

470 Church Street, Parramatta

Proposal Title : **470 Church Street, Parramatta**

Proposal Summary : **The proposal seeks to increase the maximum height of building to 80m and the maximum floor space ratio to 6:1 (6.9:1 with design excellence) for land at 470 Church Street, Parramatta.**

PP Number : **PP_2017_COPAR_001_00**

Dop File No : **17/02621**

Proposal Details

Date Planning : **01-Feb-2017**

LGA covered : **City of Parramatta**

Proposal Received :

Region : **Metro(Parra)**

RPA : **City of Parramatta Council**

State Electorate : **PARRAMATTA**

Section of the Act : **55 - Planning Proposal**

LEP Type : **Spot Rezoning**

Location Details

Street : **470 Church Street**

Suburb : **Parramatta**

City : **Sydney**

Postcode : **2150**

Land Parcel : **Lot 1 DP785930**

DoP Planning Officer Contact Details

Contact Name : **Chantelle Chow**

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RPA Contact Details

Contact Name : **Kimberley Beencke**

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DoP Project Manager Contact Details

Contact Name : **Adrian Hohenzollern**

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Land Release Data

Growth Centre :

Release Area Name :

Regional / Sub

Consistent with Strategy :

Regional Strategy :

470 Church Street, Parramatta

MDP Number :

Date of Release :

Area of Release (Ha)

Type of Release (eg

Residential /

Employment land) :

No. of Lots : 0

No. of Dwellings 0

(where relevant) :

Gross Floor Area : 0

No of Jobs Created : 0

The NSW Government Yes

Lobbyists Code of

Conduct has been

complied with :

If No, comment :

Have there been No

meetings or

communications with

registered lobbyists? :

If Yes, comment :

Supporting notes

Internal Supporting

Notes :

External Supporting

Notes :

Adequacy Assessment

Statement of the objectives - s55(2)(a)

Is a statement of the objectives provided? Yes

Comment :

The planning proposal seeks to increase the permissible density of development for land at 470 Church Street, Parramatta (the site) as proposed within the Parramatta CBD Strategy and planning proposal. No change in zoning is proposed.

Explanation of provisions provided - s55(2)(b)

Is an explanation of provisions provided? Yes

Comment :

This planning proposal seeks to amend the height and floor space ratio controls contained in Parramatta Local Environmental Plan 2011 (Parramatta LEP 2011) by:

1. Amending the Height of Buildings Map (Sheet HOB_009) by increasing the maximum height of building for the site from 24 metres to 80 metres which equates to 26 storeys; and

2. Amending the Floor Space Ratio Map (Sheet FSR_009) by increasing the maximum floor space ratio from 3:1 to 6:1 (6.9:1 with design excellence).

DRAFT DCP

The planning proposal also includes the preparation of a site specific Development Control Plan (DCP) for the site, addressing design elements such as upper level setbacks and inter-building separation. The draft DCP will be exhibited alongside the planning proposal, following endorsement from Council.

Justification - s55 (2)(c)

a) Has Council's strategy been agreed to by the Director General? **No**

b) S.117 directions identified by RPA :

1.1 Business and Industrial Zones

2.3 Heritage Conservation

* May need the Director General's agreement

3.4 Integrating Land Use and Transport

3.5 Development Near Licensed Aerodromes

4.1 Acid Sulfate Soils

5.1 Implementation of Regional Strategies

Is the Director General's agreement required? **No**

c) Consistent with Standard Instrument (LEPs) Order 2006 : **Yes**

d) Which SEPPs have the RPA identified?

SEPP No 55—Remediation of Land

e) List any other matters that need to be considered :

SECTION 117 DIRECTIONS

The proposal is consistent with the section 117 Directions, however commentary is provided on the following:

DIRECTION 2.3 - HERITAGE CONSERVATION

The site does not contain a heritage item and is not located within a heritage conservation area. However the site is located within the vicinity of a local heritage item 695 Former Bakery (north of the site) and the Sorrell Street Conservation Area (east of the site), which includes a number of heritage items.

The planning proposal notes that the additional height and floor space sought would inevitably impact the view lines of nearby heritage items, particularly as the site is located on a prominent street corner. The proposal also notes that the proposed height will result in additional overshadowing over the Sorrell Street Conservation Area.

The Department considers that planning proposal is consistent with this Direction as the impacts on the heritage item and conservation area are considered minor given the location of the site in the Parramatta CBD context. The planning proposal also contains adequate provisions that facilitate the conservation of the nearby Sorrell Street Conservation Area.

