

PCU070572

Your Reference:  
Our Reference:  
Contact:  
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RZ/6/2016  
N. McCarry  
9806 5635

Adrian Hohenzollern  
Team Leader, Sydney Region West  
Department of Planning and Environment  
GPO Box 39  
SYDNEY NSW 2001



18 April 2017

Dear Mr Hohenzollern

**Site Compatibility Certificate under State Environmental Planning Policy (Affordable Rental Housing) 2009 - No. 2A Gregory Place, Harris Park**

I refer to the above matter and can advise that further to Council's letter dated 20 March 2017, Council considered a report on 10 April 2017 and resolved as follows:

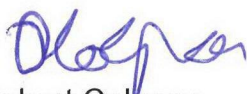
*"(a) That Council write to the NSW Department of Planning and Environment to formalise the written submission included as Attachment 1 to confirm Council has the following concerns regarding the issue of a Site Compatibility Certificate for 2A Gregory Place, Harris Park:-*

- i) No objection is raised to the redevelopment of the site for residential purposes in principle, subject to the density being lowered to be more compatible with surrounding land uses as outlined in Council's submission;*
- ii) The height and bulk of development being sought is excessive, particularly in the context of the surrounding land uses and proximity to items of State heritage significance;*
- iii) The proposed development will have an unacceptable level of impact on the heritage significance of Hambledon Cottage noting that the view of Hambledon Cottage from Hassall Street would be irrevocably compromised by a visual backdrop of a 35 storey tower;*
- iv) The suggested approach of utilising narrow view cones to maintain visual connection between Hambledon Cottage, Experiment Farm and Elizabeth Farm has not been supported by a visual impact assessment and is anticipated to be highly unsatisfactory;*
- v) The proposal does not comply with the principles of SEPP 65 – Design Quality of Residential Apartment Development and is unlikely to meet the key measures within the Apartment Design Guide regarding solar access and natural ventilation;*

- vi) *The site is significantly flood affected which would require serious consideration in the redevelopment of the site; and*
  - vii) *The proposal includes the development of an isolated corner of the site with no street address and no physical access other than a proposed footbridge.*
- (b) **Further, that** Council requests that should the Department of Planning and Environment approve the Site Compatibility Certificate application, that approval be conditioned to require the following:-
- a. *The density to be lowered as described in the performance measures under the heading "Way Forward" within Council's submission; and*
  - b. *The south-western portion of the site that is not suitable for development due to its isolation, lack of street address and flooding constraints remain undeveloped and be required to be incorporated into the Hambledon Cottage and Experiment Farm landscape setting."*

Please find attached, a copy of Council's minutes, report and submission. Thank you for the opportunity to comment on the application. Please contact Council's Team Leader, Land Use Planning, Mr Neal McCarry on 9806 5635 should you have any questions regarding Council's submission.

Yours sincerely



Robert Cologna  
**Service Manager, Land Use Planning**

street and temporary activities related to the Riverside Theatre and the Square, being developed by Council staff in conjunction with staff from the Office of Environment and Heritage; and

- the extended curtilage being limited to the eastern half of Market Street.

8.9           SUBJECT       Submission on Site Compatibility Certificate - 2A  
Gregory Place Harris Park

REFERENCE   F2017/00650 - D04690422

REPORT OF   Project Officer-Land Use Planning

494           RESOLVED    (Chadwick)

(a) **That** Council write to the NSW Department of Planning and Environment to formalise the written submission included as Attachment 1 to confirm Council has the following concerns regarding the issue of a Site Compatibility Certificate for 2A Gregory Place, Harris Park:-

- i) No objection is raised to the redevelopment of the site for residential purposes in principle, subject to the density being lowered to be more compatible with surrounding land uses as outlined in Council's submission;
- ii) The height and bulk of development being sought is excessive, particularly in the context of the surrounding land uses and proximity to items of State heritage significance;
- iii) The proposed development will have an unacceptable level of impact on the heritage significance of Hambledon Cottage noting that the view of Hambledon Cottage from Hassall Street would be irrevocably compromised by a visual backdrop of a 35 storey tower;
- iv) The suggested approach of utilising narrow view cones to maintain visual connection between Hambledon Cottage, Experiment Farm and Elizabeth Farm has not been supported by a visual impact assessment and is anticipated to be highly unsatisfactory;
- v) The proposal does not comply with the principles of SEPP 65 – Design Quality of Residential Apartment Development and is unlikely to meet the key measures within the Apartment Design Guide regarding solar access and natural ventilation;
- vi) The site is significantly flood affected which would require serious consideration in the redevelopment of the site; and
- vii) The proposal includes the development of an isolated corner of the site with no street address and no physical access other than a proposed footbridge.

(b) **Further, that** Council requests that should the Department of Planning and Environment approve the Site Compatibility

Certificate application, that approval be conditioned to require the following:-

- a. The density to be lowered as described in the performance measures under the heading "Way Forward" within Council's submission; and
- b. The south-western portion of the site that is not suitable for development due to its isolation, lack of street address and flooding constraints remain undeveloped and be required to be incorporated into the Hambledon Cottage and Experiment Farm landscape setting.

#### ADJOURNMENT OF MEETING

495 RESOLVED (Chadwick)

**That** Council adjourn the meeting for a short break.

#### **Note**

**The meeting adjourned at 7.45pm.**

#### RESUMPTION OF MEETING

The meeting resumed at 7.53pm.

8.10 SUBJECT Strategic Land Use Planning Work Program Update  
REFERENCE F2016/00115 - D04692352  
REPORT OF Service Manager Land Use Planning. Also Service Manager Land Use Planning Memorandum dated 10 April 2017.

