

ECONOMY

ITEM NUMBER	6.1
SUBJECT	Planning proposal for land at 470 Church Street, Parramatta
REFERENCE	RZ/13/2016 - D04445493
REPORT OF	Project Officer Land Use
LANDOWNERS	SAI Group Australia Pty Ltd
APPLICANT	Think Planners

PURPOSE:

To request Council's endorsement of a planning proposal seeking to increase the maximum height limit from 24m to 80m and increase the floor space ratio from 3:1 to 6:1 for land at 470 Church Street, Parramatta for the purposes of requesting a Gateway determination from the Department of Planning and Environment.

RECOMMENDATION

- (a) **That** Council endorse the planning proposal contained at **Attachment 1** subject to the applicant's Urban Design Report being updated so that either:
- With the applicant's agreement, any built form diagram showing 23-27 Harold Street present only the existing built form on the site.
 - If the applicant is unwilling to amend their Urban Design Report that a note be added beneath relevant images indicating that the built form shown on 23-27 Harold Street does not have final approval, together with a second note indicating the status update of the planning proposal currently being assessed by Council for 23-27 Harold Street at the commencement of the exhibition of any planning proposal for the subject site.
- (b) **That** the planning proposal be forwarded to the Department of Planning and Environment for Gateway determination.
- (c) **That** Council advise the NSW Department of Planning and Environment that the CEO will be exercising the plan-making delegations for this planning proposal as authorised by Council on 26 November 2012.
- (d) **That** Council grant delegated authority to the CEO to negotiate a Voluntary Planning Agreement (VPA) for the delivery of public benefit, which appropriately recognises the value uplift of the planning proposal.
- (e) **That** the outcome of the VPA negotiations be reported to Council prior to exhibition of the draft VPA.
- (f) **That** a site specific Development Control Plan (DCP) be prepared and reported to Council.
- (g) **That** the planning proposal, VPA and DCP be placed on public exhibition concurrently.
- (h) **Further, that** Council grant delegated authority to the CEO to correct any minor anomalies of a non-policy and administrative nature that may arise during the amendment process.

THE SITE

1. The subject site is located at 470 Church Street, Parramatta, refer to Figure 1. The legal description is Lot 1 DP 785930 and the site area is 1,629sqm. Currently the site contains a five storey commercial building with a medical centre on the ground floor.

