

## RESCISSION MOTION

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<b>ITEM NUMBER</b>	9.1
<b>SUBJECT</b>	RESCISSION MOTION: Parramatta CBD Planning Proposal Response to Gateway Determination Conditions
<b>REFERENCE</b>	F2018/03742 - D07117803
<b>REPORT OF</b>	Councillor

To be Moved by Councillor Bradley and seconded by Councillors Prociv and Wearne as per Rescission Motion form signed and submitted on 11 November 2019 after the close of the Council Meeting.

### RECOMMENDATION

**That** the resolution of the Council Meeting held on 11 November 2019 in relation to Item 12.1 regarding the Parramatta CBD Planning Proposal – Response to Gateway Determination Conditions, namely:

- (a) **That** Council endorse the updated draft Parramatta CBD Planning Proposal (“Proposal”) informed by technical studies contained at **Attachment 2** (of Item 15.1 of the Council meeting held on 28 October 2019 – being the Draft Consolidated Parramatta CBD Planning Proposal – Response to Gateway Determination) for the purposes of consultation with State agencies, and subject to the following amendments being incorporated:
- (i) Amend maximum building heights shown on both the base and incentive height of building maps as 243m (RL) to 211m (RL) to account for the 15% design excellence bonus.
  - (ii) Amend the incentive height of building map for 295 Church Street, Parramatta to include a 211m (RL) height limit for that portion of the site that was inadvertently left uncoloured.
  - (iii) Amend the incentive height of building map for the block bound by Station Street West, Raymond Street, Peace Lane and Raymond Lane, Parramatta from 72m to 80m, consistent with other 6:1 Incentive FSR sites in the Proposal.
  - (iv) Amend the base height of buildings map from 18m to 12m for the two sites at 83 Macquarie Street and eastern portion of 38 Hunter Street, Parramatta (to align with the rear boundary of 83 Macquarie Street) so as to ensure heritage significant views to St John’s Church from Church Street (looking south) can be maintained.
  - (v) Amend the Proposal to include the sites at 7-11 Great Western Highway, Parramatta as they were inadvertently taken out as part of the removed area (as referenced in part (g) below), and reinstate draft controls for these sites as per the original Proposal endorsed by Council on 11 April 2016, including a zoning of B4 Mixed Use, Base Height of 12m, Incentive Height of 80m, Base FSR of 2:1 and Incentive FSR of 6:1.
- (b) **That** the CEO be authorised to make any minor amendments of a non-policy nature that are consistent with the intent of the draft Proposal and that may

arise during the State agency consultation.

- (c) **That** subject to the outcome of consultation with State agencies being that only minor amendments of a non-policy nature are required, that the Proposal be forwarded on DPIE for approval for public exhibition.
- (d) **That** Council write to the DPIE with a request to amend the Gateway Determination in relation condition 1 (l) to:
  - i. Update the condition to require the mesoscopic model and integrated transport plan be completed prior to the finalisation of the draft Proposal.
  - ii. Update the condition to only require the Strategic Transport Study (endorsed in April 2017) for public exhibition.
- (e) **That** following approval from the DPIE, the Proposal be placed on public exhibition for a minimum period of 28 days.
- (f) **That** the outcomes of public exhibition of the Proposal and the consideration of submissions are reported back to Council.
- (g) **That** Council endorse the removal of the area south of the Proposal boundary, bound by Great Western Highway and north of Lennox and Lansdowne Streets, and east of Marsden Street, Parramatta from the Proposal, and that this area be included in the future work on the Planning Investigation Areas as per the Parramatta CBD Planning Strategy.
- (h) **That** Council note that the draft Community Infrastructure Funding Study for the Parramatta CBD is currently underway in response to Gateway conditions 1(m) iii-iv, and that it be reported to Council when finalised later in 2019.
- (i) **Further, that** draft amendments to Parramatta Development Control Plan to support the Proposal, and a draft Infrastructure Strategy (incorporating a development guideline for the provision of community infrastructure and new contributions plan) be reported to Council prior to public exhibition.

be and is hereby rescinded.

#### **ATTACHMENTS:**

1	Report to Council Meeting on 28 October 2019 on Parramatta CBD Planning Proposal - Response to Gateway Determination	183 Pages
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# **ATTACHMENT 1**

Report to Council Meeting on 28  
October 2019 on Parramatta CBD  
Planning Proposal - Response to  
Gateway Determination

**GREEN**

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<b>ITEM NUMBER</b>	15.1
<b>SUBJECT</b>	FOR APPROVAL: Parramatta CBD Planning Proposal - Response to Gateway Determination Conditions
<b>REFERENCE</b>	F2018/03742 - D07056509
<b>REPORT OF</b>	Team Leader –Land Use Planning

**PURPOSE:**

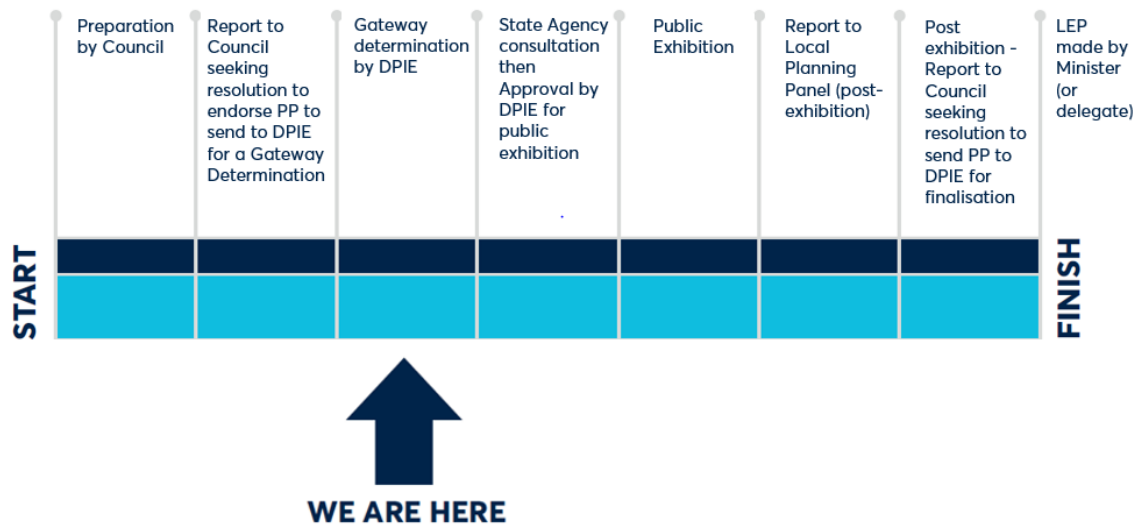
To seek Council's endorsement of the updated draft Parramatta CBD Planning Proposal that responds to the conditions of the Gateway Determination issued by the Department of Planning, Industry and Environment (DPIE) on 13 December 2018.

**RECOMMENDATION**

- (a) **That** Council endorse the updated draft Parramatta CBD Planning Proposal ("Proposal") informed by technical studies contained at **Attachment 2** for the purposes of consultation with State agencies.
- (b) **That** the CEO be authorised to make any minor amendments of a non-policy nature that are consistent with the intent of the draft Proposal and that may arise during the State agency consultation.
- (c) **That** subject to the outcome of consultation with State agencies being that only minor amendments of a non-policy nature are required, that the Proposal be forwarded on DPIE for approval for public exhibition.
- (d) **That** Council write to the DPIE with a request to amend the Gateway Determination in relation condition 1 (l) to:
  - i. Update the condition to require the mesoscopic model and integrated transport plan be completed prior to the finalisation of the draft Proposal.
  - ii. Update the condition to only require the Strategic Transport Study (endorsed in April 2017) for public exhibition.
- (e) **That** following approval from the DPIE, the Proposal be placed on public exhibition for a minimum period of 28 days.
- (f) **That** the outcomes of public exhibition of the Proposal and the consideration of submissions are reported back to Council.
- (g) **That** Council endorse the removal of the area south of the Proposal boundary, bound by Great Western Highway and north of Lennox and Lansdowne Streets, and east of Marsden Street, Parramatta from the Proposal, and that this area be included in the future work on the Planning Investigation Areas as per the Parramatta CBD Planning Strategy.
- (h) **That** Council note that the draft Community Infrastructure Funding Study for the Parramatta CBD is currently underway in response to Gateway conditions 1(m) iii-iv, and that it be reported to Council when finalised later in 2019.
- (i) **Further, that** draft amendments to Parramatta Development Control Plan to

support the Proposal, and a draft Infrastructure Strategy (incorporating a development guideline for the provision of community infrastructure and new contributions plan) be reported to Council prior to public exhibition.

### PLANNING PROPOSAL TIMELINE



Note: Referral to the Local Planning Panel (pre-Gateway) was not required as this Proposal pre-dates the creation of the Local Planning Panel.

### BACKGROUND

1. On 27 April 2015, Council endorsed the Parramatta CBD Planning Strategy. The Strategy established Council’s future vision for the growth of the Parramatta CBD as Australia’s next great city; established principles and set out actions and technical studies required to prepare a planning proposal to implement new controls seeking to achieve this vision.
2. The Parramatta CBD Planning Strategy was the basis for the draft Parramatta CBD Planning Proposal (Proposal), defining the city centre boundary (and its potential expansion through the investigation of adjoining ‘planning investigation areas’), primary built form controls, land use mix and infrastructure needs. The strategy also identified a number of technical studies that would form the evidence base for the Proposal and request for a Gateway determination including heritage, flood management, contamination, sustainability, economic, urban design, and infrastructure needs and funding.
3. On 11 April 2016, Council endorsed the draft Proposal to amend the planning controls for the Parramatta CBD, for the purposes of requesting a Gateway Determination from the Department of Planning, Industry and Environment (DPIE), formerly known as the Department of Planning and Environment (DPE). At the time, the proposal identified that the consideration of a further expansion of the CBD boundary based on the ‘planning investigation areas’ would be the subject of a separate planning proposal.

4. Following the 11 April 2016 resolution of Council, the Proposal and supporting technical studies were forwarded to the DPIE for a Gateway Determination in April 2016. Additional research and technical studies were also undertaken between April 2017 and September 2018 to support refinements to the Proposal, including transport, infrastructure funding, heritage, sustainability, flood management, and heritage and policy matters.
5. Further additional works also commenced following the Gateway Determination request, including work on a draft amendment to the Parramatta Development Control Plan (DCP) 2011 in relation to the Parramatta CBD, draft mesoscopic model and draft integrated transport plan all required to support the development and growth envisioned for the Parramatta CBD. These works are yet to be completed and are still underway.

### **CBD PLANNING PROPOSAL GATEWAY DETERMINATION & KEY RESOLUTIONS OF COUNCIL**

6. On 13 December 2018, the DPIE issued a conditional Gateway Determination allowing the Proposal to proceed subject to thirty-four (34) conditions. A full copy of the Gateway is contained at Appendix 3 in **Attachment 2**.
7. The Gateway Determination also identified that Council's request for exceptional circumstances (in relation to flood planning controls) had been granted to enable further agency consultation and community consultation, although, consistency with the Ministerial Direction for flood prone land would require further consideration and agreement by the Department's Secretary. Under the conditions of the Gateway Determination, Council is required to finalise the Proposal to amend Parramatta Local Environmental Plan (PLEP) 2011 within 24 months of the date of the Gateway Determination, being 13 December 2020.
8. Since the receipt of the Gateway Determination, Council officers have held a number of workshops with Councillors regarding the conditions of the Gateway Determination. To date, eight (8) Councillor Workshops have been held between February and September to discuss key matters that have arisen following further investigation of certain Gateway Determination conditions (Refer to the Table at **Attachment 1**).
9. A resolution of Council on 25 March 2019 also provided the strategic framework in which Council officers would respond to and progress various matters resulting from the Gateway Determination in relation to policy direction on key issues. Subsequent to this resolution, Council officers proceeded to report two (2) matters to Council for the purposes of satisfying certain Gateway Determination conditions and updating the Proposal pertaining to overshadowing of Heritage Conservation Areas (HCAs) and open spaces, and also the Church Street Precinct. Details of these previous Council reports are provided below.

