



Our Reference: RZ/14/2017
Contact: Joshua Coy
Telephone: 9806 5287

15 November 2017

Mr. Chris Patfield
Ethos Urban
173 Sussex Street
SYDNEY NSW 2000

Dear Mr. Patfield,

Planning Proposal for 286-300 Church Street, Parramatta

I refer to the Planning Proposal that was lodged on 29 August 2017 for the land at 286-300 Church Street, Parramatta (subject site). The proposal seeks to amend the Parramatta Local Environmental Plan 2011 by increasing the maximum building height from 12m to no limit, increase the maximum floor space ratio (FSR) from 3:1 and 10:1 to 10:1 across the entire site, introduce a site specific commercial floor space provision to allow for an additional FSR of 1:1 above the maximum otherwise permitted, and to reduce the 12m height standard for the first 18m from front setback of Church Street to 10m.

Council Officers have undertaken a preliminary assessment of the Planning Proposal and have identified the following issues for your consideration.

Heritage impact

Heritage Item I672 (Sandstone and Brick Wall) – 286 (rear), 288 and 290 Church Street

The assessment of Council Officers has concluded that the Proposal does not appropriately respond to the heritage significance of the Local Item I672 (Sandstone and Brick Wall). Further, the methodology adopted in the Statement of Heritage Impact to assess the heritage value of the item is not supported, nor is the proposed response, that being to catalogue and dismantle the building fabric to 286-290 and 292-296 Church Street (sandstone block wall) to enable excavation and redevelopment of the site, followed by its reinstatement.

Further to this, there is no mechanism available for Council to support the removal of heritage fabric through a Planning Proposal process.

It is considered that further investigation is required to determine the ability to restore and conserve the heritage fabric in its current context. Investigation of the front façade to 298 Church, including removing the current cladding to

uncover the sandstone façade is recommended to inform a more comprehensive investigation of the relationship between this front façade with the adjoining corner site.

Depending on the outcome of these investigations, the applicant may be required to demonstrate how redevelopment can take place on the site without removing and reinstating the existing boundary walls.

Heritage Item I677 (Shop and Potential Archaeological Site) – 302 Church Street

Notwithstanding the heritage notation on this site, Council Officers recommend that further investigation be done to determine the potential heritage fabric and archaeological significance of this site, and its relationship to the building to the south. While 302 Church Street is not currently part of the site subject to the Planning Proposal, it is considered that for the proposal to achieve a quality urban design outcome and demonstrate strategic merit, its integration is required.

It is noted in the Statement of Significance from the State Heritage Inventory that:

“this building is potentially a rare survivor of a mid 19th century sandstone façade covered by the present street façade. It is also associated with the southern neighbouring property as an integral part of an unusually high 19th century development on both properties”.

It is therefore recommended that the applicant further investigate this site as part of its analysis of the heritage and archaeological fabric of the subject site, and demonstrate an appropriate design concept that conserves the heritage values of the local heritage items in a modified podium.

Tower setbacks

From both a heritage and urban design perspective, the setback of 10m to Church Street (for development above three storeys) is a concern and the tower setback is considered critical to protecting and conserving the heritage significance of Church Street Parramatta’s historic commercial thoroughfare, which is characterised by two and three storey commercial frontages.

It is noted that the precedent at 295 Church Street cited in the Proposal does not reflect Councils endorsed position for all sites in Church Street, and under current controls the objective of the setback is to protect the character of Church Street by not allowing such encroachment of tower forms towards the street edge. Council Officers are not willing to consider a reduced tower setback independent from the amalgamation issue as we consider amalgamation with 302 Church Street would permit a setback at, or much closer to 18m.

Recommendations

- Further investigation is required to establish the potential heritage and archaeological significance of 302 Church Street, and its relationship to the known heritage fabric to adjoining heritage items.
- A setback of a minimum of 12m to Church Street be re-established for above three storeys, to protect and conserve the heritage significance of Church Street Parramatta's historic commercial thoroughfare characterised by two and three storey commercial frontages.

