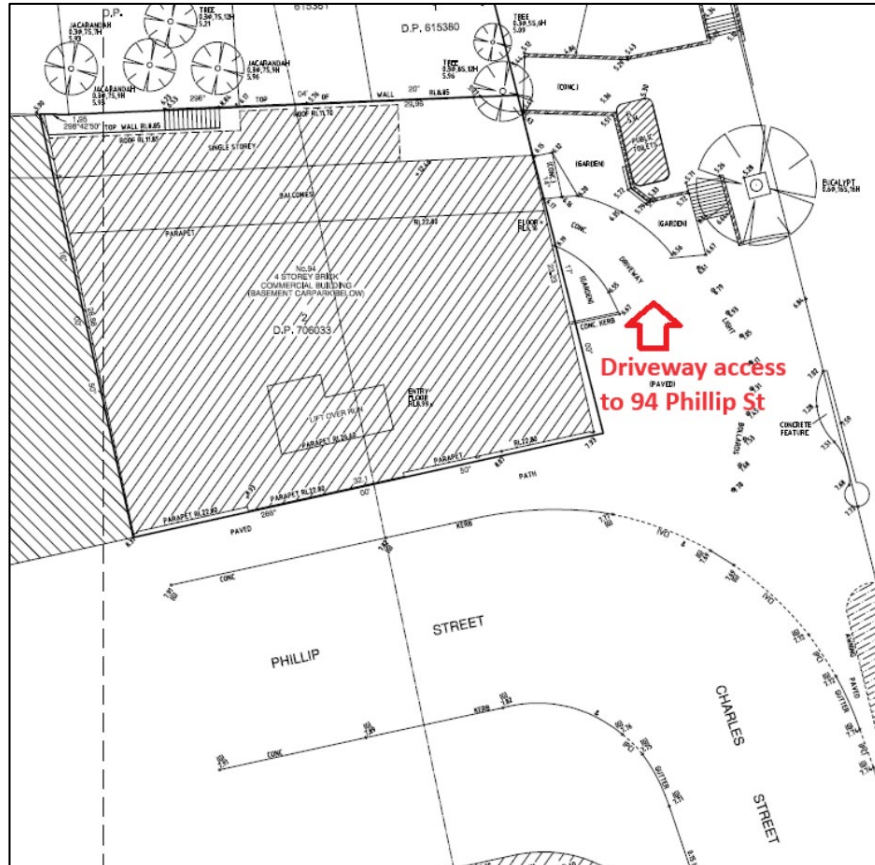


**Figure 1** – Site/s at 90-94 Phillip Street, Parramatta subject to the Planning Proposal

Both 90 and 94 Phillip Street contain existing four storey commercial buildings with above ground and partial basement level car parking. Vehicular access is provided to 90 Phillip Street directly

from Phillip Street. Vehicular access is provided to 94 Phillip Street from a driveway over an unmade part of Charles Street directly to the east of the site (refer to **Figure 2** below). To the site's northeast is the Charles Street Weir at Parramatta River adjacent to Charles Street which is listed under Schedule 5 of Parramatta LEP 2023 as a local heritage item.

The site is located north-east of the Parramatta CBD within close proximity to employment opportunities, educational establishments, recreational activities, and public transportation.



**Figure 2** – Extract from site survey indicating location of current driveway access to 94 Phillip St over unmade portion of Charles Street (Source Applicant's site survey – Norton Survey Partners)

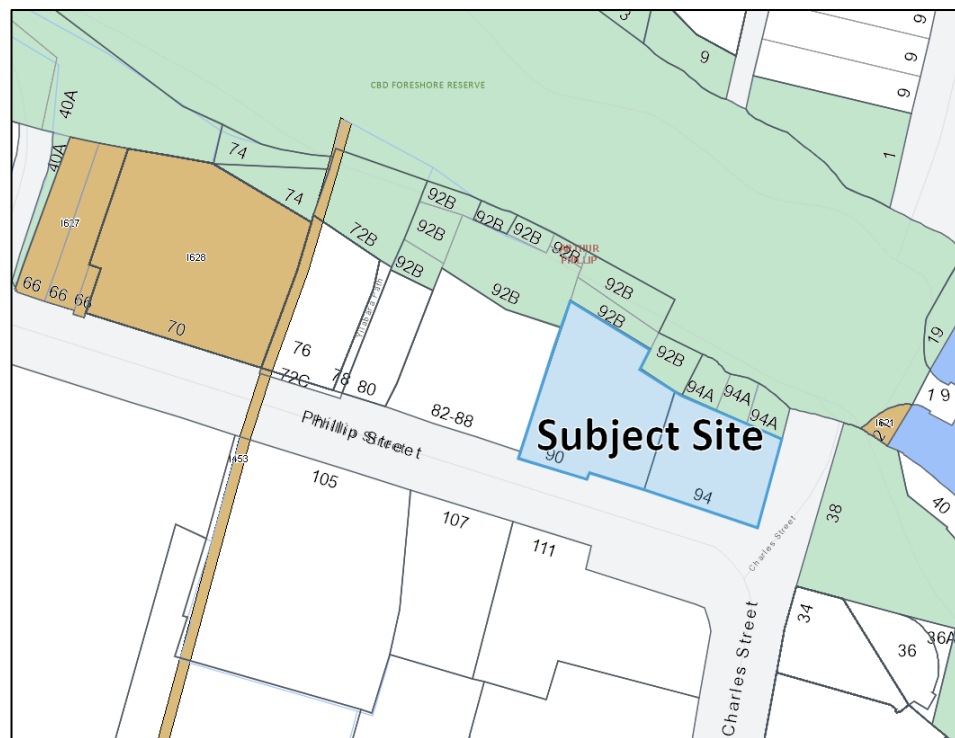
Under *Parramatta Local Environmental Plan 2023* the site:

- is zoned part MU1 Mixed Use and part RE1 Public Recreation
- has a maximum building height of part 0 metres and part 80 metres (105 metres including 15% Design Excellence bonus and 13 metres bonus under Clause 7.28A.\*
- has a maximum floor space ratio (FSR) of 6:1 mapped (9.7:1 including 15% Design Excellence bonus and 2.5:1 bonus under Clause 7.28A);
- has a maximum tower width of 35 metres when viewed from the Parramatta River in order to use the 2.5:1 bonus FSR.
- Local Road Widening Reservation under the Land Reservation Acquisition Map. This applies to a narrow strip of land approximately 2 metres wide on part of the Phillip Street frontage of 90 Phillip Street.

An extract of each the above maps is provided in Part 4 – Mapping; specifically, Section 4.1 Existing controls.

(\*Note: at the time of the preparation of the report to the Local Planning Panel on 4 June 2024 and the report to Council on 8 July 2024, the height map showed a height control of 80 metres across the entirety of the site. However, this was an anomaly and a small part of the site along the northern and eastern perimeter should have been subject to a 0 metre height control. The 0-metre height control was introduced by State Environmental Planning Policy Amendment (Parramatta CBD) (No. 2) 2022 along the northern and eastern perimeter of the site. The control was to have a delayed commencement date of 30 June 2023, however, the deferred commencement was not carried over into Parramatta LEP 2023. The DPHI have since corrected the error under Parramatta LEP 2023 Map Amendment 4 and the height map now includes the 0 metre height control for part of the site.)

The site is not heritage listed. However, there are several items within proximity to the site that are identified as items of local heritage significance under Parramatta LEP 2023 (Refer to **Figure 3** below).



**Figure 3 – Heritage items within proximity of the subject site (shown in brown shading)**

Approximately 40 metres to the north-east of the site is “Charles Street Weir”. Approximately 70 metres to the west of the site is the “Convict Drain”, further to the west is the item named “Office and potential archaeological site” at 70 Phillip Street and “Barnaby’s Restaurant and potential archaeological site” at 66 Phillip Street.

The site is also subject to the Parramatta Development Control Plan (DCP) 2023, specifically Section 9.5.1.2 which contains controls relating to the City East Block. The City East Block includes the subject site and is bound by Wilde Avenue, Phillip Street, Charles Street Square and the north bank river foreshore open space (see **Figure 4** below).



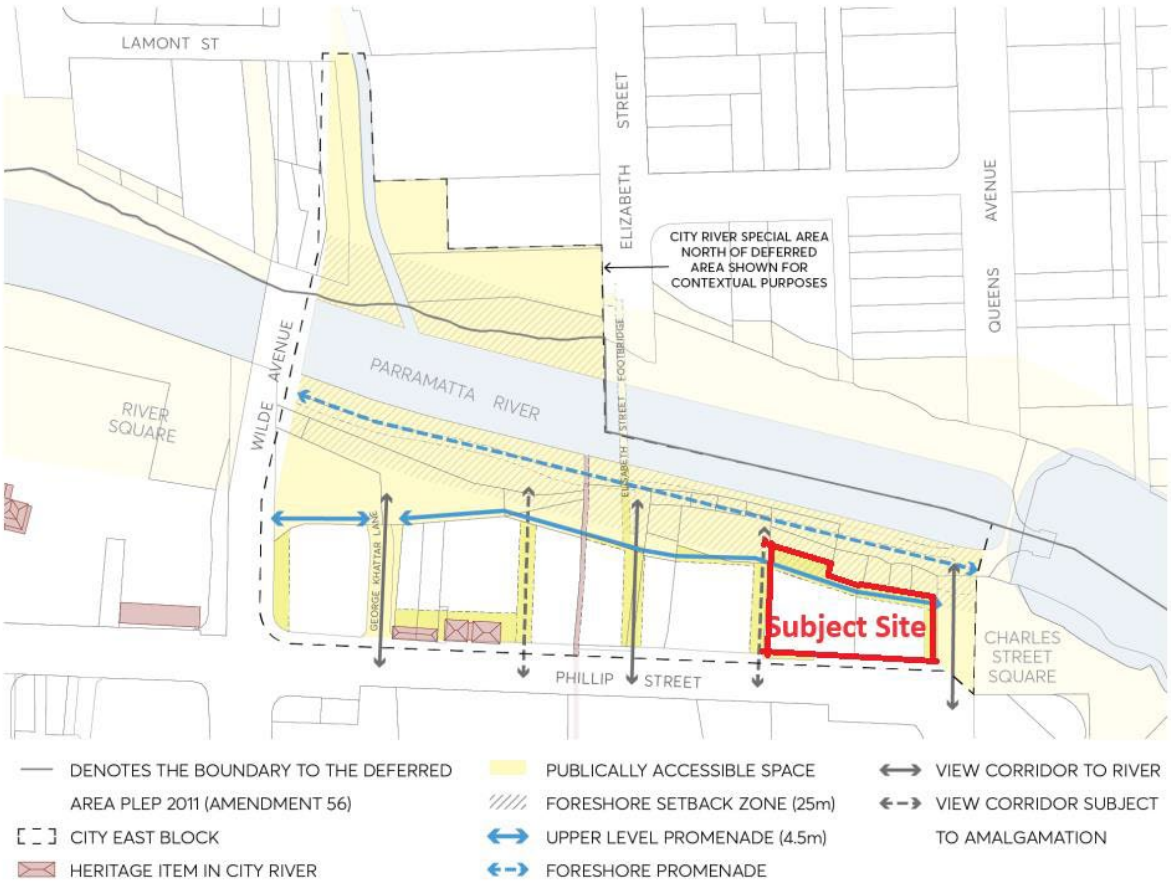


Figure 4 – Extract from Parramatta DCP 2023 - City East Block Framework



# PART 1 – OBJECTIVES AND INTENDED OUTCOMES

The objective of this Planning Proposal is to amend the *Parramatta LEP 2023* to provide for the development of the subject site at 90-94 Phillip Street to increase the density of development permitted on the site.

## Intended Outcomes

The intended outcomes of the planning proposal are to:

- Facilitate redevelopment of the site for a mixed use or fully commercial building permissible under the existing land use zoning for the site (MU1 Mixed Use).
- Contribute towards meeting the objectives of the Greater Sydney Region Plan and the Central City District Plan by permitting growth in a location well served by infrastructure including existing and proposed public transport.
- Contribute towards meeting growth targets within Council's Local Strategic Planning Statement (LSPS) and Local Housing Strategy (LHS) through the provision of additional employment floorspace, and additional dwellings if the mixed-use scheme is pursued.
- Increasing housing and contribute to housing diversity and within proximity to public transport and key amenities including the river foreshore and public reserves.
- Contribute to the rejuvenation of the Southern Foreshore Precinct by encouraging supporting development activity within a mixed-use scenario that can contribute towards the aims of Council's Parramatta CBD River Strategy .

## PART 2 – EXPLANATION OF PROVISIONS

This Planning Proposal seeks to amend *Parramatta LEP 2023 (PLEP 2023)* in relation to the height, floor space ratio controls and amending clause 7.28A to facilitate development of the site for high density commercial or mixed-use development.

In order to achieve the desired objectives, the following amendments to the *PLEP 2023* would need to be made:

1. Amending Clause 7.28A so that it no longer provides a site-specific FSR and height bonus for the subject site.
2. Amend the maximum building height in the **Height of Buildings Map** from part 80 metres (105 metres when including all bonuses) and part 0 metres to part 133 metres (153 metres when including all bonuses) and part 0 metres;
3. Amend the maximum FSR in the **Floor Space Ratio Map** from 6:1 (9.7:1 when including all bonuses) to 13.8:1 (16.56:1 when including all bonuses);

It is noted that the FSR included in the Planning Proposal differs from that endorsed by Council at its Meeting on 8 July (refer to Council Minutes in **Appendix 1**) and that recommended by the Local Planning Panel at its Meeting on 4 June 2024 (refer to Panel Minutes and Report in **Appendix 2**). At Council's Meeting on 8 July 2024, Council resolved, in part as follows:

- (a) *That Council approve, for the purpose of seeking a Gateway determination from the Department of Planning, Housing and Infrastructure (DPHI), the Planning Proposal for land at 90-94 Phillip Street, Parramatta (Attachment 1), which seeks to amend the Parramatta Local Environmental Plan 2023 (Parramatta LEP 2023) in relation to the subject site by:*
- i. Increasing the maximum Height of Buildings control on the map from 80 metres (105 metres when including all bonuses) to part 133 metres (153 metres when including all bonuses) and part 0 metres;*
  - ii. Increasing the Floor Space Ratio (FSR) control on the map from 6:1 (9.7:1 when including all bonuses) to **12.8:1** (15.36:1 when including all bonuses); and*
  - iii. Amending Clause 7.28A so that it no longer provides a site-specific FSR and height bonus for the subject site.*

Since the Meeting, Council Officers have identified a technical issue with the calculation of the proposed FSR. During assessment and reporting of the Planning Proposal, the FSR was calculated on the basis of a total site area of 2,192 sqm which includes a portion of the site zoned RE1 Public Recreation. On this basis, the report to Council noted that the recommended FSR of 12.8:1 (mapped) or 15.36:1 (in total including all bonuses) achieves a Gross Floor Area (GFA) yield of 33,669 sqm and the accompanying reference scheme demonstrated the associated height and built form outcome of this GFA.

However, the RE1 portion of the site should not have been counted towards site area as it is excluded under the provisions of Clause 4.5 of PLEP 2023. As such, the FSR has now been re-calculated at 13.8:1 (15.56:1 when including all bonuses). This higher FSR will achieve the density, built form outcome and height endorsed by Council when applying the correct site area definitions.

## 1.1. Other relevant matters

### 1.1.1. Voluntary Planning Agreement

The Planning Proposal is accompanied by a draft Planning Agreement Letter of Offer which provides for the following:

- a. 5 x affordable housing units (a mixture of four (4) x one bedroom apartments and one (1) x two bedroom apartment);
- b. Dedication of road widening within Phillip Street to Council;
- c. Dedication of land zoned RE1 Public Recreation to Council;
- d. Upgrade of the public domain within Charles Street reserve to the existing Charles Street Square;
- e. Incorporation and construction of an upper-level promenade (4.5 metres wide) fronting the river foreshore;
- f. Development of a 6-metre setback from the Charles Street Square to strengthen and activate the Square.
- g. Creation of an easement in favour of Council permitting public access over the proposed upper level promenade including the 6 metre wide setback area from the eastern boundary.

The draft Planning Agreement based on the applicant's Letter of Offer will be exhibited concurrently with the Planning Proposal and draft DCP amendment.

### 1.1.2. Draft amendment to the DCP 2023

The site is subject to the Parramatta Development Control Plan (DCP) 2023, specifically, Part 9.5.1.2 which contains controls relating to the City East Block. The City East Block includes the subject site and is bound by Wilde Avenue, Phillip Street, Charles Street Square and the north bank river foreshore open space. Part 9.5.1.2 prescribes an eastern side tower setback of 3 metres from the podium wall for the subject site.

