

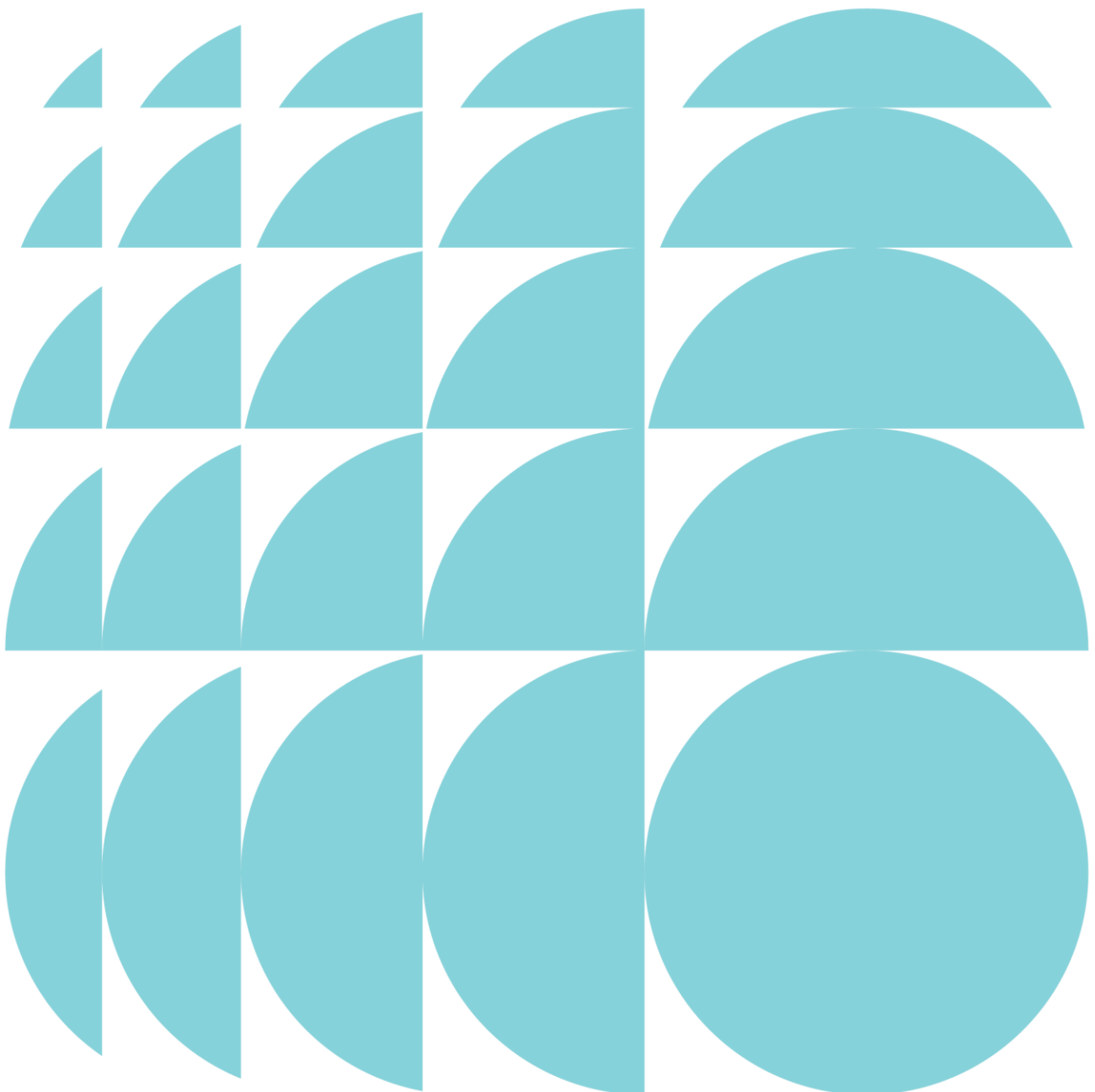
Planning Proposal

Amendment to Parramatta LEP 2011

286-300 Church Street Parramatta
Amendments to Height and Floor Space Ratio
Controls

Submitted to City of Parramatta
On behalf of JHU Group Pty Ltd

25 August 2017 | 17053



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This key site in
the CBD presents
a significant
opportunity to
contribute to
realising the
vision of
Parramatta as
Greater Sydney's
Central City

Executive Summary

This Planning Proposal to amend the Parramatta LEP 2011 has been prepared by Ethos Urban on behalf of JHU Group Pty Ltd and relates to 286-300 Church Street Parramatta.

286-300 Church Street is identified as an opportunity site under the Parramatta CBD Planning Proposal. It is within direct proximity to the 'Eat Street' stop on the proposed Parramatta Light Rail network. It covers a site area in excess of 2,000m² and therefore, it presents a significant opportunity to contribute to realising the vision of Parramatta as Sydney's Central City.

It is proposed to ultimately redevelop the site with a mixed use scheme featuring retail/commercial floorspace within a podium structure and residential apartments above. An indicative concept scheme has been prepared for the site that entails a 61 storey tower comprising 4,145m² of retail and 318 apartments.

The objective of this Planning Proposal is therefore to amend the existing controls in relation to height and floor space ratio (FSR) as they apply to the site. This amendment is consistent with controls proposed in the Parramatta CBD Planning Proposal. Due to the significant quantity of studies required to inform the Parramatta CBD Planning Proposal and therefore, the protracted timeframe associated with its gazettal, it is intended that the submission of this Planning Proposal will expedite redevelopment of the site in line with Council's objectives for the CBD.

The proposed amendments to height and FSR controls are captured in **Table 1** below.

Table1- Existing and proposed LEP controls

	Existing	Proposed
Floor Space Ratio	The front portion of the site (18m deep to Church Street) has a 3:1 maximum floor space ratio. The rear portion of the site has a maximum floor space ratio of 10:1.	<p>Apply a 10:1 FSR across the entire site.</p> <p>Provide a site specific clause allowing a potential additional FSR of 6:1 subject to the following provisions:</p> <ul style="list-style-type: none"> • Opportunity Site (Phase 2 Community Infrastructure) - 3:1 • High Performing Building Bonus – 0.5:1 • Design Competition Bonus – 1.5:1¹ • Additional commercial space above the maximum FSR – 1:1 <p>Refer to draft clauses in Section 5.2.1</p>
Building Height	The front portion of the site (18m deep to Church Street) has a 12m height standard. The rear portion of the site has a maximum height of 120m.	Retain the 12m height standard for the front 10m of the site (to Church Street). Remove height control for the rear portion of the site.

¹ As existing under Clause 7.10 of the Parramatta LEP 2011. No site specific clause is proposed.

Strategic Justification

Consecutive strategic planning documents have identified and promoted the growth of Parramatta as Sydney's second CBD. Most recently, the draft District Plans have promoted the Greater Parramatta to Olympic Peninsula as Sydney's true centre – the connected unifying heart. Significant government investment into achieving this vision has led to the development of major projects including WestConnex, Sydney Metro West, Parramatta Light Rail and cultural investments including Parramatta Stadium redevelopment and the relocation of the Powerhouse Museum.

In addition to the wider factors that are driving the growth of Parramatta, the site is strategically located within the CBD on an opportunity site as identified by the City of Parramatta in the Parramatta CBD Planning Proposal.

Assessment of Planning Issues

The proposed indicative concept scheme and associated planning controls will have no overshadowing impact on key areas of public space including Parramatta Square and the Lancer Barracks.

The proponent is required to undertake a design excellence process that will deliver high built form outcomes for the site. In particular, a tall slender tower is proposed on the site that encourages opportunities to improve the quality of the public domain and facilitates opportunities to deliver additional community infrastructure.

The conservation, reconstruction and interpretation works to the heritage structures on the site will positively enhance and highlight Parramatta's history and heritage, while the carrying out of an archaeological research design will also enhance the public knowledge about the history of the site. The development would have little adverse heritage impact on surrounding heritage items.

The proposal does not include land at 302 Church Street. Whilst this is the case, the proposal will enable a design solution on the subject site that complements the existing building, and still enables 302 Church Street to be redeveloped in the future in accordance with the relevant planning controls. The proposed changes to the planning controls, and the indicative concept, will therefore not result in the isolation of this site.

The residential component of the concept scheme is capable of achieving solar access requirements. The indicative scheme demonstrates that a design solution can be achieved that is capable of satisfying the design requirements of SEPP 65 and the Apartment Design Guide.

No road improvements or intersection upgrades would be required as a consequence of the Planning Proposal. The Planning Proposal will not have any unacceptable implications in terms of road network capacity or off-street parking/loading requirements.

Conclusion

Considering the strategic nature of the site and justification provided in addressing planning issues, we believe that the Planning Proposal has 'Strategic Merit' and would have no hesitation in recommending that the Planning Proposal proceed through the Gateway to public exhibition.

1.0 Introduction

This report has been prepared by Ethos Urban on behalf of JHU Group Pty Ltd. It supports a Planning Proposal to amend the Parramatta LEP 2011 as it relates to 286-300 Church Street Parramatta.

The objective of this Planning Proposal is to amend the existing controls in relation to height and floor space ratio (FSR).

This Planning Proposal has been prepared in accordance with Section 55 of the *Environmental Planning & Assessment Act, 1979* (EP&A Act), and 'A Guide to Preparing Planning Proposals' prepared by the NSW Department of Planning and Environment. **Section 5.0** of this report sets out the strategic justification for the Planning Proposal and provides an assessment of the relevant strategic plans, state environmental planning policies, ministerial directions and the environmental, social and economic impacts of the proposed amendment. This report should be read in conjunction with the relevant expert consultant reports appended (see Table of Contents).

2.0 Background

2.1 Pre-lodgement Consultation

Two (2) pre-lodgement meetings have been held with the City of Parramatta to discuss the site and the Planning Proposal. The first meeting was held on 27 March 2017. The key matters discussed included:

- The proposed site and its potential to accommodate a tall building.
- The Council's CBD Planning Proposal and the timings associated with its ongoing assessment.
- The strategic transport model that has been prepared for the CBD.
- Proposed LEP controls for the site, and the means to achieving the maximum floorspace (e.g. community infrastructure bonus, design excellence, sustainability bonus etc)
- The Planning Proposal process and the subsequent design competition process (post Gateway).
- Provision of advice with regards to the required documents to support a Planning Proposal.

