

Report by Frankie Liang, Strategic Planner

RECOMMENDATION

- 1. That Council defer their decision of the Planning Proposal for 17-35 Parramatta Road and 5 Powell Street Homebush seeking to increase maximum building heights to 85 metres and 4.5:1 FSR for the reasons outlined in this report.**
- 2. That the Department of Planning & Environment and the proponent be notified accordingly.**

PURPOSE OF REPORT

Council, at its Meeting held on 25 October 2016, resolved inter alia: (Minute No. 332/16):

- "2. That Council adopt a firm position on the lodgement of site-specific planning proposals within the Homebush Precinct whilst the preparation of a precinct wide planning proposal is being undertaken, with applicants advised that:*
 - a) Council is not in favour of site-specific planning proposals within the Homebush Precinct whilst a precinct wide planning proposal is being prepared, on the basis that:*
 - i. The opportunities and impacts of revised planning controls are better considered and managed on a precinct wide basis;*
 - ii. The cumulative impacts of intensive development across the precinct can be more adequately addressed area wide;*
 - iii. Site-specific changes to planning controls may pre-empt or be contrary to the desired outcomes of a precinct wide plan; and*
 - iv. Site-specific planning proposals divert resources away from precinct planning, slowing the process and resulting in inequitable outcomes within the precinct.*
 - b) Site-specific planning proposals submitted prior to the finalisation of a precinct wide plan will only be supported where they do not pre-empt or seek to rely on the new Strategy to justify the height and density uplift."*

This Report has been prepared to:

1. Inform Council of the Planning Proposal lodged by BBC Consulting Planners on behalf of the landowner to amend the Strathfield Local Environmental Plan 2012 (LEP) as detailed below:
 - a. Increase the maximum applicable height of buildings Development Standard from 26 metres to 85 metres.
 - b. Increase the maximum applicable floor space ratio (FSR) Development Standard from 2.7:1 to 4.5:1.
2. Inform Council of the outcomes of the initial assessment of the Planning Proposal and the recommendation to defer the Planning Proposal whilst a precinct wide Planning Proposal is currently being prepared.

REPORT**Proposal Overview**

The table below provides a summary of the current and proposed planning controls relating to 17-35 Parramatta Road & 5 Powell Street Homebush:

	EXISTING	PROPOSED
Height	26m	85m (227% increase)
FSR	2.7:1	4.5:1 (67% increase)
No. of unit	221 (DA approved)	Approx. 348 (57% increase)
Carparking	344 (DA approved)	595 (73% increase)

Table 1: Comparison of Current and Proposed Planning Controls

Background

The current development approval & strategic context is provided below:

DA:

- 12 September 2014 – DA 2014/035 – deferred commencement development consent was granted by JRPP (including two eight storey mixed use buildings comprising 221 units and five ground floor commercial tenancies) on 12 September 2014;
- 10 November 2014 – Operational Consent was released by Council after satisfying deferred commencement conditions;
- March 2016 – DA 2015/020 – the application to include one (1) additional level to the northern building and three (3) additional levels to the southern building comprising an additional (61) apartments was refused by Council; and
- February 2017 – an appeal in relation to this application was lodged by the applicant and the hearing was recently held on 6th and 7th February 2017. The Court is yet to make a decision on this matter.

Strategic:

- 17 September 2015 – Draft Parramatta Road Corridor Urban Transformation Strategy was released for comment, including the Homebush Precinct where the subject site is located. The Draft Strategy recommended a Mixed Use land use for the site, with maximum heights of 14-25 storeys across the subject site and active frontages along Parramatta Road;
- 19 February 2016 – WestConnex M4 East Project Approval was granted including a Homebush On-ramp located at Arnotts Reserve. Both the Homebush on-ramp and the expanded M4 Motorway (to accommodate for the new Tunnel Entry/Exit points) are located in close proximity to the subject site;
- 25 October 2016 – Council resolved to adopt a firm position that site-specific Planning Proposals are not favoured whilst a precinct wide Planning Proposal is being prepared;

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- 9 November 2016 – the final Parramatta Road Urban Transformation Strategy was released. The final Strategy proposes the site for Open Space use despite a DA approval having been granted for the site, with construction on this project being well advanced;
- 6 December 2016 – Council resolved to allocate up to \$250,000 to prepare background studies and the required statutory documents for implementation of the Parramatta Road Urban Transformation Strategy 2016; and
- The scope of these studies is currently being completed in association with Canada Bay Council before tenders are sought for the undertaking of these studies.