A draft amendment to the Parramatta DCP 2023 to accompany the Planning Proposal will be prepared in order to increase the eastern side tower setback to align with the reference scheme and respond to the increase in density as described in **Table 1** below.

	Existing PDCP 2023	Proposed PDCP 2023
Eastern Podium setback	6 metres	No change
Eastern Tower setback	3 metres (from the podium wall)	6 metres (from the podium wall)

The increase in tower setback is proposed for this site in order to mitigate the increased height, bulk, scale and wind impacts from the increased height of the building. A draft amendment to the Parramatta DCP 2023 as described above will be publicly exhibited concurrently with the Planning Proposal as following:

# PART 3 – JUSTIFICATION OF STRATEGIC AND SITE-SPECIFIC MERIT

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?

The Planning Proposal is a result of an application from the landowner seeking to increase the density of development permitted on the site. The Parramatta CBD Planning Proposal was finalised after lodgement of the subject site-specific Planning Proposal. In response, DPE finalisation report recommended that the Phillip Street Block not progress as part of the CBD PP and that the block retain its current controls. Further changes were made to the Parramatta CBD planning controls through State Environmental Planning Policy Amendment (Parramatta CBD) (no. 2) that introduced controls facilitating an uplift for the Phillip Street Block.

The Planning Proposal also responds to Council's Local Strategic Planning Statement (LSPS) which identifies Parramatta CBD as a Metropolitan Centre, a growing district with an increasing range of jobs and services. The LSPS and Local Housing Strategy anticipate an additional 7,180 dwellings and 34,500 jobs by 2036 in the precinct. The Planning Proposal will contribute towards meeting these targets through the provision of additional employment floorspace, and additional dwellings. The Planning Proposal presents the opportunity to accommodate more housing growth in an already identified Growth Precinct in accordance with Council's Local Strategic Planning Statement (LSPS) and Local Housing Strategy (LHS).

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

A planning proposal seeking to amend the PLEP 2023 is the most effective way of providing certainty for Council, the local community and the landowner. The proposed planning controls will encourage redevelopment of the site and provide an opportunity to improve the relationship of the site with the public domain in accordance with the vision within the Parramatta River City Strategy to revitalise the river foreshore.

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

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

**3.2.1. Will the Planning Proposal give effect to the objectives and actions of the applicable regional, or district plan or strategy (including any exhibited draft plans or strategies)?**

**Housing Crisis**

Recent communication from the State Government regarding the current 'housing crisis' identifies the need to factor housing delivery into planning decisions including when assessing Planning Proposals. Specifically, the Premier has requested that Councils 'prioritise the opportunity to deliver homes as part of merit considerations where on balance, dwelling numbers may warrant a scale or built form that is different to the outcome originally anticipated'. The subject proposal will facilitate the delivery of an estimated 405 dwellings contributing toward the overall goal of housing delivery.

**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.

**Infrastructure and Collaboration**

An assessment of the Planning Proposal's consistency with the GSRP's relevant Infrastructure and Collaboration objectives is provided in Table 3a, below.

**Table 3a – Consistency of Planning Proposal with relevant GSRP Actions – Infrastructure and Collaboration**

Infrastructure and Collaboration Direction	Relevant Objective	Comment
<b>A city supported by infrastructure</b>	<b>O1:</b> Infrastructure supports the three cities	The Planning Proposal will facilitate an increase in commercial office space and residential apartments within the Parramatta CBD on a site that is within the vicinity of the Parramatta Transport Interchange and the future Light rail network and Metro giving workers and residents access to train and bus services.
	<b>O2:</b> Infrastructure aligns with forecast growth – growth infrastructure compact	The Planning Proposal will facilitate growth in commercial floor space and hence growth in jobs with a ground level active frontage which

		<p>facilitates more local business opportunities within the GOP area.</p> <p>Any relevant development application will also require the developer to make a monetary contribution as a condition of consent in accordance with the Parramatta City Centre Local Infrastructure Contributions Plan 2022 (Amendment 2). This will ensure the development contributes towards the provision of funding for additional infrastructure required to support the increase in population.</p>
	<b>O3:</b> Infrastructure adapts to meet future need	The proposed consolidation of population around an existing metropolitan centre with numerous public transit options is strategically optimised, effectively supporting the forecast growth.
	<b>O4:</b> Infrastructure use is optimised	In accordance with the Objective 4, the planning proposal will allow for efficient land use by locating new commercial floor space and residential apartments in the vicinity of Parramatta station and future Parramatta Light Rail network and Metro. Future occupants and users of the site will have access to the existing and proposed transport infrastructure and will benefit from the commuting advantages.

### Liveability

An assessment of the Planning Proposal's consistency with the GSRP's relevant Liveability objectives is provided in Table 3b, below.

**Table 3b – Consistency of Planning Proposal with relevant GSRP Actions – Liveability**

Liveability Direction	Relevant Objective	Comment
<b>A city for people</b>	<b>O6:</b> Services and infrastructure meet communities' changing needs	The planning proposal aims to increase the number of people walking to the local centres and facilitates sustainable population growth around the metropolitan centre with access to transit options, community and social infrastructure; and employment opportunities.
	<b>O7:</b> Communities are healthy, resilient and socially connected	
	<b>O8:</b> Greater Sydney's communities are culturally rich with diverse neighbourhoods	
	<b>O9:</b> Greater Sydney celebrates the arts and supports creative industries and innovation	
<b>Housing the city</b>	<b>O10:</b> Greater housing supply	The Planning Proposal intends to

	<b>O11:</b> Housing is more diverse and affordable	provide approximately 405 dwellings on the subject site with a mix of studio, 1, 2 and 3-bedroom apartments contributing to the range of housing available in the LGA.
<b>A city of great places</b>	<b>O12:</b> Great places that bring people together	The planning proposal will enhance accessibility to public open spaces and other places given the site's location in proximity to public transport effectively utilising the existing infrastructure.
	<b>O13:</b> Environmental heritage is identified, conserved and enhanced	<p>The subject site is not heritage listed but is within proximity of multiple heritage items.</p> <p>Council's Senior Heritage Specialist has raised no objection to the Planning Proposal and agrees that the site is sufficiently separated from heritage items and there are likely to be no heritage impacts resulting from the proposal. Further, assessment of a future development application will require due diligence reports that address the impacts on built heritage and archaeology including the imposition of appropriate conditions of consent relating to unexpected findings and specific protocols to be followed in the event any archaeological items are found during the demolition and excavation.</p>

### Productivity

An assessment of the Planning Proposal's consistency with the GSRP's relevant Productivity objectives is provided in Table 3c, below.

**Table 3c – Consistency of Planning Proposal with relevant GSRP Actions – Productivity**

Productivity Direction	Relevant Objective	Comment
<b>A well-connected city</b> [see p.78 of the GSRP for a summary of the directions in this column]	<b>O14:</b> Integrated land use and transport creates walkable and 30 minute cities	The planning proposal satisfies this direction by co-locating commercial spaces and residential apartments on a site that is within walking distance (800m) to Parramatta Transport Interchange, the Parramatta Light Rail network (within 600m) and the future Metro (within 500m) and will uphold the concept of a 30-minute city.
	<b>O15:</b> The Eastern, GPOP and Western Economic Corridors are better connected and more competitive	
<b>Jobs and skills for the city</b>	<b>O19:</b> Greater Parramatta is stronger and better connected	The subject site is located within 800m of the Parramatta Train Station, also within close proximity to Stage 1 of the Parramatta Light Rail, with a proposed light rail stop to be



		<p>located at the corner of Harris and Macquarie Streets approximately 600 metres walking distance from the site.</p> <p>The subject site is within 500m walking distance of the proposed metro station to be located in the Parramatta City Centre..</p> <p>Due to its CBD location, the site is also highly accessible to existing bus services, pedestrian pathways, and cycleways.</p>
	<b>O22:</b> Investment and business activity in centres	The planning proposal facilitates a mixed-use development that provides additional job opportunities in the Parramatta CBD.

### Sustainability

An assessment of the Planning Proposal's consistency with the GSRP's relevant Sustainability objectives is provided in Table 3d, below.

**Table 3d – Consistency of Planning Proposal with relevant GSRP Actions – Sustainability**

Sustainability Direction	Relevant Objective	Comment
<b>A city in its landscape</b> [see p.142 of the GSRP for a summary of the directions in this column]	<b>O27:</b> Biodiversity is protected, urban bushland and remnant vegetation is enhanced	The site currently contains two commercial buildings providing a high site coverage. Due to the highly developed nature of the site, the site is does not to contain any habitat and therefore there is little likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats could be adversely affected because of the Planning Proposal.
	<b>O30:</b> Urban tree canopy cover is increased	There are opportunities for enhancing the canopy cover with future development of the 6 metre setback from the Charles Street Square and within the portion of the site zoned RE1 Public Recreation. These matters will be addressed as part of any future development proposal, including a design excellence competition.
	<b>O31:</b> Public open space is accessible, protected and enhanced	The proposed development at the corner of Phillip Street and Charles Street Square aims to create a positive interface with the public domain consistent with the urban design principles within the Parramatta River City Strategy.
	<b>O32:</b> The Green grid links Parks, open spaces, bushland and walking and cycling paths	

		Under the draft planning agreement, the redevelopment of the site will include a publicly accessible upper level promenade within the site. The promenade is part of a proposed pedestrian accessway which will eventually provide flood free pedestrian access for the public from Charles Street Square to the Power House Museum. The draft Planning Agreement also provides that the public domain within Charles Street reserve will be upgraded to integrate with the existing Charles Street Square. The inclusion of commercial spaces on the ground floor, facing the river, Phillip Street, and Charles Street Square will also foster an active and inviting pedestrian environment along the riverfront.
An efficient city	<b>O33:</b> A low-carbon city contributes to net-zero emissions by 2050 and mitigates climate change	Environmental impacts, including sustainability, will be addressed as part of any future development proposal, including a design excellence competition. The development application will be assessed having regard to Parramatta DCP 2023, in particular, Section 9.8 Environmental Sustainability.
	<b>O34:</b> Energy and water flows are captured, used and re-used	
	<b>O35:</b> More waste is re-used and recycled to support the development of a circular economy	
A resilient city	<b>O36:</b> People and places adapt to climate change and future shocks and stresses	The subject site is located on the southern foreshore of the Parramatta River and as such, is subject to riverine flooding and overland flows.  According to the flood report prepared by Water Technology on behalf of the applicant in accordance with the Parramatta River Flood Study 2024, a mixed use development on the site would be compatible with flood risks.
	<b>O37:</b> Exposure to natural and urban hazards is reduced	
	<b>O38:</b> Heatwaves and extreme heat are managed	

### Implementation

An assessment of the Planning Proposal's consistency with the GSRP's relevant Implementation objectives is provided in Table 3e, below.

**Table 3e – Consistency of Planning Proposal with relevant GSRP Actions – Implementation**

Implementation Direction	Relevant Objective	Comment
Implementation	<b>O39:</b> A collaborative approach to city planning	The proposal is responding to collaboration between multiple teams in Council and consultation with the applicant.

### 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.

### **Infrastructure and Collaboration**

An assessment of the Planning Proposal’s consistency with the CCDP’s relevant Infrastructure and Collaboration Priorities and Actions is provided in Table 4a, below.

**Table 4a – Consistency of Planning Proposal with relevant CCDP Actions – Infrastructure and Collaboration**

Infrastructure and Collaboration Direction	Planning Priority/Action	Comment
<p><b>A city supported by infrastructure</b></p> <p><b>O1:</b> Infrastructure supports the three cities</p> <p><b>O2:</b> Infrastructure aligns with forecast growth – growth infrastructure compact</p> <p><b>O3:</b> Infrastructure adapts to meet future need</p> <p><b>O4:</b> Infrastructure use is optimised</p>	<p><b>PP C1: Planning for a city supported by infrastructure</b></p> <ul style="list-style-type: none"> <li><b>A1:</b> Prioritise infrastructure investments to support the vision of <i>A metropolis</i></li> <li><b>A2:</b> Sequence growth across the three cities to promote north-south and east-west connections</li> <li><b>A3:</b> Align forecast growth with infrastructure</li> <li><b>A4:</b> Sequence infrastructure provision using a place based approach</li> <li><b>A5:</b> Consider the adaptability of infrastructure and its potential shared use when preparing infrastructure strategies and plans</li> <li><b>A6:</b> Maximise the utility of existing infrastructure assets and consider strategies to influence behaviour changes to reduce the demand for new infrastructure, supporting the development of adaptive and flexible regulations to allow decentralised utilities</li> </ul>	<p>The proximity of the site to existing and future major transport infrastructure makes the site an ideal location for higher density residential and commercial development. Development of the site is also likely to contribute to mode shift away from private vehicles and towards public and active transport.</p> <p>The planning proposal will allow for efficient land use by facilitating development within proximity of Parramatta railway station and the future light rail and metro station.</p> <p>Future occupants and users of the site will have access to the existing and proposed transport infrastructure and will benefit from the commuting advantages.</p> <p>Any related development application in the future will also require the developer to make a monetary contribution as a condition of consent in accordance with the Parramatta City Centre Local Infrastructure Contributions Plan 2022 (Amendment 2). This will ensure the development contributes towards the provision of funding for additional infrastructure required to support the increase in population.</p>
<p><b>O5:</b> Benefits of growth realized by collaboration of governments, community and business</p>	<p><b>PP C2: Working through collaboration</b></p> <ul style="list-style-type: none"> <li><b>A7:</b> Identify prioritise and delivery collaboration areas</li> </ul>	<p>The proposal is a result of collaboration between multiple teams within Council and consultation with the applicant.</p> <p>Should the proposal receive a Gateway determination, it will be placed on public exhibition, providing an opportunity for government departments, the community and business to comment on the proposal.</p>

### Liveability

An assessment of the Planning Proposal's consistency with the CCDP's relevant Liveability Priorities and Actions is provided in Table 4b, below.

**Table 4b** – Consistency of Planning Proposal with relevant CCDP Actions – Liveability

Liveability Direction	Planning Priority/Action	Comment
<b>A city for people</b> <b>O6:</b> Services and infrastructure meet communities' changing needs	<b>PP C3: Provide services and social infrastructure to meet people's changing needs</b> <ul style="list-style-type: none"> <li><b>A8:</b> Deliver social infrastructure that reflects the need of the community now and in the future</li> <li><b>A9:</b> Optimise the use of available public land for social infrastructure</li> </ul>	<p>The planning proposal intends to achieve a positive social outcome being well service by existing infrastructure. The residents of the development will have convenient access to necessary transport, education services, open space, health services, community services, employment, and recreation facilities.</p> <p>The proposed commercial floor space will provide opportunities and better access to services for the current and future population.</p>
<b>O7:</b> Communities are healthy, resilient and socially connected <b>O8:</b> Greater Sydney's communities are culturally rich with diverse neighbourhoods <b>O9:</b> Greater Sydney celebrates the arts and supports creative industries and innovation	<b>PP C4: Working through collaboration</b> <ul style="list-style-type: none"> <li><b>A10:</b> Deliver healthy, safe and inclusive places for people of all ages and abilities that support active, resilient and socially connected communities by (a-d).</li> <li><b>A11:</b> Incorporate cultural and linguistic diversity in strategic planning and engagement.</li> <li><b>A12:</b> Consider the local infrastructure implications of areas that accommodate large migrant and refugee populations.</li> <li><b>A13:</b> Strengthen the economic self-determination of Aboriginal communities by engagement and consultation with Local Aboriginal Land Council's.</li> <li><b>A14:</b> Facilitate opportunities for creative and artistic expression and participation, wherever feasible with a minimum regulatory burden including (a-c).</li> <li><b>A15:</b> Strengthen social connections within and between communities through better understanding of the nature of social networks and supporting infrastructure in local places</li> </ul>	<p>The site is located in close proximity to the Parramatta transport interchange, the new light rail stop and the proposed metro station.</p> <p>The access to public transport options will ensure future residents have high levels of mobility and social connectivity.</p> <p>The Planning Proposal will facilitate redevelopment of the site which will provide an improved relationship of the site with the Parramatta River Foreshore and the public domain within Charles Street Square. . It would also result in jobs and housing concentrated in an area close to public transport infrastructure.</p>

<b>Housing the city</b> <b>O10:</b> Greater housing supply <b>O11:</b> Housing is more diverse and affordable	<b>PP C5: Providing housing supply, choice and affordability, with access to jobs, services and public transport</b> <ul style="list-style-type: none"> <li><b>A16:</b> Prepare local or district housing strategies that address housing targets [abridged version]</li> <li><b>A17:</b> Prepare Affordable Rental housing Target Schemes</li> </ul>	<p>The increase in permissible density will encourage redevelopment of the site from a fully commercial building to a mixed use building. The proposed increased density will provide for approximately 405 dwellings. Compared with the potential under existing controls, this represents an increase of approximately 125 dwellings. As such, the Planning Proposal will contribute towards meeting the objectives of Council's LSPS and LHS.</p>
<b>A city of great places</b> <b>O12:</b> Great places that bring people together <b>O13:</b> Environmental heritage is identified, conserved and enhanced	<b>PP C6: Creating and renewing great places and local centres, and respecting the District's heritage</b> <ul style="list-style-type: none"> <li><b>A18:</b> Using a place-based and collaborative approach throughout planning, design, development and management deliver great places by (a-e)</li> <li><b>A19:</b> Identify, conserve and enhance environmental heritage by (a-c)</li> <li><b>A20:</b> Use place-based planning to support the role of centres as a focus for connected neighbourhoods</li> <li><b>A21:</b> In Collaboration Areas, Planned Precincts and planning for centres (a-d)</li> <li><b>A22:</b> Use flexible and innovative approaches to revitalise high streets in decline.</li> </ul>	<p>The Planning Proposal will facilitate better place-based outcomes as a result of improved integration with the adjoining Charles Street Square and the river foreshore. This is a result of collaboration with the property owners and consultation with the various disciplines within Council.</p> <p>The subject site is not heritage listed but is within proximity of multiple heritage items. Council's Senior Heritage Specialist has raised no objection to the Planning Proposal and agrees that the site is sufficiently separated from heritage items and there are likely to be no heritage impacts resulting from the proposal.</p>

### Productivity

An assessment of the Planning Proposal's consistency with the CCDP's relevant Productivity Priorities and Actions is provided in Table 4c, below.