10. At this meeting, Council resolved to endorse the recommendations responding to the conditions of the Gateway Determination which included minor technical updates to the planning proposal, policy direction from Council, amendments to existing supporting CBD PP technical studies and additional studies that would be required to satisfy the Gateway Determination conditions. A number of key policies were also resolved including the adoption of the following:
- i. The conditions in the Gateway Determination in respect of FSR sliding scale, the FSR out clause, and unlimited office premises FSR in the B3 Commercial Core zone.
  - ii. An interim 'no net financial loss' policy position regarding the negotiation of site-specific PP VPAs to ensure contributions are consistent with Council's adopted value sharing rates in the CBD.
  - iii. To not progress with the West Auto Alley precinct plan and heritage study which was underway at that time to support an FSR of 6:1.
11. In relation to part iii above, Council resolved on 22 July 2019 to reaffirm and amend the 25 March 2019 resolution to require an independent recommendation (and Precinct Plan with supporting Heritage Analysis) for the West Auto Alley Precinct that demonstrates the best possible urban design and public domain outcomes and having particular regard to the transition from Church Street ('Auto Alley') to the South Parramatta Heritage Conservation Area.

24 June 2019 – Parramatta CBD Planning Proposal - Urban Design, Heritage and Feasibility Analysis for Church Street Precinct

12. In accordance with the 25 March 2019 Council resolution, an urban design and feasibility study for the Church Street Precinct was prepared by Council officers, which included heritage input from consultants City Plan Heritage. The study was reported to Council on 24 June 2019. The findings of that study put forward revisions to the existing proposed height and FSR controls as well as the removal of opportunity sites and unlimited commercial FSR within this precinct to satisfy the relevant Gateway Determination conditions, and to update the planning proposal. Accordingly, Council resolved to defer this matter, which has enabled Council officers to undertake additional analysis in response to issues raised. The urban design, feasibility and heritage study for the Church Street Precinct is attached to the updated Proposal at **Attachment 2**.

24 June 2019 – Parramatta CBD Planning Proposal – Overshadowing Analysis

13. In accordance with the 25 March 2019 Council resolution, Council officers prepared an overshadowing analysis to respond to four (4) of the Gateway Determination conditions regarding overshadowing impacts on heritage conservation areas and open spaces, as well as the protection of sun access to key public areas within/around the CBD. At the time, the report recommended the reduction of height controls in a number of areas to satisfy the Gateway Determination conditions. Council resolved to defer the matter, which has enabled Council officers to undertake additional analysis in response to issues

raised. The additional overshadowing analysis and recommended planning controls are part of the updated Proposal at **Attachment 2**.

## **RESPONDING TO THE GATEWAY DETERMINATION AND CONDITIONS**

14. In satisfying/responding to the conditions of the Gateway Determination and updating the Proposal, this has required Council officers to either draft administrative and technical updates to the Proposal, seek policy direction from Council, submit additional information to support the Proposal including updates to initial Proposal studies, or the preparation of new studies. The table at **Attachment 1** provides a summary response to each of the Gateway Determination conditions, including the work undertaken to address these conditions and updates made to the Proposal accordingly.

## **STRATEGIC ALIGNMENT AND HOUSING AND JOB TARGETS**

15. The Proposal is consistent with the State Government's strategic planning framework - *A Metropolis of three cities* and *Central City District Plan*, a key objective of which is to strengthen the significant economic function of the Parramatta CBD and its role in providing a high-density form of housing choice to promote more efficient land use outcomes.
16. Consistent with the Draft Local Housing Strategy (LHS) and Draft Local Strategic Planning Statement (LSPS) which are currently on public exhibition, this planning proposal adopts the following job and dwelling targets. As of 2016, being the established baseline for growth within the Parramatta CBD, there was 51,100 jobs and 4,769 dwellings (the latter, a 2011 figure) in the Parramatta CBD. Council's analysis in its Draft LHS and Draft LSPS is for 34,500 additional jobs and 8,748 additional dwellings to 2036 (in the CBD). Additionally, at the time the Draft LSPS and LHS were being drafted, multiple technical analyses affecting the controls in the CBD area had not been completed. However, the supporting technical analysis to the Proposal are now completed for a 2056 target, the Proposal will deliver 50,200 additional jobs and 15,900 additional dwellings.
17. The dwelling targets contribute to the City (whole LGA) exceeding its 2036 overall housing target as per the Greater Sydney Region Plan and the Central City District Plan. There is insufficient capacity under existing planning controls (PLEP 2011) in the CBD to meet these targets. However, the changes proposed under this planning proposal will significantly increase capacity for both jobs and dwellings in the Parramatta CBD, enabling Council to easily achieve or exceed these targets.

## **OTHER MATTERS**

18. On 8 October 2019, Council considered report items 18.9 and 18.10 regarding site-specific PPs on 470 Church Street and 23-27 Harold Street, Parramatta. At that meeting, Council resolved to defer these matters until after Council



considers a report regarding the response to the Gateway Determination for the Proposal (i.e. the subject of this report). The draft Proposal at **Attachment 1** adopts the approach recommended by Hector Abrahams Architects for this interface area, as originally adopted by Council in July 2017.

## TIMING/NEXT STEPS

19. To update and prepare the consolidated Proposal and complete the requirements of the Gateway Determination within 24 months, the following timeline is proposed.

2019/2020	
Oct	Report amended and consolidated planning proposal to Council seeking endorsement for the purpose of consultation with Agencies and public exhibition
Nov – Dec	Pre-exhibition agency consultation on planning proposal.
Dec – Jan	DPIE assessment of planning proposal for purposes of public exhibition
Feb - Mar	Public Exhibition of the Proposal
Apr - Jun	Review submissions; amend/update planning proposal
Jul	Report final planning proposal to Council seeking endorsement to adopt for gazettal
Aug – Dec	DPIE Review; Parliamentary Counsel prepares LEP, DPIE finalisation and sign off by Minister (or delegate)

20. Should Council endorse the updated Proposal provided at **Attachment 2**, Council will commence pre-exhibition consultation with the relevant State agencies on the planning proposal. Subject to the outcomes of the pre-exhibition consultation only resulting in minor amendments to the Proposal that are of a non-policy and administrative nature, Council officers will revise the Proposal to reflect the changes prior to forwarding it to the DPIE for approval for public exhibition purposes. However, should the pre-exhibition agency consultation require amendments that present larger issues that are of a policy nature, Council officers will report these matters back to Council separately for endorsement, and prior to updating the Proposal and forwarding it to the DPIE for approval for public exhibition purposes. This will affect the timetable outlined above.
21. Moreover, subject to Council endorsing recommendation (d) relating to condition 1 (l) of the Gateway Determination regarding the requirement for a mesoscopic model and integrated transport plan, Council officers will write to the DPIE to seek an amended Gateway Determination. In the circumstance Council's request is successful; the mesoscopic model and integrated transport plan will be reported to Council at a later date and prior to the finalisation of the Proposal.
22. In addition, and in conjunction with the proposed timeline above, the following works will also continue to progress:

- a) The completion of the draft Parramatta CBD Community Infrastructure study commissioned to address condition 1(m) iv of the Gateway Determination, which is due to be completed by the end of 2019.
- b) The preparation of the draft amendment to the Parramatta Development Control Plan (DCP) 2011 in relation to the Parramatta CBD. The Draft DCP will be reported to Council in 2020 and prior to its exhibition.
- c) As detailed within the CBD Planning Strategy endorsed in April 2015, the work required to progress the four planning investigation areas may occur following the public exhibition of the Proposal (subject to the availability of resources).

Janelle Scully  
**Team Leader – Land Use Planning**

Roy Laria  
**Service Manager – Strategic Planning**

Jennifer Concato  
**Executive Director – City Strategy & Development**

**ATTACHMENTS:**

- |   |   |              |
|---|---|--------------|
| 1 | Response table to the Gateway Determination Conditions of the draft Parramatta CBD Planning Proposal                                    | 14<br>Pages  |
| 2 | Draft Consolidated Parramatta CBD Planning Proposal - Response to Gateway Determination   | 160<br>Pages |
| 3 | List of Technical Studies to support the Parramatta CBD Planning Proposal (provided under separate cover on Council's website via link) | 2 Pages      |

**REFERENCE MATERIAL**

<b>Response table to the Gateway Determination Conditions of the draft Parramatta CBD Planning Proposal</b>	
<i>Gateway Condition 1. Prior to public exhibition, Council is to amend the planning proposal to:</i>	
<b>Part</b>	<b>Response</b>
1(a) consider sites that have been subject to a site-specific planning proposal and recommend whether the site-specific clause is to be retained in the Parramatta LEP or integrated with the proposed planning framework;	<p>In accordance with Council's resolution of 25 March 2019, Council officers undertook a review of all gazetted site-specific planning proposals, and associated clauses to ensure no repetition of clauses and/or that critical details associated with a site-specific PP were not lost or undone. The review has resulted in the removal of clauses/sub-clauses within a number of site-specific provisions in Part 7 of Parramatta LEP 2011 which will be integrated as part of the draft framework for the broader CBD. Development approval of these sites will be required to comply with the relevant draft LEP provisions. A copy of the review is attached to the updated CBD PP contained at <b>Attachment 2</b>.</p> <p>Council officers are also undertaking a review of all active site-specific CBD PPs which are yet to be gazetted and are at various stages of their assessment process, to ensure consistency with the overarching draft CBD PP framework.</p>
1(b) amend the objectives and intended outcomes to reflect the description of Parramatta as Sydney's Central City in the Greater Sydney Region Plan and include an objective that refers to the need for appropriate consideration of heritage items and heritage interface areas;	The CBD Planning Proposal has been updated to reflect this condition. Refer to Part 1 Objective 2 and 10 of the updated planning proposal contained at <b>Attachment 2</b> .
1 (c) prepare a draft acquisition and strategic corridor preservation map to indicate land that may be required to be rezoned to SP2 to facilitate local and regional infrastructure projects;	<p>The draft Land Reservation Acquisition Map is proposed to be amended to reflect road widening to identify the following:</p> <ul style="list-style-type: none"> <li>- Strategic opportunities to improve capacity and capability of the existing road network, having regard to the significant growth within the Parramatta CBD as well as inherent existing constraints such as</li> </ul>