Following this meeting a second meeting was held with the Council on 3 July 2017. During this meeting a more developed indicative design philosophy and solution was presented to Council, and detailed discussions were held with regards to the appropriateness of the built form and design response. Key discussion points from this meeting included:

- Built form generally supported, however will require testing and a robust urban design analysis.
- 10m setback from the Church Street frontage to the tower was considered to be acceptable.
- Additional floorspace above the maximum 15:1 is only permitted to a certain degree. An additional 1:1 non-residential FSR above the site's maximum is something that the Council is

willing to consider. An overall maximum of 16:1 was considered by Council to be the maximum that can be accommodated on site.

- Serviced apartments were not considered to be a form of commercial floorspace for the purposes of calculating 'non-residential' floorspace. Council want to see 'employment generating' uses in this component of any building.
- Planning proposal needs to address the site isolation matter by showing some design options for the adjacent site at 302 Church Street.
- Erby Street car park unlikely to remain as a car park. Likely to be commercial with a podium and tower form. Council not able to provide any further details at this stage.

Overall, the pre-lodgement meetings have been positive and productive. The Planning Proposal has been updated to take into account the feedback received and is considered to provide an outcome that is consistent with the Council's intentions for the site and the CBD.

3.0 The Site

3.1 Site Location and Context

The site is located at 286-300 Church Street in the centre of the Parramatta CBD near to the intersection with Phillip Street. It falls within the Parramatta Local Government Area (LGA).

The Parramatta CBD is located approximately 20km to the west of the Sydney CBD. The Parramatta CBD includes a range of regionally significant facilities and amenities, namely the Parramatta Westfield Shopping Centre, the future Parramatta Square development including the Council Chambers Building, the Parramatta Public Library and various other civic amenities. The CBD also includes significant retail, commercial, education and service facilities, which are all located within close proximity to the site. Parramatta Park interfaces with the CBD to the west at O'Connell Street and is a recreational open space of regional significance.

Significant investment has been made by the State Government in close proximity to the site including the redevelopment and expansion of Parramatta Stadium, the Western Sydney Light Rail and the Museum of Applied Arts and Sciences (Powerhouse Museum) relocation to the Parramatta Riverbank. The site is also expected to benefit from the proposed Sydney Metro West project, as well as WestConnex motorway which are in various stages of construction and planning.

The site is located approximately 450m northwest of the Parramatta Train Station and 550m west of the Parramatta Ferry Wharf. It has a primary frontage to Church Street, which has a high density of retail and hospitality venues and is branded as Parramatta's 'Eat Street'. One block to the north is the Parramatta River, which runs in an east-west direction along the Parramatta Riverbank.

Refer to the Location Plan at **Figure 1**.

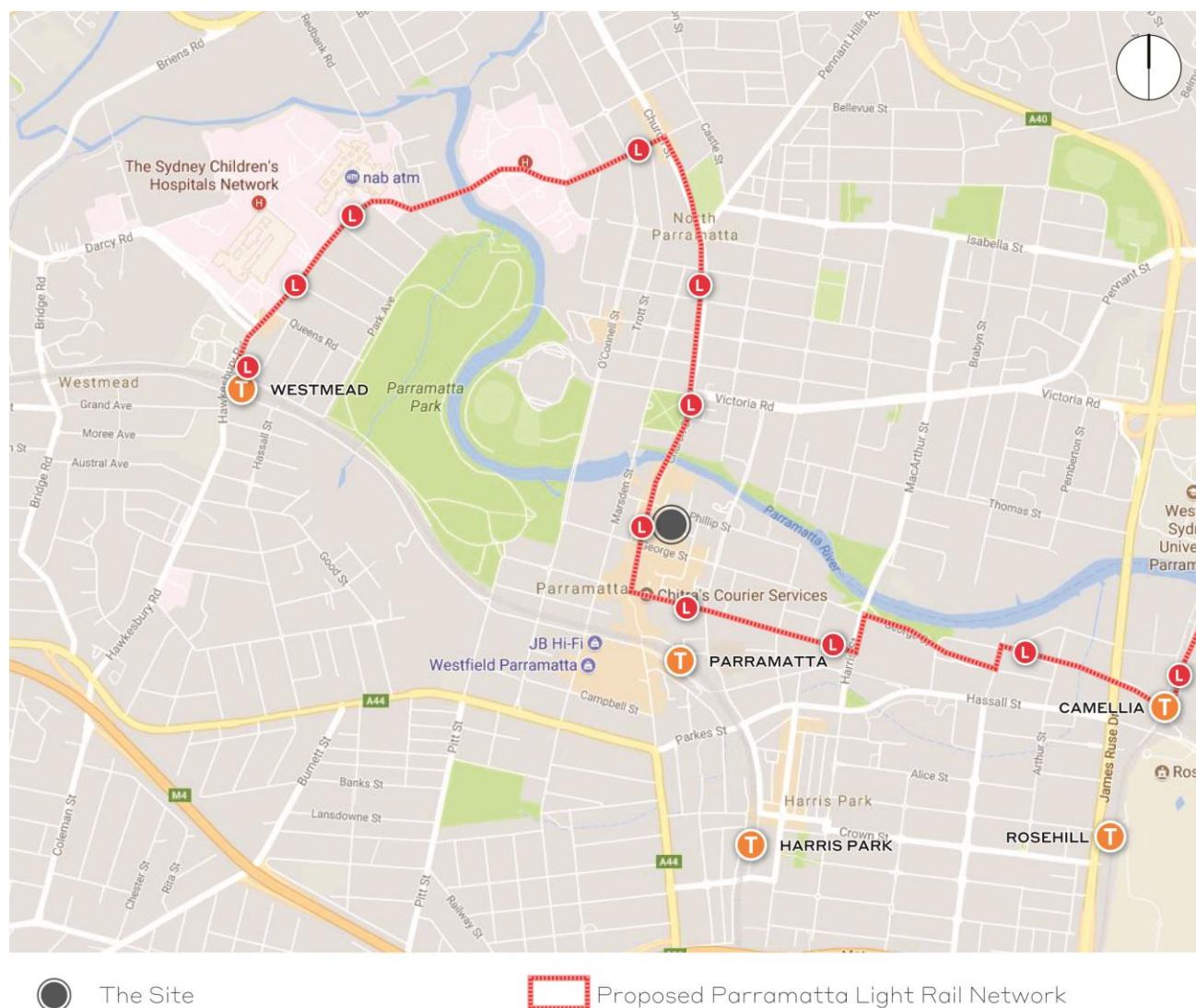


Figure 1 – Location Plan

Source: Ethos Urban

3.2 Site Description

The site is legally described as:

- Lot 1 DP128501;
- Lot 1 DP210616;
- Lot 5 DP516126;
- Lot 2 DP216665;
- Lot 100 DP803945; and
- Lot 1 DP84998.

The land is owned by JHU Group Pty Ltd.

The site has an area of 2,097.3m² and has a frontage of approximately 45m along Church Street. The site has rear access onto Erby Place. It is slightly irregular in shape. A survey plan is located at **Appendix B**.

One lot to the north (Lot 1 DP211499; 302 Church Street) is not under the ownership of the proponent and separates the site from access to Phillip Street.

The site is identified as a heritage item (I672) under the Parramatta LEP 2011. It is also adjacent to another heritage item to the immediate north (I677). Heritage item I672 is of local heritage significance and refers to a sandstone and brick wall at 286 (rear), 288 and 290 Church Street. Heritage item I677 is of local heritage significance and refers to a shop (and potential archaeological site) at 302 Church Street. There is a high occurrence of other heritage items along the length of Church Street.

An aerial photo of the site is shown at **Figure 2**.



Figure 2 – Site Plan

Source: Ethos Urban

3.3 Existing Development

The site is currently occupied by 2-3 storey buildings, including ground floor retail and hospitality tenants, with commercial floorspace above. Ground floor hospitality tenants are trading out onto the street, utilising generous sidewalk dining spaces consistent with Church Street's 'Eat Street' branding.

3.4 Heritage

The site contains the following heritage items as listed under the Parramatta LEP 2011:

- 286 (rear), 288 and 290 Church Street (heritage item I672) – this is thought to be the southern wall of 294 Church Street;
- Shop (and potential archaeological site) at 302 Church Street (heritage item I677) – this is thought to be 298 Church Street; and
- The site is part of Parramatta Archaeological Management Unit 3079.

The State Heritage Inventory also lists the following:

- 292 (rear) Church Street – This is thought to be the northern wall of 292 Church Street.

3.5 Surrounding Development

The Parramatta CBD is currently experiencing a period of rapid change. The following section describes the surrounding development, both current and proposed/approved.

North

To the immediate north, 302 Church Street is a two storey development with retail and hospitality tenants on the ground floor and commercial floorspace above. It fronts onto the intersection of Church and Phillip Streets. Also facing this intersection is 306 Church Street, which is a two storey heritage building with a copper dome, built in the late 1800's. On the block to the north is the Altitude by Meriton development, which involves the construction of a mixed use building including podium (3 storeys) and two towers (39 and 54 storeys) in height. The Altitude development fronts onto the Parramatta Riverfront, a site which the City of Parramatta plans to revitalise into a significant tourist and recreation precinct.

On the northern side of Parramatta River are the Parramatta Riverside Theatre, Prince Alfred Park and Parramatta Stadium which is currently undergoing redevelopment. Key educational facilities including Our Lady of Mercy College and the proposed new primary school at the Old Kings School site are within 500m of the site.

South

The Parramatta CBD, as defined by the Parramatta CBD Planning Proposal, extends 1.4km to the south of the site. The Parramatta Square development is 400m to the south of the site and includes the proposed 8 Parramatta Square (Aspire) tower, which has approval for a stage one 70 storey tower. Parramatta Square also proposes a public plaza adjoined by other commercial, residential and educational developments (including a campus for Western Sydney University) in immediate proximity to Parramatta Train Station.

On the southern side of the railway corridor, Westfield Parramatta – a regionally significant retail destination – is 500m south of the site. Further to the south along Church Street, the 'Auto Alley' precinct is proposed to undergo significant redevelopment according to the City of Parramatta.

East

To the immediate east of the site is Erby Place, which is currently an access road to the public Erby Place Car Park (also known as Eat Street Car Park). The Parramatta CBD extends 830m to the east to Harris Street. The Parramatta Ferry Terminal is 550m to the site's east.

Further to the east is the Rydalmere Education Precinct which includes the Parramatta Campus of the Western Sydney University.