Need for site consolidation

Adjoining sites

The subject site in its current form isolates 302 Church Street (the corner site), and sterilises the ability of the site to benefit from uplift provided for in the Opportunity Site provisions identified in the CBD Planning Proposal. The justification put forward by the proponent that the reference design proposed for the subject site "enables 302 Church Street to be redeveloped in the future in accordance with the relevant planning controls" is not substantiated by the reference design provided, which envisages the corner site developing up to a maximum of 8 levels.

Further, this could only be achieved on the basis Council would support the future redevelopment of the corner site with reduced tower setback of 4m from the podium to Phillip Street, and a separation between the two tower forms of only 12m. This would result in a tower form of approximately 5m in width, which given the context and prominence of the corner site is considered an inferior outcome to what otherwise could be achieved in the event the corner site was consolidated with the subject site.

It was noted that the inclusion of 302 Church Street with the subject site would result in a less constrained development site, and allow for an alternate design that shifted the location of the tower footprint further to the north of the site. Further, by enlarging the site to the north, it creates to opportunity to relocate the private and service vehicle entrances to the northern end of the site and reduce pedestrian/vehicle conflict created by reversing service vehicles into a loading bay at the southern end of Erby Place and creating the potential for the provision of an activated laneway to the southern boundary of the site (discussed further below).

For these reasons, it was considered that the inclusion of 302 Church St would result in a superior urban design outcome, and enhance the street corner to Church and Phillip Street. It is acknowledged that this design outcome would be contingent on further heritage and archaeological investigations of the two locally listed items within the enlarged development parcel.

Subject site (286-300 Church Street)

Council Officers do not consider that the current form can be developed to comply with the Apartment Design Guide without placing unnecessary impacts

or future constraints on adjoining sites that would likely also seek to accommodate tower forms in accordance with Council's strategic vision for the Parramatta CBD. Further, the proposed consolidation pattern does not result in an optimal pattern that would readily support the redevelopment of the city block as a whole.

As a result, it was considered that the subject site in its current form fails to demonstrate sufficient strategic merit to satisfy the requirements of Clause 7.16 (7)(c) – Opportunity Sites, and benefit from the additional incentive FSR available to Opportunity Sites, particularly in relation to:

- (vi) location of tower and 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 urban form;
- (xi) pedestrian, vehicular and service access and circulation requirements, including the permeability of the pedestrian network; and
- (xiii) achieving appropriate interface at ground level between the building and the public domain.

It was considered that the consolidation of the subject site with 302 Church Street would – at a minimum – enable the tower form to be relocated further north toward Phillip Street and allow for a more appropriate spatial alignment between the street corner and the tower podium. However, it is recognised that this would be subject to the outcome of further heritage investigations to establish the potential archaeological significance of the local heritage listed 302 Church Street, and a more detailed search and assessment of heritage fabric on this site would likely inform a future urban design response in an amended reference design scheme.

Future consolidation pattern

Concerns were raised as to what impact the consolidation pattern initiated by the development of the subject site would have on the broader block, and whether the remaining smaller lots with frontages to Church Street would be capable of delivering efficient floor plates that can accommodate buildings typical of a Central Business District – and envisaged in Council's strategic policies for the Parramatta CBD.

It was considered that for a development to achieve highest available uplift proposed under the CBD Planning Proposal on a major City block such as this (which also has a bearing on "Eat Street"), then the consolidation pattern must achieve the City's strategic spatial goals. By isolating the corner site, the subject site would both negatively impact on the potential for 302 Church Street to develop, and result in a very constrained site at 286 Church Street for tower development.

Council's assessment concluded that further testing should be done to demonstrate that a rational consolidation pattern can develop throughout the block if the subject site were to be developed in its proposed form; however, the inclusion of 302 Church Street with the subject site should form the basis of further block testing/analysis.