	<p>heritage and existing significant development.</p> <ul style="list-style-type: none"> <li>- Opportunities to improve public transport capability through localised intersection improvements and augmentation of existing bus lanes.</li> <li>- Opportunities for a regional cycleway network within the Parramatta CBD.</li> </ul> <p>In accordance with condition 2 of the Gateway Determination, Council officers will undertake formal consultation with TfNSW/RMS, where further amendments to the draft LRA map may arise.</p> <p>A copy of the draft LRA map is appended to the updated CBD PP at <b>Attachment 2</b>.</p>
1(d) assess the planning proposal against the Greater Sydney Region Plan and the Central City District Plan and describe how the planning proposal gives effect to and complies with these plans;	<p>The CBD Planning Proposal has been updated to provide an assessment against the Greater Sydney Region Plan and Central City District Plan including how the proposal will help to facilitate these plans. Refer to Part 3 Section 3.2.1 of the updated planning proposal contained at <b>Attachment 2</b>.</p> <p>It is considered that the CBD PP is consistent with the Greater Sydney Region Plan and Central City District Plan.</p>
1(e) assess the planning proposal against section 9.1 Direction 7.5 Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Development Plan to demonstrate consistency with this document;	<p>The CBD Planning Proposal has been updated to provide an assessment against the Ministerial Direction 7.5 Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan. Refer to Part 3 Section 3.2.4 of the updated planning proposal contained at <b>Attachment 2</b>.</p> <p>It is considered that the CBD PP is consistent with the Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan.</p>
1(f) address the Community Strategic Plan 2018-2038, Culture and Our City: A Cultural Plan for Parramatta's CBD 2017-2022 and the Parramatta Smart City Masterplan and	<p>The CBD Planning Proposal has been updated to address the local strategies identified in the condition. Refer to Part 3 Section 3.2.2 of the updated planning proposal contained at <b>Attachment 2</b>.</p> <p>It is considered that the CBD PP is consistent with these strategies.</p>

demonstrate consistency with these documents;	
1(g) review the demographic data and the job and housing numbers that could be delivered through the planning proposal;	The CBD Planning Proposal has been updated to reflect the demographic data, and job and housing numbers that could be delivered through the updated planning proposal. The Employment and Dwelling Projections are specified under the heading 'Job and Housing Targets' of the updated planning proposal contained at <b>Attachment 2</b> .
1(h) update the planning proposal and maps to provide a consolidated explanation of provisions and assessment of the intended outcomes as amended by this Gateway determination, and review the studies that have been prepared to support the planning proposal and update if required;	<p>The CBD Planning Proposal and maps have been updated to consolidate the explanation of provisions and assessment of the intended outcomes resulting from the Gateway Determination.</p> <p>Additionally, the following reports have also been updated as required:</p> <ul style="list-style-type: none"> <li>- Economic Review – Achieving A-Grade Office development (appended to <b>Attachment 2</b>)</li> <li>- Sustainability and Infrastructure Study (appended to of <b>Attachment 2</b>)</li> <li>- High Performing Building Study (Appendix 25 of <b>Attachment 2</b>)</li> <li>- Preliminary Site Investigation Study for the Auto Alley Area (appended to <b>Attachment 2</b>)</li> <li>- Update to the draft Parramatta Floodplain Risk Management Plans (FRMP) for the Upper and Lower Parramatta River (appended to <b>Attachment 2</b>)</li> <li>- Parramatta CBD Flood Evacuation Assessment (appended to <b>Attachment 2</b>)</li> </ul>
<b>Gateway Condition 1 (i) in relation to the proposed floor space ratio (FSR) controls and incentives:</b>	
<b>Part</b>	<b>Response</b>
1(i) ii. amend the base and incentive FSR maps to reflect the Gateway conditions;	This condition has been informed by a number of other conditions contained in this Gateway Determination which Council was required to satisfy/address. The base and incentive FSRs have been revised to reflect Council's responses as appropriate (refer to discussion in relation to other relevant conditions).

<p>1(i) ii. amend the planning proposal and the FSR sliding scale to reflect option FSR-1 in Council's report of 14 December 2015, unless further evidence is provided to demonstrate that alternative thresholds would be appropriate;</p>	<p>In accordance with Council's resolution of 25 March 2019, and consistent with this Gateway condition, the CBD Planning Proposal has been updated to adopt the FSR sliding scale option FSR-1 as detailed in the report to Council on 14 December 2015 (to increase the site area thresholds for sites to 1000sqm to 1800sqm for sites mapped with an incentive FSR of 4:1, 6:1, 7:1, 8:1 and 10:1). Sites less than 1000sqm will be subject to a reduced FSR under the sliding scale, sites between 1000sqm-1800sqm will be subject to a formula calculation, and only where sites are greater than 1800sqm will they be able to achieve the full FSR potential.</p> <p>Refer to Part 2 Explanation of Provisions of the updated planning proposal contained at <b>Attachment 2</b>.</p>
<p>1(i) iii. amend the planning proposal and the FSR out clause to reflect ALT-1 in Council's report of 14 December 2015, but only for isolated sites and where design excellence is achieved;</p>	<p>In accordance with Council's resolution of 25 March 2019, and consistent with this Gateway condition, the CBD Planning Proposal has been updated to adopt the FSR out clause ALT-1 (as specified in the Council report of 14 December 2015) and isolated site conditions to allow the maximum FSR on sites between 1000sqm-1800sqm, provided design excellence is achieved and the site is an "isolated site".</p> <p>Refer to Part 2 Explanation of Provisions of the updated planning proposal contained at <b>Attachment 2</b>.</p>
<p>1(i) iv. amend the planning proposal to clearly define what constitutes an isolated site;</p>	<p>The Planning Proposal has been updated to clarify the definition of 'Isolated Sites' based on a NSW Land and Environment Court published planning principle on 'Redevelopment'.</p>
<p>1(i) v. enable unlimited office premises FSR in the B3 Commercial Core on sites greater than 1800m<sup>2</sup>. Council may reduce this threshold subject to urban design testing and demonstration of the achievement of appropriate commercial floor plates;</p>	<p>In accordance with Council's resolution of 25 March 2019, and consistent with the Gateway condition, the CBD Planning Proposal has been updated to permit unlimited office premises FSR in the B3 Commercial Core zone only on sites greater than 1800sqm.</p> <p>The issue of site size for commercial office development is also addressed in the updated 'Achieving A Grade Office Space - Economic Review' study prepared by Urbis. The study was also informed by urban design testing undertaken by Council, which recommended limiting small sites within the Commercial Core</p>

	<p>to the maximum mapped FSR (10:1). The incentive for unlimited office space in the B3 Commercial Core is to apply only to sites over 1800sqm to encourage amalgamation and provision of suitable size floorplates (between 1,300 and 1,500 sqm) for A-Grade office development.</p> <p>Refer to Part 2 Explanation of Provisions of the updated planning proposal contained at <b>Attachment 2</b> and the Economic Review – Achieving A-Grade Office development Study (appended to <b>Attachment 2</b>).</p>
<p>1(i) vi. review the proposed opportunity sites having regard to site depth, site isolation and impacts on heritage areas and historic streetscapes. Opportunity sites should be removed from the planning proposal where the additional bulk and scale could have an adverse impact on the amenity of surrounding localities and areas of heritage significance; and</p>	<p>In accordance with Council’s resolution of 25 March 2019, Council prepared an Opportunity Sites Study with heritage input from Lucas, Stapleton, Johnson and Partners (LSJ). The study reviewed opportunity sites having regard to heritage impact (appended to <b>Attachment 2</b>).</p> <p>The heritage component of the study provided a number of recommendations regarding the removal of opportunity sites, however, not all recommendations were supported by Council officers. Notwithstanding, when considering the combination of heritage, urban design and planning issues raised in the study, the CBD Planning Proposal has been updated to remove some of the previously mapped opportunity sites for the following reasons:</p> <ul style="list-style-type: none"> <li>- To protect solar access to HCAs and open spaces consistent with the overshadowing analysis undertaken for the CBD (in response to other Gateway Determination conditions)</li> <li>- To protect “blue sky” background for St. John’s Cathedral and Church Street</li> <li>- To protect the historic streetscape of Church Street, supported via a 12m podium setback to protect the historic streetscape; (with the exception of one site (286-300 Church Street), which following urban design testing did not demonstrate any perceivable difference having the additional 3:1 opportunity site FSR).</li> <li>- To ensure there was no inconsistency with solar access planes being introduced for Parramatta Square and Experiment Farm</li> </ul>

	<p>(which is consistent with the approach taken with other sun access planes).</p> <p>Amendments have also been made to the Opportunity Sites provision, including requirements in relation to minimum site dimensions and how the bonus 3:1 FSR is applied. In addition, further sites have been identified that are required to be amalgamated to achieve status as an opportunity site, being 286 – 302 Church Street and 5-7 Hassall Street (Area 1 and 2 on the Opportunity site Map).</p> <p>Refer to Part C of Key elements of this planning proposal and Part 2 Explanation of Provisions of the updated planning proposal at <b>Attachment 2</b> for further information.</p>
<p>1(i) vii. carry out environmental analysis and feasibility testing to demonstrate that sites with an FSR greater than 6:1 are suitable for the intended 5% FSR high performing buildings bonus and incorporate the intended policy into the explanation of provisions of the planning proposal;</p>	<p>In accordance with Council's resolution of 25 March 2019, an update to the High Performance Buildings Bonus Study was prepared by Kinesis in July 2019 (appended to <b>Attachment 2</b>) to understand the scale/value of the bonus scheme when applied to sites with an incentive FSR of 6:1 or greater, and to investigate environmental performance across different building types and sustainability mechanisms.</p> <p>The study identified the difficulty in achieving higher levels of BASIX particularly as the height of a building increases due to increased centralised energy loads and that the cost increases with residential floor space. The CBD PP has been updated to identify that an FSR bonus of 5% will be available for mixed use development with a maximum incentive FSR of 6:1, where the site area is greater than 1800sqm and the front building line is greater than 24m, and where the site meets the eligibility criteria/prescribed BASIX targets for residential and mixed use buildings. Updated criteria in relation to commercial buildings have also been included.</p> <p>Refer to Key elements of this planning proposal Part G. and Part 2 Explanation of Provisions of the updated planning proposal contained at <b>Attachment 2</b>.</p>



<b>Gateway Condition 1 (j) in relation to the proposed height of building controls:</b>	
<b>Part</b>	<b>Response</b>
1(j) i. liaise with the Civil Aviation Safety Authority and the federal Department of Infrastructure, Regional Development and Cities to either determine the maximum mapped height of building that can be applied in the Parramatta CBD or provide further justification for the removal of height controls on unconstrained land;	<p>Council officers will consult with CASA and other relevant agencies following endorsement of the updated Planning Proposal contained at <b>Attachment 2</b> (the subject of this report) during pre-exhibition consultation with State Agencies.</p> <p>Council officers have also amended the CBD PP to specify height controls for all land. A copy of the revised height of buildings maps is attached to updated CBD PP at <b>Attachment 2</b>.</p>
1(j) ii. provide further assessment of the overshadowing impact of the proposed controls on public open spaces surrounding the CBD compared to the existing controls;	<p>In accordance with Council's resolution of 25 March 2019, Council officers prepared an Overshadowing Technical Paper based on several city blocks to address conditions 1 (j) ii-iv, to further assess the overshadowing impacts as a result of the proposed controls on public open spaces and heritage conservation areas. The analysis conducted included different scenario testing, urban design input and economic input (for certain blocks).</p>
1(j) iii. incorporate an assessment of the potential overshadowing impacts on Experiment Farm that may result from the proposed planning controls (outside the proposed sun access plane of 10am–2pm);	<p>As a result of the analysis, the updated CBD proposal contains provisions relating to solar access plane provisions for Experiment Farm (and nominated curtilage) and Parramatta Square, as well as amendments to maximum building heights and FSRs and in certain areas required to protect solar access to public open spaces and heritage conservation areas surrounding the CBD.</p>
1(j) iv. provide further analysis to inform a sun access plane for the protected area of Parramatta Square between 12pm and 2pm, including the times of year that the proposed controls would apply;	<p>The results of the analysis, including the impacts of overshadowing on open spaces and heritage conservation areas, and how this has been improved by the proposed reductions in heights and FSR, are detailed in the Overshadowing Technical Paper, which is appended to the CBD PP in <b>Attachment 2</b>.</p> <p>Notwithstanding, the area south of the CBD PP bound by Great Western Highway and north of Lennox and Lansdowne Streets, and east of</p>