Post-Lodgement Council Correspondence

The proponent lodged the Planning Proposal on 4 November 2016, despite Council Officers' advice to engage in preliminary discussions regarding the scope for rezoning of the site and the need to attend a Pre-lodgment Meeting as standard protocol.

Following an initial assessment of the PP, Council wrote to the proponent on two occasions to:

- Advise of the PP's inconsistency with the provisions of the Parramatta Road Urban Transformation Strategy;
- Recommend that the PP be withdrawn consistent with the 25 October 2016 Council resolution;
- Outline a list of outstanding information required should the proponent pursue the Planning Proposal further; and
- A due date of 13th January 2017 was given to provide an expected timeframe for completion of the outstanding information.

To date, no further correspondence has been received by Council with regards to the outstanding information requested. Council Officers have therefore progressed assessment of the PP in its current form, based on the information currently available.

The Site and Surrounding Land

The subject site is known as 17-35 Parramatta Road & 5 Powell Street, Homebush. The legal description of the site is Lot 81 in Deposited Plan 870786 and Lot 3 in Deposited Plan 10028676. The site has a total area of 6,053.23m² and is now primarily a construction site for an approved Mixed Use development.

The site is situated approximately 11 kilometres west of the Sydney CBD and bounded by Parramatta Road to its south and M4 Motorway to its north. The M4 Homebush On-ramp construction site shares the eastern boundary and Powell Street defines the western boundary

The former Homebush Theatre and Horse and Jockey Hotel heritage items are located in close proximity to the subject site.

In general, the surrounding streetscape presents a precinct that is undergoing transition from light industrial, commercial and car yard uses to a medium/high density residential precinct with ground floor retail/commercial use.

An aerial photograph of the subject site is shown below:

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Subject Site

Figure 1: Locality Plan (November 2016)

Description of the Proposal

A Planning Proposal (prepared by BBC Consulting Planners) was lodged on 4 November 2016 for the subject land seeking to amend the Strathfield Local Environmental Plan 2012 (SLEP 2012) by:

- Increasing the height of buildings controls from 26m to 85m; and
- Increasing the floor space ratio controls from 2.7:1 – 4.5:1.

The amended controls would enable a redevelopment of the site for a yield of approximately 348 units (127 additional units to that currently approved for the site). The PP provides illustrative figures showing a proposed 25-storey tower located at the south eastern corner of the subject site, whilst maintaining the two 8-storey buildings, as per the current development approval (DA 2014/035).

The Planning Proposal is accompanied by:

- Outline of Recent Application / Approval History;
- Urban Design Report - prepared by Architectus (October 2016); and
- Illustrative Figures (including aerial photos, LEP maps and, diagrams in the Draft Parramatta Road Urban Renewal Strategy).

Strategic Assessment of Proposal

Strategic Merit Assessment

Sydney Metropolitan Plan – A Plan for Growing Sydney (December 2014)

- This PP is broadly consistent with the overarching goals of the Metropolitan Plan and seeks to achieve Goal No. 2 of the Plan – “A city of housing choice, with homes that meet our needs and lifestyles”.
- However the proposed scale of height and density variation contained in the Planning Proposal has not been adequately justified on planning and urban design grounds.
- The Metropolitan Plan also requires consistency with Direction 3.2, “Create a network of interlinked, multipurpose open and green spaces across Sydney”.
- Inadequate details have been provided on how the PP will protect the amenity and support the delivery of Powells Creek Open Space corridor, which is an important green space corridor in this region.
- It is important to note that the southern section of Powells Creek Open Space corridor is overshadowed by the proposed 25-storey tower development between 1pm to 3pm on 21 June. The amenity of this section of the Open Space corridor is significantly compromised.
- It is also noted that A Plan for Growing Sydney is due for review and update during 2017 and it is expected that this will be prepared to align with the draft District Plan released in November 2016.