DIRECTION 3.5 – DEVELOPMENT NEAR LICENSED AERODROMES

The site is located under the flight path of a licensed aerodrome. The planning proposal is consistent with this Direction as the proposed height of 92m/108AHD (with design excellence) on the site does not breach the Obstacle Limitation Surface (156AHD). Therefore referral to the Commonwealth Department of Infrastructure and Regional Development is not required.

STATE ENVIRONMENTAL PLANNING POLICIES

The proposal is consistent with all relevant SEPPs, however commentary is provided on the following:

SEPP NO 55 REMEDIATION OF LAND

The site contains Class 5 Acid Sulfate Soils as mapped in the Parramatta LEP 2011. Council has indicated that it is satisfied that the site is suitable for mixed use purposes.

The Department considers that issues arising from potential remediation requirements can be resolved through the future development application.

No further contamination issues have been identified.

Have inconsistencies with items a), b) and d) being adequately justified? **Yes**

If No, explain :

Mapping Provided - s55(2)(d)

Is mapping provided? **Yes**

Comment : **Mapping of the current and proposed amendments are provided in Part 4 of the planning proposal. The planning proposal requires amendments to the following maps:**
- Height of Buildings Map (Sheet HOB_009); and
- Floor Space Ratio Map (Sheet FSR_009).

Community consultation - s55(2)(e)

Has community consultation been proposed? **Yes**

Comment : **Part 5 of the planning proposal plans for a community exhibition period. However the proposal does not identify a time period.**

It is recommended that a 28 day exhibition period is undertaken, and the planning proposal is to be amended prior to exhibition to ensure consistency with the Gateway determination in each part of the proposal.

Additional Director General's requirements

Are there any additional Director General's requirements? **No**

If Yes, reasons :

Overall adequacy of the proposal

Does the proposal meet the adequacy criteria? **Yes**

If No, comment :

Proposal Assessment

Principal LEP:

Due Date :

Comments in relation to Principal LEP : **The Parramatta Principal LEP came into effect on 7 October, 2011.**

Assessment Criteria

Need for planning proposal : **The planning proposal seeks to increase the maximum building height and FSR for the site in accordance with the height and FSR proposed under the Parramatta CBD planning proposal.**

Consistency with strategic planning framework :

PARRAMATTA CBD PLANNING STRATEGY

The proposal is consistent with this strategy adopted by Council on 27 April 2015, that intends to increase the maximum FSR to 10:1 (plus a 15% design excellence bonus) for the majority of the city centre area and require a minimum non-residential FSR of 1:1 for certain land zoned B4 Mixed Use.

This strategy has not been endorsed by the Department of Planning and Environment.

PARRAMATTA CBD PLANNING PROPOSAL

The Parramatta CBD Planning Strategy has been refined and translated into the Parramatta CBD planning proposal for implementation. The CBD planning proposal was endorsed by Council on 11 April 2016 and seeks a potential increase in height and FSR for sites within the Parramatta CBD subject to the provision of community infrastructure.

The CBD planning proposal seeks an FSR of 6:1 and no maximum building height for the site.

Additional work, including the finalisation of the traffic study, needs to be completed prior to submission of the CBD planning proposal to the Department for Gateway determination.

DRAFT WEST CENTRAL DISTRICT PLAN

The site is located within the West Central District, however the planning proposal does not address the consistency of the proposal with the Draft West Central District Plan.

The Draft Plan identifies the site for mixed use purposes, within the Greater Parramatta Strategic Centre. The planning proposal aligns with the actions of the Draft Plan as it will provide employment opportunities and additional housing on the site.

Therefore, the Department considers that the planning proposal is consistent with the Draft Plan. However, the Gateway determination has been conditioned to require the planning proposal be amended to address consistency with the Draft West Central District Plan prior to public exhibition.

Environmental social economic impacts :

OVERSHADOWING IMPACTS

The proposed height will cause additional overshadowing across adjacent properties, particularly over the Sorrell Street Conservation Area. It is considered that the overshadowing arising from the planning proposal is acceptable given the location of the site within a CBD context.

The shadow diagram (see page 13 of the Urban Design Report) illustrates the cumulative shadow impact of the planning proposal and the potential building envelopes on the adjacent properties according to the Parramatta CBD planning proposal.

The Department considers the shadow diagram to be misleading as there is no certainty that the potential building envelopes will be constructed or approved. The actual overshadowing resulting from the planning proposal is also unclear.

The Department recommends the Gateway determination requires the shadow diagrams within the planning proposal are amended, prior to exhibition, to illustrate the exact overshadowing caused by the proposal by deleting buildings from the shadow diagrams that have not yet been approved.