496 RESOLVED (Chadwick)

- (a) **That** this report on the status of Strategic Land Use Planning Strategic Projects, Planning Proposals and Voluntary Planning Agreements is received and noted.
- (b) **Further, that** in response to Council's resolution of 12 December 2016 about the merits of continuing to accept site specific Planning Proposals within the CBD, Council notes the recent advice of the Department of Planning and Environment and confirms that site specific Planning Proposals within the CBD continue to be accepted and assessed on their merits. However Council re-affirms that the focus will be progressing the CBD PP and any site specific Planning Proposals inconsistent with the CBD Planning must be exceptionally well justified and demonstrate special and unique circumstances.

**ECONOMY**

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<b>ITEM NUMBER</b>	8.9
<b>SUBJECT</b>	Submission on Site Compatibility Certificate - 2A Gregory Place Harris Park
<b>REFERENCE</b>	F2017/00650 - D04690422
<b>REPORT OF</b>	Project Officer-Land Use Planning
<b>LANDOWNER</b>	Hallmark Constructions Pty Ltd & 2A Gregory Place Pty Ltd
<b>APPLICANT</b>	Pacific Planning

**PURPOSE:**

To seek Council's endorsement of a submission on a Site Compatibility Certificate application received by the NSW Department of Planning and Environment for No. 2A Gregory Place, Harris Park.

**RECOMMENDATION**

- (a) **That** Council write to the NSW Department of Planning and Environment to formalise the written submission included as **Attachment 1** to confirm Council has the following concerns regarding the issue of a Site Compatibility Certificate for 2A Gregory Place, Harris Park:-
- i) No objection is raised to the redevelopment of the site for residential purposes in principle, subject to the density being lowered to be more compatible with surrounding land uses as outlined in Council's submission;
  - ii) The height and bulk of development being sought is excessive, particularly in the context of the surrounding land uses and proximity to items of State heritage significance;
  - iii) The proposed development will have an unacceptable level of impact on the heritage significance of Hambledon Cottage noting that the view of Hambledon Cottage from Hassall Street would be irrevocably compromised by a visual backdrop of a 35 storey tower;
  - iv) The suggested approach of utilising narrow view cones to maintain visual connection between Hambledon Cottage, Experiment Farm and Elizabeth Farm has not been supported by a visual impact assessment and is anticipated to be highly unsatisfactory;
  - v) The proposal does not comply with the principles of SEPP 65 – Design Quality of Residential Apartment Development and is unlikely to meet the key measures within the Apartment Design Guide regarding solar access and natural ventilation;
  - vi) The site is significantly flood affected which would require serious consideration in the redevelopment of the site; and
  - vii) The proposal includes the development of an isolated corner of the site with no street address and no physical access other than a proposed footbridge.

- (b) **Further, that** Council requests that should the Department of Planning and Environment approve the Site Compatibility Certificate application, that approval be conditioned to require the following:-
- The density to be lowered as described in the performance measures under the heading "Way Forward" within Council's submission; and
  - The south-western portion of the site that is not suitable for development due to its isolation, lack of street address and flooding constraints remain undeveloped and be required to be incorporated into the Hambledon Cottage and Experiment Farm landscape setting.

## BACKGROUND

- The site is located at No. 2A Gregory Place, Harris Park and is 1.94ha in area. The site was previously the location for light industrial activities however, most of the buildings are currently vacant. Immediately to the north of the site is Hambledon Cottage, an important remnant of Parramatta's colonial past and immediately to the south of the site is Our Lady of Lebanon Church. To the east of the site is low density residential development and to the west is Experiment Farm Reserve. An aerial plan of the site is included below.