Draft Central District Plan (November 2016)

- The draft Central District Plan was released on 21 November 2016 by the Greater Sydney Commission;
- The Draft District Plan requires Councils to “increase housing capacity across the District” (Action L3), and specifically for Strathfield Council to “work with adjoining councils to implement the Parramatta Road Corridor Urban Transformation Strategy and supporting Implementation”;
- It is generally considered that the PP would contribute to the overall housing target in an accessible location. However, the progression of individual site specific PPs would undermine the collaborative process of a Precinct Wide PP that is currently being prepared by Strathfield and Canada Bay Council;
- Additionally, the draft Central District Plan requires action to provide design-led planning to support high quality urban design. The substantial residential intensification and 25-storey increase in height with minimal setback to Parramatta Road, Powells Creek Open Space corridor and Homebush WestConnex On-ramp is considered contextually inappropriate;
- The PP is not supported by a document that provides careful consideration of SEPP 65 requirements and demonstrates that the SEPP 65 standards can be met. It remains in doubt whether the proposal is able to achieve good urban design outcomes at the future DA stage; and
- Therefore this PP is not considered to be consistent with the Draft Central District Plan.

Parramatta Road Urban Transformation Strategy

- The Parramatta Road Urban Transformation Strategy (PRUTS) was released on 9 November 2016 by UrbanGrowth NSW;
- PRUTS is a framework document that sets the vision and land use and transport principles to accommodate 27,000 new homes and 50,000 new jobs across the entire Parramatta Road corridor over the next 30 years;
- The subject site is located within the Homebush Precinct, one of the eight precincts in the PRUTS that will be the focus of growth and renewal in the Corridor.
- It is currently mapped as “Indicative Open Space Use” with no heights or densities applicable;
- Clarification was sought with UrbanGrowth in relation to the context / justification for an Open Space use in this locality;
- UrbanGrowth acknowledged that the “indicative proposed open space use” for the subject site was an oversight. However the Strategy provides some flexibility for the PP to depart from the indicative Open Space Use for the subject site (e.g. a statement of PRUTS indicates the location and configuration of the Open Space areas can be determined as part of any future PP);
- The DA approval and the commencement of construction on site would provide an appropriate justification for the departure;
- Whilst no FSR or height controls for the subject site are recommended in the Strategy, the PP should seek a height and density control based on the surrounding context and other strategic merits and considerations; and
- Notwithstanding this, Council Officers consider that the proposed height of 86m and FSR of 4.5:1 have not been adequately justified having regard to the context, amenity impact on immediately surrounding sensitive land uses (e.g. open spaces and state infrastructure) and SEPP 65 considerations.

Site Specific Merit Assessment

Built form, bulk & scale

- The proposed height and FSR is contrary to the established height and FSR hierarchy set in the SLEP 2012. As indicated above, the PRUTS does not provide any indicative density and height controls for the subject land;
- The variation to the LEP development standards and the PRUTS has not been adequately justified on planning and urban design grounds;
- Furthermore, the spatial location of the 25-storey development fronting Parramatta Road is contrary to the Planning and Design Guidelines of the PRUTS. The proposed 25-storey tower elements provide no setback on Parramatta Road corridor and very minimal setback to the eastern boundary;
- This is inconsistent with the Green Edge Setbacks and Transition to Open Space indicative diagrams as outlined in Planning and Design Guidelines of the PRUTS. Without the appropriate setbacks, the proposed 25-storey height would create a significant overbearing structure on pedestrians and open space users at street level.

Traffic & Transport

- The PP is not supported by a Traffic & Transport Study therefore it is unable to ascertain the traffic impact on regional / local road networks, parking impact and any other alternative active transport provisions;
- Whilst the PP asserts that a Traffic and Parking Study be prepared if endorsed in Gateway, it is Council Officers' view that this is a critical strategic planning matter that needs to be justified upfront in the planning process; and
- The PP is also inconsistent with a pre-cautionary approach advocated through the PRUTS - Implementation Plan 2016 – 2023, which says “prior to any rezoning commencing, a precinct-wide traffic study and supporting modelling is required to be completed which considers the recommended land uses and densities, as well as future Westconnex conditions”. The necessary road improvements and upgrades required to be delivered as part of any proposed renewal in the Precinct also need to be identified.