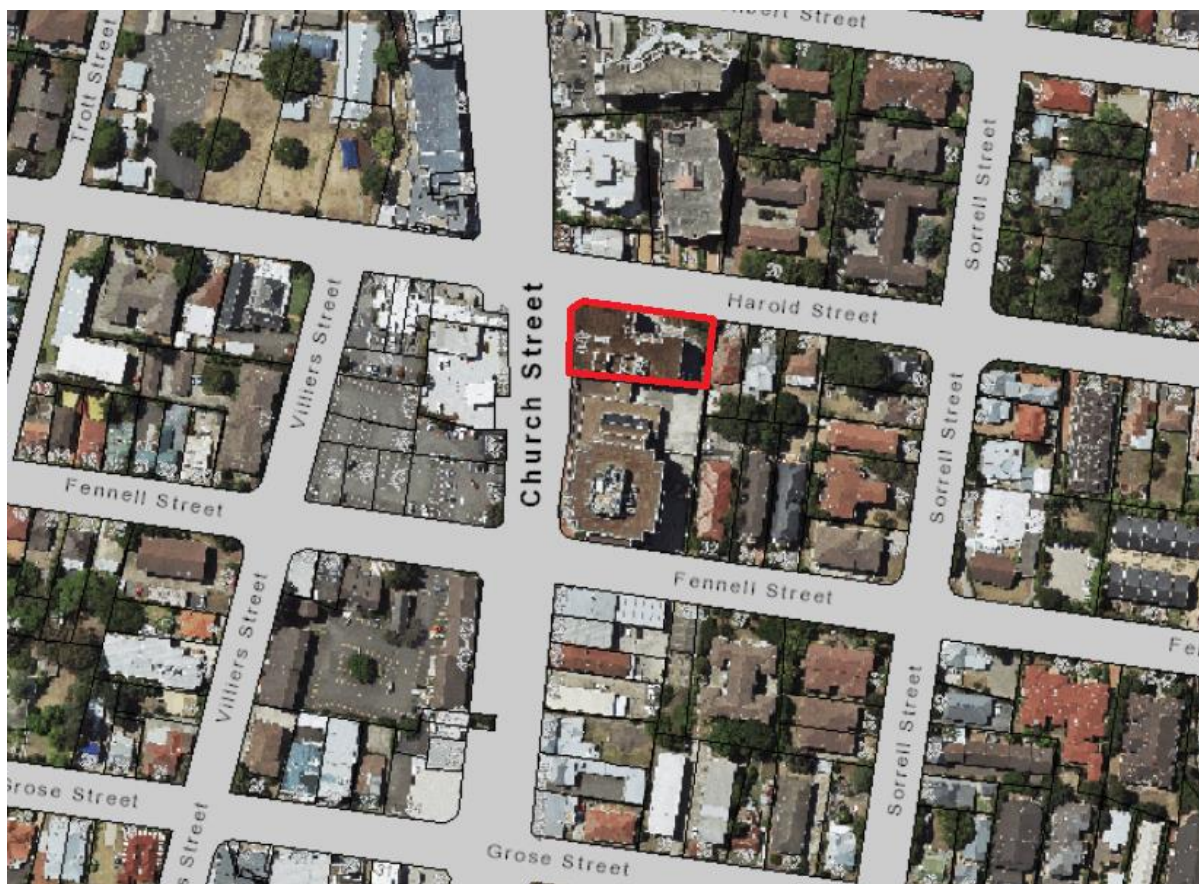


Figure 1: Location map (Source: Council’s GIS)

Control	Existing	Sought by applicant	Parramatta CBD Planning Proposal
FSR	3:1	6:1	6:1
Height (m)	24	80	No height limit

Table 1: Comparison of proposed controls

BACKGROUND

2. Council adopted the Parramatta CBD Planning Strategy at its meeting of 27 April 2015. The Strategy is the outcome of a study which reviewed the current planning framework and also a significant program of consultation with stakeholders and the community. The Strategy sets the vision for the growth of the Parramatta CBD. Council has subsequently prepared a planning proposal which has been informed by Councillor workshops held throughout 2015 and various Council resolutions.
3. The Parramatta CBD Planning Proposal (CBD PP) was adopted by Council on 11 April 2016. The CBD PP seeks a potential increase in height and FSR for sites within the Parramatta CBD subject to the provision of community infrastructure. Whilst more work needs to be done prior to the Department of Planning and Environment issuing a Gateway determination, the CBD PP is Council’s most recently adopted position on density increases in the Parramatta CBD.

4. A planning proposal for land at 470 Church Street, Parramatta was lodged on 5 July 2016 seeking to increase the maximum height limit from 24m to 80m and increase the floor space ratio from 3:1 to 6:1.

PROPOSAL

5. The applicant's planning proposal is accompanied by an Urban Design Report and a Traffic and Parking Assessment
6. The planning proposal seeks to amend the Parramatta Local Environmental Plan (PLEP) 2011 to allow:
 - A maximum height limit of 80m
 - A maximum FSR of 6:1
7. The applicant's Urban Design Report presents a 26 storey mixed use building design concept shown in Figure 2 that includes the following features;
 - 1 level of basement car parking
 - Sleeved above ground car parking, with ground floor retail contained within a four storey podium
 - 22 storey residential tower containing 154 units