	<p>Marsden Street, Parramatta is proposed to be removed from the CBD PP due to the effects of overshadowing on the South Parramatta heritage conservation area and open space spaces to the south. This area will be considered in further detail as part of the adjoining planning investigation areas (as identified in the Parramatta CBD Planning Strategy).</p> <p>Refer to Key elements of this planning proposal Part B) and Part 2 Explanation of Provisions of the updated planning proposal contained at <b>Attachment 2</b> for further detail.</p>
1(j) v. update the planning proposal to address the proposed permissibility of minor intrusions into the protected area of Parramatta Square, the intended outcomes and an analysis of potential impacts;	An additional subclause to the proposed sun access LEP provision has been included in the CBD Planning Proposal to address minor intrusions into the protected area of Parramatta Square, including non-useable parts/structural elements of a building, heritage parts that relate directly to the restoration of a heritage item, and amenity parts, e.g. shelters, shade structures, street furniture etc.
<b>Gateway Condition 1 (k)</b> in relation to heritage matters, which may also influence the height and FSR outcomes:	
<b>Part</b>	<b>Response</b>
1(k) i. carry out further investigations of heritage interface areas and clearly identify where there are inconsistencies between the intended outcomes in the planning proposal and the heritage reports that have been prepared. Council is to provide further information to identify where the inconsistencies exist, the extent of the inconsistencies and how they are proposed to be addressed;	<p>The CBD PP has been the subject of a series of heritage studies and subsequent draft LEP controls since 2015, including the Parramatta CBD Heritage Study (2015), Heritage study of interface areas (2017) and most current, separate heritage studies which have been required by the Gateway Determination and Council resolution of 25 March 2019 for certain areas where the previously endorsed planning controls were inconsistent with the previous studies as a result of subsequent Council resolutions.</p> <p>Additional studies were undertaken for the following areas:</p>

	<ul style="list-style-type: none"> <li>- West Auto Alley Precinct Study (prepared by Russell Olsson, Jane Irwin, Howard Tanner)</li> <li>- Marion Street Precinct Urban Design and Heritage Study (prepared by SJB and Paul Davies)</li> <li>- Church Street Precinct Urban Design, Heritage and Feasibility Analysis Study (prepared by Council staff and City Plan Heritage)</li> </ul> <p>The findings of these studies has ultimately led to revised planning controls within the updated CBD PP, which have been required to demonstrate consistency with Division 9.1, Direction 2.3 (Heritage) of the Environmental Planning and Assessment Act 1979.</p> <p>The outcomes of these studies are discussed in detail below.</p>
West Auto Alley Precinct	<p>The proposed LEP controls resulting from the West Auto Alley Precinct Study have been developed independently by the consultant team to respond to urban design and heritage principles for improving the public domain and creating a transition between the south Parramatta HCA and high rise development planned in Auto Alley (along Church Street). This has resulted in revised planning controls within this precinct including:</p> <ul style="list-style-type: none"> <li>- Reduced incentive FSR of 1.4:1 and height of 17m for sites north of Lansdowne and Lennox Streets*</li> <li>- Reduced incentive FSR of 2:1 and height of 24m in the remainder of the precinct, subject to the site being at least 26m wide.</li> <li>- Bonus FSRs of 3:1 and 4:1 and heights of 55m and 80m (exclusive of design excellence and high performing building bonuses), for sites within the core area of the precinct is also available subject to the development being at least 48m wide.</li> </ul> <p>*For sites located within Lennox and Lansdowne Streets, these areas are being deferred from the CBD PP for consideration in a separate planning proposal of 'planning investigation areas' adjacent to the CBD PP boundary as identified within the CBD Planning Strategy (see</p>

	<p>comments in relation to the overshadowing analysis).</p> <p>Refer to Key elements of this planning proposal Part A) Heritage and Part 2 Explanation of Provisions of the updated planning proposal contained at <b>Attachment 2</b>.</p>
Marion Street Precinct	<p>The proposed LEP controls resulting from the Marion Street Precinct Study have been developed to respond to the heritage values of the precinct and to protect the amenity and character of existing heritage items as part of its potential future development. This has resulted in revised planning controls within this precinct including:</p> <ul style="list-style-type: none"> <li>- Varying incentive FSRs of 2:1 (and opportunity for a 4:1 FSR subject to site amalgamation) and 6:1 within certain areas</li> <li>- No incentive height of building control within the precinct*, and</li> <li>- An active street frontage requirement along Marion Street and intersection streets with no residential development permitted within existing heritage buildings or ground levels of new development.</li> </ul> <p>*Height controls for this precinct have been prepared which align with the recommended FSRs (refer to separate Gateway Determination condition 1 (j)) regarding consultation with CASA and the mapping of height controls).</p> <p>Refer to Key elements of this planning proposal Part A) Heritage and Part 2 Explanation of Provisions of the updated planning proposal contained at <b>Attachment 2</b>.</p>
Church Street Precinct	<p>The Urban Design, Heritage and Feasibility Analysis undertaken by Council officers for the Church Street Precinct (with heritage input prepared by consultants City Plan Heritage) was required to determine the impact of an upper level setback within this precinct. This has resulted in revised planning controls within this precinct including a 12m podium setback to Church Street and also recommended removal of opportunity sites, except 286-302 Church Street (see Council officer response in relation to condition 1(i) vi.) and unlimited commercial</p>

	<p>FSR within this Precinct in recognising the heritage and overshadowing constraints.</p> <p>However, rather than removal of the unlimited commercial FSR, Council officers have recommended that this be contained within the relevant height control. This will ensure commercial development remains incentivised within the CBD, and that impacts in relation to excessive height in sensitive areas is controlled through the established height controls.</p> <p>Refer to Key elements of this planning proposal Part A) Heritage and Part 2 Explanation of Provisions of the updated planning proposal contained at <b>Attachment 2</b>.</p>
<p>1(k) ii. Carry out an urban design study of the southern interface areas to ensure that excessive cumulative shadow impacts are not created across the northern sections of adjoining heritage conservation areas (HCA), including the Harris Park HCA, the Experiment Farm HCA, the Tottenham Road HCA and the South Parramatta HCA. These areas should receive a minimum of two hours' direct sunlight between 9am and 3pm at midwinter (21 June). If required, heights and FSRs are to be adjusted accordingly; and</p>	<p>In accordance with Council's resolution of 25 March 2019 and 24 June 2019, Council officers prepared an Overshadowing Technical paper and analysis which reviewed several city blocks within the CBD. The analysis included overshadowing modelling of several blocks to identify which land parcels within the heritage conservation areas (outside the CBD) were not able to achieve the minimum solar access requirements and for those that did not, identifying the city blocks in the CBD that were impacting those parcels from achieving the minimum requirements including alternative maximum building heights.</p> <p>In increasing the number of land parcels that achieve a minimum of 2 hours of sunlight access between 9am and 3pm on 21 June within the HCAs, the updated CBD PP proposes reduced maximum building heights and FSRs within city blocks in the CBD. Refer to Key elements of this planning proposal Part B - Building Form, and Part 2 Explanation of Provisions of the updated planning proposal contained at <b>Attachment 2</b>.</p> <p>Notwithstanding the above, it is recommended as part of this report that the area south of the CBD PP bound by the Great Western Highway and north of Lennox and Lansdowne Streets, and east of Marsden Street, Parramatta, is removed from the CBD PP, and is included as part of the future work on the planning investigation areas which will be the subject of</p>

	<p>consideration of future planning controls and a separate planning proposal. It is anticipated that commencement of the planning investigation areas will occur following the exhibition of the CBD Planning Proposal.</p>
<p>1(k) iii. along Church Street between Lennox Bridge and Macquarie Street, retain the FSR of 3:1, the height limit of 12m and the podium setback of 18m unless a heritage, urban design and commercial feasibility study is carried out to demonstrate that a reduced tower podium setback has merit from a heritage, urban design and commercial feasibility perspective, and consider removing opportunity sites in this precinct if additional height and FSR will have an adverse impact on heritage values;</p>	<p>In accordance with Council's resolution of 25 March 2019, Council officers prepared an Urban Design, Heritage and Feasibility Study for the Church Street Precinct (with heritage input prepared by consultants City Plan Heritage). See Council officer's response in relation to 1(k) i. – Church Street precinct and (1)(i)vi. for further information.</p> <p>Council officers recognise that the response to condition (1)(i)vi in relation to Church Street and the heritage study recommendations to remove opportunity sites demonstrates an inconsistency with the relevant 9.1 Ministerial Direction. This is because one site-specific PP within this precinct (being 286-300 Church Street), is being recommended by Council officers to retain the opportunity site FSR provision on this site, subject to it being amalgamated with the adjoining site at 302 Church Street, as per a condition on the Gateway Determination for that site-specific PP. This recommendation has also been based on the Urban design analysis, which shows little perceivable difference between 12:1 and 15:1 for this site with a tower setback at 12m. The analysis also demonstrated that the amalgamation of 286-300 Church Street and 302 Church Street with an FSR of 15:1 would result in a lower building height due to a larger and more efficient floorplate. Nonetheless, as an unresolved matter, the DPIE as the plan making authority will be required to determine the outcome of this matter.</p> <p>Refer to Key elements of this planning proposal Part a) Heritage and Part 2 Explanation of Provisions of the updated planning proposal contained at <b>Attachment 2</b>.</p>
<p><b>Gateway Condition 1 (I)</b> <i>prepare a mesoscopic model and integrated transport plan in consultation with Transport for NSW, Roads and Maritime</i></p>	<p>Works relating to the mesoscopic model and integrated transport plan is currently underway and will be completed prior to the finalisation of the CBD PP.</p> <p>Notwithstanding, Council has already prepared a Strategic Transport Study in consultation with</p>

<p><i>Services, Parramatta Light Rail and Sydney Metro West, taking into account planned transport infrastructure improvements;</i></p>	<p>TfNSW/RMS (endorsed in April 2017) and this is proposed to be exhibited alongside the CBD Planning Proposal. Measures included within the CBD PP to address transport conditions include the adoption of maximum car parking rates in accordance with the City of Sydney rates and the preparation of the draft Land Reservation Map which seeks to leverage the opportunity for improved road and transport networks (refer to condition 1(c) for further information).</p> <p>Given these circumstances, it is recommended that Council write to the DPIE to seek an amendment to this Gateway condition, requesting that the mesoscopic model and integrated transport plan currently required for exhibition be required prior to the finalisation of the CBD PP, and that the Strategic Transport Study only be required for exhibition purposes.</p>
<p><b>Gateway Condition 1(m) in relation to infrastructure funding:</b></p>	
<p><b>Part</b></p>	<p><b>Response</b></p>
<p>1(m) i. amend the planning proposal to introduce a satisfactory arrangements clause to fund regional infrastructure;</p>	<p>The CBD Planning Proposal has been updated to include a satisfactory arrangements clause to fund regional infrastructure. Refer to Part 2 Explanation of Provisions of the updated Planning Proposal contained at <b>Attachment 2</b>.</p>
<p>1(m) ii. change all references to 'value sharing' in the planning proposal to 'provision of community infrastructure';</p>	<p>The CBD Planning Proposal has been updated to replace all references to 'value sharing' with 'provision of community infrastructure'.</p>
<p>1(m) iii. amend the explanation of provisions to clarify that community infrastructure is only able to be provided on the development site; and</p>	<p>In accordance with Council's resolution of 25 March 2019, Council officers sought advice in relation to condition 1(m)iii which was prepared by consultants GLN Planning in October 2019 (and appended to the CBD PP in <b>Attachment 2</b>). The advice ultimately recommends that Council update the relevant clauses in the draft Parramatta CBD PP to reflect the approach used in Clause 8.7 – 'Community Infrastructure on certain key sites' of Penrith Local Environmental Plan 2010 as a mechanism which recognises the opportunities for community infrastructure to be provided on numerous development sites identified within the CBD area.</p>