**Table 4c – Consistency of Planning Proposal with relevant CCDP Actions – Productivity**

Productivity Direction	Planning Priority/Action	Comment
<b>A well-connected city</b> <b>O19:</b> Greater Parramatta is stronger and better connected	<b>PP C7: Growing a stronger and more competitive Greater Parramatta</b> <ul style="list-style-type: none"> <li><b>A23:</b> Strengthen the economic competitiveness of Greater Parramatta and grow its vibrancy [abridged]</li> <li><b>A26:</b> Prioritise infrastructure investment [abridged]</li> <li><b>A27:</b> Manage car parking and identify smart traffic management strategies</li> </ul>	<p>The outcome of the planning proposal will contribute to the economic growth of Parramatta CBD and enables a mixture of commercial and residential uses within proximity of key public transport infrastructure. Development of the site will enhance the vibrancy, competitiveness and walkability within Parramatta CBD. The proposal capitalises on recent investment in the refurbishment of Charles Street Square at Parramatta Quay.</p> <p>Any future development application will be subject to the car parking rates under Parramatta LEP 2023 which caps car parking provision within new development to</p>

		encourage a shift to public transport usage.
<b>Jobs and skills for the city</b> <b>O15:</b> The Eastern, GOP and Western Economic Corridors are better connected and more competitive	<b>PP C8: Delivering a more connected and competitive GOP Economic Corridor</b> <ul style="list-style-type: none"> <li>•</li> <li>• <b>A29:</b> Prioritise public transport investment to deliver the 30-minute city objective for strategic centres along the GOP Economic Corridor</li> <li>• <b>A30:</b> Prioritise transport investments that enhance access to the GOP between centres within GOP</li> </ul>	Advocating the 30-minute approach adopted in the Greater Sydney Region Plan, the mixed-use scheme of the Proposal draws on the transportation connections within the corridor and would deliver dwellings within the Parramatta CBD potentially accommodating a diverse range of residents.
<b>O14:</b> The plan integrates land use and transport creates walkable and 30 minute cities	<b>PP C9: Delivering integrated land use and transport planning and a 30-minute city</b> <ul style="list-style-type: none"> <li>• <b>A32:</b> Integrate land use and transport plans to deliver a 30-minute city</li> <li>• <b>A33:</b> Investigate, plan and protect future transport and infrastructure corridors.</li> </ul>	The Planning Proposal intends to consolidate growth on land within the Parramatta City Centre. It is within walkable distance of existing and proposed transport options including heavy rail, ferry, bus services; and proposed light rail and metro. These services provide local and regional connectivity, with the Sydney CBD being within 30 minutes.

### Sustainability

An assessment of the Planning Proposal's consistency with the CCDP's relevant Productivity Priorities and Actions is provided in Table 4d, below.

**Table 4d** – Consistency of Planning Proposal with relevant CCDP Actions – Sustainability

Sustainability Direction	Planning Priority/Action	Comment
<b>O27:</b> Biodiversity is protected, urban bushland and remnant vegetation is enhanced <b>O28:</b> Scenic and cultural landscapes are protected	<b>PP C15: Protecting and enhancing bushland, biodiversity and scenic and cultural landscapes</b> <ul style="list-style-type: none"> <li>• <b>A65:</b> Protect and enhance biodiversity by (a-c) [abridged]</li> <li>• <b>A66:</b> Identify and protect scenic and cultural landscapes</li> <li>• <b>A67:</b> Enhance and protect views of scenic and cultural landscapes from the public realm</li> </ul>	The site is currently built up with commercial development providing a high site coverage. Due to the highly developed nature of the site, the site is not likely to contain any habitat and therefore there is little likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats could be adversely affected because of the Planning Proposal.



<p><b>O30:</b> Urban tree canopy cover is increased</p> <p><b>O32:</b> The Green grid links Parks, open spaces, bushland and walking and cycling paths</p>	<p><b>PP C16: PP C16: Increasing urban tree canopy cover and delivering Green grid connections</b></p> <ul style="list-style-type: none"> <li>• <b>A68:</b> Expand urban tree canopy in the public realm</li> <li>• <b>A69:</b> progressively refine the detailed design and delivery of (a-c) [abridged]</li> <li>• <b>A70:</b> Create Greater Sydney green Grid connections to the Western Sydney Parklands</li> </ul>	<p>There are opportunities for enhancing the canopy cover with future upgrades of the public domain within Charles Street reserve, the 6-metre setback from the Charles Street Square and the portion of the site zoned RE1 Public Recreation. These matters will be addressed as part of any future development proposal, including a design excellence competition.</p>
<p><b>O31:</b> Public open space is accessible, protected and enhanced</p>	<p><b>PP C17: Delivering high quality open space</b></p> <ul style="list-style-type: none"> <li>• <b>A71:</b> Maximise the use of existing open space and protect, enhance and expand public open space by (a-g) [abridged]</li> </ul>	<p>The Planning Proposal will facilitate redevelopment of the site enabling a 6m setback from the eastern boundary adjoining Charles Street Square. It will also facilitate the provision of an upper level promenade with public pedestrian access. Combined with the dedication of the RE1 Public Recreation zoned portion of the site to Council the Planning Proposal will increase the amount of public open space and improve the quality of the public domain..</p>
<p><b>An efficient city</b></p> <p><b>O33:</b> A low-carbon city contributes to net-zero emissions by 2050 and mitigates climate change</p> <p><b>O34:</b> Energy and water flows are captured, used and re-used</p> <p><b>O35:</b> More waste is re-used and recycled to support the development of a circular economy</p>	<p><b>PP C19: Reducing carbon emissions and managing energy, water and waste efficiently</b></p> <ul style="list-style-type: none"> <li>• <b>A75:</b> Support initiatives that contribute to the aspirational objectives of achieving net-zero emissions by 2050</li> <li>• <b>A76:</b> Support precinct-based initiatives to increase renewable energy generation and energy and water efficiency</li> <li>• <b>A77:</b> Protect existing and identify new locations for waste recycling and management</li> <li>• <b>A78:</b> Support innovative solutions to reduce the volume of waste and reduce waste transport requirements</li> <li>• <b>A79:</b> Encourage the preparation of low carbon, high efficiency strategies to reduce emissions, optimise the use of water, reduce waste and optimising car parking provisions where an increase in total floor in 100,000sqm</li> </ul>	<p>These concerns will be addressed as a part of any future redevelopment proposal, including a design excellence competition. Any future development application will be assessed having regard to Parramatta DCP 2023 including Part 9.8 Environmental Sustainability.</p>
<p><b>O36:</b> People and places adapt to climate change and future shocks and stresses</p> <p><b>O37:</b> Exposure to natural and urban hazards is reduced</p> <p><b>O38:</b> Heatwaves and extreme heat are managed</p>	<p><b>PP C20: Adapting to the impacts of urban and natural hazards and climate change</b></p> <ul style="list-style-type: none"> <li>• <b>A81:</b> Support initiatives that respond to the impacts of climate change</li> <li>• <b>A82:</b> Avoid locating new urban development in areas exposed to natural and urban hazards and consider options to limit the intensification of development in</li> </ul>	<p>The subject site is located on the southern foreshore of the Parramatta River and as such, is subject to riverine flooding and overland flows. The initial report submitted by the applicant sets out the preliminary findings noting that the specific advice cannot be provided until Council adopts the Draft Parramatta River Flood Study.</p>



	<p>existing areas most exposed to hazards</p> <ul style="list-style-type: none"> <li>• <b>A83:</b> Mitigate the urban heat island effect and reduce the vulnerability to extreme heat</li> <li>• <b>A84:</b> Respond to the direction for managing flood risk in Hawkesbury-Nepean Valley</li> <li>• <b>A85:</b> Consider strategies and measures to manage flash flooding and safe evacuation when planning for growth in Parramatta CBD</li> </ul>	<p>The 2023 Draft Parramatta River Flood Study was presented to Council and adopted at its meeting on 8 July 2024.</p> <p>According to the flood report prepared by Water Technology on behalf of the applicant and in response to the Parramatta River Flood Study 2024, a mixed use development on the site would be compatible with flood risks.</p>
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#### 6.1.1. 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 2038 Community Strategic Plan

Parramatta 2038 is a long-term Community Strategic Plan for the City of Parramatta and links to the long-term future of Sydney. The plan formalizes several big and transformational ideas for the City and the region. Of relevance is the growth of Parramatta CBD.

The planning proposal is considered to meet the strategy and key objectives identified in the plan by allowing for an appropriate mix of residential and non-residential uses located in a centre with public transport, shops, and community facilities in close proximity. The proposal will facilitate jobs through commercial floor space and an activated street frontage. The reference design scheme submitted by the applicant scheme is consistent with the Plan as it would result in jobs and housing concentrated in an area close to public transport infrastructure. The development will also allow for the concentration of housing around transport nodes and contribute towards dwelling targets for NSW.

##### Parramatta Local Strategic Planning Statement and Parramatta Local Housing Strategy

The Planning Proposal presents the opportunity to accommodate more housing growth in an already identified Growth Precinct in accordance with Council's Local Strategic Planning Statement (LSPS) and Local Housing Strategy (LHS). The LSPS and LHS anticipate an additional 7,180 dwellings and 34,500 jobs by 2036 in the precinct. The Planning Proposal would contribute towards meeting these targets through the provision of renewed employment floorspace, and additional dwellings.

##### Parramatta City River Strategy

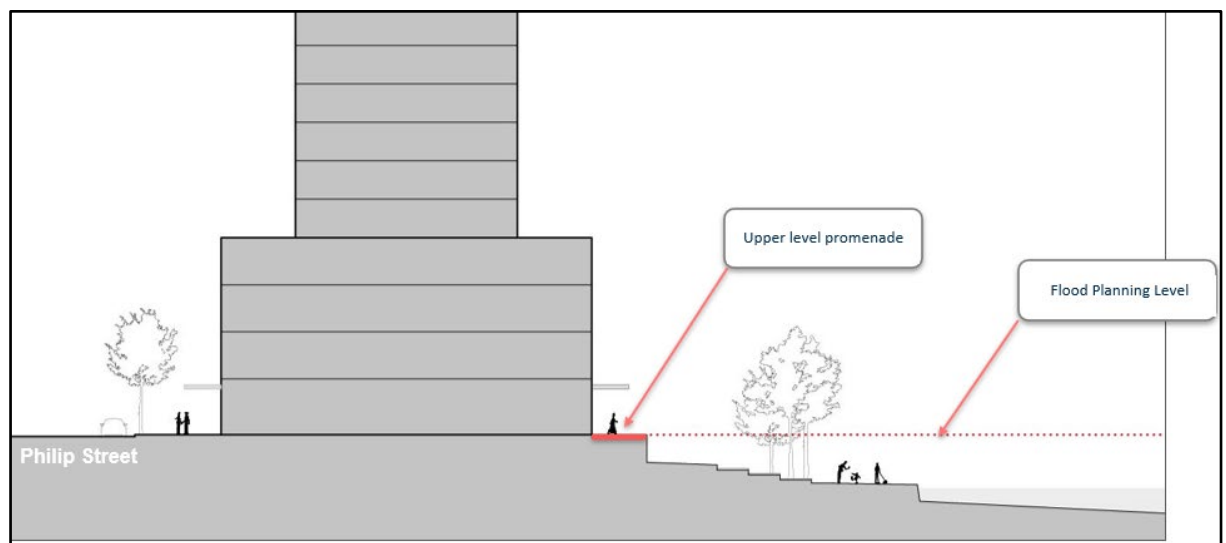
The Parramatta City River Strategy, endorsed by Council in 2015, outlines a comprehensive vision for revitalising the riverfront areas. The proposed development at the corner of Phillip Street and Charles Street Square aligns with this strategy, aiming to create a positive interface with the public domain consistent with the urban design principles it sets forth. The inclusion of commercial spaces on the ground floor, facing the river, Phillip Street, and Charles Street Square, reflects the strategy's goal of fostering an active and inviting pedestrian environment along the riverfront.

A key feature of the CBD River Strategy is a proposed upper level promenade. Under the Strategy, the upper level promenade and south bank terraces would mediate between the

level of the river and the city to create new spaces for both daily and event use. The upper level promenade will provide:

- a. A new pedestrian pathway with opportunities for retail/commercial tenancies and building addresses along the river;
- b. A continuous upper level public walkway which connects Charles Street Square to the Wilde Avenue Bridge;
- c. Accessible and safe egress from the river corridor during flood events; and
- d. Level access and continuity between Phillip Street and the River Foreshore.

**Figure 5** below shows the proposed upper level promenade and its relationship with the river, the flood planning level and the foreshore.



**Figure 5:** Relationship of proposed Upper Level Promenade with Parramatta River and the flood planning level (Source: City of Parramatta)

#### **6.1.2. Is the Planning Proposal consistent with any other applicable State and regional studies or strategies?**

##### **Future Transport Strategy 2056**

The Future Transport Strategy was released by Transport for NSW and sets out the vision, directions, and outcomes framework for customer mobility in NSW and seeks to ensure that NSW overarching strategies for transport and land use planning align and complement each other.

The proposal addresses the Future Transport Strategy by providing additional density within proximity to Stage 1 of the Parramatta Light Rail with a light rail stop located at the corner of Harris and Macquarie Streets approximately 600 metres walking distance from the site.

The subject site is within 800m of the Parramatta Train Station and also within 500m walking distance of a new metro station to be located in the Parramatta City Centre under the Sydney Metro West and various existing infrastructure and facilities.

##### **State Infrastructure Strategy 2022-2042**

The State Infrastructure Strategy (SIS) is a 20-year infrastructure investment plan for the NSW Government that places strategic fit and economic merit at the centre of investment

decisions. The strategy assesses infrastructure problems and solutions and provides recommendations to best grow the State's economy.

The Proposal is in alignment with this strategy as it is relevant to the strategic directions laid by Chapter 4 – Servicing Growing Communities. The subject site is within a highly accessible location, adjacent to a town centre, facilitating the use of existing transport infrastructure, also supporting the 30 minute- metropolitan cities.

### **Housing Strategy 2041**

This strategy establishes the 20-year housing vision for NSW. It aims to provide the framework for greater housing supply, improved housing affordability, and housing diversity and resilience. The Planning Proposal is consistent with the four main pillars of housing supply stated in the strategy – Supply, Diversity, Affordability and Resilience.

### **Net Zero Plan**

The Net Zero Plan outlines the NSW Government's plan to grow the economy, creating jobs and reducing emissions over the next decade. Any environmental impacts, including sustainability and adherence with the plan can be addressed as a part of a future Development Application that will be subject to the provisions within the Sustainable Buildings SEPP 2022. This SEPP ensures that development over the subject site is sustainable and resilient, making a valuable contribution to NSW being a net zero emitter.