Further, the proponent needs to consider how an amended design reference scheme would make the ground plane function, particularly in relation to the interface between the building meeting the street, and relation of the podium to its local context. In particular, future testing is required to restore a tower setback to Church Street of a minimum of 12m.

Recommendations

- It is strongly encouraged that the proponents consolidate their site with 302 Church Street at a minimum, subject to the outcome of the further heritage investigation required. This would enable a more efficient floorplate to be realised on the development site that is capable of achieving a greater setback to Church Street and appropriately respond to, and enhance the built form outcome for the corner of Church Street and Phillip Street.
- Alternatively, the applicant should demonstrate to Council how the remaining sites to the north and south of the subject site can achieve efficient building footprints that enhance the public domain to Church Street. Preferably, this would be demonstrated through a block study that shows a potential amalgamation pattern of the Church St / George St / Phillip St / Smith St block, with reference to the provisions of Clause 7.16(7)(c) for the relevant sites.
- If amalgamation as described above, or a satisfactory response in the form of a block study cannot be provided, Council would be unlikely to support the Planning Proposal in its current form and – at a minimum – would not support applying the Opportunity Site provisions to the site.

Podium Design

It is considered that the strategic merit of the proposal hinges on the ability of the development to enhance the public domain of Church Street, especially as it relates to 'Eat Street' as a dining and entertainment precinct in the Parramatta CBD. The current podium design does not achieve this, and is inappropriate for the context as it does not relate to the character, rhythm, grain and activity at street level the collective frontages along Church Street brings to this part of the City.

The proposed Church Street front setback breaks the otherwise continuous street frontage unique to the character of Church Street, with the proposed commercial lobby, residents lobby entry and the retail to the south are all set back. Their separation is further compounded with steps and columns accommodating level changes from Church St (RL8.37), the internal floor level (RL 9.24), and Erby Place (RL7.98). This level change must be considered to

ensure street frontages support and sustain outdoor dining, and enhance the activation of Church Street.

The outcome of the further heritage investigation required for 302 Church Street, including the potential for significant archaeological fabric, is likely to further inform a future design response to the Church Street frontage and the overall podium design.

Recommendations

- An investigation of the Church Street interface, with shopfronts to street, awning heights, street activation opportunities and façade elements / articulation be should be undertaken, with the podium amended to reflect a more sympathetic response to the existing grain and features of Church Street.
- Greater consideration of the relationship between the built form and the proposed Parramatta Light Rail stop is required.

Location of arcade and laneway

In its current form, the Proposal provides a blank party wall on the southern boundary at the podium level void, which in the event the adjoining site to the south were to develop and deliver the desired pedestrian laneway, would only be active on one frontage. Further, the location of the arcade appears to be a response to the location of the heritage fabric that the Proposal seeks to reinstate to enable excavation of the basement levels. While it is Council's position that the heritage fabric should not be removed from its existing location, utilising this building line to act as the primary through site pedestrian link is not supported as the arcade is too close to the Phillip Street corner and serves no purpose.

284 Church Street, the site adjoining the southern boundary of the subject site, is considered to be the preferred location for a future arcade or laneway, as it would allow for an open to sky laneway that can be delivered mid-block, promote pedestrian permeability to Erby Place, and creates the potential for an alternate design response that activates the laneway itself by delivering a sleeve of retail and/or dining along the southern edge of the proposed podium. This location also allows for the potential widening of the laneway in the future, if the site to the south were to redevelop in accordance with Council's strategic vision for the CBD. Finally, the location is consistent with Council's latest endorsed position (refer to the Parramatta City Centre Lanes Policy, endorsed at the July 2017 Council meeting).

Consolidation (as described in the above scenario) and inclusion of a pedestrian laneway does not necessarily preclude an arcade forming part of the proposal as well. However, the following principles should be applied if an arcade is introduced:

- Be primarily delivered mid-block (open to sky laneway preferred instead of, or in tandem with any arcade);
- Have open ends and direct sight lines through to establish the role of the arcade as an auxiliary link between two public spaces;
- Have a high degree of design resolution and context related response; and
- Have a proportionate width, depth and height.