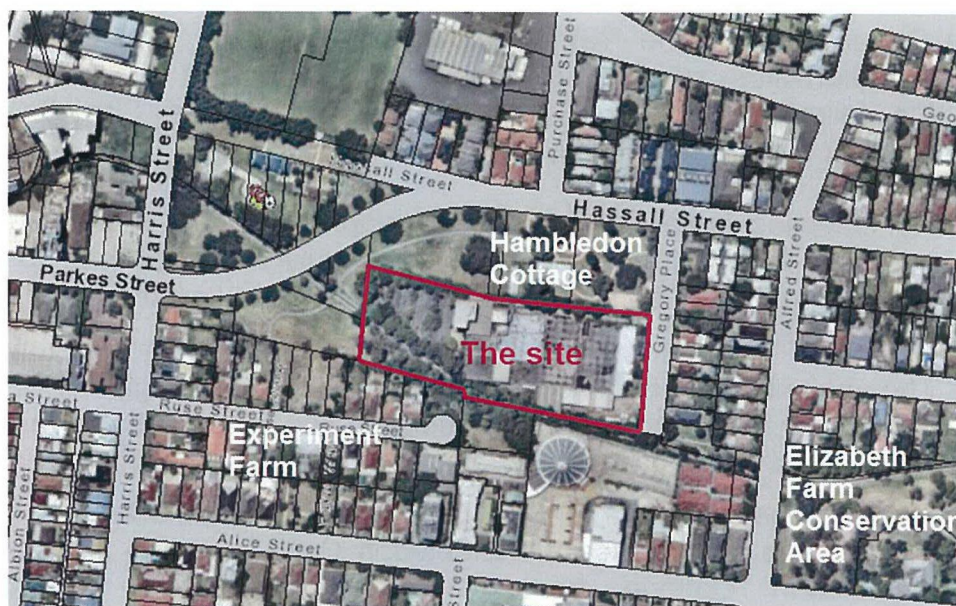


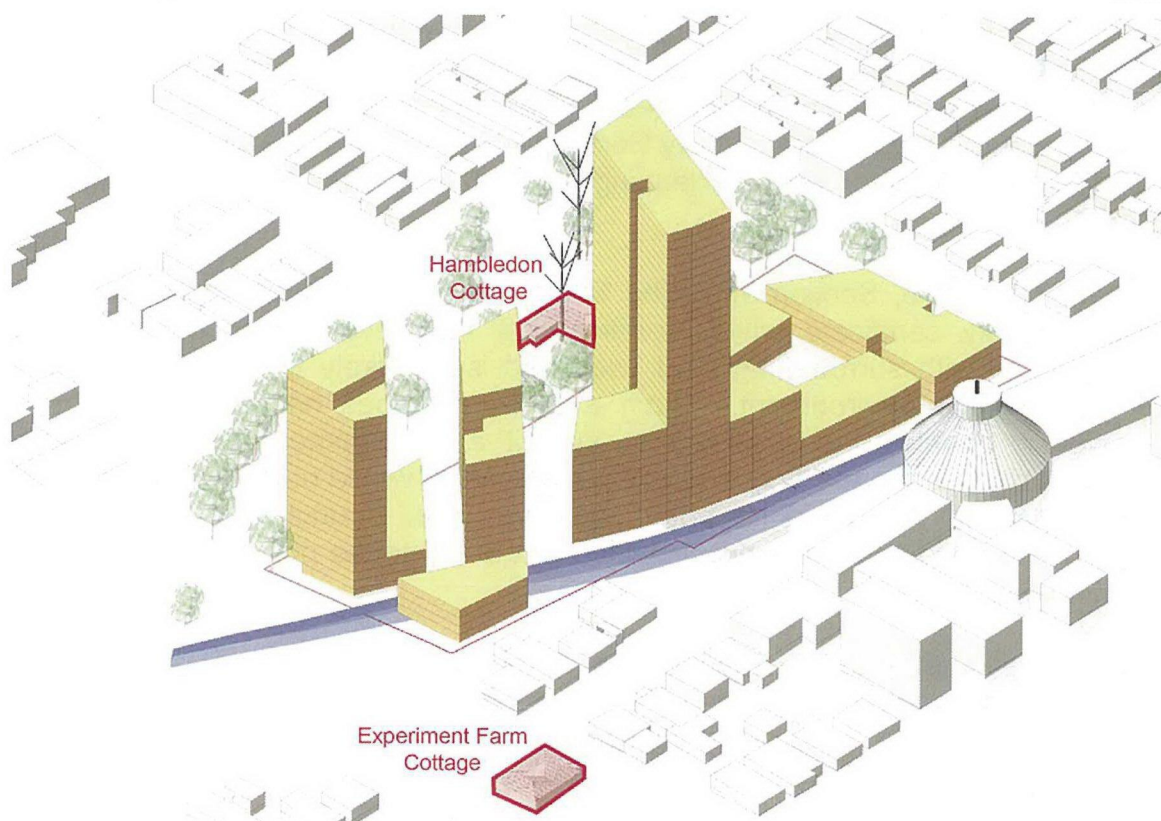
Figure 1 – Site location plan

- Under the Parramatta Local Environmental Plan (LEP) 2011, the site is currently zoned IN1 General Industrial and has a Height of Buildings of 9.2m. There is currently no floor space ratio control for the site.
- Council was previously in receipt of a Planning Proposal for the subject site which the applicant withdrew in September 2016. The Planning Proposal submitted to Council sought the following changes to Parramatta Local Environmental Plan 2011:
  - Rezone the land from IN1 General Industrial to R4 High Density Residential;
  - Increase the Height of Buildings from 9.2m to a range of heights including 0m, 16m, 38m, 80m and 117m;
  - Introduce a Floor Ratio control of 6:1.

4. The applicant withdrew the Planning Proposal in response to matters raised by Council's preliminary assessment which had significant concerns regarding urban design and heritage impacts. The applicant has since lodged an application for a Site Compatibility Certificate with the DPE under the provisions of the State Environmental Planning Proposal (Affordable Rental Housing) 2009.
5. Under Division 5, Section 37 of the SEPP, an applicant may apply for a Site Compatibility certificate which certifies that the development concerned is compatible with surrounding land uses and is not likely to have an adverse impact on the environment. Such a certificate does not rezone the land, however, enables the applicant to submit a development application with Council despite the existing land use zoning which would otherwise prohibit the development. It should be noted, however, that Council is not obliged to approve a development application due to the existence of a site compatibility certificate.
6. The definition of affordable housing under the SEPP provides that at least 50% of the accommodation must be used for the purposes of affordable housing for 10 years from the date of the occupation certificate. Such housing must be managed by a registered community housing provider.
7. The DPE forwarded a letter to Council on 20 February 2017 advising that they were in receipt of an application for a Site Compatibility certificate and inviting Council's comments. Under the SEPP, Council has 14 days within which to comment and the Department's letter requested that comments be provided by 13 March 2017.
8. Council staff requested an extension of time within which to make comments to enable the matter to be formally reported to Council. This request was formally denied by the DPE, however, a verbal discussion with staff from the DPE advised that, provided that Council's comments are submitted prior to the DPE report being finalised, our comments will be taken into account. Interim comments from Council were submitted to the DPE on 21 March 2017 in order to ensure that concerns with the proposal are taken into account.

#### **SUMMARY OF ISSUES IN COUNCIL'S SUBMISSION**

9. The reference design and the supporting documentation submitted with the Site Compatibility Certificate appear to be identical to that submitted with the original Planning Proposal submitted to Council in May 2016. Images extracted from the applicant's Urban Design report have been annotated and are included below demonstrating the building massing in relation to the Hambledon Cottage and Experiment Farm and the applicant's proposed 'view cones'.