West

To the west of the site, the Parramatta CBD extends for a further two blocks before reaching the regionally significant open space of Parramatta Park. Within the park is the World Heritage site of Old Government House and Domain, which is Australia's oldest intact former vice-regal residence and was the residence and offices of 12 prominent governors of New South Wales from 1788-1856.

Further to the west are the Westmead Health Precinct and the significant services provided by the Westmead Hospital. It is one of the largest health and hospital campuses in Australia.

3.6 Current Planning Controls

3.6.1 Parramatta Local Environmental Plan 2011

The Parramatta LEP 2011 is the primary Environmental Planning Instrument that applies to the site. The existing planning controls that apply to the site are outlined below in **Table 2**.

Table 2- Existing controls under the Parramatta Local Environmental Plan 2011

Parramatta Local Environmental Plan 2011	
Zoning	B4 Mixed Use
Building Height	The front portion of the site (18m deep to Church Street) has a 12m height standard. The rear portion of the site has a maximum height of 120m.
Floor Space Ratio	The front portion of the site (18m deep to Church Street) has a 3:1 maximum floor space ratio. The rear portion of the site has a maximum floor space ratio of 10:1 ² .
Heritage	The site is identified as a heritage item (I672) under the Parramatta LEP 2011. It is also adjacent to another heritage item to the immediate north (I677). Heritage item I672 is of local heritage significance and refers to a sandstone and brick wall at 286 (rear), 288 and 290 Church Street. Heritage item I677 is of local heritage significance and refers to a shop (and potential archaeological site) at 302 Church Street. There is a high occurrence of other heritage items along the length of Church Street.

² In the Parramatta LGA, FSRs are derived in relation to site area. The site area for the development is equal to or greater than 1,800 square metres (at 2,097.3m²); therefore it is afforded an FSR of 10:1 under Clause 7.2 (c) of the PLEP 2011.

In addition to the above controls, clause 7.10 of the Parramatta LEP 2011 permits additional height and FSR (15% for any development or 25% for entirely non-residential floor space in Zone B4 Mixed Use) for developments that exhibit design excellence.

3.6.2 Parramatta Development Control Plan 2011

Under the provisions of the Parramatta DCP 2011, the site has a front setback of 0m along Church Street. Facing Church Street, there is an 18m setback that applies to sections of the building above 3 storeys, or 12m.

3.7 Parramatta CBD Planning Strategy and Planning Proposal

To facilitate the expected growth and manage changes in the CBD, Council has prepared a Planning Proposal to amend the planning controls for the Parramatta CBD contained in Parramatta LEP 2011. The purpose of the Planning Proposal is to:

- Provide for an expanded and more intense commercial core to strengthen and facilitate the role of Parramatta as Greater Sydney's Central City; and
- Support the CBD as a vibrant centre by surrounding the core with higher density mixed use.

Council at its meeting of 11 April 2016 adopted the draft Planning Proposal for the Parramatta CBD for the purpose of seeking a Gateway Determination from the NSW Department of Planning and Environment. However, the passage of this Planning Proposal is delayed whilst significant studies are undertaken to assess local and regional impact.

The proposed controls as they relate to the site are summarised below.

3.7.1 Land Zoning

The B4 Mixed Use Zone is retained.

3.7.2 Height of Buildings

The Parramatta CBD Planning Proposal proposes no height of building control, as explained below.

Incentive Height Control

Under the current Parramatta LEP 2011, most sites in the Parramatta CBD have one height control and one FSR control. The Parramatta CBD Planning Proposal retains in the main these heights and FSRs as shown on the existing Height of Buildings and FSR Map, and proposes to introduce a second height and FSR control. Consequently most sites within the Parramatta CBD Planning Proposal boundary will have two FSR and two height controls and these are known as 'base FSR and height', and 'incentive FSR and height'.

Most sites in the CBD will not have an incentive building height control; however these sites will be subject to an amended airspace operations control that regulates intrusions into prescribed airspace. Sites that have a designated height limit in metres on the incentive height map include those in the Auto Alley Precinct or for heritage reasons.

The incentive height of buildings control retains the 12m height limit for the front portion (18m deep to Church Street) of the site (for heritage reasons), however removes a height limit from the rear

portion of the site. The site is not subject to a Clause 7.4 Sun Access Protection (areas highlighted as 'Area 1').

3.7.3 Floor Space Ratio

The Parramatta CBD Planning Proposal proposes an Incentive FSR control of 10:1 for the site. However, there are many additional FSR control elements that can be utilised on the site to reach an FSR of 16:1, as shown in **Table 3** below. An explanation of each of these separate elements is explained below.

Table 3 – Maximum FSR possible on the site under the Parramatta CBD Planning Proposal

FSR element	LEP Clause ³	FSR
Incentive FSR Control	[3], (2A)	10:1
Opportunity Site (Phase 2 Community Infrastructure)	[8], 7.16 (3)	3:1
High Performing Building Bonus	[8], 7.17 (4)	0.5:1
Design Competition Bonus	[7], 7.10 (8)	1.5:1
Additional Commercial Space above Maximum FSR	[8], 7.11 (4)	1:1
Total FSR		16:1

Incentive FSR Control

The proposed incentive FSR control is generally 10:1 for land within the CBD Core and 6:1 for land north and south of the CBD Core. Exceptions to these incentive FSRs include sites that are the subject of a gazetted Planning Proposal or for heritage reasons.

The incentive FSR map includes an FSR of 10:1 for the entire site. The conditions with meeting the incentive FSR relate to lot size under an FSR sliding scale to control density on small sites and encourage amalgamation, with sites being equal or greater than 1,600m² being able to achieve the 10:1 FSR. As the site has an area of 2,097.3m², and therefore qualifies for the 10:1 FSR under the Parramatta CBD Planning Proposal.

Opportunity Sites

The Parramatta CBD Planning Proposal also introduces a new clause that allows the FSR for the site to increase up to a maximum of 15:1 where a development meets certain conditions and provides for community infrastructure. This is known as 'Phase 2 community infrastructure'. Council will prepare a Development Guideline to provide details on how community infrastructure is to be delivered to the satisfaction of the consent authority. This clause applies to land identified as an opportunity Site on the Opportunity Site Map, for which the subject site qualifies.

³ Schedule 1 – Amendment of Parramatta Local Environmental Plan 2011, Appendix 17 – Potential Draft LEP Provisions, Parramatta CBD Planning Proposal, 2016

The intent of this clause is to allow additional residential development within the B4 Mixed Use zone provided the site has a land area greater than 1,800m²; and the applicant demonstrates via a site-specific DCP (or a Stage 1 DA) that the site can accommodate the additional FSR, design excellence is achieved, the building is a high performing building and community infrastructure is provided. Given the site is greater than 1,800m² and is identified as an opportunity site, the proponent intends to submit a Stage 1 DA in order to achieve the maximum FSR of 15:1 as proposed in **Section 5.2.1**. **Table 2** lists this provision as 3:1, as this represents the difference between the maximum FSR achieved with proposed bonuses applied and the 15:1 permitted under the Opportunity Site clause.

High Performing Building Bonus

The Parramatta CBD Planning Proposal states that a FSR bonus of 0.5:1 will be available to mixed use development with a maximum incentive FSR of 10:1, a site area greater than 1,800sqm and a site frontage greater than 24 metres wide, where water and energy targets are achieved above the current BASIX targets for residential development, and for commercial component of a mixed use development water and energy targets are achieved for commercial premises over 2,000sqm. The site is capable of meeting all of these provisions.

Design Competition Bonus

The Parramatta CBD Planning Proposal amends the existing design excellence clause by altering the conditions under which an architectural design competition must be held. The Parramatta LEP 2011 currently requires buildings greater than 55m or 13 storeys (or both) in height to undergo an architectural design competition. If design excellence is achieved, a 15% development bonus may be awarded to compensate for the cost of a design competition.

The proposed amendment to the clause will require buildings with a height greater than 40m or development directly adjoining a heritage item seeking to achieve a FSR of 3:1 or greater to undergo an architectural design competition. The purpose of lowering the height to 40m is to ensure urban design issues associated with the tower built forms are subject to closer analysis. The 15% bonus can be applied to both the base FSR and height, or incentive FSR and height. The intent of the amendment to the design excellence clause is to promote innovative design solutions that achieve high quality buildings and spaces and reward this through additional FSR and or height.

If the development is able to achieve design excellence as the proponent intends, a 15% bonus applied to the incentive FSR of 10:1 equates to an additional FSR of 1.5:1.

Additional Commercial Space above Maximum FSR

If a site is located in the B4 zone, the development includes a minimum of 1:1 commercial floor space and the site has an area greater than 1,800m², additional floor space for commercial premises (in addition to the base and incentive floor space) is permitted on certain sites under the Parramatta CBD Planning Proposal (draft provision 7.11 (4)). Therefore, a minimum of 1:1 of the 15:1 must be provided as non-residential. On top of this, a further 1:1 of non-residential can be applied to the development as additional commercial space above the maximum FSR, provided that an overall minimum non-residential FSR of 2:1 must be achieved on the site, leaving a maximum 14:1 to be used as residential.

4.0 Development Concept

4.1 Overview

The following section outlines the indicative development concept proposed for the site. A numerical overview of the proposed development concept is provided in **Table 4** below. Further details are provided in the Urban Design Report prepared by PTW (**Appendix A**).

Table 4 – Numerical Overview of Development Concept

Component	Development Concept
Maximum overall height (storeys)	61
Maximum overall height	RL 210.61 (202m)
Maximum podium height (storeys)	3
Maximum podium height	RL 20.61 (12m)
GFA (total)	33,410m ²
• Retail/Commercial GFA	• 4,145m ²
• Residential GFA	• 29,266m ²
Apartments (total)	318
• 1 bed	• 106 (33%)
• 2 bed	• 193 (61%)
• 3 bed	• 19 (6%)
Carparking	191

4.2 Built Form and Streetscape

This planning proposal aims to facilitate the redevelopment of the site, comprising a 61 storey mixed-use development. This is inclusive of a 3 storey podium, with proposed sensitivity towards the nearby heritage items to be achieved by designing the podium to fit into the major themes of traditional development along Church Street with regard to building scale, materials and rhythm.