Recommendations

Further, this outcome would also allow for the relocation of the loading dock and basement entrance to the northern end of the site, allowing for:

- The relocation of the arcade / public laneway to the more preferred mid-block location;
- The minimisation of conflict between service vehicles reversing into the proposed loading dock and pedestrians using Erby Place as a through-site link, and users of the Council owned carpark adjacent to the subject site; and
- The potential to facilitate the activation of Erby Place with retail/dining uses, and create a linkage of active frontages along all four boundaries;

Service and private vehicle access

Whilst it may in most circumstances be acceptable to have service vehicles reversing into properties from service lanes, in this case the lane also provides access to car parking for this development and also adjoining development and a public car park. It is considered that there is a need in this case for the service vehicle to enter and leave the site in a forward direction. Combining the service access and carpark access and then separating them internally would be desirable and could facilitate the activation of Erby Place.

Subject to further heritage investigation, Council considers that a more appropriate location for vehicle access would be to the northern end of the site (assuming the inclusion of 302 Church Street), which would further support the development of the pedestrian laneway on the southern boundary of the site by reducing the conflict between pedestrians and vehicles entering and exiting the development.

Site-specific DCP

The Proposal notes that the applicant intends to submit a Stage 1 DA to establish the development controls for a future development at the maximum FSR of 15:1.

Recommendation

A Stage 1 DA is inconsistent with Council's current practice, which is to require a draft site specific DCP be prepared and exhibited concurrently with the Planning Proposal and draft VPA, following a Gateway Determination. Under current arrangements, a site specific DCP is also required in the preparation of

the competition brief for the design excellence process a draft site specific DCP for the site.

Whilst the CBD PP makes reference to a Stage 1 DA that approach can only be considered once the CBD PP is enacted. Until then any site specific PP will need to be supported by a site specific DCP. It is therefore recommended that the Planning Proposal be amended to state that in the event DPE issues a Gateway Determination for the site, the proponent will prepare a site specific DCP.

Flooding

While the Proposal identifies that 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 Proposal does not provide sufficient detail to address how the impact of flooding on the site will be dealt with, or how the Proposal satisfies the s117 Direction for Flood Prone Land.

Recommendation

For the Proposal to progress, the applicant is required to provide a flood assessment that responds to the relevant key issues contained within the Section 117 Direction relating to flooding. The assessment should also have regard to the requirements of Clause 7.19 Floodplain Risk Management, contained in Appendix 17 of the Parramatta CBD Planning Proposal, as well as the draft Update Flood of Parramatta Floodplain Risk Management Plan (including the recommendations). This document can be found at: https://www.cityofparramatta.nsw.gov.au/sites/council/files/inline-files/Appendix_10_Draft_Updated_Parramatta_Flood_Risk_Management_Plan.pdf

Examples of how other site-specific planning proposals in the Parramatta CBD have addressed floodplain management issues can be found at: <http://leptracking.planning.nsw.gov.au/currentproposal.php>

Site Specific Clause – Community Infrastructure

The applicant has proposed a site specific clause for the site which addresses community infrastructure. Council has received advice from the Department of Planning and Environment that until such a time as the CBD Planning Proposal is issued a Gateway Determination then similar clauses will not be supported in the site specific DCP. It is therefore recommended that the Planning Proposal be amended to remove this site specific provision, and Council Officers recommend that Community Infrastructure issues be addressed through a VPA process prior to public exhibition.

Revised Draft Central City District Plan

The applicant is to amend the Planning Proposal to have regard to the Revised Draft Central City District Plan.

Section 117 Direction 7.5 – Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan

The applicant is to amend the Planning Proposal to respond to the S117 Direction as it relates to the planning principles and priorities for the Greater Parramatta Growth Area.

I trust that this advice assists your project team in preparation for our meeting at 10am, Friday 17th November.

Yours sincerely,

Robert Cologna
A/Service Manager – Land Use Planning