	<p>This has resulted in updates to the CBD Planning Proposal including a revision of the community infrastructure clause to reflect the Penrith LEP 2010 approach, as well as changes to the presentation of the Incentive Height of Building (IHOB) Map, and Incentive FSR (IFSR) map to only identify sites which are eligible to receive the uplift i.e. sites being redeveloped for residential purposes (consistent with Council's policy position regarding the provision of community infrastructure, previously referred to as value sharing) and all IHOBs/IFSRs on land zoned B3 Commercial core removed.</p> <p>Refer to Key elements of this planning proposal part F) infrastructure funding and Part 2 Explanation of Provisions of the updated planning proposal contained at <b>Attachment 2</b>.</p>
<p>1(m) iv. Consider a funding mechanism to support the provision of community infrastructure, such as the preparation of a new Section 7.11 contributions plan or a potential increase to the levy under the current 7.12 contributions plan.</p>	<p>In accordance with Council's resolution of 25 March 2019, Council commissioned a Parramatta CBD Community Funding Study (being prepared by GLN Planning and AEC Group) in relation to condition 1(m) vi. which is currently underway. It is anticipated that the draft Community Funding Study will be reported to Council at the end of the year (2019).</p>

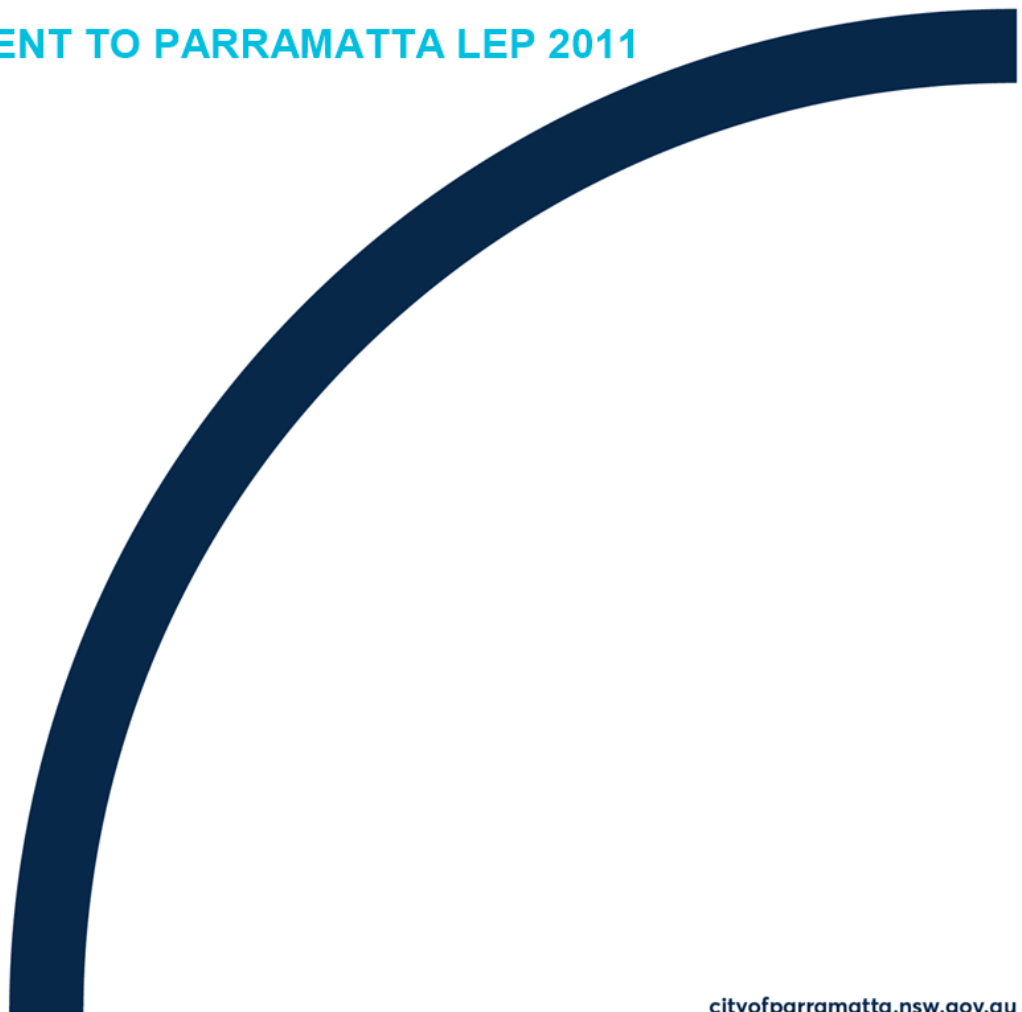




# PLANNING PROPOSAL

Parramatta CBD

AMENDMENT TO PARRAMATTA LEP 2011



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PLANNING PROPOSAL – Parramatta CBD

**Planning Proposal drafts**

Council versions:

No.	Author	Version
1.	City of Parramatta Council	3 December 2015 – Internal comment on Draft Report
2.	City of Parramatta Council	19 February 2016 – Changes following Council Meeting on 14 December 2015 – Council Report on Key Policy Areas for CBD Planning Proposal
3.	City of Parramatta Council	11 April 2016 - Council Meeting recommending Gateway Determination
4.	City of Parramatta Council	20 April 2016 – Amendments following Council Meeting on 11 April 2016
5.	City of Parramatta Council	October 2019 – Amendments following Gateway Determination

PLANNING PROPOSAL – Parramatta CBD

# INTRODUCTION

Parramatta is Sydney's Central City. Located in the heart of the Sydney metropolitan area, the Parramatta Central Business District performs key economic, social and cultural roles, particularly for Western Sydney, which is home to nearly half of Sydney's population. The metropolitan importance of the Parramatta CBD will increase as Western Sydney's population grows and regional transport infrastructure connects people faster to Parramatta.

The City of Parramatta Council is preparing a new planning framework to facilitate and strengthen the Parramatta CBD as a metropolitan centre. The new framework is guided by the vision for growth established in the *Parramatta CBD Planning Strategy 2015* and gives effect to the priorities and actions of the *Central City District Plan* to manage growth in the context of economic, social and environmental matters and grow a stronger and more competitive Greater Parramatta.

The *Parramatta CBD Planning Proposal* will deliver a new planning framework for the Parramatta CBD through amendments to *Parramatta Local Environmental Plan 2011*. The amendments expand and intensify commercial activities and support higher density mixed use and residential development. The vision is for new buildings to define streets and public spaces to deliver a comfortable, functional and attractive public domain; while the towers above are tall and slender and are set back to allow daylight, views and circulation of air to the streets and public spaces below. The heritage significance of heritage items and conservation areas is respected and managed within the city form and buildings perform to high environmental standards.

This Planning Proposal has been prepared in accordance with 3.31 of the *Environmental Planning and Assessment Act 1979* (the EPA Act), the *Standard Instrument – Principal Local Environmental Plan* (Standard Instrument) and guidelines published by the Department of Planning, Industry and Environment, including *A guide to preparing planning proposals* and *A guide to preparing local environmental plans*.

This Planning Proposal explains the intent of, and justification for, the amendments to Parramatta Local Environmental Plan 2011 (Parramatta LEP 2011) and is supported by technical studies and documentation. The amendments proposed by this planning proposal include:

- rezoning of some land;
- an increase in the floor space ratio permitted on some land;
- an increase in the height of buildings permitted on some land;
- the removal of the height of buildings clause on some land;
- an amendment to the sun access protection clause;
- an amendment to the airspace operations clause;
- a new clause to permit additional floor space and height on some land;
- an amendment to the design excellence clause;
- a requirement for non-residential floor space in parts of the mixed use zone;
- a requirement for end of journey facilities;
- an amendment to encourage high yielding employment uses;
- a new clause to encourage high performing buildings;
- a new clause to encourage the provision of community infrastructure;
- a new clause to preserve existing controls in the 'Park Edge Highly Sensitive' area, Parramatta Park and Parramatta Stadium;
- some additions to Schedule 1 – Additional Permitted Uses;

## PLANNING PROPOSAL – Parramatta CBD

- a new clause to require active frontages to certain streets and public spaces;
- a new heritage clause to require a higher standard of development that affects heritage;
- new clauses for the Marion Street and West Auto Alley precincts;
- amendments to the following maps in the Parramatta LEP 2011:
  - Additional Local Provisions Map
  - Land Zoning Map
  - Floor Space Ratio Map
  - Height of Buildings Map
  - Additional Permitted Uses Map
  - Special Provisions Area Map
  - Heritage Map
  - Land Reservation Acquisition Map
- create new maps for inclusion in the Parramatta LEP 2011:
  - Incentive Floor Space Ratio Map
  - Incentive Height of Buildings Map
  - Sun Access Protection Map
  - Active Frontages Map
  - Opportunity Sites Map
  - Floodplain Risk Management Map

Amendments to the Parramatta Development Control Plan 2011 (Parramatta DCP 2011) will be prepared and exhibited to support the planning provisions in the CBD PP.

### Affected Land

This planning proposal applies to land collectively referred to as the 'Parramatta CBD', within the City of Parramatta Council Local Government Area (LGA) (refer to Figure 1).

Consistent with the Implementation Plan in the *Parramatta CBD Planning Strategy 2015*, this Planning Proposal does not make any changes to the controls that apply to the 'Park Edge (Highly Sensitive)' area on the western edge of the CBD adjacent to the World Heritage listed Old Government House and Domain. Council has an existing Conservation Agreement with the Commonwealth and State Governments regarding development in this area and for this reason, further review of the planning controls for this precinct is not warranted. Some provisions will be necessary in the Planning Proposal to make it clear that only the existing planning controls currently in place for the Park Edge (Highly Sensitive) area will apply to this precinct, instead of the new controls proposed in the Planning Proposal. This is referenced on the *Special Provisions Area Map* as Area A.

### Current Planning Controls

The current planning controls for the Parramatta CBD are set out in Part 7 of *Parramatta LEP 2011*. An extract of the critical controls are provided at Appendix 1 and a full copy of the controls are available at <https://www.legislation.nsw.gov.au>

### Proposed Planning Controls

The proposed planning controls for the Parramatta CBD are provided in Appendix 2a – Proposed draft LEP amending instrument and Appendix 2b – Proposed LEP maps.

PLANNING PROPOSAL – Parramatta CBD



Figure 1 – Parramatta CBD Planning Proposal area



PLANNING PROPOSAL – Parramatta CBD

## Background to this Planning Proposal

### Parramatta CBD Planning Strategy

In recognition of Parramatta's growing role, Council resolved in 2013 to prepare a study based on world's best practice to develop and implement a planning framework to create a 'world-class' city. In 2014, Council commissioned urban design and economic consultants to prepare planning framework studies for the Parramatta CBD and the Auto Alley precinct within the CBD.

These studies were publicly exhibited in 2014 and, together with stakeholder feedback, were integrated into the *Parramatta CBD Planning Strategy 2015*. The purpose of this Strategy was:

1. To set the vision for the growth of the Parramatta CBD as Australia's next great city.
2. To establish principles and actions to guide a new planning framework for the Parramatta CBD.
3. To provide a clear implementation plan for the delivery of the new planning framework for the Parramatta CBD.