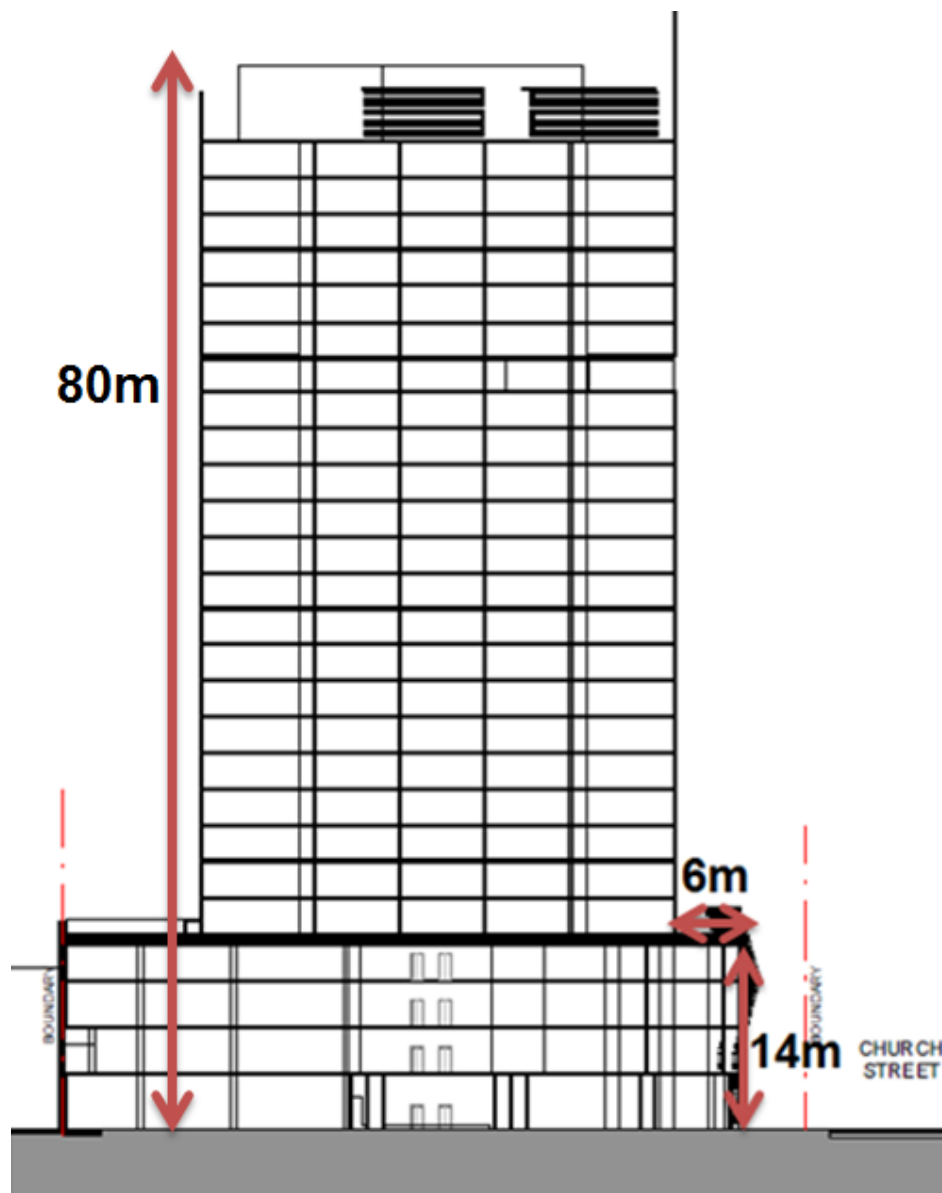


Figure 2: Development concept (Source: Applicant's Urban Design Report)

CURRENT PLANNING CONTROLS

8. The following provisions of the PLEP 2011 currently apply to the land at 470 Church Street, Parramatta, it is zoned B4 Mixed Use, the maximum FSR is 3:1 and the maximum height is 24 metres. The site is located outside of the 20 and 100 year Average Recurrence Interval events and the Probable Maximum Flood (PMF) event.
9. The subject site does not contain a heritage item listed under PLEP 2011. However, the site is located in close proximity to the Sorrell Street Conservation Area located to the east of the site and local heritage item 695 Former Bakery, located at 476 Church Street, refer to Figure 3.