The tower is to sit on top of a 3 storey podium. As illustrated by the indicative concept, the intention is for a slender and elegant design that is setback from Church Street (10m), Erby Place (4.3m) and both of its side boundaries (9m). As outlined in the accompanying Urban Design Report (**Appendix A**), the key principles that have been used to inform this design include:

- relate well to the form, proportion, composition, scale and character of the surrounding buildings, urban grain and public realm of the surrounding site;
- contribute to the Parramatta City River Strategy Design and Activation Plan as well as the Parramatta River Foreshore Arts & Entertainment Precinct;

- improve legibility of the area, by emphasising the people, cultural and retail ambitions of the development;
- improve the permeability of the site and wider area by implementing the growing laneway culture and site links in Parramatta;
- improve service of loading and delivery access from Church Street through to Phillip Lane;
- integrate publicly accessible areas on the upper floors where appropriate;
- activate the streetscape with retail programs, seeking to continue the vibrancy of Church Street towards the Parramatta River, fostering positive relationships with neighbouring streets;
- include the highest standards of architecture and materiality, in conjunction with sustainable design and construction practices;
- solidify its place as the focal point of the precinct delivering a social, cultural and commercial experience; and
- have minimal effects on its surroundings in terms of micro climate wind turbulence, overshadowing, reflected glare, aviation navigation and telecommunication interference.

Indicative photomontages for the development concept are shown in **Figures 3 to 5**. Note in **Figure 4**, the blue box indicates the property and potential redevelopment site at 302 Church Street.



Figure 3 – Podium façade to Church Street (indicative only)

Source: PTW



Figure 4 – Podium façade from Erby Place (indicative only)

Source: PTW



Figure 5 – Entire development concept looking south down Church St (indicative only)

Source: PTW

4.3 Site Access and Parking

Vehicular and service access to the site is proposed via Erby Place at the rear of the site. The indicative concept scheme includes four levels of basement parking. A publically accessible through site pedestrian link is proposed to connect Church Street and Erby Place connecting to pedestrian lanes proposed under the Parramatta Laneways Strategy.

The proposed indicative concept illustrates that an appropriate design solution can be achieved that improves pedestrian accessibility and permeability through the site, and which is capable of achieving adequate vehicular access without compromising the function of the CBD.

4.4 Heritage

Under the indicative concept scheme, the sandstone block wall between the two buildings and the southern wall of No. 298 are proposed to be retained via reinstatement. The original timber floors and roof structure would be supported and removed as single units to enable reinstatement. The northern and west sandstone facades would be supported and held in place during the excavation.

The focus of sensitivity towards the nearby heritage items is to design the podium to fit into the major themes of traditional development along Church Street with regard to building scale, materials and rhythm.

The indicative concept scheme is still subject to a further design competition and Development Application. As demonstrated in **Figure 3**, the proposed retention and adaptive reuse of heritage textures within the site will facilitate the achievement of design excellence that responds to Parramatta's historic context.

5.0 Planning Proposal

This Planning Proposal has been prepared in accordance with Section 55 of the *Environmental Planning & Assessment Act, 1979* (EP&A Act), and 'A Guide to Preparing Planning Proposals' prepared by the NSW Department of Planning and Environment, which requires the following matters to be addressed:

- objectives and intended outcomes of the amendment to the LEP;
- explanation of provisions;
- justification;
- relationship to strategic planning frameworks;
- environmental, social and economic impact;
- State and Commonwealth interests; and
- community consultation.

The following Section outlines the objectives and intended outcomes and provides an explanation of provisions in order to achieve those outcomes, including relevant mapping. The justification and evaluation of impacts is set out in **Section 6** of this report.

5.1 Objectives and Intended Outcomes

The objective of this Planning Proposal is to seek amendments to the building height and FSR controls that apply to the site at 286-300 Church Street, Parramatta, in order to facilitate a mixed use development commensurate with its location and identification as an opportunity site. The intended outcome of the Planning Proposal is to enable a high quality mixed use development to be achieved on the site.

A summary of the key objectives raised in this Planning Proposal is provided below:

- Deliver controls and a built form outcome consistent with the Parramatta CBD Planning Proposal;
- Achieve design excellence on a strategic CBD site;
- Enable the development of a high performance building;
- Contribute to community infrastructure in the Parramatta LGA;
- Protect solar access to key public spaces including Parramatta Square and the Lancer Barracks;
- Protect heritage values of Church Street by ensuring compatible podium design to the existing streetscape facades;
- Increase high grade commercial floorspace in the Parramatta CBD; and
- Facilitate higher density residential development on a strategic site in immediate proximity of the future light rail, building on the principles of transit oriented development.

5.2 Explanation of Provisions

The Planning Proposal seeks to amend the Parramatta LEP 2011 to facilitate a proposed mixed use development generally consistent with the indicative concept scheme outlined in the Urban Design Report (**Appendix A**).

The existing and proposed LEP controls are outlined in **Table 5**. An explanation of the proposed changes is outlined in the subsequent sections.

Table 5- Existing and proposed LEP controls

	Existing	Proposed
Floor Space Ratio	The front portion of the site (18m deep to Church Street) has a 3:1 maximum floor space ratio. The rear portion of the site has a maximum floor space ratio of 10:1.	<p>Apply a 10:1 FSR across the entire site.</p> <p>Provide a site specific clause allowing a potential additional FSR of 6:1 subject to the following provisions:</p> <ul style="list-style-type: none"> • Opportunity Site (Phase 2 Community Infrastructure) - 3:1 • High Performing Buildings Bonus – 0.5:1 • Design Competition Bonus – 1.5:1⁴ • Additional commercial space above the maximum FSR – 1:1 <p>Refer to draft clauses in Section 5.2.1</p>
Building Height	The front portion of the site (18m deep to Church Street) has a 12m height standard. The rear portion of the site has a maximum height of 120m.	Retain the 12m height standard for the front 10m of the site (to Church Street). Remove height control for the rear portion of the site.

5.2.1 Floor Space Ratio

It is proposed to increase the maximum floor space ratio on the site from the existing 3:1 on the front portion of the site and 10:1 on the rear portion of the site to a consolidated FSR of 10:1 across the site. The amended FSR will be achieved by amending the Floor Space Ratio Map (see attached proposed Floor Space Ratio Map at **Appendix F**).

Site Specific Clauses

It is proposed to include site specific clauses under Schedule 1 (Additional permitted uses) of the LEP that allow a potential additional FSR of 6:1 as follows:

⁴ As existing under Clause 7.10 of the Parramatta LEP 2011. No site specific clause is proposed.

Use of certain land at 286-300 Church Street, Parramatta

- (1) This clause applies to land at 286-300 Church Street, Parramatta, being Lot 1, DP128501, Lot 1, DP210616, Lot 5, DP516126, Lot 2, DP216665, Lot 100, DP803945 and Lot 1 DP84998.
- (2) Any additional commercial premises floor space provided in excess of 1:1 will be exempt from the overall maximum floor space ratio of 10:1 for the site.
- (3) A building on land to which this subclause applies is eligible for an amount of additional residential floor space (above that already permitted elsewhere under this Plan) equivalent to that which may be achieved by applying a floor space ratio of up to 3:1 to the development site, but only if:
 - a) the development site is at least 40 metres wide at the front building line, has an area of at least 1,800 square metres; and
 - b) the development demonstrates an appropriate transition to any heritage items; and
 - c) the development includes community infrastructure to the satisfaction of the consent authority, whether or not provided on the development site or an alternative site nominated by the consent authority.
- (4) Development consent must not be granted to development under subclause (3) above unless:
 - a) the development first includes:
 - i. the additional height, floor space ratio and community infrastructure; and
 - ii. the 15% bonus floor space ratio and height for achieving design excellence; and
 - iii. the 0.5:1 bonus floor space ratio for high performing buildings; and
 - b) the development includes additional community infrastructure (which may be provided by works in kind or via a monetary contribution) under this clause to the satisfaction of the consent authority
- (5) Development consent must not be granted to development to which subclause (3) above applies unless a development control plan that provides for the matters in subclause (6) below has been prepared for the development site.
- (6) The development control plan must provide for all of the following:
 - a) requirements as to the form and external appearance of proposed development so as to improve the quality and amenity of the public domain,
 - b) requirements to minimise the detrimental impact of proposed development on view corridors.
 - c) how the proposed development addresses the following matters:
 - i. the suitability of the land for development,
 - ii. the existing and proposed uses and use mix,
 - iii. any heritage issues and streetscape constraints,
 - iv. the impact on any conservation area,
 - v. the inclusion of community infrastructure,
 - vi. the location of any tower proposed, having regard to the need to achieve an acceptable relationship with other towers (existing or proposed) on the same site or on neighbouring sites in terms of separation, setbacks, amenity and built form,

- vii. the bulk, massing and modulation of buildings,
 - viii. street frontage heights,
 - ix. environmental impacts, such as sustainable design, overshadowing and solar access, visual and acoustic privacy, noise, wind and reflectivity,
 - x. the achievement of the principles of ecologically sustainable development,
 - xi. pedestrian, cycle, vehicular and service access and circulation requirements, including the permeability of any pedestrian network,
 - xii. the impact on, and any proposed improvements to, the public domain,
 - xiii. achieving appropriate interface at ground level between the building and the public domain,
 - xiv. the excellence and integration of landscape design,
 - xv. the incorporation of high quality public art into the fabric of buildings in the public domain or in other areas to which the public has access
- (7) A mixed use development which complies with this subclause and subclause (8) is eligible for an amount of additional residential floor space (above that already permitted elsewhere under this Plan) equivalent to that which may be achieved by applying a floor space ratio of up to 0.5:1, subject to the consent authority being satisfied that this additional floor space does not adversely impact on neighbouring and adjoining land in terms of visual bulk and overshadowing.
- (8) Before granting development consent to development under this subclause and subclause (7), the consent authority must be satisfied that:
- a) the part of the building used for the purposes of office premises or a mixed use development (but only where that mixed use development includes at least 2,000 square metres of commercial premises) complies with the following standards:
 - i. the energy target is a maximum 140 kg/m² per year for commercial premises, and
 - ii. the water target is a maximum 0.65 kL/m² per year for commercial premises.
 - b) despite subclause 8(a), the part of any building used for the purposes of retail premises (including as a part of a mixed use development) with a gross floor area of 5,000 square metres or greater complies with the following standards:
 - i. the energy target is a maximum 100 kg/m² per year, and
 - ii. the water target is a maximum 0.95kL/m² per year, and
 - c) the part of any building that is a dwelling used for the purposes of mixed use development complies with the following standards:
 - i. the energy target is a minimum 10-point increase in the BASIX score compared to current requirements, and
 - ii. the water target is a minimum 10-point increase in the BASIX score compared to current requirements, and
 - d) a report prepared by a qualified consultant to the satisfaction of the Council verifies that, if all of the commitments relating to the building design (namely the built form and layout) listed in the report are fulfilled, the development will comply with both the energy and water targets which apply to the development under subclauses 8 (a), (b) or (c) above, as the case may require.

community infrastructure means a building or place owned or controlled by a public authority, including community facilities, cycleways, environmental facilities, footways, information and education facilities, public administration buildings, public roads, public squares, recreation areas, recreation facilities (indoor), recreation facilities (major) and recreation facilities (outdoor), but does not include the footway directly adjoining the development site.

development site means the land subject to the development that is seeking the additional height and floor space ratio under this clause.