The Actions within the Parramatta CBD Planning Strategy identified the research and technical studies required to inform the preparation of new planning controls and amendments to Parramatta LEP 2011. Actions within the Strategy were:

- investigate the potential expansion of the CBD boundaries
- conduct detailed testing of the proposed FSR controls
- removal of any height controls, except in some key areas
- investigation of potential sun access controls to key public spaces
- investigate impacts of expanding the commercial core and potentially opening it up to some residential uses (subject to commercial also being provided)
- setting an employment growth target of 27,000 additional jobs and residential growth target of 7,500 additional dwellings by 2036 for the CBD
- investigation of infrastructure needs, including funding mechanisms
- promotion of tower slenderness and design excellence

A copy of the Parramatta CBD Planning Strategy is provided at Appendix 3.

### Parramatta CBD Planning Proposal - Gateway Application

Following Council endorsement of the Parramatta CBD Planning Strategy in April 2015, Council officers began the work to prepare a planning proposal to amend the controls within Parramatta LEP 2011 – Part 7 Parramatta City Centre. In April 2016 Council resolved to endorse the Parramatta CBD Planning Proposal and forward it to the Department of Planning, Industry and Environment (DPIE) for assessment and issuing of a Gateway determination. During the Gateway assessment period, Council endorsed several amendments and studies and these were also forwarded to DPIE in support of Council's Gateway Application. The council report (Items 10.4) can be accessed via:

- [https://businesspapers.parracity.nsw.gov.au/Open/2016/RC\\_11042016\\_AGN\\_AT.PDF](https://businesspapers.parracity.nsw.gov.au/Open/2016/RC_11042016_AGN_AT.PDF) (pp. 380-387);
- [https://businesspapers.parracity.nsw.gov.au/Open/2016/RC\\_11042016\\_AGN\\_AT\\_SUP.PDF](https://businesspapers.parracity.nsw.gov.au/Open/2016/RC_11042016_AGN_AT_SUP.PDF) - supplementary Report;
- [https://businesspapers.parracity.nsw.gov.au/Open/2016/RC\\_11042016\\_MIN.PDF](https://businesspapers.parracity.nsw.gov.au/Open/2016/RC_11042016_MIN.PDF) -

PLANNING PROPOSAL – Parramatta CBD

Council minutes.

### Greater Sydney Commission's Region Plan and District Plans

In March 2018 the Greater Sydney Commission (GSC) released the *Greater Sydney Region Plan, A Metropolis of Three Cities* and five *District Plans*. The 40-year vision of the Region Plan to transform Greater Sydney into a metropolis of three cities puts Parramatta CBD within the Central River City, and together with the Western Parkland City and Eastern Harbour City, will connect residents within 30 minutes to jobs, education and health facilities, services and recreation.

The City of Parramatta Council together with Blacktown, Cumberland and The Hills councils are within the *Central City District*. This 20-year Plan to manage growth in the context of economic, social and environmental matters to achieve the 40-year vision of Greater Sydney supports Parramatta CBD's "emergence as a powerhouse of new administrative, business services, judicial and educational jobs, with Parramatta Square as its heart and Western Sydney University as its knowledge-producing engine".

### Parramatta CBD Planning Proposal - Gateway determination

In December 2018, the DPIE issued a conditional Gateway determination in respect of the Parramatta CBD Planning Proposal. The Gateway determination allows the Planning Proposal to proceed subject to 34 conditions. The conditions require preparation of further clarification or evidence and then re-submission to DPIE for approval prior to the planning proposal being publicly exhibited. A copy of the Gateway determination is at Appendix 4a and a summary of the work undertaken to address each condition is at Appendix 4b.

The Gateway determination conditions can be broadly grouped as follows:

- Technical updates to the CBD PP
- Policy changes and/or further evidence to support the CBD PP
- Submission of additional information to support the CBD PP
- Consultation requirements with public authorities, public exhibition requirements and timeframes for completing the LEP amendment

Council is required to finalise the amendments to the LEP within 24 months of the Gateway Determination by December 2020. The Minister may direct the Secretary of DPIE to take action under section 3.32 (2)(d) of the Act if the timeframe outlined in the determination is not met. There are no conditions in the Gateway to make Council the local plan-making authority.

This planning proposal has been prepared in accordance with the conditions of the Gateway Determination, as required by the DPIE.

### Research and Technical Study process informing this Planning Proposal

The initial research and technical studies prepared to support a new planning framework for the Parramatta CBD is was per the 'Implementation Plan' in the *Parramatta CBD Planning Strategy*. These studies include heritage, flood management, contamination, sustainability, economic, urban design, infrastructure needs and infrastructure funding and formed the evidence base for Council's Gateway request in April 2016. Additional research and technical studies undertaken between April

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2017 and September 2018 to support refinements to the CBD PP include transport, heritage, sustainability, flood management, heritage and policy matters.

The Gateway determination issued in December 2018 identified further research and technical studies to be prepared. This included updating the original studies prepared to support Council's Gateway request as detailed above; new studies to address specific issues identified in the Gateway, and new studies to support Council resolved pathways for some of the Gateway conditions.

The Gateway determination also identified the relevant section 9.1 Directions that Council needs to obtain agreement from the Department's Secretary. Direction 9.1 – 2.3 Heritage Conservation and 4.3 Flood Prone Land are addressed in commissioned studies.

The studies prepared to inform the CBD PP and respond to the Gateway determination are detailed in Table 1 and explained below in further detail.

**Table 1** – List of technical studies informing the Parramatta CBD PP

<b>Research and Technical Studies undertaken to inform the Parramatta CBD Planning Proposal</b>	
<b>Heritage and Urban Design</b>	
Parramatta CBD Heritage Study, prepared by consultants Urbis	October 2015
Heritage Study of Interface Areas, prepared by consultants Hector Abraham Architects (HAA); with a Response to the HAA Heritage Study of Interface Areas, prepared by Council	July 2017
Church Street Precinct: Urban Design, Feasibility and Heritage Study, prepared by Council with heritage input from consultants City Plan Heritage	June 2019
Marion Street Precinct Plan, prepared by consultants SJB with heritage input from heritage consultant Paul Davies	September 2019
West Auto Alley Precinct Plan, prepared by consultants Olsson Associates with landscape input by Jane Irwin and heritage input by Howard Tanner Architects	September 2019
Opportunity Sites Study, prepared by Council with heritage input from Lucas, Stapleton, Johnson and Partners (LSJ)	October 2019
Overshadowing Technical Paper and analysis, prepared by Council with market and feasibility analysis for specific blocks by JLL consultants (September 2019)	June 2019, updated October 2019
<b>Sustainability, Infrastructure and High Performing Buildings</b>	
Sustainability and Infrastructure Study, prepared by consultants Kinesis	November 2015, updated June 2019
High Performance Building Bonus Study, prepared by consultants Kinesis	February 2016, updated in July 2017 and July 2019
<b>Economic</b>	
Economic Review – Achieving A-Grade Office development, prepared by consultants Urbis	October 2015, updated September 2019
<b>Contamination</b>	
Preliminary Site Investigation Study for the Auto Alley Area, prepared by consultants JSB&G and updated with an addendum	February 2016, updated August 2019
<b>Stormwater and Flood Risk Management</b>	
Update to the draft Parramatta Floodplain Risk Management Plans (FRMP) for the Upper and Lower Parramatta River, prepared by consultants Molino Stewart	February 2016, updated in September 2019
Parramatta CBD Flood Evacuation Assessment, prepared by consultants Molino Stewart, with a High Level Evacuation Route Concept Design, prepared by Studio GL	September 2017, updated in September 2019
Horizontal Evacuation Pilot Study for Parramatta CBD, prepared by consultants SJB	August 2017
<b>Community Infrastructure Funding</b>	
The Community Facilities Needs Study, prepared by consultants Elton	January 2016

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Infrastructure Funding Models Study, prepared by consultants GLN	May 2016
Discussion Paper: Infrastructure Planning and Funding, prepared by Council and Aurecon	March 2017
Parramatta CBD Infrastructure Funding Peer Review, prepared by Aurecon	February 2017
Draft CBD Infrastructure Needs Analysis, prepared by Council	March 2017
Draft Infrastructure Strategy (formerly called 'Delivery Plan')	2016
Community Infrastructure Funding Study - Memo, prepared by consultants GLN Planning with economic input from AEC	October 2019
<b>Transport</b>	
Parramatta CBD Strategic Transport Plan and Technical Papers, prepared by consultants Aecom	April 2017

The research and technical studies undertaken to inform the CBD PP and the recommendations contained within are discussed in detail below:

### A. Heritage

The key heritage issue for this Planning Proposal is providing for urban intensification and integration of new development while protecting and enhancing the heritage values of Parramatta's local, state, national and world significant European and Aboriginal heritage items, conservation areas, places and views. Specific issues considered include,

- Planning controls for heritage items and adjacent development;
- Planning controls for areas on the edge of the CBD adjacent to heritage conservation areas;
- Matters raised by the Heritage Office of NSW
- Ministerial Direction 9.1(2) – 2.3 Heritage Conservation
- Heritage matters raised by the DPIE in the Gateway Determination dated 13 December 2018.

Consistent with the Implementation Plan in the adopted CBD Planning Strategy, this planning proposal retains the existing planning controls the 'Park Edge Highly Sensitive Area' adjacent to the World Heritage listed Old Government House and Domain. The Implementation Plan also identified the need to prepare a heritage study to ensure the planning proposal facilitated the conservation and management of listed items, areas, objects and places of environmental heritage significance and indigenous heritage significance. Council commissioned a heritage study of the Parramatta CBD in 2015 to investigate heritage issues for the entire Parramatta CBD Planning proposal boundary and provide recommendations for the protection of heritage while supporting the vision for growth.

A further heritage study of the 'interface areas' was commissioned by Council in 2017 in response to issues raised by the DPIE and Heritage Council of NSW arising during the assessment of certain site-specific planning proposals. The interface areas within the Parramatta CBD are located generally between the Parramatta CBD core and heritage conservation / lower scale residential areas. This heritage study recommended amendments to the 2015 heritage study provisions for sites within the interface areas of the CBD PP, and also recommended a new heritage provision to apply to the entire CBD PP to ensure the relationships between heritage items and development sites is conserved and managed.

Following receipt of the Gateway determination in December 2018, further heritage studies were prepared to address specific Gateway conditions. These included heritage studies to address inconsistencies between the planning proposal outcomes and heritage reports prepared; overshadowing impacts on heritage conservation areas; and planning and heritage outcomes for

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the Church Street precinct. Some of the recommended amendments in these further heritage studies amend the provisions in the original 2015 and 2017 heritage studies.

The evolution of the heritage analysis and studies informing the planning proposal outcomes are summarised as follows:

1. Council endorsed draft FSR and HOB controls to protect heritage significance based on recommendations in the *Parramatta CBD Heritage Study 2015*.
2. Council endorsed amendments to the draft FSR and HOB controls within the 'interface areas' of the CBD and a new heritage clause to apply to all land in the CBD PP boundary based on recommendations in the *Heritage Study of Interface Areas 2017*.
3. Separate Council resolutions amended the draft FSR and HOB controls for sites within areas of the CBD now referred to as 'the Church Street Precinct' (between the River and Macquarie Street), 'the Marion Street Precinct' and 'the West Auto Alley Precinct'.
4. Separate heritage studies commissioned to investigate the heritage impacts of amended draft FSRs and HOBs controls for the three precincts as required by the Gateway determination.
5. The findings of the heritage analysis and the recommended planning controls in the *Church Street Precinct Heritage Study (June 2019)* supersedes the planning controls within the 2015 Heritage Study for this part of the CBD.
6. The findings of the heritage analysis and the recommended planning controls in the *Marion Street Precinct Heritage Study (September 2019)* supersedes the planning controls within the 2017 Heritage Study of Interface areas for this part of the CBD.
7. The findings of the heritage analysis and the recommended planning controls in the *West Auto Alley Precinct Heritage Study (September 2019)* supersedes the planning controls within the 2017 Heritage Study of Interface areas for this part of the CBD.
8. Heritage study commissioned to investigate the impact of an additional 3:1 FSR above the Incentive FSR of 10:1 for sites identified as 'Opportunity Sites' as required by the Gateway determination.
9. The findings of the heritage analysis and the recommended planning controls in the *Heritage Review of Opportunity Sites (October 2019)* supersedes the planning controls for the Opportunity Sites within the *2017 Heritage Study of Interface areas*. In addition, amendments to several clauses are also proposed and will apply to land within the CBD PP boundary. The *2015 Heritage Study* did not consider Opportunity Site FSR as this did not exist as a planning outcome for the CBD PP when the study was finalised.