#### **6.1.3. 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 (Housing) 2021	✓	Consistent  On 14 December 2023, SEPP No. 65 – Design Quality of Residential Apartment Development was repealed. However, the content of the repealed SEPP (with some changes) was rolled over into a new Chapter 4 of the Housing SEPP. Chapter 4 will apply to a development application for redevelopment of the site.
SEPP (Resilience and Hazards) 2021	✓	Consistent.  The subject site is located on the southern foreshore of the Parramatta River and as such, is subject to riverine flooding and overland flows. The initial report submitted by the applicant sets out the preliminary findings noting that the specific advice cannot be provided until Council adopts the Draft Parramatta River Flood Study.  Council's resolution at its meeting of 8 July 2024 recommended that the Gateway request for the proposal be submitted to the DPHI after the Applicant's Flood Report has been updated to reflect the Parramatta River Flood Study 2024 which was adopted by the Council at its meeting on 8 July 2024.  According to the flood report prepared by Water Technology on behalf of the applicant and in response to the Parramatta River Flood Study 2024, a mixed use development on the site would be compatible with flood risks.
SEPP (Industry and Employment) 2021	N/A	Not relevant to the proposed amendment. May be relevant to future Development Applications.
SEPP (Transport and Infrastructure) 2021	✓	Any relevant referrals to TfNSW or potential noise mitigation measures can be addressed as a part of the future development application.

SEPP (Biodiversity and Conservation) 2021	✓	The subject site is within the Sydney Harbour Catchment; within the mapped area of Foreshores and Waterways area. Any potential impacts as a result of development on the site, such as stormwater runoff, will be considered and addressed appropriately at DA stage.
SEPP (Planning Systems) 2021	✓	Consistent The Planning Proposal does not contain provisions that contradict or would hinder the application of the SEPP.
SEPP (Precincts – Central River City) 2021	N/A	Not relevant to proposed amendment as it is not contained within a “growth centre” as identified under the SEPP.
SEPP (Exempt and Complying Development Codes) 2008	✓	Not relevant to proposed amendment.
SEPP (BASIX) 2004	N/A	Detailed compliance with SEPP (BASIX) will be demonstrated at the development application stage for the site facilitated by this Planning Proposal.

#### 6.1.4. 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 nine focus areas:

1. Planning Systems and Planning Systems – Place Based
2. Design and Place (This Focus Area was blank when the Directions were made)
3. Biodiversity and Conservation
4. Resilience and Hazards
5. Transport and Infrastructure
6. Housing
7. Industry and Employment
8. Resources and Energy
9. Primary production

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

[Table 6 below is an example of the s.9.1 directions that may apply and an example response to each one. Please ensure all relevant 9.1 Directions are included]

**Table 6 – Consistency of Planning Proposal with relevant Section 9.1 Directions**

Relevant Direction	Comment	Compliance
1. Planning Systems and Planning Systems – Place Based		

<p>Direction 1.1 – Implementation of Regional Plans</p> <p>The objective of this direction is to give legal effect to the vision, land use strategy, goals, directions and actions contained in Regional Plans.</p>	<p>The Planning Proposal applies to land within Sydney's Central City. The Planning Proposal is consistent with the goals, directions and actions contained in the Greater Sydney Region Plan.</p>	<p>Yes</p>
<p>Direction 1.3 – Approval and Referral Requirements</p> <p>The objective of this direction is to ensure that LEP provisions encourage the efficient and appropriate assessment of development.</p>	<p>The Planning Proposal does not introduce any provisions that require any additional concurrence, consultation, or referral outside what will be required by the Gateway Determination.</p>	<p>Yes</p>
<p>Direction 1.4 – Site Specific Provisions</p> <p>The objective of this direction is to discourage unnecessarily restrictive site-specific planning controls.</p>	<p>The Planning Proposal proposes to amend clause 7.28A so that it no longer provides a site-specific FSR and height bonus for the subject site.</p>	<p>Yes</p>
<p>Direction 1.7 – Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan</p> <p>The objective of this direction is to ensure development within the Greater Parramatta Priority Growth Area is consistent with the Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan dated July 2017 (the Interim Plan)</p>	<p>The planning proposal is consistent with the Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan. The land is identified as a potential precinct targeted for growth, particularly within 1km of the new light rail stops. The land is within Parramatta CBD which is within proximity of the upcoming Parramatta Light Rail and proposed Sydney Metro West station.</p>	<p>Yes</p>
<p><b>2. Design and Place</b></p>		
<p>This Focus Area was blank at the time the Directions were made.</p>	<p>This Direction is blank as is currently incomplete.</p>	
<p><b>3. Biodiversity and Conservation</b></p>		
<p>Direction 3.1 – Conservation Zones</p> <p>The objective of this direction is to protect and conserve environmentally sensitive areas.</p>	<p>The Planning Proposal is consistent with this direction, in that it does not apply to environmentally sensitive areas or alter provisions for land in a conservation zone.</p>	<p>Yes</p>
<p>Direction 3.2 – Heritage Conservation</p> <p>The objective of this direction is to protect and conserve environmentally sensitive areas.</p>	<p>The subject site is not heritage listed but is within proximity of multiple heritage items. Approximately 40 metres towards the north-east of the corner of the site is the "Charles Street Weir". Approximately 70 metres to the west of the western edge of the site is the "Convict Drain" and further to the west is "Barnaby's Restaurant and potential archaeological site" at 70 Phillip Street and "Office and potential archaeological site at 66 Phillip Street."</p> <p>The applicant's Planning Proposal has noted the heritage listing on the Charles Street Weir and considers</p>	<p>Yes</p>

	<p>it to be sufficiently separated from the subject site to conclude that there will be minimal impacts on the heritage significance of the weir.</p> <p>Council's Senior Heritage Specialist has raised no objection to the Planning Proposal and agrees that the site is sufficiently separated from the item and there are likely to be no heritage impacts resulting from the proposal. Further, assessment of a future development application will require due diligence reports that address the impacts on built heritage and archaeology including the imposition of appropriate conditions of consent relating to unexpected findings and specific protocols to be followed in the event any archaeological items are found during the demolition and excavation. Further, any development application for redevelopment of the site will be assessed having regard to the heritage provisions within Clause 5.10 of Parramatta LEP 2023 and Part 9.6 of the Parramatta DCP 2023.</p> <p>The proposal was presented to the Heritage Advisory Committee on 13 June 2024 where the committee advised to consider the significance of the site's Parramatta River setting and urban context, and for the developer to appropriately respond to any significant archaeology which may be found in the area during planned studies, and Council's updated flood study modelling.</p>	
<p>Direction 3.5 – Recreation Vehicle Areas</p> <p>The objective of this direction is to protect sensitive land or land with significant conservation values from adverse impacts from recreation vehicles.</p>	<p>The Planning Proposal is consistent with this direction, in that it is not proposing to enable land to be developed for the purpose of a recreation vehicle area.</p>	Yes
<b>4. Resilience and Hazards</b>		
<p>Direction 4.1 – Flooding</p> <p>The objectives of this direction are to:</p> <p>(a) Ensure that development of flood prone land is consistent with the NSW Government's Flood Prone Land Policy and the principles of the Floodplain Development Manual 2005, and</p> <p>(b) Ensure that the provisions of an LEP that apply to flood prone land are commensurate with flood behaviour and includes consideration of the potential flood impacts both on and off the subject land.</p>	<p>The subject site is located on the southern foreshore of the Parramatta River and as such, is subject to riverine flooding and overland flows.</p> <p>The Planning Proposal and the associated Flood Report initially set out preliminary findings of how flooding may dictate building design features and advised that based on the data published at that time, a mixed use development on the site would be compatible with flood risks. The report also noted that the advice is broad in nature and specific advice to be provided after the Council adopts the Parramatta River Flood Study 2024. Noting that the Council had recently adopted the Parramatta Flood Study 2024 at its meeting on 11 June 2024, the applicant has submitted an updated Flood Report.</p> <p>According to the flood report prepared by Water Technology on behalf of the applicant and in response to the Parramatta River Flood Study 2024, a mixed-use development on the site would be compatible with flood risks.</p>	Justifiably Consistent



<p>Direction 4.3 Planning for Bushfire Protection</p> <p>The objectives of this direction are to:</p> <p>(a) Protect life, property and the environment from bush fire hazards, by discouraging the establishment of incompatible land uses in bush fire prone areas, and</p> <p>(b) Encourage sound management of bush fire prone areas.</p>	<p>The site is not identified as bushfire-prone land.</p>	<p>Yes</p>
<p>Direction 4.4 – Remediation of Contaminated Land</p> <p>The objective of this direction is to reduce the risk of harm to human health and the environment by ensuring that contamination and remediation are considered by Planning Proposal authorities.</p>	<p>The subject site is zoned for MU1 Mixed used zoning with this planning proposal seeking to change the height control, FSR control and amending clause 7.28A. The existing uses of the site include residential and commercial development which are unlikely to result in contamination of the land.</p> <p>The planning proposal is consistent with the aims and provisions of this SEPP.</p> <p>Notwithstanding, a future development application assessment can include a Preliminary Site Investigation (PSI) where appropriate to confirm suitability of the site, noting the nature of the existing development on site.</p>	<p>Yes</p>
<p>Direction 4.5 - Acid Sulfate Soils</p> <p>The objective of this direction is to avoid significant adverse environmental impacts from the use of land that has a probability of containing acid sulfate soils.</p>	<p>The site is identified as Class 5 on the Acid Sulfate Soils Map in Parramatta Local Environmental Plan 2011. This can be addressed further at the development application stages.</p>	<p>Yes</p>
<p><b>5. Transport and Infrastructure</b></p>		
<p>Direction 5.1 – Integrating Land Use and Transport</p> <p>The objective of this direction is to ensure that development reduces dependence on cars, increases the choice of available transport and improves access to housing, jobs and services by walking, cycling and public transport.</p>	<p>The Planning Proposal is consistent with this direction, in that it:</p> <ul style="list-style-type: none"> <li>will provide new dwellings in close proximity to existing public transport links</li> <li>will maintain and provide redeveloped commercial premises in proximity to existing transport links, and makes more efficient use of space and infrastructure by increasing densities on an underutilised site.</li> </ul>	<p>Yes</p>
<p>Direction 5.2 – Reserving Land for Public Purposes</p> <p>The objectives of this direction are to facilitate the provision of public services and facilities by reserving land for public purposes and facilitate the removal of reservations where the land is no longer required for acquisition.</p>	<p>The Planning Agreement Letter of Offer associated with the Planning Proposal includes the dedication of land to Council from two separate portions of the site.</p> <ul style="list-style-type: none"> <li>Dedication of land to Council for local road widening purposes along a small section of the No. 90 Phillip Street frontage (approximately 40 sqm). This land is currently zoned MU1 Mixed Use and is affected by a reservation for local road widening purposes under PLEP 2023; and</li> <li>Dedication of land to Council for public open space purposes within the irregular portion of No. 90 Phillip Street (approximately 156 sqm)</li> </ul>	<p>N/A</p>

	<p>This portion of the site is currently zoned RE1 Public Recreation but does not have a reservation under the PLEP 2023.</p> <p>The land currently identified for local road widening is able to have the reservation removed once the land is dedicated to Council. This will be included in a future housekeeping LEP amendment.</p>	
<b>6. Housing</b>		
<p>Direction 6.1 – Residential Zones</p> <p>The objectives of this direction are to encourage a variety and choice of housing types, make efficient use of existing infrastructure and services and minimise the impact of residential development.</p>	<p>The Planning Proposal is consistent with this direction as it seeks to facilitate the redevelopment of the site for higher-density mixed-use development within a highly accessible, transit-oriented centre.</p>	Yes
<b>7. Industry and Employment</b>		
<p>Direction 7.1 – Business and Industrial Zones</p> <p>The objectives of this direction are to:</p> <ul style="list-style-type: none"> <li>(a) Encourage employment growth in suitable locations,</li> <li>(b) Protect employment land in business and industrial zones; and</li> <li>(c) Support the viability of identified centres.</li> </ul>	<p>The zoning of the subject site will not change, with it remaining MU1 Mixed Use.</p>	Yes
Focus Areas 8 and 9 are not applicable		

## 6.2. Section C – Environmental, social and economic impact

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

### 6.2.1. 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 absence of habitat on the site ensures that there is little likelihood of adverse effects on critical habitats, threatened species, populations, or ecological communities due to the Planning Proposal.

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

#### Urban Design

##### *Urban Design Principles*

The site has been subject to previous urban design analysis and built form testing by DPHI and Council Officers. The testing was done as part of the preparation and finalisation of the Parramatta CBD Planning Proposal and focused on the entire street block bounded by Wilde Avenue, Phillip Street, Charles Street Square and the north bank river foreshore open space. A chronology of the urban design analysis is outlined below:

November 2020:-

Council Officers' analysis of the Phillip Street River Block informed Council Officer recommendations on the finalisation of the Parramatta CBD Planning Proposal.

March 2022:-

The DPHI prepared an "Independent Rapid Assessment of the Parramatta CBD Planning Proposal" to determine whether the proposed controls in the Parramatta CBD Planning Proposal result in appropriate built-form outcomes and should proceed to finalisation. This work informed the DPHI's finalisation of the Parramatta CBD Planning Proposal and subsequently Parramatta LEP 2011 (Amendment 56).

December 2022:-

The DPHI prepared the "Parramatta CBD Transition Area Review" which resulted in the DPHI making further changes to the Parramatta CBD planning controls through State Environmental Planning Policy Amendment (Parramatta CBD) (No. 2) which was notified on 16 December 2022. The State Environmental Planning Policy Amendment (SEPP Amendment) introduced controls to facilitate growth in employment uses within certain B3 Commercial Core and B4 Mixed Use zoned sites within the Parramatta CBD as well as uplift for the Phillip Street Block, subject to certain provisions being met. In this regard, Clause 7.28A currently permits development in the Phillip Street block (including the subject site) to exceed the floor space ratio limit by 2.5:1 and height by 13 metres subject to conditions. A key condition for the use of this bonus FSR and height is a maximum tower width of 35 metres when viewed from the Parramatta River.

A detailed description of the urban design analysis studies outlined above was provided in **Appendix 3** of the report to Council dated 8 July 2024. In summary, the primary urban design principles identified for the Phillip Street block in the above studies which are relevant to the subject site include:

*a. Delivery of Upper Level Promenade:-*

Redevelopment of the site provides an opportunity to provide an upper-level promenade and provide new and enhanced views towards the river from the city centre. Noting that DPHI acknowledge that additional FSR is required to encourage redevelopment.

*b. Enhancement of relationship of city with Parramatta River:-*

Redevelopment of the site must be balanced with the need to protect and enhance the relationship of the city with the Parramatta River and the scale of redevelopment should have parity with the scale of the River. Towers should help define the river as a key public space and not dominate the riverfront.

*c. Enhancement of views of Parramatta River:-*

The amendments under SEPP 2 have sought to strike a balance by providing additional bonus FSR subject to conditions including a maximum tower width of 35m when viewed from the river. This aims to contribute towards maintaining and enhancing views of the river from the City Centre, and new ground floor pedestrian laneways will open the physical relationship with the river.

*d. Reinforcement of commercial core to the south:-*

Buildings on the southern river foreshore should have heights that step down from the building heights in the core of the Parramatta CBD to reinforce the commercial core of the City and to avoid visually dominating the river corridor.

#### *Analysis of implications of SEPP 2 controls*

Council Officers have conducted an analysis of the controls currently permitted for the site as introduced by SEPP 2. The analysis sought to identify risks embedded in the SEPP 2 controls to delivering Council's vision for the Phillip Street block. It also sought to identify differences between the SEPP 2 controls and the nature of development reflected in the current Parramatta DCP 2023 controls.

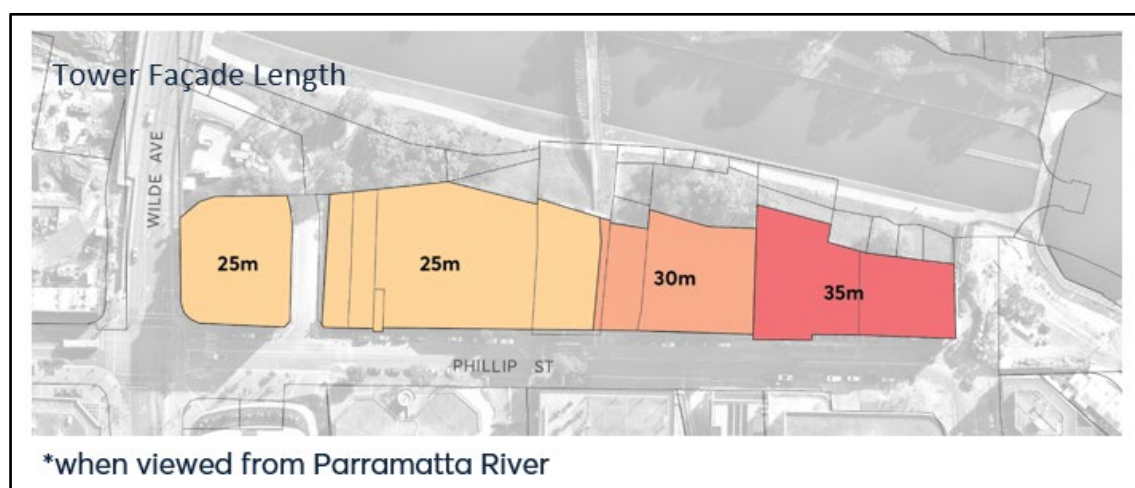
The analysis found that the controls will achieve generously distributed space between towers, will provide for a skyline which steps down towards the river and the 0-metre height limit along the perimeter of the site will help rationalise the foreshore alignment.