Overshadowing

- The 25-storey tower concept plan presents a significant overshadowing impact on the Powell's Creek Open Space corridor south;
- The Powell's Creek Open Space Corridor is an important Open Space spine that provides high quality open space and better accessibility to serve the current and future population growth;
- It is therefore critical to minimise the solar and other amenity impacts on this important Open Space corridor; and
- An assessment of the overshadowing impact of such a tower on other potential development sites is also lacking.

Acoustic

- The site is surrounded by the WestConnex project including a widened Motorway to the north and an on-ramp to the east;
- No acoustic assessment has been undertaken to ensure the residential uplift is appropriate at this hostile location and to inform a better built form outcome that responds to the acoustic context; and
- Serious consideration must be given to the acoustic impact of the adjoining WestConnex traffic corridor and Homebush on-ramp, as well as the acoustic impact of the Parramatta Road corridor.

Heritage

- The site is located in close proximity to two (2) important heritage items, including the Horse and Jockey Hotel and former Homebush Theatre;
- The PP has not been supported by a Heritage Impact Statement that assesses and manages the potential impact on the adjoining Knight Street Heritage Precinct;
- It is important to ensure that the height is appropriately scaled and transitioned so that it is compatible with the Heritage Precinct.

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Having reviewed the PP and supporting information, it is considered that justification for the proposed increase in height and FSR has not been clearly justified by the PP in the current format. Specifically, there is doubt as to the appropriateness of the proposed height and FSR controls in terms of amenity impact.

Further investigations are required in relation to traffic & transport, built form, acoustic, heritage impact.

Precinct Wide Parramatta Road Corridor Planning Proposal

On 6 December 2016, Council resolved to provide funding in partnership with Burwood and Canada Bay Council to engage a specialist consultant for the preparation of technical studies.

The consultant brief has been developed since and the tender process already commenced in January 2017 with the aim of finalising procurement by February 2017.

A meeting hosted by the Department of Planning & Environment, with UrbanGrowth NSW and councils was held on 30 January 2017 to discuss the approach to rezone the Parramatta Road Corridor.

All stakeholders at the meeting were supportive of a Precinct Wide Planning Proposal approach to implement the Parramatta Road Urban Transformation Strategy. Urban Growth NSW would also prepare additional communication materials, specifically for private landowners and developers on implementing the strategy via Planning Proposals. This will include clarification on the level of information and studies required to support any Planning Proposals within the corridor.

Given the imminent preparation of the technical studies by Council, it would be prudent to defer the decision of any individual spot rezoning until all the supporting technical studies are completed.

Conclusion

The Planning Proposal fails to convincingly justify the proposed scale of height and density variation from a strategic planning viewpoint. There is significant reservation from Council Officers as to the appropriateness of the proposed height and FSR controls in terms of amenity impact.

It is also pre-mature to progress any spot rezoning to the Gateway Determination stage when Council is in the process of preparing the background strategic studies for the entire Parramatta Road Corridor.

The support of any site specific PP at this stage would likely create an undesirable precedent and is detrimental to the precinct wide strategic works that Council has committed funding to (according to 6 December 2016 Council Resolution).

It is therefore recommended that Council defer the decision of this Planning Proposal until all the background studies are completed (particularly the traffic study). On completion of these background studies by Council, the proponent should then revisit the Planning Proposal to adequately justify the site specific merit contained in this report.

The revised PP can then be reformatted as an LEP submission for Council's consideration during public exhibition of Council's Precinct Wide PP.

REFERRAL FROM OTHER DEPARTMENT

Various departments have been consulted with to provide comment on this Planning Proposal.

FINANCIAL IMPLICATIONS

There are no financial implications.

Report approved by:

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A/Director Infrastructure & Development