The Council endorsed LEP recommendations from the 2015, and 2017 heritage studies are detailed below, followed by a description of the recommended planning controls in the three precinct plans and study of Opportunity Site FSR and a statement about the consistency of the recommendations with Ministerial Direction 9.1 – 2.3 Heritage Conservation (EPA 1979).

#### Parramatta CBD Heritage Study (2015), prepared by Urbis consultants

The Council endorsed LEP recommendations from this study include:

- FSRs of 10:1 (including design excellence bonus) and no height limit for all sites including heritage items except for:
  - o Some sites directly north of Lancer Barracks, being an item of national heritage significance, where the existing height and FSR controls in PLEP 2011 will continue to apply;

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- Some sites adjoining state heritage items within a significant landscape setting, including St John's Cathedral Church and St John's Cemetery where the existing FSR control in PLEP 2011 will continue to apply, but includes a new height control;
- Harrisford House, being an item of state significance where the existing height control in PLEP 2011 will continue to apply, but includes a new FSR control

**Note:**

- This planning proposal introduces height of building controls for the Roxy Theatre site (69 George Street) based on the outcomes of a recent court case and the evidence tabled during the hearing including from the Office of Environment and Heritage.
- The St John's Cathedral site and surrounding land owned by the Church is the subject of a site-specific planning proposal to increase the FSR and height of building control.

A copy of the 2015 Urbis Heritage Study is at Appendix 5.

The Council endorsed LEP recommendations from this study include:

- FSRs of 6:1 (including design excellence bonus) and no height limit for most sites within the 'North Parramatta Interface Area' including heritage items, except for the following:
  - Sites within the Sorrell Street HCA, Catholic Institutional Area, All Saints Church heritage items and some sites adjacent to Prince Alfred Square where the incentive FSR and HOB is removed, and the base FSR and HOB is the maximum.
  - The sites at 452 – 456 Church Street where the incentive HOB is replaced with a maximum 10 metre incentive HOB for the first 10 metres of the site.
  - The sites at 2 Sorrell Street and 14 – 16 Lamont Street where the incentive FSR of 6:1 is removed for the part of the site fronting the River, and the base FSR of 4:1 is the maximum.
  - The site at 5 Elizabeth Street where the incentive FSR of 6:1 is removed and the base FSR of 0.8:1 is the maximum.
- Retain the Incentive FSR of 10:1 (including design excellence bonus) and no height limit for all sites within the South East Parramatta Interface Area, except for:
  - The sites recommended to be retained in the reconfigured boundary of the Harris Park West HCA where the incentive FSR and HOB is removed, and the base FSR and HOB is the maximum.
  - The sites recommended to be removed from the Harris Park West HCA where the incentive HOB is amended to 20 and 26 metres.
  - The sites impacting on overshadowing of Experiment Farm to be subject to a solar access plane
- Retain the range of incentive FSRs between 2-10:1 and no height limit for all sites within the South West Parramatta Interface Area, except for:
  - Sites at the western end of Marion Street where a 12m incentive height of building control should be applied
  - Sites on the eastern and western side of High Street where the incentive HOB for the first 18 metres of a site is removed, and the base HOB of 12m is the maximum permitted.
  - Marion Street, West Auto alley, ...
- Removal of Active Frontage requirement for sites in Fennell, Grose and Ross Streets
- New heritage clause that includes specific heads of consideration for Parramatta CBD in addition to the standard LEP heritage provisions to give guidance to what constitutes an appropriate transition.

A copy of the Heritage Study of Interface Areas is at Appendix 6a and Council's response report at Appendix 6b.

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### Heritage Studies to address Gateway Conditions

The research and technical studies prepared to address the Gateway conditions that relate to heritage matters and the recommended LEP amendments from each study are discussed as follows.

Condition 1 (k) of the Gateway determination required Council to *carry out further investigations of heritage interface areas and clearly identify where there are inconsistencies between the intended outcomes in the planning proposal and the heritage reports that have been prepared. Council is to provide further information to identify where the inconsistencies exist, the extent of the inconsistencies and how they are proposed to be addressed.*

There were three areas in the CBD PP where the previously endorsed planning controls were inconsistent with either the 2015 or 2017 heritage studies as follows:

- West Auto Alley Precinct
- Marion Street Precinct
- Church Street Precinct (the area between Parramatta River and Macquarie Street)

As a result of these inconsistencies, further heritage analysis was undertaken and is discussed below.

#### West Auto Alley Precinct

The West Auto Alley Precinct is located between the South Parramatta HCA and Auto Alley (Church Street) and is bound by Lansdowne and Lennox Streets to the north, Inkerman Street to the west, Boundary Street to the south and a new street behind Auto Alley to the east.

The 2017 Heritage Study of Interface Areas study recommended for this precinct an Incentive FSR of 3:1 and Incentive height of building control of 80m, 40m and 26m. Council on 10 September 2018 resolved to apply an Incentive FSR of 6:1 for the precinct and no height of building control. (Refer to the Council report - Item 13.2 – at:

[https://businesspapers.parracity.nsw.gov.au/Open/2018/OC\\_10092018\\_AGN\\_470\\_AT.PDF](https://businesspapers.parracity.nsw.gov.au/Open/2018/OC_10092018_AGN_470_AT.PDF)

and minutes at:

[https://businesspapers.parracity.nsw.gov.au/Open/2018/OC\\_10092018\\_MIN\\_470.PDF](https://businesspapers.parracity.nsw.gov.au/Open/2018/OC_10092018_MIN_470.PDF)

To address the inconsistency between the HAA heritage study recommendation and the Council resolution for this precinct, Council commissioned Olsson and Associates (with Jane Irwin Landscape Architects and Howard Tanner Architects) to prepare an independent urban design, landscape and heritage study for the West Auto Alley Precinct Plan.

The LEP and DCP controls recommended by the consultant team for the West Auto Alley Precinct Plan respond to urban design and heritage principles for improving public domain and creating a transition between the South Parramatta HCA and planned high rise development in Auto Alley along Church Street. The proposed initiatives are:

- Tower and podium building typology within a continuous perimeter block to create pedestrian scale streets, unified built form, maximise yield and minimise the visibility and environmental impact of towers.
- New public park following Clay Cliff Creek.
- Allowing greater heights on sites north of Dixon Street to reflect the flood affectation over the rear of these sites that cannot be built upon.
- Widening Dixon Street to enhance its function and amenity
- Visually widening the existing relatively narrow streets in the precinct, with substantial

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landscaped front setbacks

- Ground floor building setbacks to provide areas of deep soil to support landscape in front, side and rear setbacks
- Lower scale development in the transition areas (Lennox, Lansdowne and Inkerman Streets) to minimise visual impact and avoid overshadowing of the HCA.

To achieve the above initiatives, the West Auto Alley Precinct Plan recommends the following LEP controls:

- An Incentive FSR of 1.4:1 and Incentive HOB of 17m for sites north of Lansdowne Street and Lennox Street (see note below).
- An Incentive FSR of 2:1 and Incentive HOB of 24m for all other sites subject to the development site being at least 26m wide. Resulting tower heights range from 14 to 27 storeys.
- For sites within the core area of the precinct, bonus FSR for a total site FSR of 3:1 and 4:1 and bonus height for a total height of 55m and 80m (exclusive of design excellence and high performing building bonuses) is available subject to the development site being at least 48m wide. Resulting tower heights range from x to x storeys.

The consultant report states that *these recommendations, if adopted, should ensure that future development would occur in a form that protects and manages the city's heritage assets, achieves the design principles established for the West Auto Alley Precinct and demonstrates consistency with Section 9.1 Direction 2.3 Heritage Conservation. The recommendations in this study only relate to the precinct that is the subject of the study and do not apply to the broader Parramatta CBD.*

Note: The sites within Lennox and Lansdowne Streets (Area 4) are being deferred from this planning proposal for consideration in a separate planning proposal of 'Planning Investigation Areas' adjacent to the CBD PP. This is a result of the separate overshadowing study, which considered overshadowing on the HCAs and open spaces.

To incorporate the controls recommended by the consultant for the West Auto Alley Precinct, this planning proposal includes the following LEP controls:

- No changes to the base FSR and height of building controls
- Amending the Incentive FSR and HOB maps to show incentive FSRs of 2:1, 3:1 and 4:1; and incentive heights of 24m, 55m, 80m and 0m.
- Amend the Special Provisions Area Map to identify three (3) areas within the West Auto Alley Precinct marked "Area B", "Area C" and "Area D".
- Including a new clause in the LEP provisions requiring development that is seeking incentive FSR and height to include community infrastructure and have a minimum street frontage width in the case of Areas B, C and D.

A copy of the West Auto Alley Precinct Plan is provided at Appendix 7.

### **Marion Street Precinct**

The Marion Street Precinct is between the railway line and Church Street and bound generally by sites fronting Marion Street. The street contains a cluster of heritage items amongst a varied range of developments in terms of style, age and use.

The 2017 HAA study recommended for this precinct an Incentive FSR of 2:1 and Incentive height of building control of 12 metres for the first 18 metres. Council on 11 December 2017 resolved to apply an Incentive FSR of 6:1 (exclusive of DE and HPB bonuses) for the precinct and no height of building controls. To address the inconsistency between the HAA heritage study recommendation and the council resolution for this precinct, Council commissioned SJB Urban



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Design and Planning with Paul Davis Heritage Consultants to prepare an urban design, planning and heritage study for the Marion Street Precinct, which took a closer look and more in depth analysis of the precinct.

The LEP and DCP controls recommended by the consultant team for the Marion Street Precinct Plan respond to the heritage values of the precinct and aim to protect the amenity and character of existing heritage items within a potential future development. The proposed initiatives are:

- Retain the existing listed heritage items; however, do not schedule the Marion Street Precinct as a heritage conservation area.
- Focus density and height at each end of the heritage core, to harmonise with the scale of development proposed within the Auto Alley Precinct and to frame the view corridor from Marion Street east.
- Deliver a through-site link between Marion Street and Peace Lane to improve north-south connectivity.
- Reinforce the street edge with podium developments.
- Maximise setback between new building and heritage buildings to minimise impacts on the heritage items and streetscape character.
- Preserve solar access to Marion Street and heritage items
- Footpath widening along both sides of Marion Street (east of Cowper Street) with increased boundary setback (up to 3 meters) to facilitate landscaping and pedestrian movement

To achieve the above initiatives, the Marion Street Precinct Plan recommends the following LEP controls:

- Retain the current statutory heritage listing of the 11 heritage items within the precinct.
- An Incentive FSR of 6:1 for sites at the eastern of Marion Street and an Incentive FSR of 2:1 (with potential for an FSR of 4:1 subject to site amalgamation) for sites at the western end and no Incentive HOB control.
- An incentive FSR of 2:1 for sites within the heritage core of the Precinct and no Incentive HOB control.
- Require an Active Frontage along Marion Street and intersecting streets with no residential development within the existing heritage buildings or ground levels of new development.