However, the current controls provide little incentive for the site to deliver the upper-level promenade. In this regard, including bonuses, the site can achieve a height of 105 metres but can only achieve a FSR of approximately 7:1 (mixed use) within the current height control due to the tower width control, which results in a tower floorplate of 536sqm Gross Building Area (GBA). Further, the description of tower maximum width control of 35 metres within Parramatta LEP 2023 Clause 7.28A “as seen from the river” is ambiguous wording which is open to interpretation. In summary, the current controls, while aiming to achieve building separation would not result in workable floorplates or achievable floor space area and would not provide incentive for the site to be redeveloped

As such, the Planning Proposal proposes to remove the reference to the subject site from the wording of Clause 7.28A noting that the maximum tower width of 35m would not apply and the clause would become redundant.

#### *Implications for wider Phillip Street block*

Clause 7.28A allows for bonus FSR (subject to conditions) for the other remaining sites within the Phillip Street block. **Figure 6** below shows the sites affected by the clause and the relevant maximum tower widths.



**Figure 6:** Sites affected by Clause 7.28A and the maximum tower widths applicable under the clause. Subject site is the eastern most site.

The Planning Proposal raises the issue of these remaining sites within the Phillip Street block and whether it is appropriate to consider similar amendments to the controls to ensure cohesive development along the foreshore and delivery of the upper-level promenade.

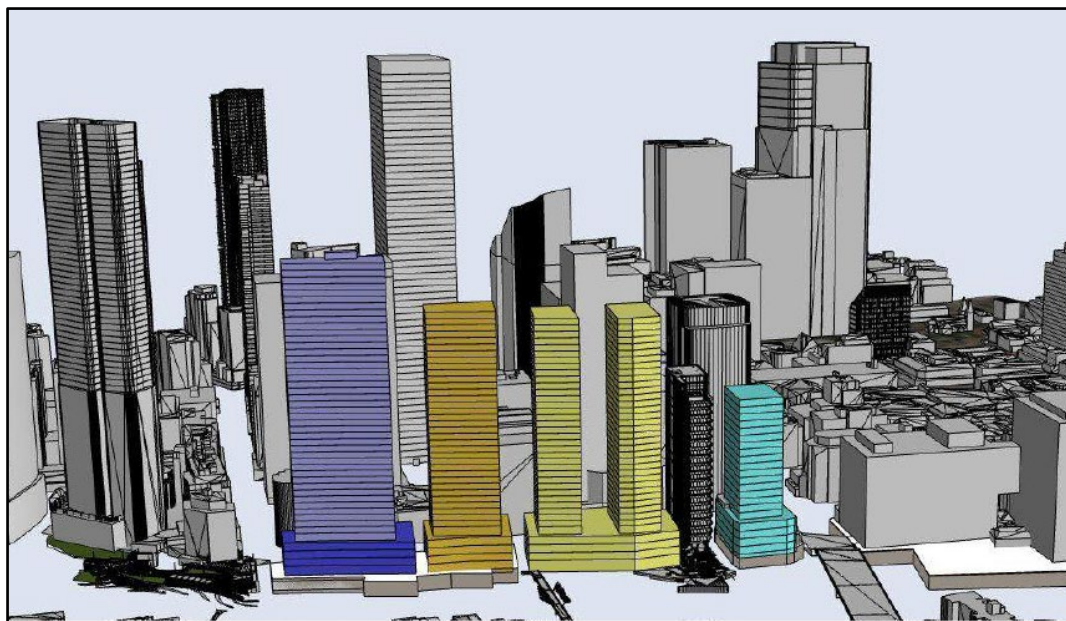
Council has recently appointed a consultant to consider the realisation of the future upper-level promenade at the interface of the Parramatta River foreshore and the future built form edge in the Phillip Street block between Charles Street Square and Wilde Avenue. A flood consultant has also been engaged to provide advice and inform the development of a reference design. This work will evaluate the impacts of the promenade alignment (within or adjacent a site) on individual property area and built form outcomes.

In the meantime, for the subject site, the applicant has indicated an intention to move forward with development of the site. This would provide a catalyst for the redevelopment of the remaining sites within the Phillip Street block and delivery of the adjoining sections of the upper-level promenade. As such it is important that Council consider the subject planning proposal in the context of the work already carried out on enabling the development of the subject site, and in doing so examine if the proposal can facilitate the delivery of the public domain improvements being sought in a suitable manner. Clause 7.28A will continue to apply to the other sites within the Phillip Street block as shown in **Figure 6**.

#### *Applicant's Reference Design*

The reference design submitted by the applicant (see **Appendix 4**) supporting the Planning Proposal has been reviewed by Council Officers. The assessment has considered the Urban Design Principles summarised above and the controls for the broader street block within the Parramatta DCP 2023 noting the constraints of the site.

**Figure 7** below shows the built form massing of an indicative mixed use building that could be achieved under the proposed controls in context of surrounding development. The subject site is shown in blue and the grey buildings are existing buildings or Design Competition winning schemes. The orange, yellow and light blue buildings indicate a hypothetical built form under existing controls for the remainder of the Phillip Street block which reflects a total height of 105 metres.



**Figure 7:** Proposed Building Massing for 90-94 Phillip Street – subject site shown in blue. (Source: Applicant's Urban Design Report – AE Design Partnership)



The following comments are made in relation to the Urban Design Principles for the Phillip Street block described above:

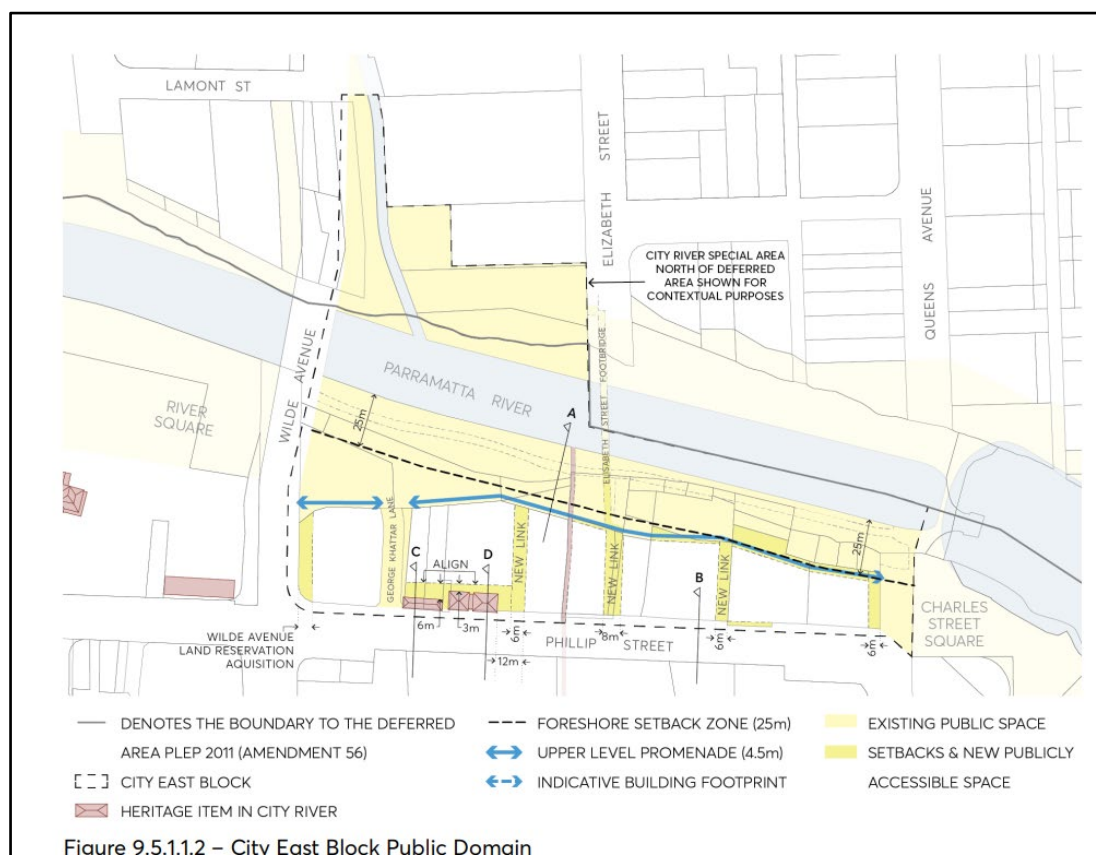
*e. Delivery of Upper-Level Promenade*

The increase in overall density is significant compared with that permissible at present. A move away from the maximum tower width control of 35 metres has also provided for a larger tower floorplate of approximately 900 sqm in gross building area compared with a tower floorplate of approximately 536 sqm which would be permissible under the current tower width control. The Planning Proposal provides greater incentive for the redevelopment of the site and as such an opportunity for the delivery of the upper-level promenade.

*f. Enhancement of relationship of city with Parramatta River*

**Figure 8** below is extracted from Part 9.5.1.2 (City East Block) within Parramatta DCP 2023 and demonstrates Council's intention for the public domain and river foreshore in this locality. The reference scheme is able to facilitate the required ground floor setbacks and upper level promenade.

This Part within the Parramatta DCP 2023 provides for a 6 metre podium setback from the boundary on the eastern side of the site to extend the public domain of Charles Street Square and align the visual connections north-south down Charles Street. This setback area is to be a publicly accessible space. This part of the site is currently built up with part of the existing commercial building, and the site achieves vehicular access over Council owned land within the unmade section of Charles Street immediately to the east. The reference scheme indicates that the driveway location will be relinquished and the area integrated with Charles Street Square. As such, redevelopment of the site will facilitate the expansion of the area of Charles Street Square and an improvement in the relationship of the site with the public domain as envisioned within the Parramatta DCP 2023.



**Figure 8:** Public Domain framework extracted from Parramatta DCP 2023

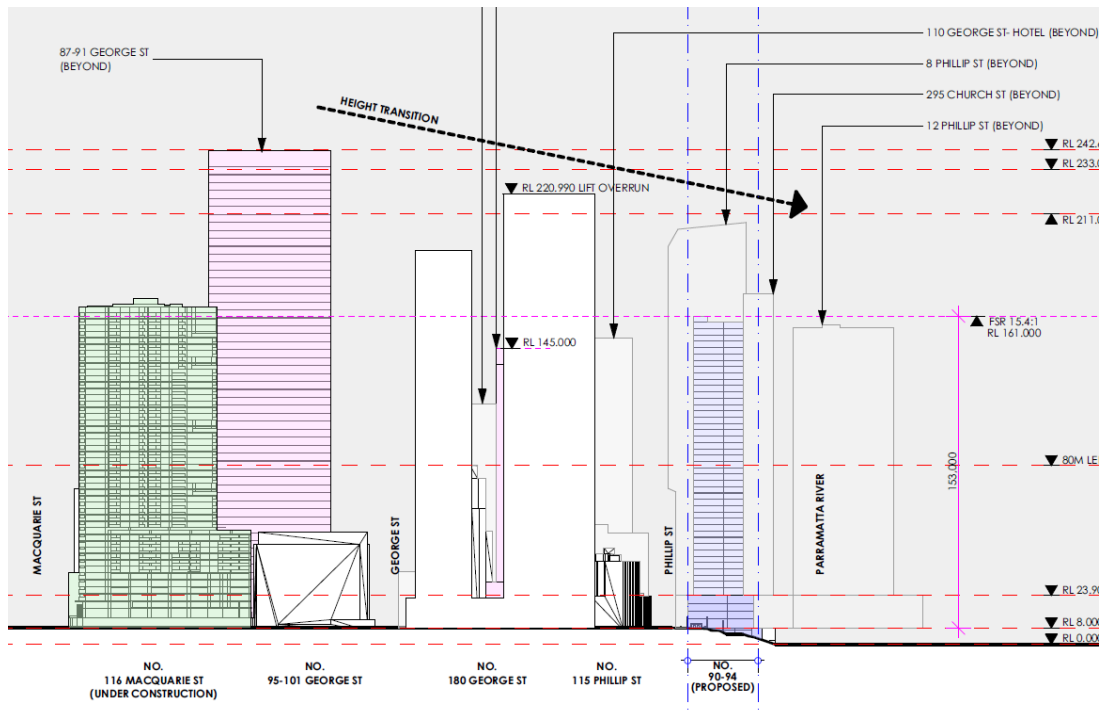
*g. Enhancement of views of Parramatta River*

The reference scheme indicates a western tower setback of 9 metres which will provide separation from any future tower on the site to the west and improve views to the river. The proposed eastern upper-level tower setback of 6 metres from the podium (12 metres from the eastern boundary) is in excess of the minimum tower setback of 3 metres prescribed under the Parramatta DCP 2023. This increase in tower setback is proposed for this site in order to mitigate the increased height, bulk, scale and wind impacts to and from the public domain from the increased height of the building and will also help increase views of the river.

Part 9.3.3.3 (Tower Slenderness) of the Parramatta DCP 2023 applies to the Parramatta City Centre generally and prescribes a maximum tower floorplate length of 45 metres for buildings in the MU1 zone. The reference scheme includes a tower floorplate length of 47.4 metres and is therefore marginally in excess of the control. A variation of this nature is appropriate for consideration in the assessment of a development application for the site.

*d. Reinforcement of commercial core to the south*

The proposed height of 133 metres (153 metres including Design Excellence bonus) complies with the principle of providing a stepping down of the height from the commercial core of the city towards the river. **Figure 9** below demonstrates a built form diagram of the stepping down in height controls based on existing and approved developments. Immediately to the south-east of the subject site at 180 George Street is a recently developed tower at a total height of 210 metres. While this is 57 metres greater than the height being sought by the Planning Proposal, the circumstances of this site are different in that it benefits from a large site area as such, the floor space ratio achieved on this site was lower at 11.49:1. Other circumstances that differ from the subject site are the context of the site which is setback further from the river particularly when viewed from the ferry approach to the ferry wharf. As such, it is appropriate for the subject site to step down in height from the existing building at 180 George Street which the Planning Proposal achieves.