5.2.2 Building Height

It is proposed to retain the 12m height standard for the front 10m of the site (to Church Street). Remove height control for the rear portion of the site. The amended height control will be achieved by amending the Height of Buildings Map (see attached proposed Height of Buildings Map at **Appendix F**).

5.3 Mapping

This Planning Proposal seeks to amend the following maps of the Parramatta LEP 2011:

- Height of Buildings Map; and
- Floor Space Ratio Map.

The proposed maps are included at **Appendix F**.

6.0 Strategic Justification

6.1 The Need for a Planning Proposal

Q1 – Is the Planning Proposal a result of any strategic study or report?

This Planning Proposal is reflective of the proposed controls for the site under the Parramatta CBD Planning Proposal. The Parramatta CBD Planning Proposal is the result of a number of additional strategic studies, including the:

- Parramatta CBD Planning Strategy;
- Parramatta CBD Heritage Study;
- Economic Review – Achieving A-Grade Office Development in the Parramatta CBD;
- Parramatta CBD Strategic Transport Study;
- Draft Updated Parramatta Flood Risk Management Plans;
- Infrastructure Delivery Plan;
- Parramatta CBD High Performing Buildings Study;
- Sustainability and Infrastructure Study; and
- Infrastructure Funding Models Study.

Q2 – Is the Planning Proposal the best means of achieving the intended outcome?

This Planning Proposal is the most suitable means of achieving the intended outcome for the site, realising identified state and local objectives, and achieving identified aims, which is to facilitate a mixed use development on the site with a maximum building height of RL211 and FSR of 16:1 (note: the proposal reduces the extent 12m height control for the front portion of the site from 18m to 10m).

In preparing this Planning Proposal, four options were considered to facilitate the intended outcomes as set out in **Section 5.1**. These are listed and discussed below:

- Option 1: (this Planning Proposal)
- Option 2: Alternate height and FSR controls
- Option 3: Retain existing controls
- Option 4: Await gazettal of the Parramatta CBD Planning Proposal

Option 1: (this Planning Proposal)

This Planning Proposal is considered to be the most appropriate means of achieving the objectives and intended outcomes for the site.

Option 2: Alternate height and FSR controls

The height and FSR controls proposed as part of this Planning Proposal are determined in accordance with the recommendations of the Parramatta CBD Planning Proposal.

Whilst the Parramatta CBD Planning Proposal recommends an Incentive FSR Control of 10:1, as explained in **Section 3.6.3**, the proposed FSR of 16:1 is met through a combination of separate FSR bonus provisions. These bonus provisions are a combination of those currently available under the Parramatta LEP 2011 in addition to those proposed under the Parramatta CBD Planning Proposal (including Opportunity Site – Phase 2 Community Infrastructure bonus). Whilst this Planning Proposal aims to indicate that achieving a 16:1 FSR is possible for the site, the option to apply for 16:1 on the site was considered. However, this option was not considered to be the preferred approach as this option resulted in an inconsistent approach to the CBD Planning Proposal and would create a clear distinction to other sites within the CBD.

Option 3: Retain existing controls

The retention of the existing controls under the Parramatta LEP would not facilitate a development commensurate with the strategic nature of the site. As detailed in Council's own CBD Planning Proposal, the site has the capacity to accommodate a greater height and floor space ratio control than those existing currently.

Option 4: Await gazettal of the Parramatta CBD Planning Proposal

Gazettal of the Parramatta CBD Planning Proposal (in its current form) would result in the same controls applied to the site as proposed in this Planning Proposal. However, due to the complexity associated with the scale of the Parramatta CBD Planning Proposal, the impacts of dramatically increasing floorspace within the CBD will likely require lengthy assessment by the Department of Planning and Environment. Submitting a site-specific Planning Proposal will likely result in a quicker assessment process and therefore, facilitate the development of a high quality mixed use development on the site (as proposed at **Attachment A**) quicker than awaiting gazettal of the Parramatta CBD Planning Proposal.

6.2 Relationship with the Strategic Planning Framework

6.2.1 Q3 – Is the Planning Proposal consistent with the objectives and actions of the applicable regional, sub-regional or district plan or strategy (including any exhibited draft plans or strategies)?

Strategic Merit Test

A Guide to Preparing Planning Proposals sets out that in order to answer this question, a planning proposal needs to justify that it meets the Strategic Merit Test. The consistency of this Planning Proposal with the mandated assessment criteria is set out below.

a) Does the proposal have strategic merit?

The consistency of the Planning Proposal with State and Regional strategic frameworks is set out below.

Draft West Central District Plan

Parramatta is recognised across multiple levels of government as being the core of Greater Sydney's 'Central Sydney', with capacity to become the dual CBD of the metropolitan region. The

draft West Central District Plan considers within the wider Greater Parramatta and the Olympic Peninsula (GPOP) region, for which it states:

“Our 2036 vision is GPOP will be the unifying heart at the centre of Greater Sydney.” (Page 3).

Figure 6 provides a visual representation of how Greater Parramatta forms the heart of the new three cities model proposed by the Greater Sydney Commission (i.e. Eastern City, Central City and Western City).

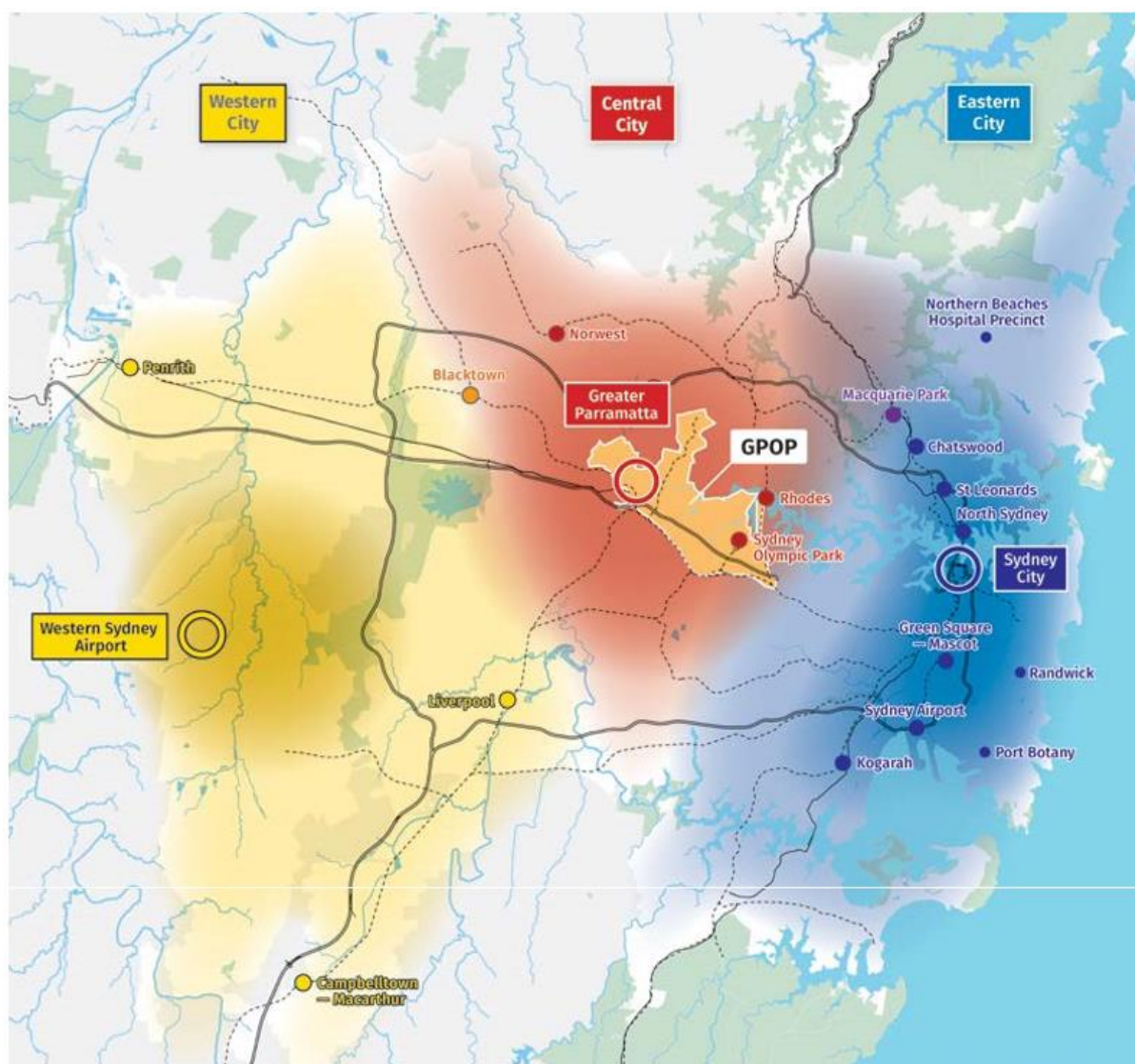


Figure 6 – GPOP and the Three Cities Model

Source: Greater Sydney Commission

Productivity Priority 4 in the draft West Central District Plan relates directly to the plan for a growing and vibrant Parramatta City. **Table 6** outlines the how the proposal responds to the key matters of the productivity priority.