TRAFFIC IMPACTS

Council has advised that broader traffic modelling is currently being undertaken to support the Parramatta CBD planning proposal, that has recently been endorsed by Council for Gateway determination. It is recommended that this site specific planning proposal should progress to exhibition however, the proposal should be reviewed prior to finalisation, having regard to the results of the broader traffic modelling - when it is completed. This review should include confirmation of the appropriate FSR and the cumulative impacts of

the increased FSR across the CBD.

In line with other Gateway determinations for individual planning proposals within the Parramatta CBD planning proposal area, the Gateway determination for this planning proposal will require the planning proposal to be reviewed, and amended where necessary, having regard to the mesoscopic modelling undertaken for the Parramatta CBD planning proposal.

Assessment Process

Proposal type : **Routine** Community Consultation Period : **28 Days**

Timeframe to make LEP : **18 months** Delegation : **Nil**

Public Authority Consultation - 56(2)(d) : **Department of Education and Communities
Transport for NSW
Transport for NSW - Sydney Trains
Transport for NSW - Roads and Maritime Services
Sydney Water
Telstra
Other**

Is Public Hearing by the PAC required? **No**

(2)(a) Should the matter proceed ? **Yes**

If no, provide reasons :

Resubmission - s56(2)(b) : **No**

If Yes, reasons :

Identify any additional studies, if required. :

If Other, provide reasons :

Identify any internal consultations, if required :

No internal consultation required

Is the provision and funding of state infrastructure relevant to this plan? **No**

If Yes, reasons :

Documents

Document File Name	DocumentType Name	Is Public
Council Minutes - 12 December 2016.pdf	Proposal	Yes
Council Report - 12 December 2016.pdf	Proposal	Yes
Cover letter.pdf	Proposal Covering Letter	Yes
IHAP Minutes - 15 Nov 2016.pdf	Proposal	Yes
IHAP Report - 15 November 2016.pdf	Proposal	Yes
Planning proposal 470 Church Street Parramatta.pdf	Proposal	Yes

Planning Team Recommendation

Preparation of the planning proposal supported at this stage : **Recommended with Conditions**

S.117 directions: **1.1 Business and Industrial Zones**
 2.3 Heritage Conservation
 3.4 Integrating Land Use and Transport
 3.5 Development Near Licensed Aerodromes
 4.1 Acid Sulfate Soils
 5.1 Implementation of Regional Strategies

Additional Information : **RECOMMENDATION**

The planning proposal should proceed subject to the following conditions:

1. Prior to public exhibition, Council is to amend the planning proposal, as follows:

- (a) to address the consistency of the proposal with the Draft West Central District Plan; and**
- (b) the shadow diagrams within the planning proposal and urban design report are amended to illustrate the overshadowing caused by the proposal by deleting buildings from the shadow diagrams that have not yet been approved.**

The updated proposal is to be submitted to the Department.

2. Prior to exhibition, consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act and/or to comply with the requirements of relevant S117 Directions:

- **Department of Education and Communities**
- **Transport for NSW - Ferries**
- **Transport for NSW - Sydney Trains**
- **Roads and Maritime Services**
- **Department of Infrastructure and Regional Development**
- **Telstra**
- **Sydney Water**
- **Endeavour Energy**

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material, and be given at least 21 days to comment on the proposal.

3. Community consultation is required under Section 56(2)(c) and 57 of the EP&A Act as follows:

- (a) the planning proposal must be publicly exhibited for a minimum of 28 days; and**
- (b) the relevant planning authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with the planning proposal as identified in section 5.5.2 of A Guide to preparing local environmental plans (Department of Planning and Environment 2013).**

4. A public hearing is not required to be held in relation to this matter by any person or body under section 52(2)(e) of the EP&A Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).

5. Prior to submitting the proposal to the Department for finalisation the proposal should be reviewed, and amended where necessary, having regard to the mesoscopic modelling (and consultation with Transport for NSW and Roads and Maritime Services) undertaken for the Parramatta CBD planning proposal. The review should include confirmation of the appropriate site specific gross floor area in the context of the cumulative traffic impacts of increased density controls across the CBD.

6. The timeframe for completing the local environmental plan is to be 18 months from the week following the date of the Gateway determination.

470 Church Street, Parramatta

Supporting Reasons : **The proposal holds merit as it is consistent with regional, metropolitan and local strategies in terms of facilitating additional housing and employment in an area well served by public transport and infrastructure. This will assist in strengthening Parramatta's role as Sydney's second CBD.**

Signature:



Printed Name:

Adria Kobenzollern

Date:

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