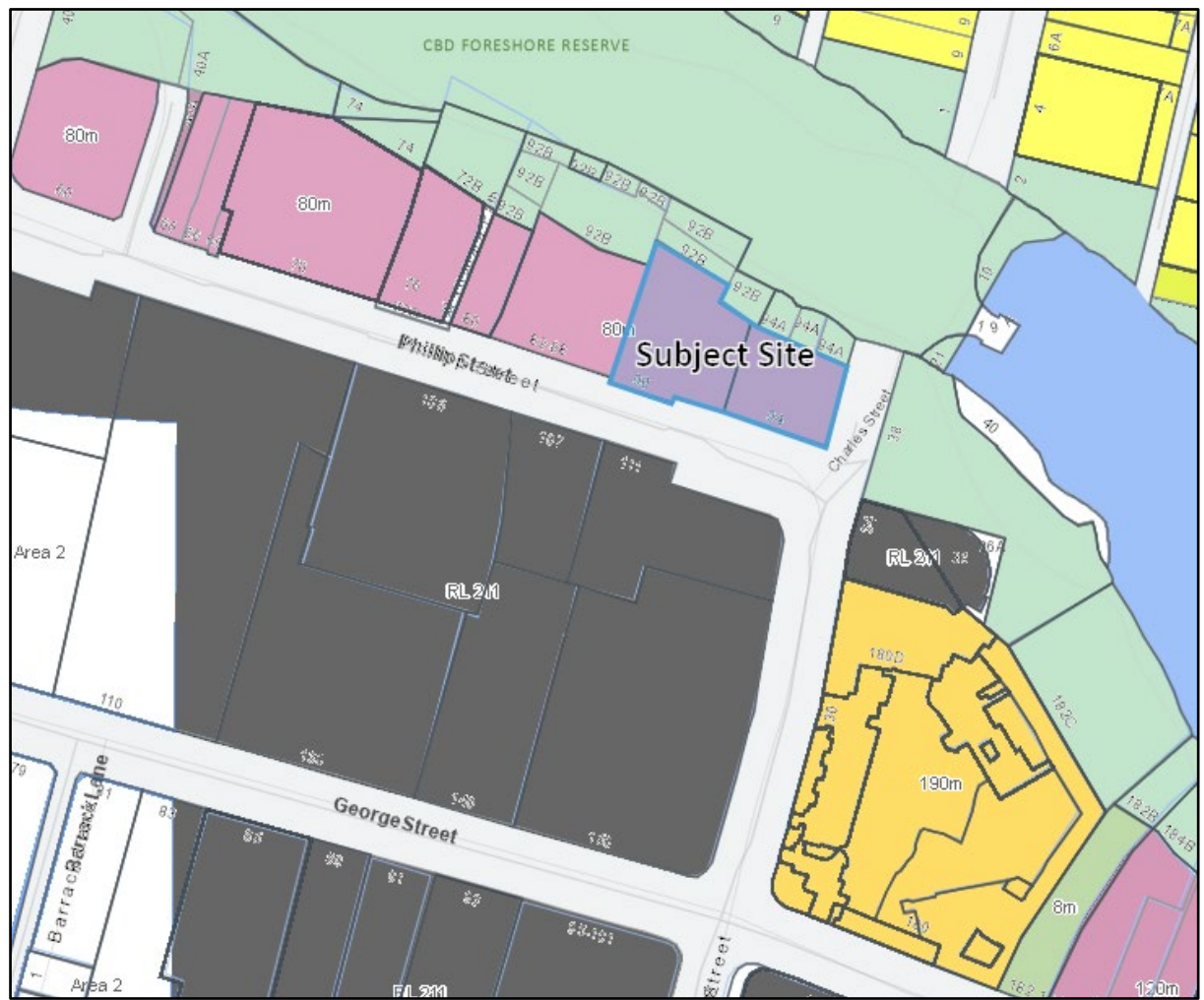


**Figure 9:** Built form diagram showing stepping down in height reflecting existing and approved developments. Subject site shown in blue (Source: Applicant's Reference Scheme – PTI Architecture)



*d. Reinforcement of commercial core to the south (continued...)*

Future development will likely further reinforce this pattern due to the height control currently applicable to the south of the site. **Figure 10** below shows an extract from the Parramatta LEP 2023 Height of Buildings map demonstrating the existing height controls in the proximity of the subject site. The area immediately to the south is subject to a Reduced Level (RL) height control of 211 metres (243m RL including Design Excellence bonus). This RL height control translates to various heights when measured in metres above ground level. The parcels immediately to the south of the subject site would equate to a height control in metres above ground of approximately 235 metres. As such, the proposed height control for the subject site is approximately 82 metres less than the control applicable to sites to the south, providing a significant step down in height towards the river foreshore.



**Figure 10:** Existing height controls in proximity of subject site under Parramatta LEP 2023 (Source: City of Parramatta GIS)

*Assessment of Overshadowing*

The applicant's reference scheme (see **Appendix 4**) includes shadow diagrams indicating the overshadowing caused by the proposed building height at hourly intervals from 9.00am to 3.00pm on 21 June. The diagrams indicate no overshadowing of Robin Thomas Reserve before 3.00pm (refer to **Figure 11** below). The diagrams indicate a small portion of Robin Thomas Reserve being overshadowed at 3.00pm, however, this overshadowing is within the shadows cast currently by existing development. The overshadowing from existing development is indicated in grey shading.



**Figure 11:** Extract from shadow diagrams showing shadows cast at 3.00pm on 21 June (Source: Applicant's Reference Scheme – PTI Architecture). Shadow from subject site is shown in dark blue. Shadows from currently permissible development shown in grey shading.

The shadow diagrams indicate overshadowing of the heritage item known as “Perth House” at 10.00am (see **Figure 12** below). “Perth House” is an item of State heritage significance under the Parramatta LEP 2023 and is listed on the State Heritage Register. However, this overshadowing is within the shadows cast currently by existing development.



**Figure 12:** Extract from shadow diagrams showing shadows cast at 10.00am on 21 June (Source: Applicant's Reference Scheme – PTI Architecture). Shadow from subject site is shown in dark blue. Shadows from currently permissible development shown in grey shading.

### Summary

In summary, the reference scheme is considered to represent a significant increase in density for the site and an improvement in the viability of the tower floorplate. This will assist in encouraging redevelopment of the site and will stimulate the commencement of the delivery of the upper-level promenade and an improved relationship with the public domain of Charles Street Square and the Parramatta River foreshore. The Planning Proposal has been considered in relation to the urban design principles identified for the Phillip Street block which are based on the analysis of various studies carried out earlier and will provide for buildings that allow for a transition in height from the core of the city centre to the river and will enhance opportunities for views of the river. Impacts from the increase in tower height are managed through an increase in the eastern setback which will help to mitigate the bulk and scale while reducing wind impacts on the public domain.

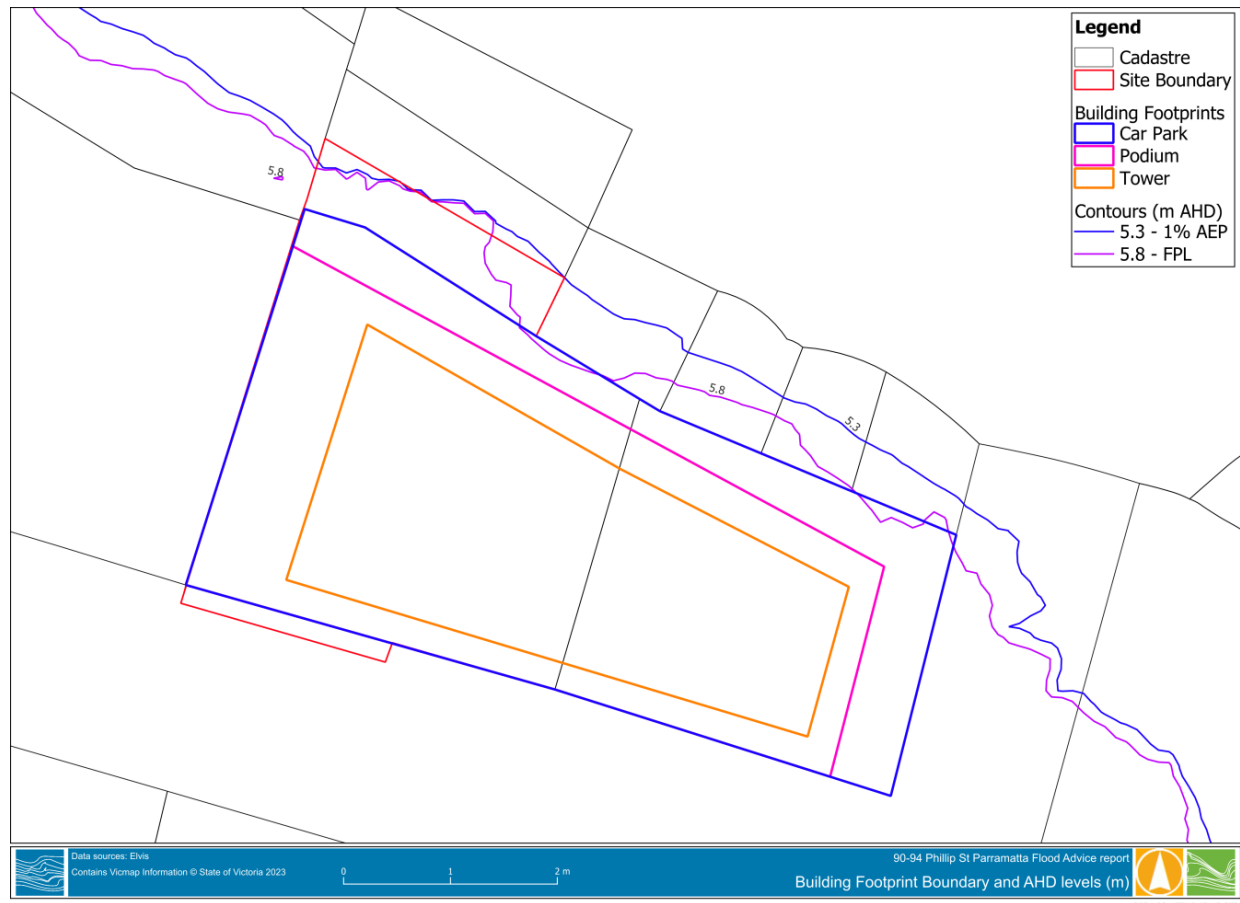
### Flooding

The site is located on the southern foreshore of the Parramatta River and as such, is subject to riverine flooding and overland flows. The applicant has submitted a Flood Report prepared by Water Technology (see **Appendix 5**). The Report sets out preliminary findings of how flooding may dictate building design features.

In summary, the report advises that based on the current published flood data, a mixed use development on the site would be compatible with flood risks. The flood planning level



for the site would be identified based on the 1% Annual Exceedance Probability (AEP) plus a 500mm freeboard. On this basis, the flood planning level for this site is 5.8 metres AHD. The Report demonstrates that the site can accommodate a building footprint at the identified flood planning level. **Figure 13** below shows a hypothetical building footprint can be accommodated clear of the flood planning level.



**Figure 13:** Indicative building footprint clear of the Flood Planning Level of 5.8 metres AHD (Source: Water Technology)

It will also need to be demonstrated through flood modelling at the development application stage that redevelopment of the site would not increase flooding on neighbouring properties. The applicant's Flood Report advises that, providing the building has no larger footprint than the existing building this should be able to be demonstrated. The reference design submitted by the applicant also demonstrates that redevelopment of the site is capable of compliance with Local Planning Direction 4.1 (Flooding).

Council's Senior Catchment and Development Engineer has reviewed the Flood Report and concurs with the majority of its recommendations, however, notes that the Parramatta DCP 2023 advises caution regarding provision of basement car parking in areas of extreme flood hazard. It is noted that Parramatta DCP 2023 requires flood hazard modelling and hazard, risk and safety assessments to be undertaken for the 1% AEP flood and events up to and including the PMF. The flooding report by Water Technology notes that a flood hazard and risk assessment will be provided at development application stage, however, it noted that as the street level (8 metres AHD) is higher than the Flood Planning Level (5.8 metres AHD) it is reasonable to expect that the future development will be able to demonstrate compliance with the requirements of Parramatta DCP 2023.

### Traffic and Transport

The applicant has included a Traffic Report (see **Appendix 6**) to support the Planning Proposal. The Traffic Report concludes that the Planning Proposal will not result in any unacceptable traffic, parking, access, transport or servicing implications. Specifically, it states:

*“It is pertinent to note in this regard that the proposed amendments to the PLEP 2023, and in turn, the indicative yields, are consistent with the original draft Parramatta CBD PP endorsed by Council in June 2021. As part of the CBD PP, AECOM prepared a Strategic Transport Study (STS), which ultimately supported the uplift densities proposed in the draft CBD PP. This was on the basis of off-street parking being provided in accordance with City of Sydney’s CBD rates compared to the City of Parramatta’s CBD rates.”*

The traffic modelling prepared by AECOM which underpinned the CBD Strategic Transport Study, was predicated on the assumption of an FSR of 10:1 across the Parramatta CBD with some small increases on individual sites depending on individual site characteristics.

As the increase in floorspace permitted by the subject proposal would potentially generate a need for approximately 70 more carparking spaces at the site, it is considered that the incremental impact of the traffic that would be generated by the use of these additional carparking spaces on traffic movements in the CBD would be acceptable, noting also that in the case of the subject site the Parramatta CBD Planning Proposal endorsed by Council also took into account the potential development of the subject site for unlimited commercial floorspace to a potential density of commercial development at an FSR of 21:1.

### Heritage

As discussed above, the site is not heritage listed or within a Heritage Conservation Area. There are several items within proximity to the site that are identified as items of local heritage significance under Parramatta LEP 2023. (Refer to **Figure 3** above). Approximately 40 metres towards the north-east of the corner of the site is the “Charles Street Weir”. Approximately 70 metres to the west of the western edge of the site is the “Convict Drain” and further to the west is “Barnaby’s Restaurant and potential archaeological site” at 70 Phillip Street and “Office and potential archaeological site at 66 Phillip Street.”

The applicant’s Planning Proposal has noted the heritage listing on the Charles Street Weir and considers it to be sufficiently separated from the subject site to conclude that there will be minimal impacts on the heritage significance of the weir.

Council’s Senior Heritage Specialist has raised no objection to the Planning Proposal and agrees that the site is sufficiently separated from the item and there are likely to be no heritage impacts resulting from the proposal. Further, assessment of a future development application will require due diligence reports that address the impacts on built heritage and archaeology including the imposition of appropriate conditions of consent relating to unexpected findings and specific protocols to be followed in the event any archaeological items are found during the demolition and excavation.

Further, any development application for redevelopment of the site will be assessed having regard to the heritage provisions within Clause 5.10 of Parramatta LEP 2023 and Part 9.6 of the Parramatta DCP 2023.

The proposal was presented to the Heritage Advisory Committee on 13 June 2024 where the committee noted that Council’s Senior Heritage Specialist has not raised any objections, and that the planning proposal was supported at the 4 June Local Planning Panel meeting. Committee Members provided feedback recommending that in developing

the conditions under the planning proposal, to consider the significance of the site's Parramatta River setting and urban context, and for the developer to appropriately respond to any significant archaeology which may be found in the area during planned studies, and Council's updated flood study modelling.

#### Infrastructure, Social and Economic Impacts

The delivery of the Planning Proposal within the Parramatta CBD will achieve a positive social outcome, being well serviced by existing infrastructure. Residents and workers will be able to access necessary transport, education services, open space, health services, community services, employment, and recreation facilities.

As discussed above in the strategic merit section, the Proposal will also facilitate development that will assist in the emergence of Parramatta as Sydney's Central City which will in turn contribute to continued economic growth.

The Planning Proposal is accompanied by a draft Planning Agreement Letter of Offer which provides for the following:

- a. 5 x affordable housing units (a mixture of four (4) x one bedroom apartments and one (1) x two bedroom apartment);
- b. Dedication of road widening within Phillip Street to Council;
- c. Dedication of land zoned RE1 Public Recreation to Council;
- d. Upgrade of the public domain within Charles Street reserve to the existing Charles Street Square;
- e. Incorporation and construction of an upper-level promenade (4.5 metres wide) fronting the river foreshore;
- f. Development of a 6-metre setback from the Charles Street Square to strengthen and activate the Square.
- g. Creation of an easement in favour of Council permitting public access over the proposed upper level promenade including the 6 metre wide setback area from the eastern boundary.

The draft Planning Agreement based on the applicant's Letter of Offer will be exhibited concurrently with the Planning Proposal and draft DCP amendment.

Any development application will also require the developer to make a monetary contribution as a condition of consent in accordance with the Parramatta City Centre Local Infrastructure Contributions Plan 2022 (Amendment 2). This will ensure the development contributes towards the provision of funding for additional infrastructure required to support the increase in population.

#### Environment

The site does not contain any habitat and therefore there is little likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats could be adversely affected by the Planning Proposal.

Other environmental impacts, including sustainability, will be addressed as part of any future development proposal, including a design excellence competition.

#### Parramatta Development Control Plan 2023 – Draft Amendment

The site is subject to the Parramatta Development Control Plan (DCP) 2023, specifically, Part 9.5.1.2 which contains controls relating to the City East Block. The City East Block

includes the subject site and is bound by Wilde Avenue, Phillip Street, Charles Street Square and the north bank river foreshore open space. Part 9.5.1.2 requires towers to be set back 6 metres from the street wall. A concession is given to the subject site under the existing DCP controls which provide that:

*“At 90-96 Phillip Street, noting the lot configuration and land commitments for public purposes, development must provide a minimum 3 metre tower setback along the Phillip Street, Charles Street and River foreshore frontage that addresses wind, solar access and design objectives.”*

As discussed above, the applicant’s reference scheme proposes an eastern tower setback of 6 metres from the podium (12 metres from the eastern boundary) which is in excess of the minimum tower setback of 3 metres prescribed under the Parramatta DCP 2023. This increase in tower setback is proposed for this site in order to mitigate the increased height, bulk, scale and wind impacts from the increased height of the building.

#### Draft Planning Agreement

The Planning Proposal is accompanied by a draft Planning Agreement Letter of Offer submitted to Council by the applicant under Section 7.4 of the Environmental Planning and Assessment Act 1979.