Table 6- Demonstration of how key matters of Productivity Priority 4 have been taken into account

Productivity Priority 4 – Key Matters	Planning Proposal
Develop and expand the commercial core	The site does not constitute land zoned B3 Commercial Core as expanded under the Parramatta CBD Planning Proposal. Regardless of this, a minimum 2:1 non-residential floorspace is proposed under the development concept to meet Council objectives of delivering employment floorspace within the CBD.
Enhance the urban amenity of the centre, including links to adjacent precincts	By committing to a design excellence process, the urban amenity of the precinct is to be significantly enhanced in combination with a sympathetic approach to the heritage nature of Church Street.
Diversify and enhance arts, culture and entertainment in Parramatta City	The site has street frontages to key cultural assets in Parramatta, both current and proposed. This includes to Church Street (or 'Eat Street' as it is otherwise known), and also rear access to Erby Place which is identified as potential public space under the Parramatta City Lanes 2009. The proposal will increase activity and permeability through the site and in this regard will help enhance culture and entertainment in the CBD.
Improve connectivity to, and within, Parramatta City	The concept proposal contains two publicly accessible through site links on the site connecting Church Street to Erby Place. The proposal also capitalises on the proposed Parramatta Light Rail network by increasing density close to key stations.
Manage car parking	The Planning Proposal does not propose to modify car parking controls. Any subsequent development application will be required to comply with requirements presented by the City of Parramatta.
Identify smart traffic management strategies	Whilst this Planning Proposal has limited influence on city wide traffic management, it does respond to new infrastructure proposed for the CBD, including direct proximity to the Parramatta Light Rail project.
Enhance the Parramatta River and Parramatta Park	It is noted that the site has no direct frontage to either Parramatta River or Parramatta Park. However, the development concept aims to activate the streetscape with retail programs, seeking to continue the vibrancy of Church Street towards the Parramatta River, fostering positive relationships with neighbouring streets.

Metropolitan Strategy: A Plan for Growing Sydney

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

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

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

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

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

The Plan forecasts increased levels of growth in the employment and residential sectors. The Plan increased residential dwelling targets by 22%, with an additional 664,000 new dwellings needed in Sydney by 2031.

The Plan reiterates Parramatta's role as Sydney's second CBD and provides that the greater Parramatta region (**Figure 7**) has the potential to reach 100,000 jobs over the next 20 years. Parramatta's location at the geographical centre of Sydney and its focus for employment, housing, recreation and cultural opportunities validates this role. The Plan seeks to connect the Parramatta CBD with Westmead, Parramatta North, Rydalmere and Camellia.

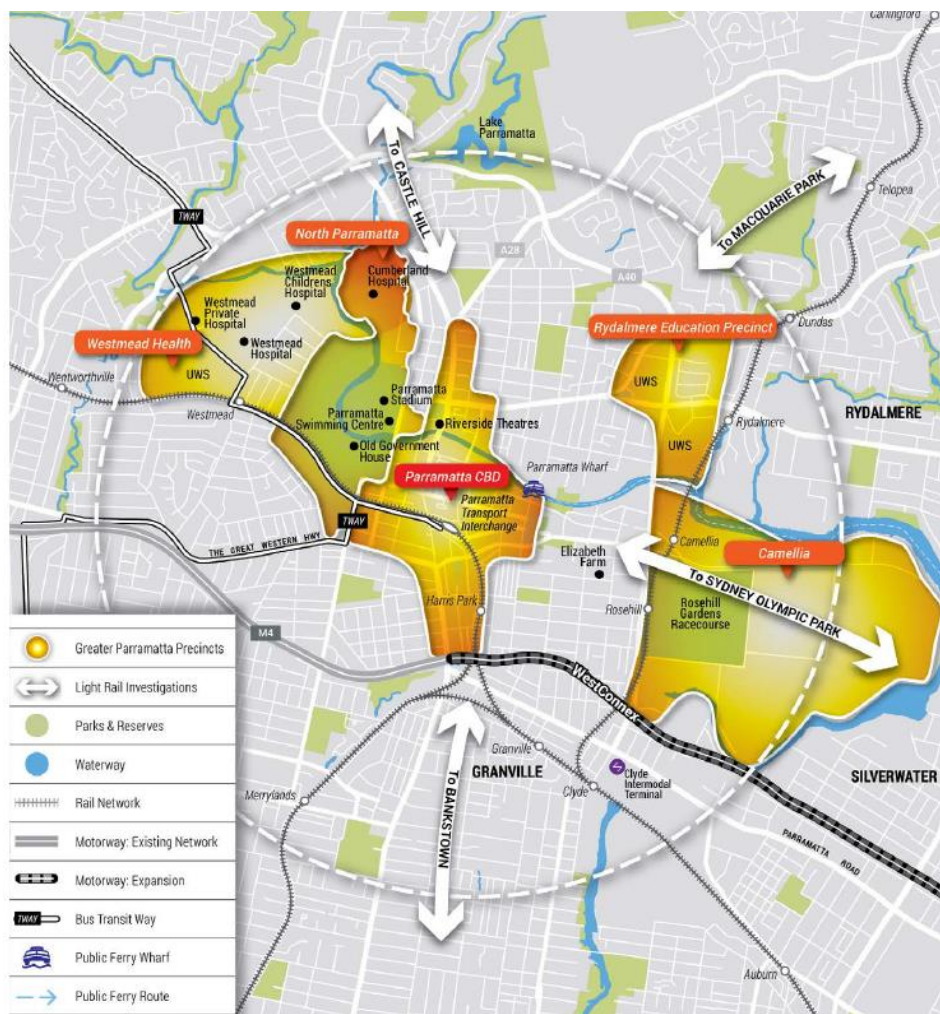


Figure 7 – Greater Parramatta Area

Source: A Plan for Growing Sydney

The Planning Proposal seeks to achieve this by permitting additional density to provide housing in close proximity to existing services including education provided by the University of Western Sydney within Parramatta Square and the Rydalmere Education Precinct. The site, being within the Parramatta CBD is located in close proximity to the Westmead Health Precinct and the significant services provided by Westmead Hospital. Furthermore, the site is located within close proximity to the Parramatta Train Station and Bus Interchange and is located adjacent to Parramatta Westfield. It is immediately adjacent to a stop on the proposed Parramatta Light Rail line.

The Planning Proposal will facilitate the achievement of the required amount of floor space as envisaged under the Parramatta CBD Planning Proposal. It will contribute to the achievement of dwelling targets for the subregion.

The Plan divides Sydney into six subregions each with their own priorities. Parramatta is located in the West Central Subregion. Further, it identifies the following priority for the greater Parramatta area which includes:

- plan Greater Parramatta as Sydney's second CBD and Western Sydney's number one location for employment, health and education services supported by a vibrant mixture of land uses and cultural activity, with the Parramatta River foreshore as a focus for recreational activities; and

- provide capacity for additional mixed-use development in Parramatta CBD and surrounding precincts including offices and retail in Parramatta CBD, health services in Westmead, an education hub around the new University of Western Sydney (Western Sydney University) Campus, a technology and education precinct in Rydalmere, arts and culture in Parramatta, a sports precinct around Parramatta Stadium and housing in all precincts.

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

- enable the mixed-use development of the site by facilitating a tower form that is able to achieve an appropriate level of residential amenity and as such contributing to the significant growth targets for Parramatta and the subregion.
- Enable more residential and commercial floorspace on a site that is in close proximity to regionally significant existing and proposed transport infrastructure including the Parramatta Train Station and Bus Interchange, as well as the future potential Parramatta Light Rail and Sydney Metro West projects.
- Facilitate a mixed use development that is in close proximity to community and civic facilities within Parramatta Square and throughout the CBD, including educational facilities provided by Western Sydney University and health facilities provided by Westmead Hospital.
- Facilitate an increase in residential density that is in close proximity to jobs within the Parramatta CBD.
- Provide a significant increase in commercial floorspace for the Parramatta CBD.
- Revitalise an underutilised city centre block by enabling a built form outcome that respects the desired CBD skyline, is consistent with the locality's transitional status, and will be capable of providing high residential amenity and increased employment capacity.

NSW State Plan 2021

The New South Wales State Plan sets the strategic direction and goals for the NSW Government across a broad range of services and infrastructure. The initial Plan, created in 2011 by incumbent Premier Barry O'Farrell has been revised following subsequent premierships by Mike Baird and Gladys Berejiklian. The current focus of the Government is outlined in 12 Premier's priorities and 18 state priorities.

The 12 Premier's priorities include:

- Building infrastructure – key infrastructure projects to be delivered on time and on budget across the state.
- Creating jobs – 150,000 new jobs by 2019
- Driving public sector diversity – Increase the number of women and Aboriginal and Torres Strait Islander people in senior leadership roles
- Faster housing approvals – Ninety per cent of housing approvals determined within 40 days
- Improving education results – Increase the proportion of NSW students in the top two NAPLAN bands by eight per cent
- Improving government services – Improve customer satisfaction with key government services every year, this term of government

- Improving service levels in hospitals – 81 per cent of patients through emergency departments within four hours
- Keeping our environment clean – Reduce the volume of litter by forty per cent by 2020
- Protecting our kids – Decrease the percentage of children and young people re-reported at risk of significant harm by 15%
- Reducing domestic violence – Reduce the proportion of domestic violence perpetrators re-offending within 12 months by 5%
- Reducing youth homelessness – Increase the proportion of young people who successfully move from Specialist Homelessness Services to long-term accommodation by 10%
- Tackling childhood obesity – Reduce overweight and obesity rates of children by 5% over 10 years

The 18 State priorities being actioned by the NSW Government are grouped under five main themes:

- Strong budget and economy
 - Making it easier to start a business
 - Encouraging business investment
 - Boosting apprenticeships
 - Accelerating major project assessment
 - Protecting our credit rating
 - Delivering strong budgets
- Building infrastructure
 - Improving road reliability
 - Increasing housing supply
- Protecting the vulnerable
 - Transitioning to the National Disability Insurance Scheme
 - Creating sustainable social housing
- Better services
 - Improving Aboriginal education outcomes
 - Better government digital services
 - Cutting wait times for planned surgeries
 - Increasing cultural participation
 - Ensure on-time running for public transport
- Safer communities
 - Reducing violent crime
 - Reducing adult re-offending
 - Reducing road fatalities

The Planning Proposal is consistent with the revised NSW State Plan 2021 in that it will:

- create construction jobs;
- contribute to housing supply;
- encourage business investment in the Parramatta City Centre;
- develop a high quality development in proximity to new infrastructure delivered by the NSW Government, including the Parramatta Light Rail Network; and
- keep our environment clean by implementing latest standards in Ecologically Sustainable Development.

NSW Long Term Transport Master Plan

The NSW Long Term Transport Master Plan, released by Transport for NSW (2012), provides a framework for delivery of integrated and modern transport systems. The Master Plan identifies the challenges and needs of the city, as well as the actions proposed to address these challenges.