**Figure 2 – Annotated aerial perspective of proposed building massing (looking north-east)**



**Figure 3 – Annotated aerial perspective of proposed building massing (looking north-west)**



Figure 4 – Proposed 'view cones'

10. Council did not make a full assessment of the Planning Proposal and it was withdrawn without being reported to Council. However, the preliminary assessment that was made by staff identified significant concerns with the proposal. The issues of concern are as follows:-
  - a. The proposed density (FSR of 6:1) is excessive and is more in keeping with the CBD environment. The applicant has argued that the site forms a logical extension to the CBD, however, there is little strategic justification for this given the low density nature of the area and the state significant heritage buildings in the immediate locality.
  - b. The site is in the vicinity of several listed items in the PLEP 2011, notably Hambledon Cottage which is located to the north of the site. In relative proximity are also Elizabeth Farm, Experiment Farm Cottage and their associated conservation areas. These are all listed under the PLEP 2011 as items of State heritage significance and are listed on the NSW State Heritage Register due to their importance to the early colonial period of Australia's history.
  - c. The height and bulk of development being sought (ranging from 4 to 35 storeys) is significantly greater than Hambledon Cottage (single storey) and will visually dominate the landscape. The view of Hambledon Cottage from Hassall Street will have a backdrop of a 35 storey tower building. The result will be a development that interrupts the visual setting and detracts from the heritage context of Hambledon Cottage.
  - d. The proposed massing of the buildings allows for narrow view cones between the site, Hambledon Cottage, Experiment Farm Cottage and Elizabeth Farm. The applicant has not provided a visual impact assessment to demonstrate how the view cones will appear and it is expected that this approach would be highly unsatisfactory.
  - e. The proposal does not comply with the principles of SEPP 65 – Design Quality of Residential Apartment Development and is unlikely to meet the key measures within the Apartment Design Guide regarding solar access and natural ventilation.
  - f. The majority of the site is affected by the 1 in 100 year Average Recurrence Interval flood level. The applicant's own flood study has

identified that the ground floor would be required to be built approximately 2m above natural ground to comply with the Flood Planning Level of 1 in 100 year ARI plus 500mm freeboard. This in itself raises significant issues of concern regarding the impact on streetscape and the channelling of flood waters through the site.

- g. The proposal provides for a 4 storey building within the south-west corner of the site which is isolated from the remainder of the site by a concrete channel that lies in place of Clay Cliff Creek. Any building on this part of the site would effectively be on an "island" as the access to the rear is across Experiment Farm reserve which would not allow for the construction of a permanent access and would raise safety issues, particularly considering the flood prone nature of the site.
11. It should be noted that it is considered that it is appropriate that the site be redeveloped for residential purposes, provided it is of a nature that is compatible with the surrounding land uses. Council's Employment Lands Strategy adopted by Council on 11 July 2016 identified the site as being appropriate for rezoning for residential purposes, subject to the preparation of an urban design study, heritage study and flood study to determine appropriate controls.
12. Should the DPE be of a mind to issue a Site Compatibility Certificate, it is recommended that the Certificate be conditional upon a lower scale of development as described in the detailed submission included as Attachment 1.

## **CONSULTATION & TIMING**

13. The Department of Planning & Environment is the relevant authority for the Site Compatibility Certificate. Under the provisions of the SEPP (Affordable Rental Housing) 2009, there is no obligation for the DPE to conduct community consultation other than to give the relevant Council the opportunity to comment. Should the Certificate be issued, the applicant has the ability to lodge a development application with Council which would be notified in accordance with Council's adopted notification policy within Appendix 5 of the Parramatta Development Control Plan 2011.

## **FINANCIAL IMPLICATION FOR COUNCIL**

14. There are no financial implications associated with the submission of comments to the DPE on the Site Compatibility Certificate.

## **CONCLUSION**

15. The proposal represents a gross over development of the site in an area with a low density context and State significant heritage items. Hambledon Cottage, in particular, would be significantly impacted by the proposal and Parramatta's colonial heritage would be irrevocably impacted by the proposal. It is considered however, that it is appropriate that the site be redeveloped for residential purposes, provided it is of a nature that is compatible with the surrounding land uses. It is recommended that Council forward the submission at Attachment 1 to the DPE raising these concerns and requesting that any Site Compatibility Certificate granted, be conditional upon a lower scale of development as detailed in the submission.

Felicity Roberts  
**Project Officer– Land Use Planning**

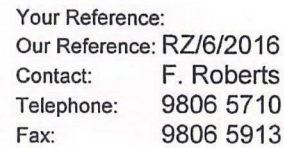
Robert Cologna  
**Service Manager – Land Use Planning**

Sue Weatherley  
**Director – Strategic Outcomes and Development**

Sue Coleman  
**Director City Services**

**ATTACHMENTS:**

- |   |   |             |
|---|---|-------------|
| 1 | Submission to DP&E - Site compatibility certificate - 2A Gregory<br>Place Harris Park | 12<br>Pages |
|---|---|-------------|



20 March 2017

- Rezone the land from IN1 General Industrial to R4 High Density Residential
- Increase the Height of Buildings from 9.2m to a range of heights including 0m, 16m, 38m, 80m and 117m.

- Introduce a Floor Space Ratio control of 6:1.

Council forwarded a letter to the applicant on 22 August 2016 requesting the applicant either significantly amend the Planning Proposal or withdraw it. A copy of this letter is attached for your reference (refer Attachment 1). The Planning Proposal was subsequently withdrawn.

In consideration of the current Site Compatibility certificate application, Council would request that the Department consider the following issues of concern:

#### Strategic Merit

The justification for the proposed FSR has not been developed via a robust analysis and options testing of the most appropriate built form outcome on the site. In contrast, the proposed density (FSR of 6:1) has been adapted from the recommended FSR's contained within the Parramatta CBD Planning Framework.

The CBD Planning Framework and supporting documentation clearly articulates that the eastern edge of the City Centre is aligned along Harris Street. Along this eastern city edge, Robin Thomas Reserve provides not only critical amenity to residents, workers and visitors to the City Centre, but also provides a natural buffer to the lower density development and nearby heritage items. Due to the sites proximity outside of the Parramatta City Centre, and the significant size of the land holdings, the proposed gross FSR of 6:1 is lacking a sound strategic planning and urban design justification.