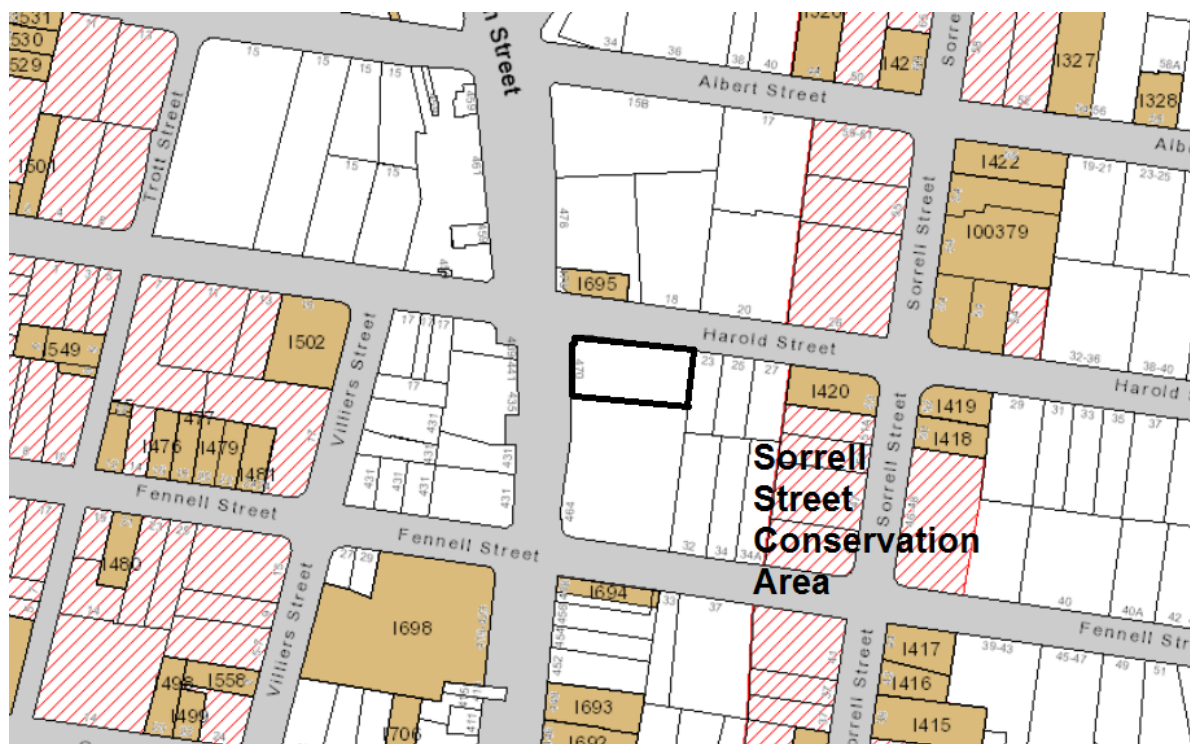


Figure 3: Heritage map (Source: Council's GIS)

ISSUES

10. A detailed assessment of the proponent's planning proposal and supporting studies is provided below.

Parramatta CBD Planning Proposal

11. The Parramatta CBD Planning Proposal (CBD PP) was endorsed by Council on 11 April 2016. The CBD PP seeks a potential increase in height and FSR for sites within the Parramatta CBD, subject to the provision of community infrastructure. The CBD PP as endorsed by Council applies no height limit and a maximum 6:1 FSR to the subject site.
12. Previously Council officers have recommended revising an applicant's planning proposal to apply 'no height limit' in keeping with the Parramatta CBD Planning Proposal. Council resolved on 11 April 2016 to apply no height limit to the planning proposal for land at 180 George Street, Parramatta. On 17 June 2016 a conditional gateway determination was issued requiring a height limit be reinserted into the planning proposal.
13. The applicant's Urban Design Report has presented a reference design that demonstrates an FSR of 6:1 can be accommodated within the 80 metre height limit. Given the CBD PP is yet to receive gateway determination or be publicly exhibited and the Department of Planning and Environment's recent conditional gateway determination for land at 180 George Street, Council officers

recommend applying an 80 metre height limit as sought by the applicant. This proposal is otherwise consistent with the CBD PP.