The Master Plan preceded the announcement of the Parramatta Light Rail network. Nevertheless, redevelopment of the site will serve the objectives of the Transport Master Plan by:

- Improving liveability – the proposed development concept will provide residences and jobs close to high quality, reliable public transport; and
- Improve sustainability – by locating jobs and residences close to public transport, the proposed development concept reduces reliance on private motor vehicles and encourages active transport.

b) Does the proposal have site-specific merit?

The proposal is considered to have site-specific merit for the following reasons:

- it is a large development site in the centre of the Parramatta CBD;
- it is in direct proximity to the 'Eat Street' stop on the proposed Parramatta Light Rail network;
- local, district and state-level policy sees the development of Parramatta to become Sydney's second CBD, for which the proposal will assist in meeting this vision;
- development of the site will not have any overshadowing impact on key public spaces, including Parramatta Square and Lancer Barracks;
- indicative design confirms that a design solution can be achieved for the residential component which satisfies SEPP65 and the Apartment Design Guide;
- a high quality design solution is proposed that is capable of achieving design excellence;
- the development concept facilitates retention of the site's existing heritage;
- vehicular access and servicing can be achieved in an acceptable manner;
- the site is within close proximity to key cultural assets of Parramatta, including Eat Street (Church Street) and the Parramatta Riverfront; and
- the site is well supported by health (e.g. Westmead Hospital precinct) and education (e.g. Western Sydney University, local primary and high schools) facilities.

Summary

This Planning Proposal achieves the assessment criteria as it demonstrates both strategic merit and site-specific merit. It is therefore considered that this Planning Proposal meets the Strategic Merit Test.

Q4 – Is the Planning Proposal consistent with a Council's local strategy or other local strategic plan?

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

Q5 – Is the Planning Proposal consistent with applicable State Environmental Planning Policies?

Yes.

An assessment of the Planning Proposal against relevant State Environmental Planning Policies (SEPPs) is set out in **Table** below.

Table 7 –Consistency with State Environmental Planning Policies

SEPP	Consistency		N/A	Comment
	Yes	No		
SEPP No. 1 Development Standards			✓	SEPP 1 does not apply to the City of Parramatta LGA, since they have adopted the Standard Instrument LEP.
SEPP (State and Regional Development) 2011			✓	Not relevant to proposed LEP amendment
SEPP (Affordable Rental Housing)			✓	Not relevant to proposed LEP amendment
SEPP (Exempt and Complying Development Codes)			✓	Not relevant to proposed LEP amendment. May apply to future development on the sites.
SEPP No. 55 Remediation of Land	✓			SEPP 55 aims to promote the remediation of contaminated land for the purpose of reducing risk and harm to human health or any other aspects of the environment. In particular, it requires the consent authority to consider if remediation work is required for rezoning or building works, and ensure that the

SEPP	Consistency		N/A	Comment
				subsequent remediation works are satisfactory with respect to standards and notification requirements. It is noted that this proposal does not seek to change the zoning or land use provisions for the site, and relates solely to increasing height and FSR. The site is capable of being used for commercial and residential purposes, with any requirement for remediation of the site addressed in the detailed DA for the mixed-use development.
SEPP No. 64 Advertising and Signage			✓	No signage is proposed under this Planning Proposal.
SEPP No. 65 Design Quality of Residential Apartment Development	✓			The indicative scheme demonstrates that a design solution is possible on the site that is capable of complying with SEPP 65 and the Apartment Design Guide. Nothing within this amendment will prevent a future DA's ability to comply with SEPP 65.
SEPP (Affordable Rental Housing) 2009			✓	The Planning Proposal will not contain provisions that will contradict or would hinder application of this SEPP.
SEPP (Building Sustainability Index) BASIX 2004	✓			Future residential DA's would be subject to the requirements of the BASIX SEPP.
SEPP (Exempt and Complying Development Codes) 2008			✓	Not applicable to this proposal.
SEPP (Infrastructure) 2007			✓	The Planning Proposal will not contain provisions that will contradict or would hinder application of this SEPP.
SEPP (State and Regional Development) 2011			✓	Not applicable to this proposal.
SEPP (Housing for Seniors or People with a Disability) 2004			✓	The Planning Proposal will not contain provisions that will contradict or would hinder application of this SEPP.

6.2.2 Q6 – Is the Planning Proposal consistent with applicable Ministerial Directions (s. 117 directions)?

Yes.

An assessment of the Planning Proposal against applicable Section 117 Directions is set out in **Table** below.

Table 8 –Consistency with Section 117 Directions

Direction	Consistency		N/A	Comment
	Yes	No		
1. Employment and Resources				
1.1 Business and Industrial Zones			✓	Not applicable
1.2 Rural Zones			✓	Not applicable
1.3 Mining, Petroleum Production and Extractive Industries			✓	Not applicable
1.4 Oyster Aquaculture			✓	Not applicable
1.5 Rural Lands			✓	Not applicable
2 Environment and Heritage				
2.1 Environmental Protection Zones			✓	Not applicable
2.2 Coastal Protection			✓	The site is not within coastal zone.
2.3 Heritage Conservation			✓	Not applicable
2.4 Recreational Vehicle Area			✓	Not applicable
3. Housing, Infrastructure and Urban Development				
3.1 Residential Zones	✓			This Planning Proposal will encourage a greater diversity of housing type in this locality. The site is well serviced for utilities and other infrastructure.
3.2 Caravan Parks and Manufactured Home Estates			✓	Not applicable
3.3 Home Occupations			✓	No change is proposed to the current permissibility of home occupations.

Direction	Consistency		N/A	Comment
3.4 Integrating Land Use and Transport	✓			<p>This Direction applies due to this Planning Proposal relating to a residential zone. The Direction states that a Planning Proposal must be consistent with the aims, objectives and principles of:</p> <p><i>Improving Transport Choice – Guidelines for planning and development</i> (DUAP 2001), and</p> <p><i>The Right Place for Business and Services – Planning Policy</i> (DUAP 2001).</p> <p>The Planning Proposal is broadly consistent with the aims, objectives and principles of the above documents in that it will provide residential accommodation in an area well serviced by public transport.</p>
3.5 Development Near Licensed Aerodromes			✓	Not applicable
3.6 Shooting Ranges			✓	Not applicable
4. Hazard and Risk				
4.1 Acid Sulfate Soil	✓			The site is mapped as Class 4 Acid Sulfate Soils. This will be addressed at DA stage.
4.2 Mine Subsidence and Unstable Land			✓	The site is not identified as mine subsidence or unstable land.
4.3 Flood Prone Land	✓			The site is subject to a 1:20 year ARI of RL 8.8, a 1:100 year ARI of RL 8.82 and a PMF of RL 12.5 AHD. The concept proposal has been developed in accordance with reducing the impacts of a potential flood at the site. This matter will be addressed in further detail at the DA stage.
4.4 Planning for Bushfire Protection			✓	The site is not mapped as being bushfire prone land.
5. Regional Planning				
5.1 Implementation of Regional Strategies	✓			See comments above on District Plans. No Regional Plans apply.

Direction	Consistency		N/A	Comment
5.2 Sydney Drinking Water Catchments			✓	Not applicable
5.3 Farmland of State and Regional Significance on the NSW Far North Coast			✓	Not applicable
5.4 Commercial and Retail Development along the Pacific Highway, North Coast			✓	Not applicable
5.8 Second Sydney Airport Badgerys Creek			✓	Not applicable
5.9 North West Rail Link Corridor Strategy			✓	Not applicable
6. Local Plan Making				
6.1 Approval and Referral Requirements	✓			This Planning Proposal is consistent with this Direction in that it does not introduce any provisions that require any additional concurrence, consultation or referral.
6.2 Reserving Land for Public Purposes	✓			This Planning Proposal is consistent with this Direction in that it does not create, alter or reduce existing zonings or reservations of land for public purposes.
6.3 Site Specific Provision	✓			Site specific amendments to the LEP are sought.
7. Metropolitan Planning				
7.1 Implementation of A Plan for Growing Sydney	✓			The Planning Proposal is consistent with the Metropolitan Plan, as discussed in Section 6.2.1 above.
7.2 Implementation of Greater Land Release Investigation			✓	Not applicable

6.3 Environmental, Social and Economic Impacts

Q7 – 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?

This Planning Proposal will not result in any impact on critical habitat or threatened species, populations or ecological communities or their habitats. There has been no critical habitat or threatened species, populations or ecological communities, or their habitats, identified on this site.

Q8 – Are there any other likely environmental effects as a result of the Planning Proposal and how are they proposed to be managed?

The site is an existing urban site devoid of significant vegetation with no ecological value. There are no likely ecological impacts as a result of this Planning Proposal. The environmental effects of the Planning Proposal are addressed in detail in **Section 7**.

Any future development of the site will be assessed against the environmental provisions of the applicable planning instruments.

Q9 – Has the Planning Proposal adequately addressed any social and economic impacts?

The Planning Proposal will result in positive social and economic effects for the local area through the generation of local employment opportunities during construction and operation. It will improve local facilities, employment opportunities, movement networks, increase housing stock close to public transport and amenities, provide greater housing choice as well as improve public domain facilities and the pedestrian interface with surrounding streets.

6.4 State and Commonwealth Interests

Q10 – Is there adequate public infrastructure for the Planning Proposal?

Yes. The site is less than 500m from Parramatta Train Station and in direct proximity to the 'Eat Street' stop on the proposed Parramatta Light Rail network. Parramatta is also proposed to be a key feature on the proposed 'Sydney Metro West' project.

The site is located in an established urban area and has access to a range of existing facilities and services. Future development applications will require further investigation of the likely provision of services that will be required, however it is anticipated that public infrastructure, including utilities, will adequately service the area.

Q11 – What are the views of State or Commonwealth public authorities consulted in accordance with the Gateway determination?

The views of State and Commonwealth public authorities will be known once consultation has occurred in accordance with the Gateway determination of the Planning Proposal.

6.5 Community Consultation

Community consultation will be conducted in accordance with section 57 of EP&A Act and *A Guide to Preparing Planning Proposals*.

7.0 Assessment of Planning Issues

This section considers the key planning issues associated with the Planning Proposal as well as those associated with a future development.

In establishing the Planning Proposal, a development concept scheme was prepared by PTW, as outlined in **Section 4** and at **Appendix A**, to ensure all relevant built form, separation, amenity, and design parameters have been considered, and to establish a reasonable scale and density for this type of development on this particular site. Accordingly, the outcomes of these investigations and analysis have largely guided the content of this Planning Proposal.