#### Impact on Existing and Proposed Uses

The contextual analysis plan provided by the applicant (page 22 of the Urban Design report), illustrates that the surrounding context is primarily 1-2 storey single, detached houses with some isolated low/medium scale residential flat buildings. The proposal for a predominant building form of 4-13 storeys with 3 towers of 16, 23 and 35 storeys is completely inappropriate and will cause a significant impact on the existing and proposed uses, and character of the area.

In addition, the proposed arrangement of building forms on the site reads as a continuous building form with minimal breaks and modulation of the podium. The proposal does not relate in scale, grain and character to the surrounding context, and the desired future character of the locality. The precedent set by a proposal of this kind being realised, would trigger other nearby owner-initiated Planning Proposals seeking a speculative upzoning and result in inappropriate built form that would impact on the existing character and amenity of the surrounding area.

The bulk, scale and arrangement of building forms on the site will generate significant overshadowing on the surrounding context. Development at such

a scale and form will result in unacceptable overshadowing of existing dwellings and the curtilage of Experiment Farm.

### Urban Design

Council's Urban Design unit do not support the proposal and raise the following issues:

- The proposal lacks an easily accessible and identifiable street address to all but one of the buildings. Due to the density being sought by the proposal, there is an inability to arrange building forms that provides clear breaks between buildings that create communal courtyards and lines of sight that allow for clear paths of travel from Gregory Place, through the middle of the site, connecting to buildings along the west of the site.
- The proposed courtyards in the western portion of the site are a pure result of achieving minimum ADG separation distances and a tokenistic "view cones" between heritage items. The amenity and use of these courtyards is likely to be compromised by the orientation and height sought by the buildings adjacent.
- The proposed tower typology on an isolated "island site" will typically result in significant wind impacts. These potential wind impacts will affect the quality and amenity of the public domain, open space and communal courtyards. The proposed towers do not provide adequate setbacks from building podiums. Zero tower setbacks intensify the wind impacts of a development. A tower typology is not supported in this location.
- Flooding impacts will likely require buildings to be significantly elevated from natural ground level. For example, the finished floor level of residential development along Gregory Place must be raised 2.1m above natural ground level. The built form, public domain and accessibility issues caused by intense development on severely flood affected sites must be further considered by the applicant. The proposal in its current form does not satisfactorily address how development and flood planning requirements can be managed to provide a positive built form outcome.

Further, the proposal results in a built form outcome that is representative of a scale typically restricted to City Centres and higher order Town Centres that are located close to major public transport infrastructure. The site is not located within the current and future proposed boundaries of the Parramatta City Centre, and if approved, would result in an inappropriate built form that would adversely impact on the existing character and amenity of the surrounding area.

The Urban Design report makes a statement that *"it would be logical that the Parramatta CBD boundary extends at least 1000m from Parramatta Station to the east and south increased densities..."*. The proposition to extend the CBD boundaries east beyond Harris Street has not been recommended as part of

the CBD Planning Proposal, and the Urban Design study does not provide any analysis or testing of how extending the City Centre Boundary would impact on the existing amenity and character of the surrounding area.

The heritage report does not provide a detailed assessment of the proposal's impacts on the surrounding heritage items, and does not specifically make any comment that supports or endorses the heights and densities proposed. In addition, a preliminary review of the content provided in the Urban Design study raises a number of significant impacts to surrounding heritage items:

- The proposal will cast extensive shadows across the State Heritage listed Experiment Farm Cottage and its surrounding landscape curtilage.
- The study does not provide a satisfactory visual impact assessment that justifies the effectiveness of the identified view cones.

### Unacceptable Heritage Impacts

The site is in the vicinity of several listed items in the PLEP 2011 and the NSW State Heritage Register, notably Hambledon Cottage which is located to the north of the site. In relative proximity are also Elizabeth Farm, Experiment Farm Cottage and their associated conservation areas. The site is also directly in route of the significant views Nos. 1, 7, 8 and 9 in Harris Park area identified within Appendix 2 of the Parramatta DCP 2011.

Council's Heritage Advisor has raised several heritage issues being the key view corridors and impacts on established views of Hambledon Cottage from Hassall Street. It is noted that the Planning Proposal has been designed to allow for narrow "view cones" between Experiment Farm, Hambledon Cottage and Elizabeth Farm. However, no visual impact assessment has been provided to support the likely effectiveness of the proposed view cones. In this regard, there are no images within the documentation which demonstrate how the view cones would work and it is Council's opinion that this approach would be highly unsatisfactory.

The proposed building heights and massing are considered to be excessive compared with the surrounding built form context. Council's Heritage Advisor does not support the proposal and recommended testing the proposed heights against the surrounding LEP height controls, including the near-by controls of RL 11m AHD and RL 14m AHD.

The applicant's own heritage consultant (NBRS & Partners) made some recommendations which have not been borne out by the proposal.

- Recommendation #1 "Any proposed re-development of the subject site should provide for enhancement of the visual setting of Hambledon Cottage when viewed from its lot curtilage and from Hassall Street and the open parkland to the north west of the site" (NBRS, 2016)