The Letter of Offer provides for the following:

- a. 5 x affordable housing units (a mixture of four (4) x one bedroom apartments and one (1) x two bedroom apartment);
- b. Dedication of road widening within Phillip Street to Council;
- c. Dedication of land zoned RE1 Public Recreation to Council;
- d. Upgrade of the public domain within Charles Street reserve to the existing Charles Street Square;
- e. Incorporation and construction of an upper-level promenade (4.5 metres wide) fronting the river foreshore;
- f. Development of a 6-metre setback from the Charles Street Square to strengthen and activate the Square.
- g. Creation of an easement in favour of Council permitting public access over the proposed upper level promenade including the 6 metre wide setback area from the eastern boundary.

The draft Planning Agreement based on the applicant’s Letter of Offer will be exhibited concurrently with the Planning Proposal and draft DCP amendment.

Council officers support the provision and dedication of the proposed ARH dwellings which is in accordance with the requirements of Council’s Affordable Housing Action Plan and Affordable Rental Housing Policy 2024. The monetary contribution towards Parramatta River foreshore works is also supported.

The provision of the area set aside for the upper level promenade is supported as a key element of Council’s Parramatta CBD River Strategy endorsed by Council in 2015. The benefits of the promenade are discussed above under the heading “Parramatta River Strategy”.

The future development application for redevelopment of the site will also be subject to Section 7.12 development contributions in accordance with the Parramatta City Centre Local Infrastructure Contributions Plan 2022 (Amendment 2). This contribution is in addition to the draft Planning Agreement.



It is proposed that a draft Planning Agreement be prepared based on the applicant's Letter of Offer and exhibited concurrently with the Planning Proposal and draft DCP amendment.

**6.2.3. Has the Planning Proposal adequately addressed any social and economic effects?**

Council's Community Infrastructure Strategy supports the City of Parramatta's growth by identifying priorities for future community infrastructure and informing planning, funding, delivering, and negotiating for community infrastructure. The Parramatta City Centre Local Infrastructure Contributions Plan 2022 also applies to the site and authorises Council to levy developments on the site to contribute towards local infrastructure. Both will be considered as part of any future development application for the site and required contributions towards additional infrastructure will become conditions of any development consent.

The Proposal will also facilitate development that will assist in the emergence of Parramatta as Sydney's Central City which will in turn contribute to continued economic growth.

**6.3. Section D – State and Commonwealth Interests**

**6.3.1. Is there adequate public infrastructure for the Planning Proposal?**

The delivery of the scheme within the Parramatta CBD will achieve a positive social outcome being well serviced by existing infrastructure. Residents and workers will be able access necessary transport, education services, open space, health services, community services, employment, and recreation facilities. The site is located not only within the Parramatta CBD but also within 800m walking distance to Parramatta Train Station. Due to its CBD location, the site is also highly accessible to existing bus services, pedestrian pathways, and cycleways.

The site is also within close proximity to Stage 1 of the Parramatta Light Rail, with a light rail stop located at the corner of Harris and Macquarie Streets approximately 500 metres walking distance from the site. Stage 1 will connect Westmead to Carlingford via the Parramatta CBD and Camellia and is expected to open in 2024. The light rail is planned to be serviced from 5am to 1am, 7 days a week with services approximately every 7.5 minutes from 7am to 7pm weekdays.

Sydney Metro West is a proposed underground railway project that connects Westmead and the Sydney CBD via Parramatta. The subject site is within 700m walking distance of a new metro station to be located in the Parramatta City Centre.

The proximity of the site to existing and future major transport infrastructure makes the site an ideal location for higher density residential and commercial development. Development of the site is also likely to contribute to mode shift away from private vehicles and towards public and active transport.

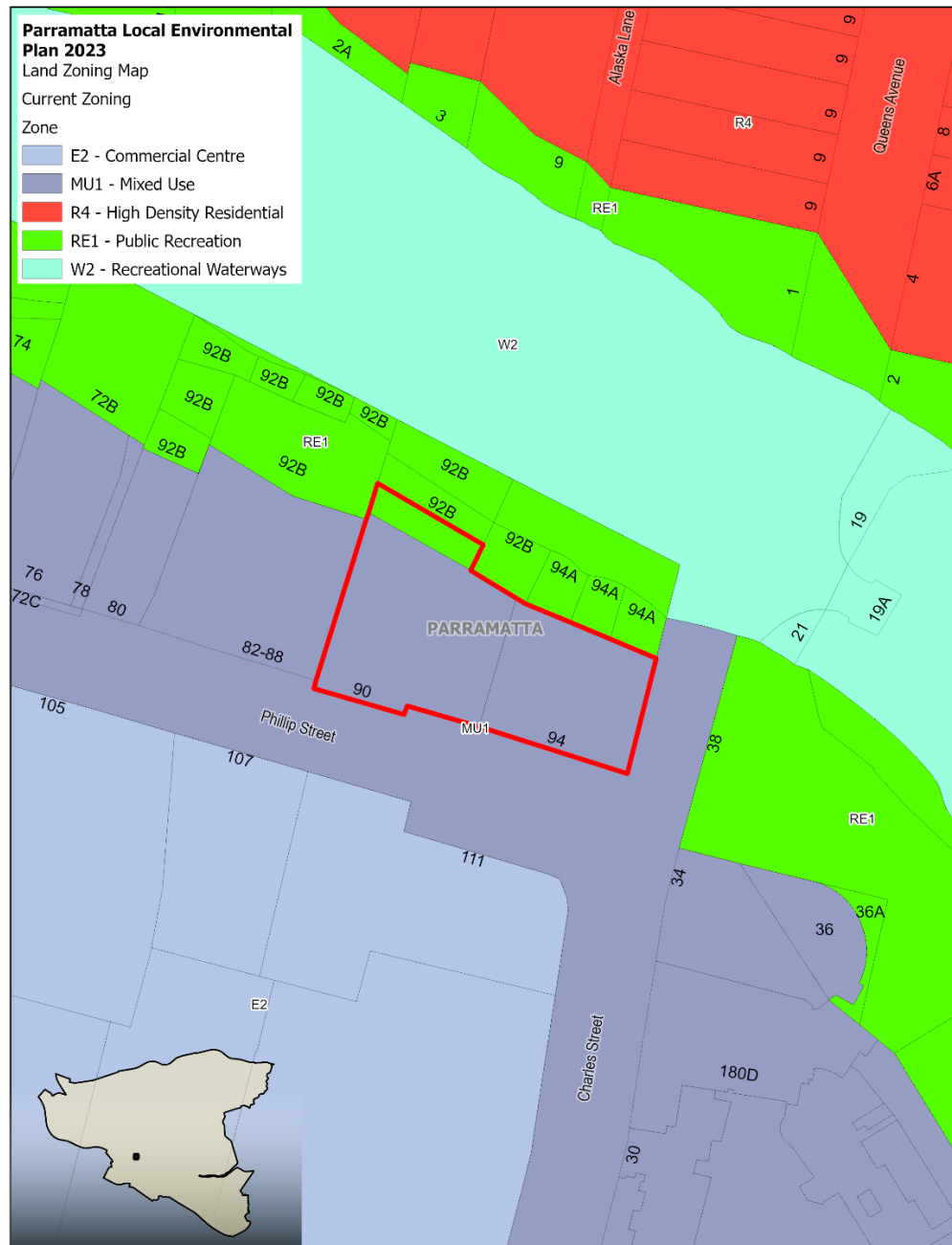
**6.3.2. What are the views of State and Commonwealth public authorities consulted in accordance with the gateway determination?**

Consultation with the State and Commonwealth public authorities will be undertaken once the Gateway Determination has been issued.

## PART 4 – MAPS

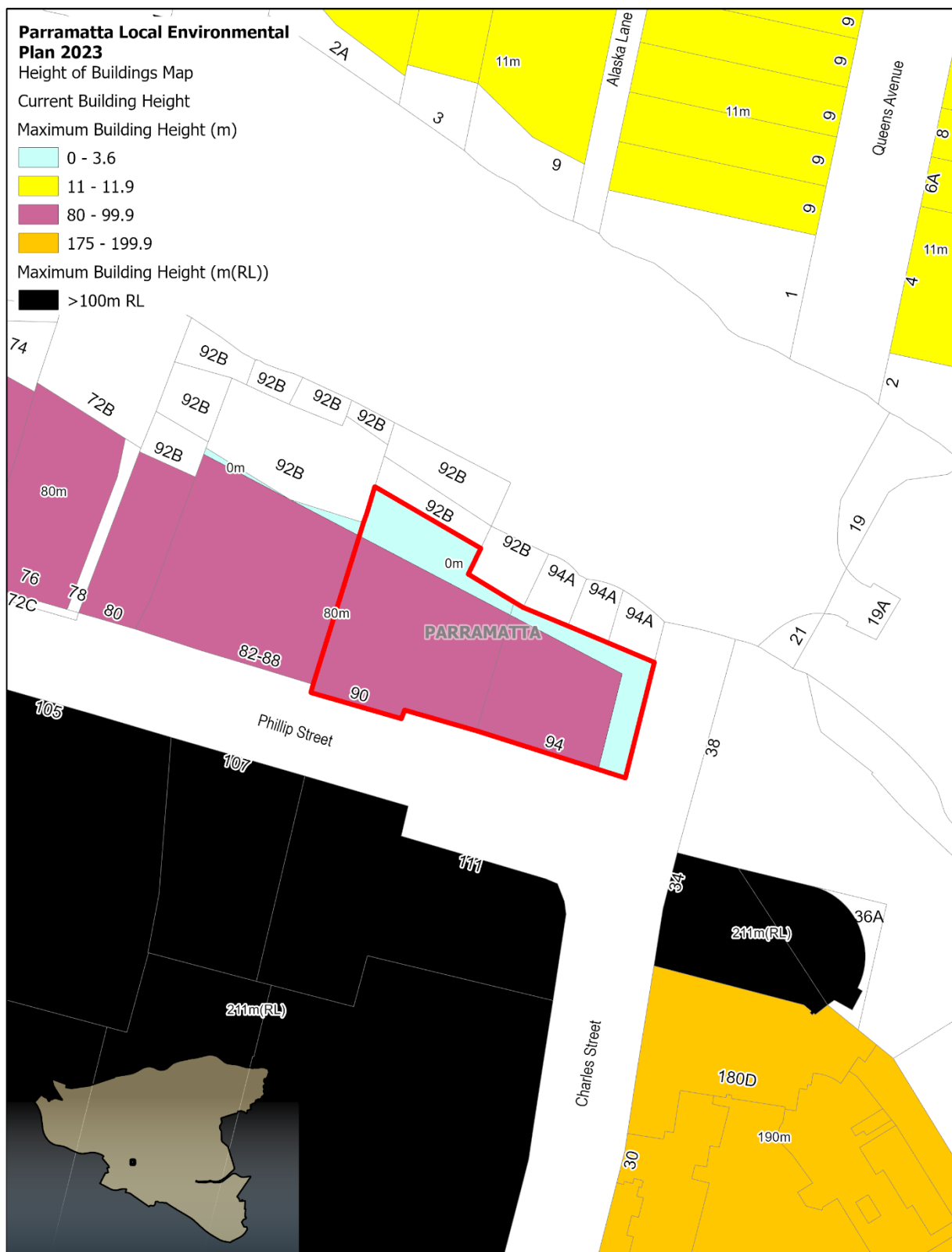
This section contains the mapping for this Planning Proposal in accordance with the DP&E's guidelines on LEPs and Planning Proposals. **Existing controls**

This section illustrates the current *PLEP 2023* controls which apply to the site.



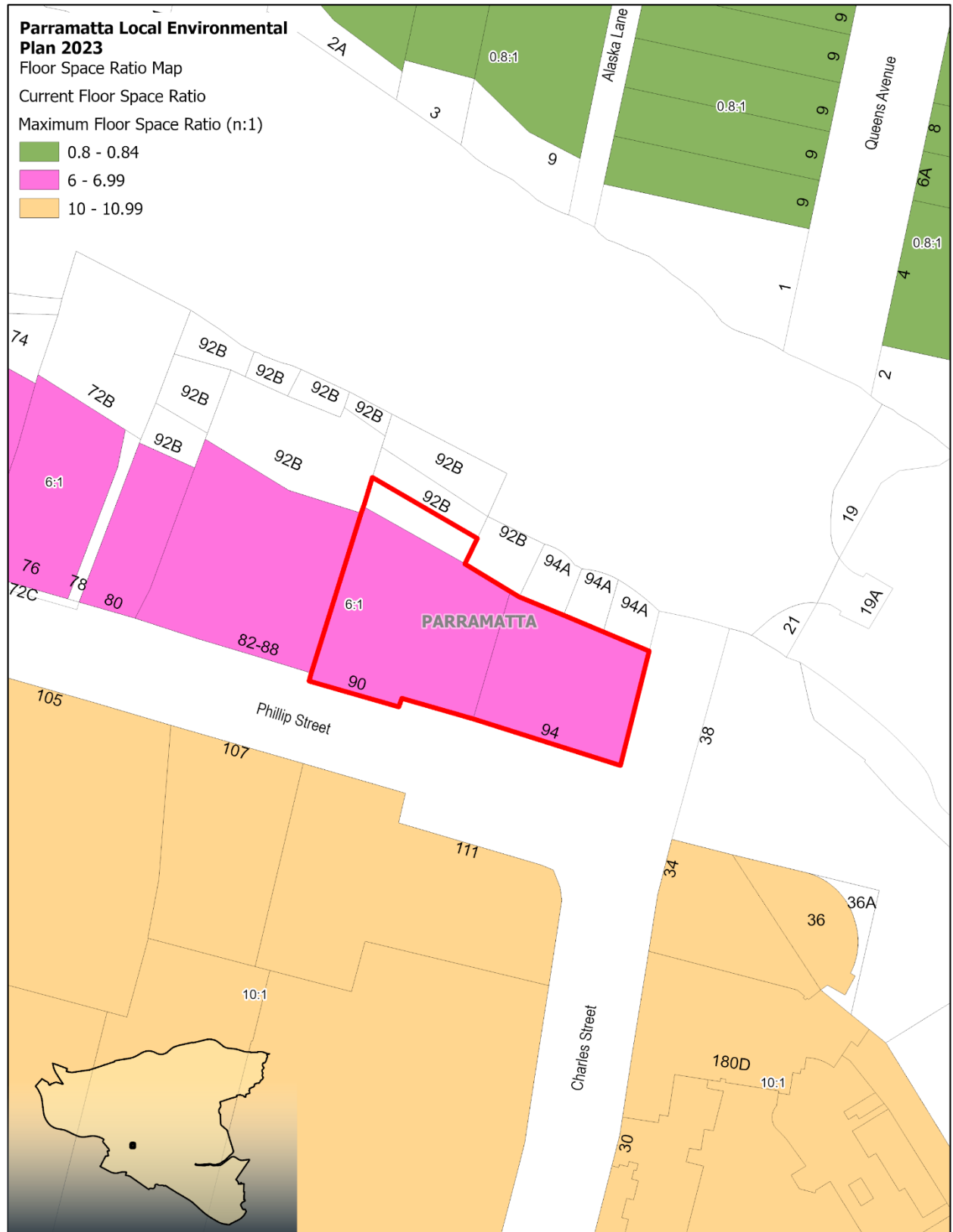
**Figure 14** – Existing zoning extracted from *PLEP 2023* Land Zoning Map

Figure 14 illustrates the existing zoning part MU1 Mixed use part RE1 Public recreation