By adopting this approach, the built outcomes and associated impacts of the Planning Proposal (and subsequent DA) can be tested, understood and clearly presented.

7.1 Built Form and Visual Impact

The City of Parramatta has identified that an objective of opportunity sites within the Parramatta CBD Planning Proposal is to provide opportunities for tall, slender towers. The proposed development concept, as enabled by the proposed amendments to the height and FSR controls has delivered on this objective in the form of a 61 storey tower that is slender and elegant in its appearance.

The requirement for design excellence provides for the opportunity to deliver high quality architecture that will positively contribute to the visual appeal of this evolving city. The indicative design demonstrates that design excellence can be achieved. Specifically, we note that it shows:

- a tower of 61 storeys will comfortably sit within its surrounding urban context;
- a tall, slender tower can be achieved on site;
- the podium is able to fit into the significant heritage streetscape of Church Street; and
- activity and permeability through the site can assist in enhancing activation of laneways and promoting active transport in the CBD.

7.2 Overshadowing

The Parramatta LEP 2011 places protections on key areas of public space in terms of providing continued solar access. Key areas include Parramatta Square and Lancer Barracks.

The overshadowing controls to Lancer Barracks that currently apply are proposed to remain the same under the Parramatta CBD Planning Proposal. Currently, the Parramatta DCP 2011 allows for overshadowing of Parramatta Square for up to 45 minutes between 12pm and 2pm on 21 June. Following a decision by the Greater Sydney Commission to refuse a development at 197 Church Street (Holdmark Site), this set a precedent to prevent any overshadowing between 12pm and 2pm on June 21 which is to be reflected in amended controls.

Irrespective of the above, the proposed development concept does not overshadow Parramatta Square or Lancer Barracks at any time of the day. Refer to **Figure 8** below.

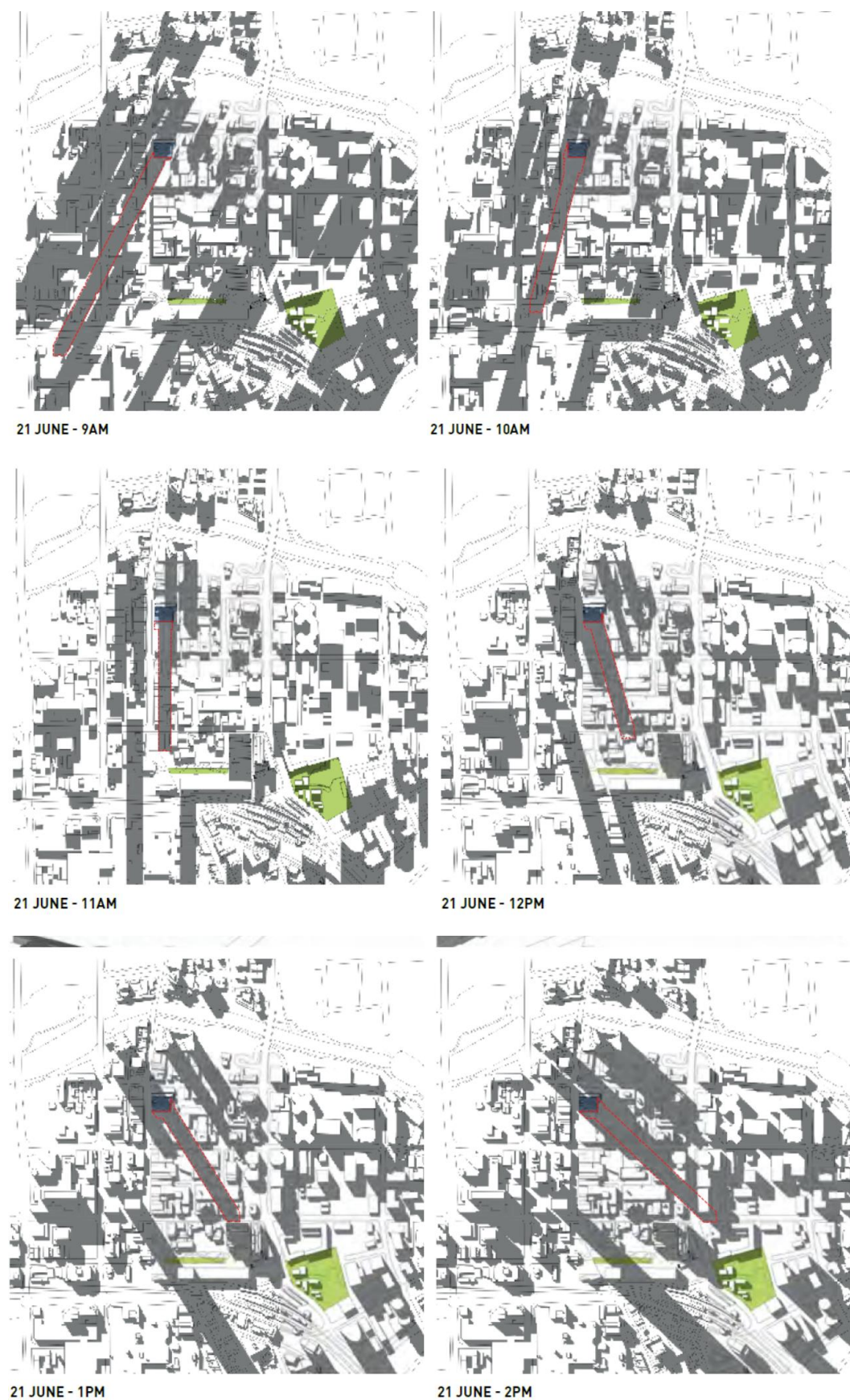


Figure 8 – Solar and Shadow Study

Source: PTW

7.3 Traffic, Access and Parking

A Traffic and Parking Assessment Report has been prepared by Varga Traffic Planning Pty Ltd and is available at **Appendix D**. The purpose of the report is to assess the traffic and parking implications of the Planning Proposal.

The capacity analysis of nearby intersections using the SIDRA capacity analysis program indicates that the projected additional traffic flows will not have any adverse effects on the operational performance of the nearby intersections. No road improvements or intersection upgrades would be required as a consequence of the Planning Proposal.

The site is capable of complying with all regulations in terms of future car, bicycle, parking, loading facilities and vehicular access arrangements.

The Assessment states that it is therefore reasonable to conclude that the Planning Proposal will not have any unacceptable implications in terms of road network capacity or off-street parking/loading requirements.

7.4 Site Isolation

The proposed development concept brings into question the possibility of site isolation regarding the neighbour to the immediate north of the site at 302 Church Street, Parramatta (Lot 1 DP211499).

302 Church Street has a site area of 776.5m² and consists of a two level, eight tenancy retail property benefitting from a prominent corner position within the Parramatta CBD. The older style building has been partially updated and reconfigured over the years and presents reasonably well to the street frontages. The property is fully leased and provides a range of tenancy sizes well suited to the hair/beauty and food/beverage occupants.

Urban design analysis has been undertaken regarding this property in the Urban Design Report (**Appendix A**). This analysis shows that the proposal will enable a design solution on the subject site that complements the existing building, and still enables 302 Church Street to be redeveloped in the future in accordance with the relevant planning controls. The proposed changes to the planning controls, and the indicative concept, will therefore not result in the isolation of the site.

7.5 Internal Residential Amenity

The development concept is capable of achieving a solar access compliance percentage of 70.8%, and a cross ventilation percentage of 66.7%. Therefore, the proposal is capable of achieving adequate internal residential amenity consistent with the Apartment Design Guide and State Environmental Planning Policy 65 (Design Quality of Residential Apartment Development).

7.6 Aviation/Aeronautical Assessment

A 61 storey building is proposed. An aeronautical assessment is currently being prepared and will be provided to Council upon completion.

7.7 Heritage

A Statement of Heritage Impact has been prepared by NBRS Architecture (Heritage) and is available at **Appendix C**. The purpose of the report is to assess the impact of the proposed development concept on the heritage items on site and nearby in accordance with the standard guidelines of the NSW Heritage Division.

The development would salvage and conserve the heritage fabric within the site during construction. The sandstone boundary walls would be conserved during construction. The c1860s building at 298-300 Church Street would be conserved by repair and reconstruction to present a Victorian Academic Classical façade to Church Street, with conserved interiors on the first and second floors. The sandstone boundary wall on the south side of 292 Church Street would be reassembled and incorporated into the design.

The podium structure is designed to highlight the heritage features of Church Street, with new features to complement the existing significant streetscape of Church Street in terms of texture and materiality. The tall residential tower responds to the expectations for towers in the desired future character in strategic planning documents.

The conservation, reconstruction and interpretation works to the heritage structures on the site would have a positive impact. The carrying out of an archaeological research design would enhance the public knowledge about the history of the site. The development would have very little adverse heritage impact on surrounding heritage items.

The following recommendations are made by NBRS Architecture (Heritage):

- A schedule of Protective and Conservation Works should be submitted at the construction certification stage;
- An archaeological research design should be submitted and carried out.

The need for heritage retention will be made a key criteria for any future design competition process and would be subject to a future Development Application with the City of Parramatta Council.

8.0 Conclusion

This Planning Proposal seeks an amendment to the Parramatta LEP 2011 in relation to height and floor space ratio (FSR) controls.

The amended controls align with Council's objectives and controls for the site, as proposed in the Parramatta CBD Planning Proposal.

This Planning Proposal is justified for the following reasons:

- The proposal aligns with Council's objectives and controls for the site, as proposed in the Parramatta CBD Planning Proposal;
- The proposal is consistent with the objects of the EP&A Act, in that it promotes the orderly and economic use and development of land;
- The proposal is consistent with the strategic planning framework for the site;
- The development concept which the Planning Proposal aims to facilitate is suitable for the site with limited planning issues as follows:
 - the development concept will contribute to the architecture and evolving skyline of the Parramatta CBD;
 - the development concept will deliver design excellence in the CBD;
 - the development concept will not overshadow key areas of public space, including Parramatta Square;
 - the development concept will have no impact on aviation activity;
 - the development concept will have no traffic impact and
 - the development concept will be sympathetic to heritage items on site and nearby, including through the design of the podium.
- The proposal is consistent with the applicable SEPPs and Ministerial Directions.

In light of the above, we would have no hesitation in recommending that the Planning Proposal proceed through the Gateway to public exhibition.