Heritage

14. The planning proposal has been reviewed by Council's heritage officer. Whilst the subject site does not contain a heritage item listed under PLEP 2011, when measured from the eastern boundary the site is located 40 metres west of the Sorrell Street Conservation Area (refer to Figure 5) and heritage item 695 Former Bakery located at 476 Church Street.
15. Sorrell Street is an important local road and one of the early streets developed north of the Parramatta River. It demonstrates the development of the colonial government town and its early residential growth from 1823 onwards. This area contains 63% of the dwellings that existed in this locality in 1895, including heritage item 420 a two storey residence constructed in 1885, located at 53 Sorrell Street, on the corner of Harold Street and Sorrell Street.
16. Heritage item 695, located at 476 Church Street is a former shop and bakery building. It is of local significance and represents historical commercial premises. The building was erected in 1890 and comprises remnant fabric which demonstrates the commercial development that lined the major roads into Parramatta. The site possesses the potential to contribute to an understanding of early urban development in Parramatta.
17. The proposed height and bulk sought as part of this planning proposal would inevitably impact the view lines of nearby heritage items, particularly as the subject site is located on a prominent street corner. The proposed height will likely result in overshadowing of heritage items located south of the subject site, particularly the Sorrell Street Conservation Area. However, these impacts are expected and considered acceptable given the location of the subject site and heritage items in a CBD context.
18. Council's heritage officer supports the proposed height and FSR outlined in the planning proposal as it is consistent with the scale of development endorsed by Council in the CBD PP. Additionally, it is identified that a transition is required between the 6:1 FSR along Church Street and the conservation area to the east. Council's heritage officer notes that there is adequate space between the subject site and the conservation area to the east to provide an acceptable transition. The issue of transition is discussed further in the urban design analysis section that follows in this report.

Urban Design

19. The planning proposal was accompanied by an Urban Design Report. The documentation has been assessed by Council's urban design team and it has been deemed an acceptable response to the site conditions. It has been demonstrated that the proposed FSR and height of building can be accommodated on the site. The scale of the indicative built form responds to the conservation area located to the east of the site using appropriate setbacks. To ensure the final concept also responds to the context of the site Council's urban design officers recommend a site specific Development Control Plan is prepared addressing the following design elements:
 - A street frontage height of 3-4 storeys (maximum 14 metres) along Church Street (refer to Figure 2).
 - Upper level setback of 6 metres along Church Street (refer to Figure 2).
 - Upper level setback of 3 metres along Harold Street.

- Minimum upper level setback of 12m from the eastern boundary to allow Apartment Design Guidelines inter-building separation between habitable rooms.
 - Minimum upper level setback of 9 metres from the southern boundary subject to meeting the requirements of the Apartment Design Guidelines.
 - The upper level setbacks should be measured to the outer most face of buildings, including balconies.
20. The Development Control Plan will inform any future design competition brief for the site based on this planning proposal. It is recommended the design competition is undertaken after the Department of Planning and Environment issues any Gateway determination. Any proponent that chooses to undergo the design excellence process prior to the gazettal of an amendment to an LEP does so at their own risk. No guarantee can be given that the proposed changes to PLEP 2011 outlined in this report will become law. However, a greater level of certainty comes from both the Council and Department of Planning and Environment supporting the proposal.

Transition

21. The subject site is located close to the Sorrell Street Conservation Area. Within the conservation area there is a mix of building typologies which include one storey dwelling houses and three storey residential flat buildings. Figure 4 demonstrates just one example of the scale of properties located in the Sorrell Street Conservation Area. The building displayed in Figure 4 is the previously discussed heritage item number 420 located at 53 Sorrell Street and closest property in the Sorrell Street Conservation Area to the subject site (refer to Figure 5).
22. Any increase in density on the subject site would change the setting, as well as the views to and from the properties within the conservation area. As discussed above this is an expected impact in a CBD setting, however the impact can be mitigated by transitioning the scale of development.