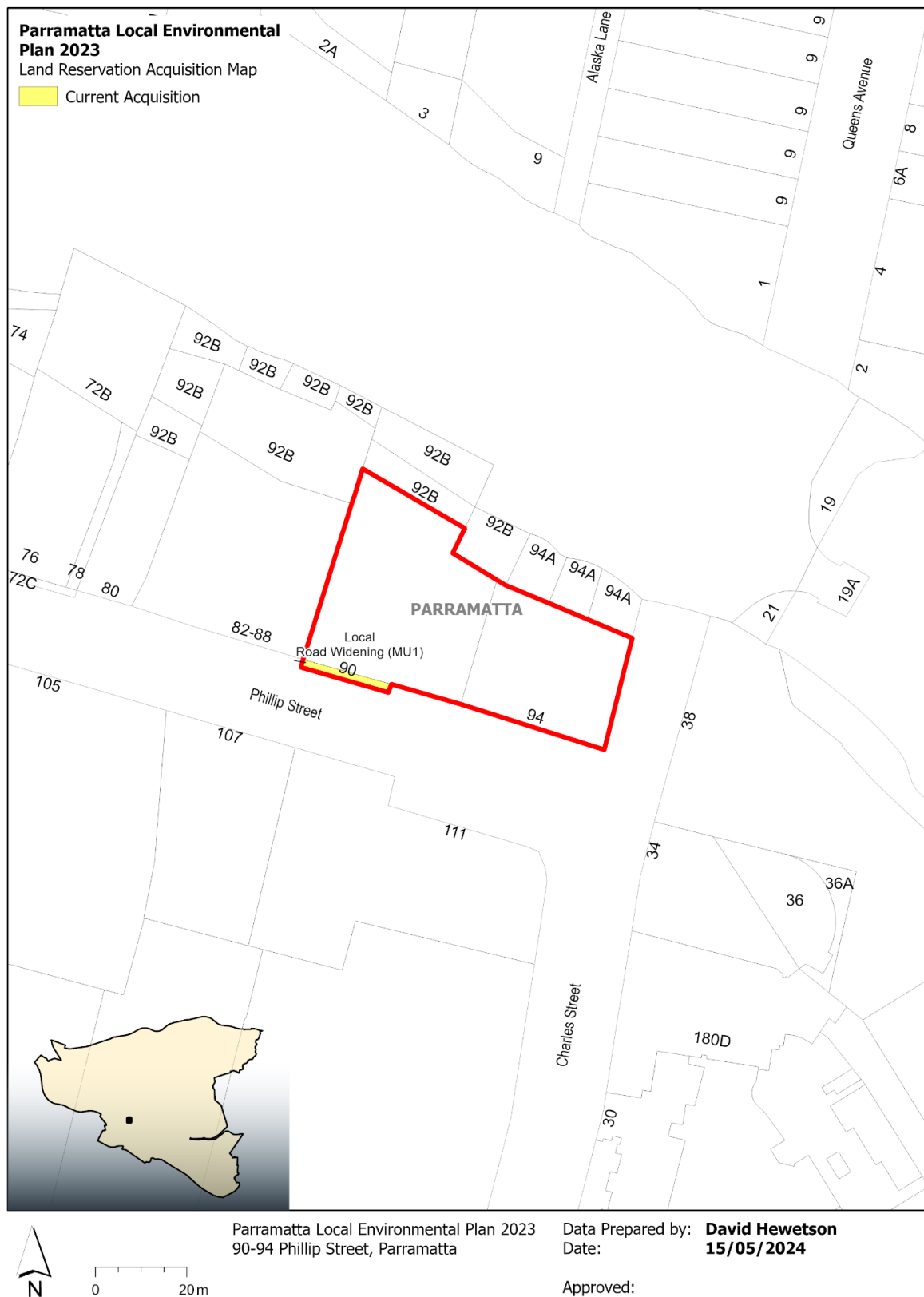
**Figure 15** – Existing building heights extracted from the *PLEP 2023* Height of Buildings Map

Figure 15 illustrates the site currently has a mapped height of part 80m and part 0m.



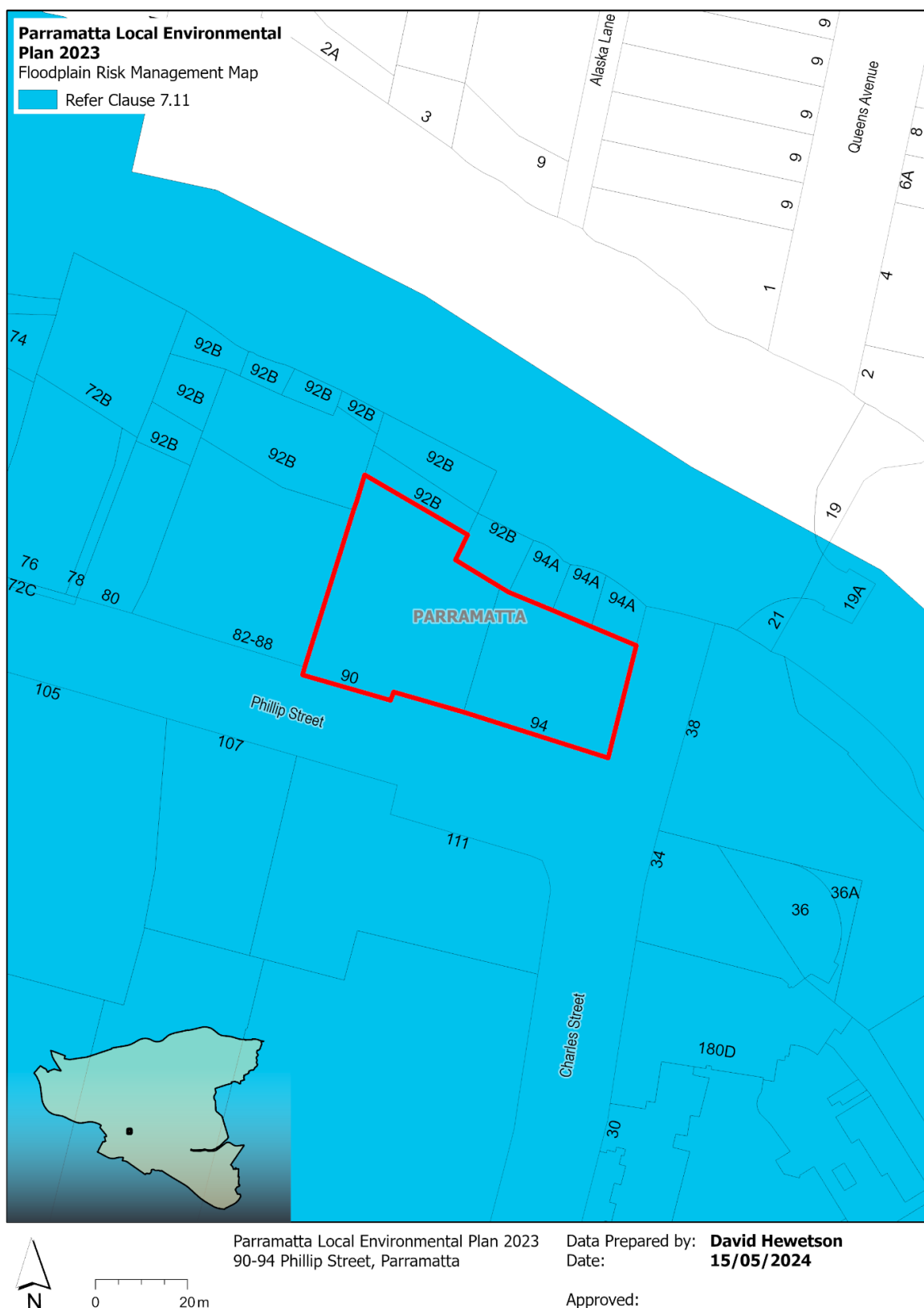
**Figure 16** – Existing floor space ratio extracted from the *PLEP 2023* Floor Space Ratio Map

Figure 16 illustrates existing floor space ratio control of 6:1 for the subject site.



**Figure 17 – Existing reservations extracted from the Parramatta LEP 2023 Land Reservations Acquisitions Map**

Figure 17 above illustrates the reservations for acquisition that apply to the site.

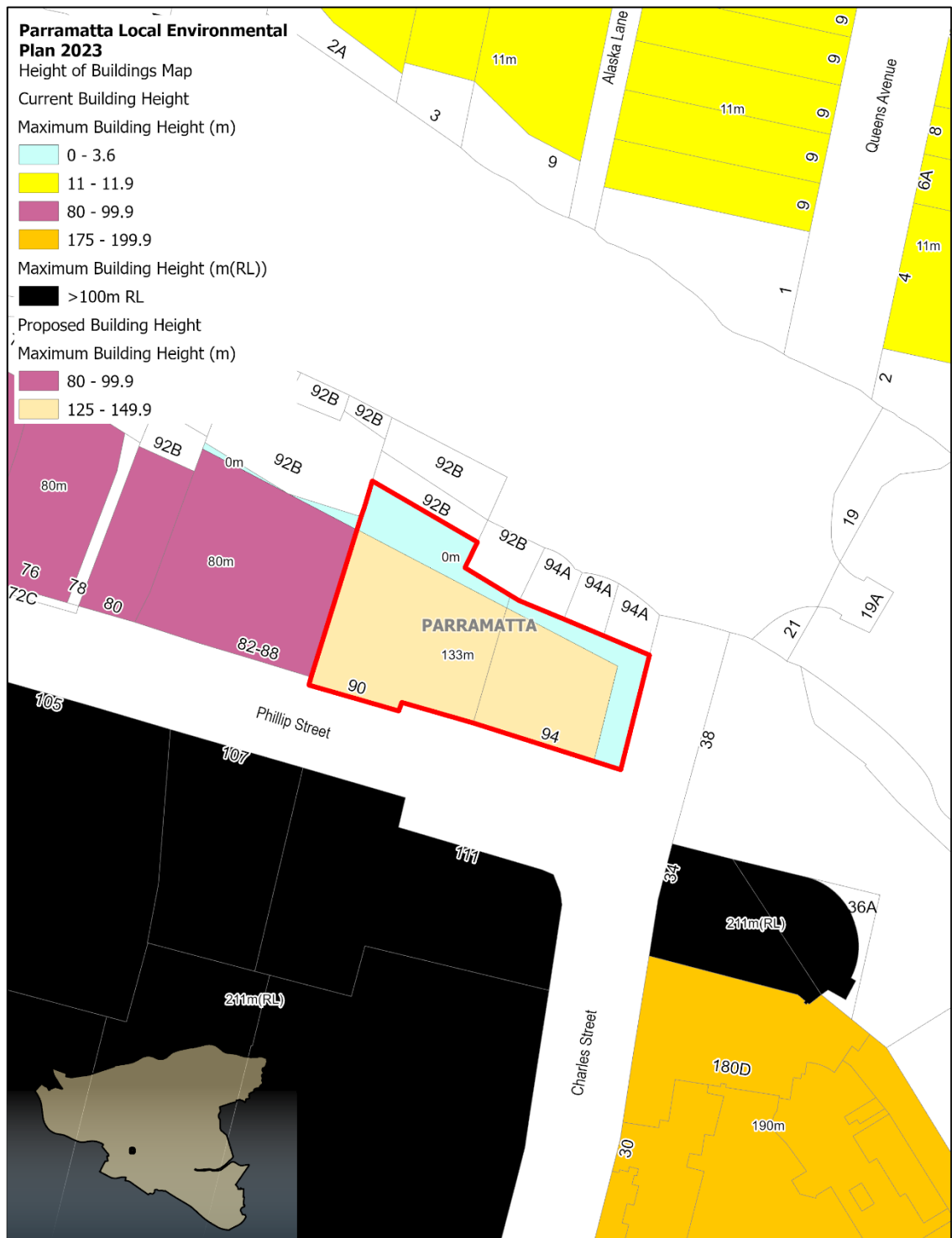


**Figure 18 – Existing Floodplain Risk Management Map extracted from the Parramatta LEP 2023 Flooding Map**

Figure 18 above illustrates the Floodplain Risk Management Map for the site.

## 4.2 Proposed controls

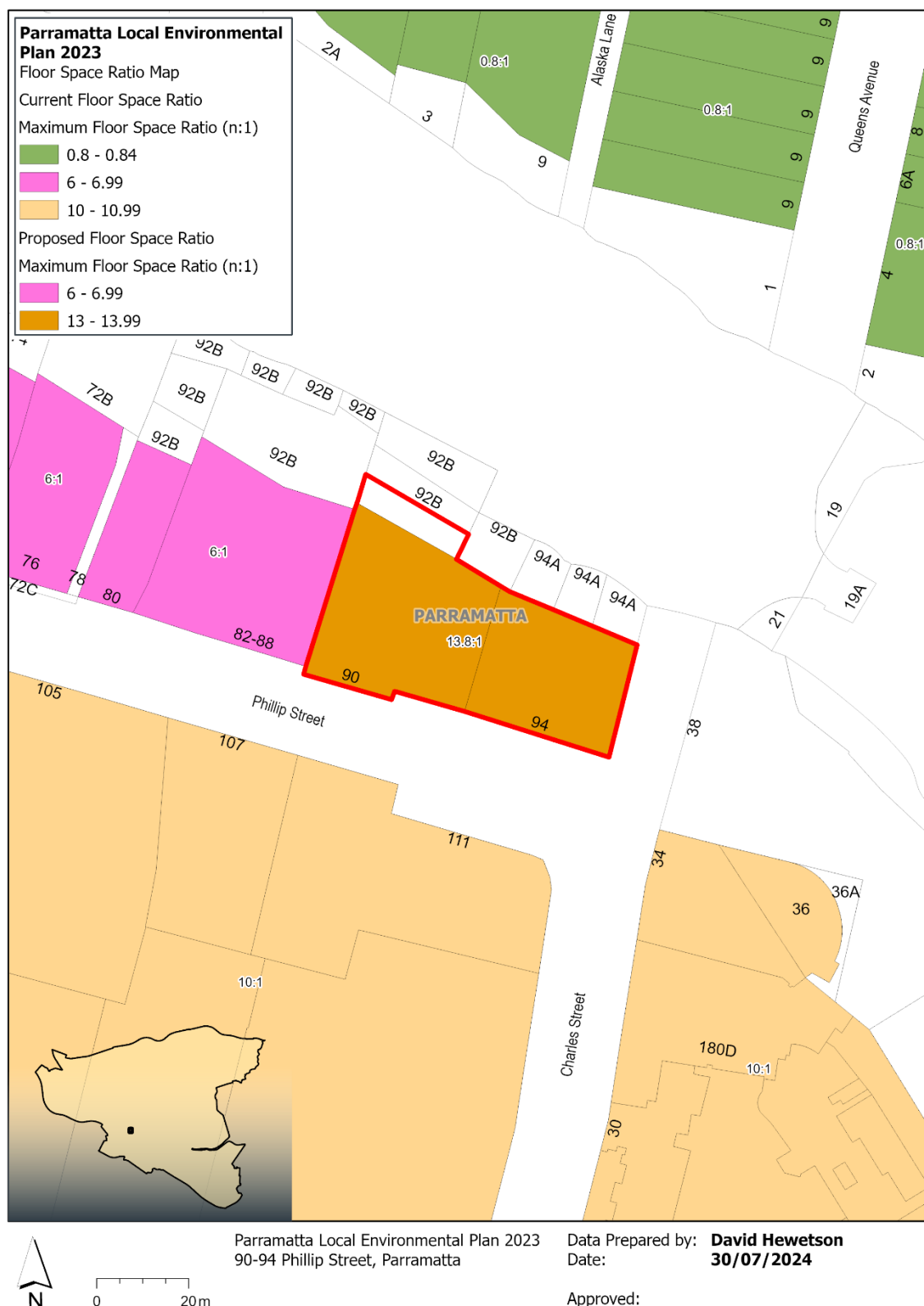
The figures in this section illustrate the proposed maps as a result of the assessment and recommendations for the Planning Proposal.



**Figure 19 – Proposed amendment to the PLEP 2023 Height of Building Map**

Figure 19 above illustrates the proposed height control of part 133 metres and part 0 metres for the site. The proposed height excludes the additional 15% of GFA (which provides for a total height of 153 metres) as this will be achieved through via the design excellence clause at development application stage.





**Figure 20 – Proposed amendment to the PLEP 2023 Floor Space Ratio Map**

Figure 20 above illustrates the proposed FSR of 13.8:1 over the site. This excludes the additional 15% Design Excellence bonus and 5% High Performing Buildings bonus (providing a total FSR of 16.56:1) as this will be achieved through the forthcoming design excellence clause at the development application stage.

## PART 5 – COMMUNITY CONSULTATION

The Planning Proposal (subject to the conditions of any future Gateway determination) is to be publicly available for community consultation.

Public exhibition is likely to include:

- display on the Council's website;
- written notification to adjoining landowners; and
- hard copies on display at Council's Customer Service Centre within Parramatta PHIVE.

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.

## 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 the Local Planning Panel on the assessment of the Planning Proposal	4 June 2024
Report to Council on the assessment of the Planning Proposal	8 July 2024
Submission to the Department of Planning and Environment for review of Gateway determination	September 2024
Gateway determination issued	November 2024
Commencement and completion dates for public exhibition period	February 2025
Consideration of submissions	February/March 2025
Consideration of Planning Proposal and associated report post-exhibition by the Local Planning Panel	March 2025
Consideration of Planning Proposal post-exhibition and associated report by Council	April 2025
Submission to the Department of Planning and Environment to finalise the LEP amendment	May 2025
Notification of instrument	July 2025

# **Appendices to the Planning Proposal**

(Included as separate attachments)

Appendix 1 – Council Meeting Minutes and report – 8 July 2024

Appendix 2 – Local Planning Panel Minutes and report – 4 June 2024

Appendix 3 – Previous Urban Design Analysis

Appendix 4 – Applicant’s Reference Design Scheme

Appendix 5 – Applicant’s Flooding Report

Appendix 6 – Applicant’s Traffic and Parking Assessment Report