- Comment: The height and bulk of development being sought (ranging from 4 to 35 storeys) is significantly greater than Hambledon Cottage (single storey) and will visually dominate the landscape. The view of Hambledon Cottage from Hassall Street will have a backdrop of a 35 storey tower building. The result will be a development that interrupts the visual setting and detracts from the heritage context of Hambledon Cottage.
- Recommendation #2 "An appropriate degree of physical separation should be established and maintained between the existing boundary of the subject site with Hambledon and any proposed development of the site" (NBRS, 2016)
- Comment: The proposed setback from the northern property boundary from Hambledon Cottage of 10m incorporating a 4m landscaping buffer is considered inadequate in context of the proposed height and density of development.
- Recommendation #3 "Development options for the subject site should step down towards the boundary with Hambledon and should be broken in scale and mass to create additional open space extending into the subject site" (NBRS, 2016)
- Comment: It is acknowledged that the proposed development makes an attempt at stepping down with the use of a podium adjacent the northern boundary, however, there is no transition from the podium to the 35 storey tower making the stepping down ineffective and inadequate in the context of the relationship with Hambledon Cottage.
- Recommendation #4 "No development of the subject site should preclude the recovery in the future of any physical or visual connection between the three Colonial properties and particularly between Elizabeth Farm and Hambledon" (NBRS, 2016)
- Comment: A residential flat building development under the SEPP (Affordable Rental Housing) 2009 is only required to comprise of 50% of affordable housing for a 10 year period. As such, any residential flat development on the site will be likely to create fragmented ownership of the site and will remain a permanent fixture on the landscape. It is vital that the development provide for an acceptable heritage outcome in its permanent form as there will be no recovery of physical or visual connection via the subject site.

To further demonstrate the likely impact on heritage values, Council has prepared two images which represent building massing extracts from the applicant's own Urban Design Report with the location of Hambledon Cottage and Experiment Farm highlighted by Council's Urban Design Unit. These images are included with this submission to more clearly articulate the likely visual dominance of the proposal in a sensitive heritage setting.

#### SEPP 65

The proposal does not consider two of the most critical Design Quality Principles of SEPP65. These two principles are outlined below:

1. Principle 1 - Context and Neighbourhood Character – The design does not “respond and contribute to its context”. Principle 1 further states that “well designed buildings respond to and enhance the qualities and identity of the area including adjacent sites, streetscape and neighbourhood”. Based on a detailed assessment of the proposal, it has been clearly stated in Councils review that the proposal does not respond, nor enhance the qualities and significant heritage identity of the locality.
2. Principle 2 - Built form and scale – The proposed built form does not “achieve a scale, bulk and height appropriate to the existing or desired future character of the street and surrounding buildings”. The density sought by the proposal (FSR of 6:1) results in an inappropriate built form that generates 3 tower forms ranging from 16 – 35 storeys. Towers of this height are typically reserved for City Centre and higher order Town Centre / Transport Interchanges. The subject site is clearly separated from the Parramatta City Centre by Harris St and Robin Thomas Reserve. In addition, the site’s location within the “heritage triangle” of Experiment Farm, Hambledon Cottage and Elizabeth farm requires a sensitive consideration of building form, articulation and scale that is appropriate to the significant heritage character of the area.

Based on a review of the SSC Planning Report (Pacific Planning), there is a serious concern that the proposed development will not achieve some of the key performance criteria of SEPP65 and the Apartment Design Guidelines. The major non-compliances identified include:

1. The proposal has not demonstrated that at least 70% of apartments will receive a minimum of 2 hours direct sunlight between 9am and 3pm (mid-winter). The SSC report states that “north, east and west facing buildings capable of meeting solar access requirements”. The arrangement of building form generates a significant number of south facing apartments, which typically results in difficulties achieving compliance with the ADG in regards to solar access.
2. The proposal has not demonstrated that 60% of apartments are naturally cross ventilated in the first nine storeys of the building. The SSC report states that deep recesses and roof vents will need to be provided to meet cross ventilation requirements. Council’s Design Excellence Advisory Panel (DEAP) does not support the use of roof vents and deep recesses as a satisfactory method of achieving natural cross ventilation.
3. It appears that the minimal building separation requirements of ADG have been applied to generate the proposed arrangement of building forms. This method of mechanistically applying the minimum setback requirements as an attempt to maximise development yield is not an

appropriate, nor supported method of urban design and master planning in Parramatta.

### Flooding

It is noted that the site is flood prone and the majority of the site is within the 1 in 100 year flood level. Council staff sought internal referral comments from the Catchment Management unit at the time of lodgement of the Planning Proposal. However, the Planning Proposal was withdrawn prior to the preparation of the comments. This issue would require serious consideration with any redevelopment of the site.

A map extracted from Council's GIS is included as Attachment 2. This demonstrates the extent of flooding anticipated on the site reflected by the 1 in 100 year ARI flood levels.

The applicant's own flooding report prepared by HKMA Engineers establishes that the Flood Planning Level (FPL) of the 1 in 100 year ARI flood level plus 500mm freeboard would require a ground floor level of 6.10m AHD. As much of the site is approximately 4m AHD, this would result in an average elevation of the ground floor of approximately 2m when viewed from Gregory Place. This issue also would require serious consideration in light of the effect on streetscape and the potential channelling of flood waters through the site.

### Traffic

The site is located within a cul-de-sac which is the only vehicle entry and exit point available to the site. Further, the intersection of Gregory Place and Hassall Street is non-signalised making vehicle entry and exit difficult. Council's Traffic and Transport unit has reviewed the original Planning Proposal and recommends a left-in/left-out arrangement be applied to the intersection of Gregory Place and Hassall Street.

Council's Traffic and Transport unit has also noted that although the site is not within the CBD, it may be appropriate to apply a maximum parking rate as per the city centre to reduce the traffic implications of the proposal.

### Isolated part of site

The south-west corner of the site is isolated from the remainder of the site by a concrete channel that lies in place of Clay Cliff Creek. There is no physical access from the remainder of the site to this isolated part other than through the Experiment Farm Reserve to the rear. The proposal indicates a 4 storey building on this part of the site connected by a proposed pedestrian bridge. This building is described in the Urban Design report as an opportunity for a low rise community facility facing Experiment Farm Reserve.

Any building on this part of the site would have limited access to the remainder of the site and as such raises issues regarding safe access and

egress, particularly considering the flood prone nature of the site. Any building on this part of the site would effectively be on an "island" as the access to the rear is across Experiment Farm reserve which would not allow for the construction of a permanent access.