Figure 4: Sorrell Street Conservation Area, corner of Sorrell Street and Harold Street, Parramatta (Source: Google Maps)

23. The Parramatta CBD Planning Proposal (CBD PP) requires a transition to any heritage item or conservation area, the following is an extract from the Proposal:

7.15 Community Infrastructure

(2) The consent authority may approve development with a height and floor space ratio that does not exceed the increased building height and floor space ratio identified on the Incentive Height of Buildings Map and the Incentive Floor Space Ratio Map, but only if:

(a) the development is able to demonstrate an appropriate transition to any heritage items or conservation areas

24. Figure 5 illustrates one example of how transition can be accomplished using FSR. Focusing on the 'superblock' in which the subject site is located, the properties fronting Church Street, including the subject site have an FSR of 6:1 (red), the sites located in the Conservation Area have an FSR of less than 0.8:1 (green) and the sites in between, in particular 23-27 Harold Street have FSRs of 3:1 acting as a transition from 6:1 to less than 0.8:1. Figure 6 demonstrates conceptually what the FSR transition in Figure 5 might look like using 3D modelling. The height, bulk and scale of buildings reduce as the built forms get closer to the conservation area/heritage item.

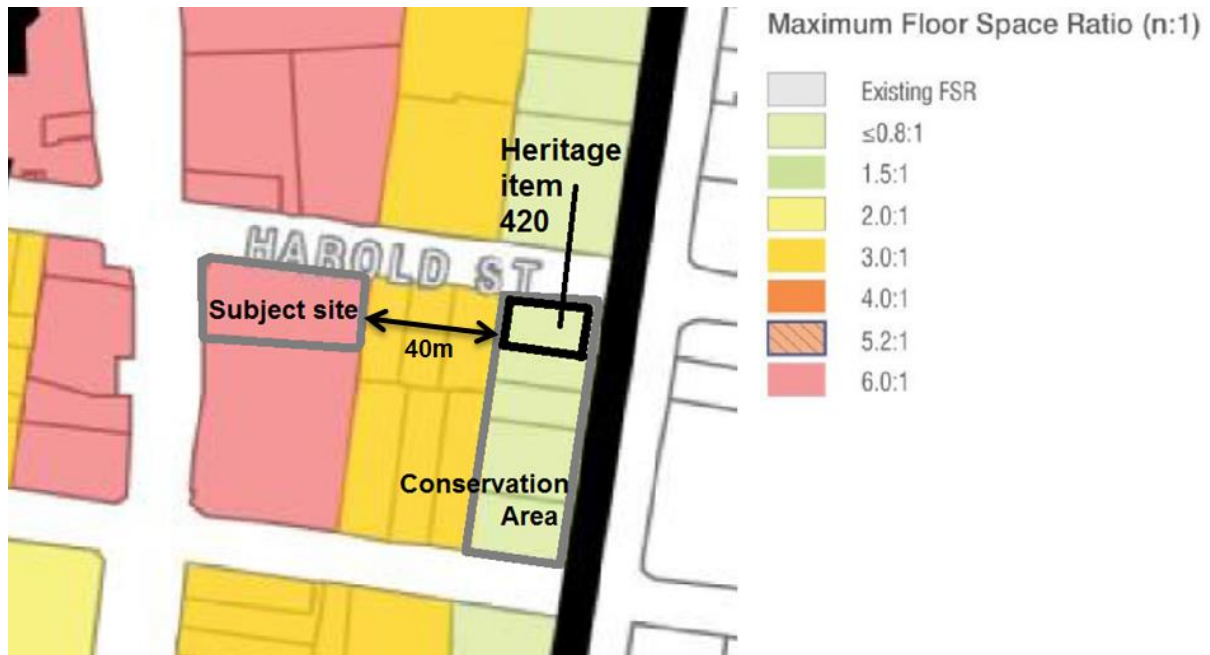


Figure 5: Transition using FSR (Source: City of Parramatta – Parramatta CBD Heritage Study)



Figure 6: Transition 3D modelling (Source: City of Parramatta – Parramatta CBD Heritage Study)

25. The transition between the density proposed along Church Street and the Sorrell Street Conservation Area impacts the adjoining sites at 23-27 Harold Street. A planning proposal for 23-27 Harold Street and 53 Sorrell Street was lodged on 17 December 2015 seeking a 6:1 FSR and 98m maximum height limit. Whilst this planning proposal is still under assessment and a formal position has not yet been determined, Council officers have advised the applicant of their concerns about the transition and asked that the matter be addressed via the submission of an amended planning proposal.
26. Included in the applicant's Urban Design Report are images that show a higher building form on the adjoining property at 23-27 Harold Street. Figure 7 is reproduced from the applicant's Urban Design Report which shows the larger built form that Council Officers are currently considering via the assessment process discussed above. It is considered potentially misleading for any planning proposal exhibited for the subject site to show images of a built form on the adjoining site (23-27 Harold Street) that are still under assessment by Council and which may not be supported by Council. In this case it is recommended that the urban design report prior to exhibition either be:

- i. Amended so that only the existing built form is shown on 23-27 Harold Street with the applicant's agreement; or
- ii. If the applicant will not agree to amend the Urban Design Report as per (i) above then a note be placed on any exhibited copy of the Urban Design Report noting that the built form shown in the diagram does not have final approval as it has not been endorsed by the Department of Planning and Environment. The note should also detail the status of the planning proposal for 23-27 Harold Street at the commencement of the exhibition of any planning proposal for the subject site.

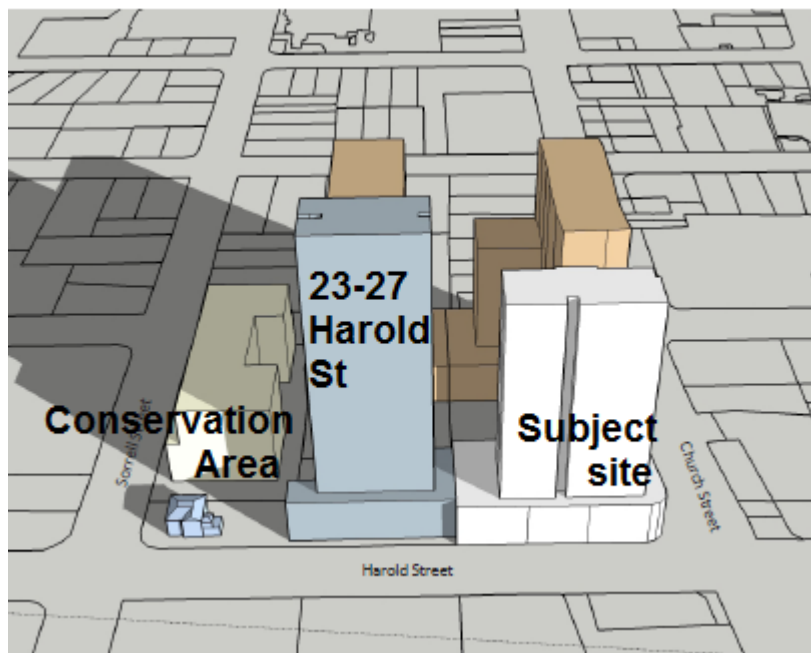


Figure 7: Equitable development (Source: Applicant's Urban Design Report)

Traffic

27. Council's traffic and transport team have reviewed the planning proposal and note that until the findings of the traffic modelling that investigate the cumulative impact of traffic generation, currently being undertaken by Council as part of the Parramatta CBD Planning Proposal are finalised, then this planning proposal should not be finalised and made.
28. The parking rates and vehicular access points into the site need to be further resolved, however it is advised that these issues can be addressed at the development application stage.
29. Council's traffic and transport officer supports the applicant's planning proposal proceeding to the Department of Planning and Environment for gateway determination subject to the proposal not being finalised until the cumulative traffic impact assessment has been completed.

Conclusion

30. The applicant's planning proposal and reference design demonstrate a built form that responds to the context of the site and is in keeping with Council's adopted CBD PP. As discussed in this report the planning proposal should be supported by a site specific Development Control Plan which will inform the future Design Excellence Competition. It is therefore recommended that council endorse the applicant's planning proposal subject to minor revisions to the accompanying Urban Design Report.

Next step

31. Should Council endorse the planning proposal it will be forwarded to the Department of Planning and Environment for gateway determination.
32. The applicant will be required to draft DCP controls as discussed in this report and submit a letter of offer for a Voluntary Planning Agreement (VPA). Both the DCP and VPA will be reported to Council for consideration and then be publicly exhibited alongside the planning proposal as discussed in this report.

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ATTACHMENTS:

- 1 Planning proposal for land at 470 Church Street, Parramatta 27 Pages