### Way forward

Council consider that it is appropriate that the site be redeveloped for residential purposes, provided it is of a nature that is compatible with the surrounding land uses. It is recommended that a detailed site and contextual analysis be undertaken to ascertain the most appropriate typology, scale and arrangement of building forms on the site. From Council's preliminary urban design assessment of the site, the following performance measures should be considered for the site:

- Low scale development with an address to Gregory Place – 2 storey terraces, townhouses or manor homes with generous front setbacks matching the existing low density context;
- Provision of publicly accessible through-site connections linking Experiment Farm, Hambledon Cottage and Elizabeth Farm;
- Retention of existing mature vegetation providing enhancement of the visual setting of Hambledon Cottage;
- Medium Density Development on the remainder of the site – 3-4 storey apartment buildings in "a garden setting" that step down towards the northern interface with Hambledon Cottage; and
- Increased public open space – The south-western portion of the site that is not suitable for development due to its isolation, lack of street address and flooding constraints should form part of the Experiment Farm and Hambledon Cottage landscape setting.

Based on the above criteria, it is recommended that any Site Compatibility Certificate issued for the site, be conditional upon the above performance measures. Ideally, a detailed Master Plan should be prepared prior to the issue of the Site Compatibility certificate to arrive at the most appropriate detailed planning controls (both LEP and DCP) for the site.

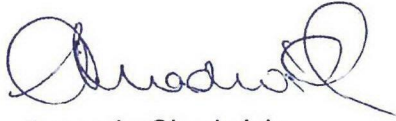
### Summary

It is considered that the proposal does not satisfy Section 37(6) of the SEPP (Affordable Rental Housing) 2009 as it is not compatible with surrounding land uses and will have an unacceptable level of impact on the character and heritage values of the area, particularly considering its proximity to Hambledon Cottage. Council, however, does not object to the proposed land use and acknowledges that residential development may be an appropriate use for the site. Should the Department be of a mind to approve the Site Compatibility Certificate, it is requested that it be conditional upon the performance measures described in this letter.

Please note it is intended to report the matter to Council on 10 April 2017, for information purposes, which may enable Council to forward a formally

adopted position to the Department. Thank you for the opportunity to comment on the application .Please contact Council's Service Manager, Land Use Planning, Mr Robert Cologna on 9806 5144 should you have any questions regarding the advice in this letter.

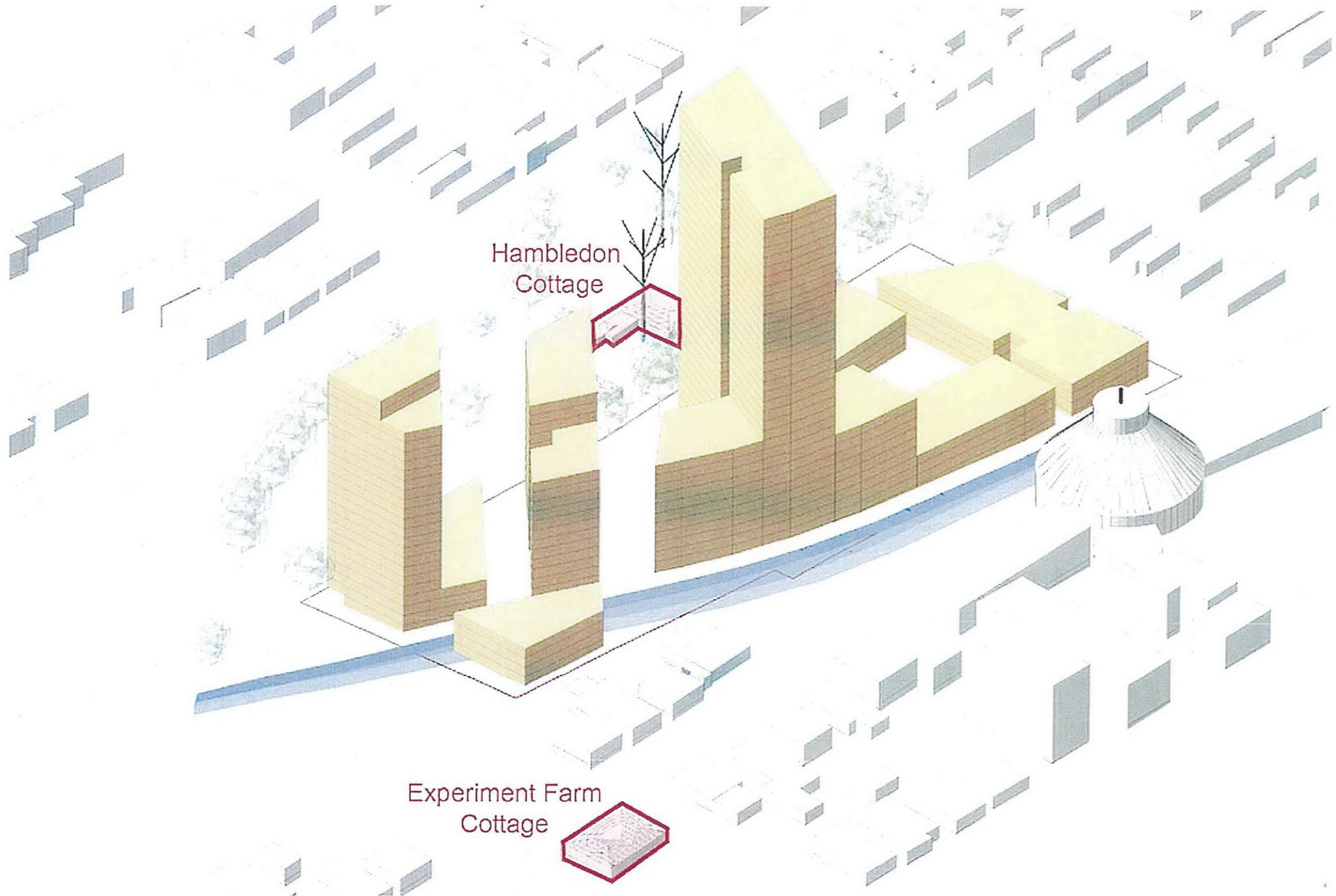
Yours sincerely

A handwritten signature in blue ink, appearing to read 'Amanda', with a large, stylized loop at the end.

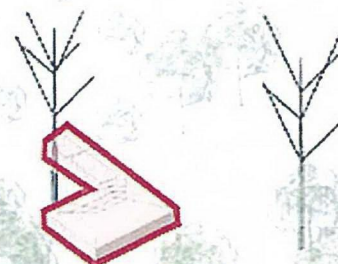
Amanda Chadwick  
**Administrator**

Hambledon  
Cottage

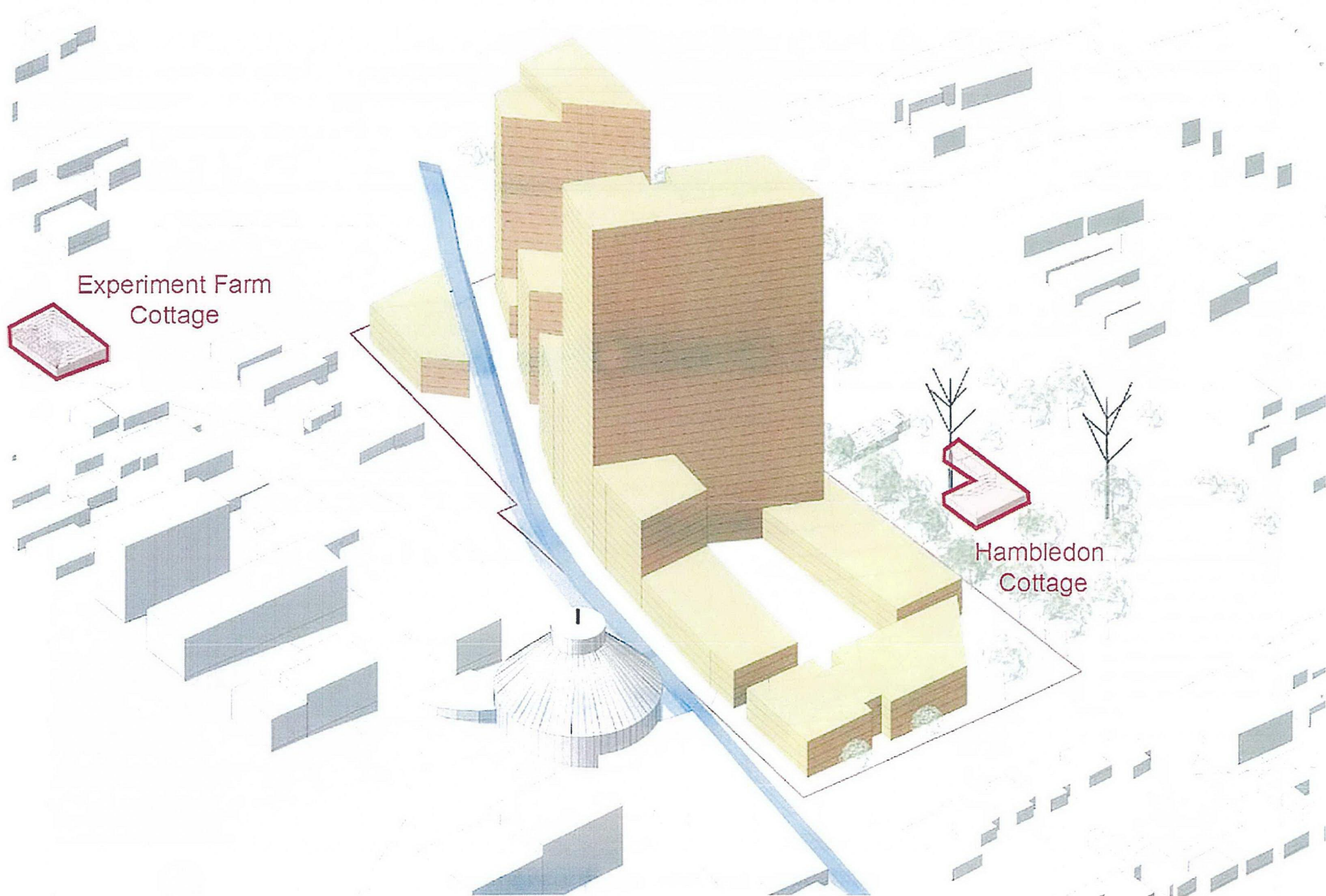
Experiment Farm  
Cottage



Experiment Farm  
Cottage

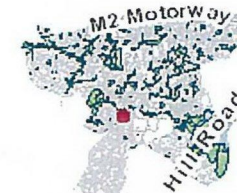


Hambledon  
Cottage





## Extent of 1 in 100 year ARI flood level



### Legend

- 100 Year Flood (Duck Creek)
- 100 Year Flood (Duck River)
- 100 Year Flood (Subiaco Creel)
- 100 Year Flood (Terry Creek)
- 100 Year Flood (Vineyard Cree)
- 100 Year Flood (Ollie Webb)
- 100 Year Flood (Upper Parram)
- 100 Year Flood (Lower Parram)
- Formerly Parramatta City Cour
- Ward Boundary
- City of Parramatta Council
- Formerly Parramatta City Cour
- Street Names
- Parcel
- Playgrounds
- Parks
- Railway Station
- Railway Line
- Road
- Road Intersection
- Watercourse

Disclaimer: While every effort has been made to ensure the correctness of the information on this map at the time of its Production, City of Parramatta council does not warrant the information or plans do not contain errors and the Council shall be in no way liable for any loss, damage or injury as a result of any such errors.

1: 2,000



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Printed 16/03/2017