The consultant report states that *the recommendations, if adopted, should ensure that future development will occur in a form that protects and manages the city's heritage assets, achieves the core urban design principles set out for the Marion Street Precinct and demonstrates consistency with Section 9.1 Direction 2.3 Heritage Conservation.*

To incorporate the controls recommended by the consultant for the Marion Street Precinct, this planning proposal includes the following LEP controls:

- No changes to the base FSR and height of building controls
- Amending the Incentive FSR and HOB maps to show incentive FSRs of 2:1, 4:1 and 6:1,; and incentive heights of 24m and 80m.
- Amend the Special Provisions Area Map to identify one (1) area within the Marion Street Precinct marked "Area E".
- Including a new clause in the LEP provisions requiring development that is seeking incentive FSR and height to include community infrastructure and apply to the whole of the area marked "Area E".

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- Amending the Active Frontages Map to identify additional sites subject to this LEP clause

A copy of the Marion Street Precinct Plan is provided at Appendix 8.

### Church Street Precinct

The Church Street Precinct is identified as the area between Macquarie Street and Parramatta River and is bound generally by sites fronting Church Street. The Precinct contains a number of heritage items within a 2-3 storey street wall building form.

There are two Gateway conditions that relate to the Church Street Precinct requiring Council to provide justification for the draft planning controls and address the appropriateness of Opportunity Sites within the Precinct.

*Condition 1 (k) iii states: along Church Street between Lennox Bridge and Macquarie Street, retain the FSR of 3:1, the height limit of 12m and the podium setback of 18m unless a heritage, urban design and commercial feasibility study is carried out to demonstrate that a reduced tower podium setback has merit from a heritage, urban design and commercial feasibility perspective, and consider removing opportunity sites in this precinct if additional height and FSR will have an adverse impact on heritage values.*

*Condition (i) vi. - Opportunity Sites states: review the proposed opportunity sites having regard to site depth, site isolation and impacts on heritage areas and historic streetscapes. Opportunity sites should be removed from the planning proposal where the additional bulk and scale could have an adverse impact on the amenity of surrounding localities and areas of heritage significance.*

To address the Gateway conditions, Council prepared an Urban Design and Feasibility Study and commissioned a Heritage Study to inform the draft planning controls for the Church Street Precinct.

The focus for the urban design and feasibility testing was about achieving a viable tower floor plate acknowledging existing site conditions and the heritage and retail streetscape. The testing also considered three active site-specific planning proposals within the precinct.

The study tested 18m, 12m and 10m upper level (tower) setback scenarios and opportunity site FSR for sites outside the Solar Access Plane for Parramatta Square. Sites affected by a Solar Access Plane are not eligible for Opportunity Site bonus FSR (consistent with the policy direction taken in the original CBD PP as adopted by Council in April 2016). Sites identified on the Opportunity Site Map may be eligible for an additional 3:1 residential FSR (above that already permitted elsewhere under this planning proposal, provided the land to which the development is situated that meets the minimum site dimension requirements. Opportunity Site FSR is further discussed in this planning proposal under the heading 'Urban Design – Opportunity Sites'.

Key findings of the urban design and feasibility testing were:

- a 12m upper level (tower) setback control was appropriate;
- a building with an Incentive FSR of 12:1 and a 12m upper level (tower) setback can be accommodated within the Solar Access Plane for Parramatta Square.
- only one site on Church Street (outside the Solar Access Plane) could achieve an FSR greater than 12:1, this being 286-300 Church Street.
- any additional bonuses of opportunity sites and unlimited commercial GFA is best located outside this precinct.
- Development sites should have vehicular access other than from Church Street.

The consultant heritage investigation reviewed the Council urban design and feasibility testing and considered whether the draft planning controls will provide for the appropriate management of heritage outcomes for the Church Street Precinct.

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The key finding of the heritage testing was that, *“The above findings of the urban design and feasibility study are supported as it will allow for controlled future development that together with the heritage recommendations of this report will adequately manage protection of the unique and distinctive heritage streetscape and values of Church Street Precinct”.*

Heritage recommendations within the consultant heritage study included:

- Guidance/recommendations required for the ground floor and parapet level treatments when adjacent to heritage items. Podium heights while set at maximum 12m, should be based on the adjoining heritage item(s) dominant parapet height to ensure the item(s) dominance is maintained along the streetscape as currently experienced.
- Tower developments should be guided by a comprehensive heritage assessment or a Conservation Management Strategy or Plan (CMS or CMP) to guide the management of established and assessed heritage significance of each item as well as the contributory buildings.
- Podiums should be designed in consideration to the narrow subdivision pattern and rhythm of the traditional shopfronts.

Many of these matters recommended by the heritage consultant will be addressed through avenues other than the CBD PP.

In summary, the recommendations from the Urban Design, Feasibility and Heritage Study were:

- a 12m upper level (tower) setback control to Church Street and a maximum Incentive FSR of 12:1 (inclusive of bonuses) for the majority of sites; and no opportunity site bonus FSR and no unlimited commercial FSR controls.
- a maximum Incentive FSR of 3:1 with a maximum 12m Incentive Height of Buildings control for some smaller, narrow sites that mostly contain heritage items; and no opportunity site bonus FSR and no unlimited commercial FSR controls.

These recommendations were reported to Council in June 2019; however, Council resolved to defer making a recommendation which allowed Council officers to consider the recommendations in context of broader city-wide urban design and heritage analysis being undertaken. This included the work to review the Opportunity Sites – discussed in this planning proposal under the heading ‘Urban Design – Opportunity Sites’. In summary, the additional testing found for the site at 286-300 Church Street that opportunity site FSR could be accommodated provided the site to the north was included within the design outcome. Specifically, that 302 Church Street was amalgamated with 286-300 Church Street and a single tower above a podium provided on the site. This is consistent with the intended outcomes of the Gateway determination Condition 1(a) for the SSPP on 286-300 Church Street. The urban design analysis indicates a shorter tower form with amalgamation given a more efficient tower floor plate.

Therefore, to protect the heritage significance of the Church Street Precinct while balancing the feasibility of tower development on some sites, as permitted by the 10:1 FSR and tested through site-specific Planning Proposals, this Planning Proposal recommends the following LEP controls:

- The incentive FSR and HOB maps show a 12m upper level (tower) setback to Church Street and a maximum Incentive FSR of 10:1 (inclusive of bonuses) for the majority of sites;
- maximum 12m podium height; and no opportunity site bonus FSR controls; and The incentive FSR and HOB maps show a maximum Incentive FSR of 3:1 with an Incentive Height of Buildings control for some smaller, narrow sites that mostly contain heritage items;
- remove Opportunity Sites for all sites within the Church Street Precinct, except for sites at 286-302 Church Street identified on the Opportunity Site Map as “Area 1”, and allow an amount of additional residential floor space (above that already permitted elsewhere) provided the consent authority is satisfied that the development relates to the whole of “Area 1” (i.e. amalgamation is required to achieve the additional bonus 3:1 FSR as an “opportunity site”);

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- Include a height limit for all sites that will apply residential and non-residential uses'
- Still allowing unlimited commercial FSR, so as to facilitate more jobs, but ensuring development occurs within the established height controls.

Refer to Appendix 9a for a copy of the Urban Design and Feasibility Study prepared by Council with the Heritage Study prepared by consultants City Plan Heritage at Appendix 9b.

**B. Urban Design**

Urban design research and technical studies undertaken to inform this CBD PP address issues related to building form, overshadowing, transitional areas and heritage items and conservation areas. The studies consider urban intensification and integration of new development and ensuring development is of an appropriate scale for the site, adjoining development and the wider city. Specific consideration includes compliance with *State Environmental Planning Policy No. 65 Design Quality of Residential Apartment Development* and associated *Apartment Design Guideline*.

The Gateway determination included conditions to amend proposed controls or provide additional evidence to support alternative controls related to FSR sliding scale, FSR sliding scale out-clause and isolated sites; and site area requirements for developments including unlimited commercial FSR. Additional research technical and studies undertaken by Council and prepared in parallel with overshadowing and heritage analysis; site area reviews; development feasibility and site isolation address the Gateway conditions as follows:

FSR sliding scale

Gateway condition 1 (i) ii states: *amend the planning proposal and the FSR sliding scale to reflect option FSR-1 in Council’s report of 14 December 2015, unless further evidence is provided to demonstrate that alternative thresholds would be appropriate.*

Council resolved on 24 March 2019 in relation to the sliding scale Gateway condition to endorse option FSR-1 to increase the site area thresholds to 1000sqm to 1,800sqm for sites mapped with an Incentive FSR of 4:1, 6:1 and 10:1 sliding scale. (Refer to the Council report – Item 11.1 via: [https://businesspapers.parracity.nsw.gov.au/Open/2019/OC\\_25032019\\_AGN\\_493\\_AT.PDF](https://businesspapers.parracity.nsw.gov.au/Open/2019/OC_25032019_AGN_493_AT.PDF) and the minutes from the meeting via this link:

[https://businesspapers.parracity.nsw.gov.au/Open/2019/OC\\_25032019\\_MIN\\_493.PDF](https://businesspapers.parracity.nsw.gov.au/Open/2019/OC_25032019_MIN_493.PDF)).

To satisfy the Gateway condition, this CBD PP includes the following LEP condition for development sites (extract of clause 7.2):

Table 2 – LEP condition for development sites FSR Shown on Map	Site is less than or equal to 1000sqm	Site is greater than 1000sqm but less than 1,800sqm	Site is equal to or greater than 1,800sqm
4:1	3:1	(3+1X):1	4:1
6:1	4:1	(4+2X):1	6:1
7:1	4.5:1	(4.5+2.5X):1	7:1
8:1	5:1	(5+3X):1	8:1

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10:1	6:1	(6+4X):1	10:1
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$X = (\text{the site area in square metres} - 1000)/800$

FSR sliding scale out clause and isolated sites

Gateway condition 1 (i) iii states: *amend the planning proposal and the FSR out clause to reflect ALT-1 in Council's report of 14 December 2015, but only for isolated sites and where design excellence is achieved.* In relation to isolated sites, Gateway condition 1 (i) iv states: *amend the planning proposal to clearly define what constitutes an isolated site.*

Council resolved on 24 March 2019 in relation to the FSR out clause and isolated site Gateway conditions to endorse option ALT-1 to allow the maximum FSR on sites between 1000sqm – 1800sqm provided design excellence is achieved and the site is isolated, and to define what constitutes an isolated site. To satisfy Gateway condition, 1(i) iii, this CBD PP includes the following LEP condition (extract of clause 7.2):

*Permit the maximum FSR provided the development site is greater than 1,000 sqm and up to 1,800 sqm, is an isolated site, exhibits design excellence and includes community infrastructure (where the development includes residential accommodation).*

To satisfy Gateway condition, 1(i) iv, this CBD PP defines isolated sites based on a NSW Land and Environment Court published planning principle on 'Redevelopment' (Isolation of site by redevelopment of adjacent site(s) - role of Court in assessing consolidation negotiations) and includes the following LEP condition (extract of clause 7.2):

**isolated site means a site:**

- (a) *where amalgamation with adjoining sites is not physically possible; or*
- (b) *where amalgamation with adjoining sites is not reasonably feasible due to the nature of surrounding development; or*
- (c) *that will be unable to reasonably achieve its development potential due to its size, shape and location.*

Site area for developments including unlimited commercial FSR.

Gateway condition 1 (i) v states: *enable unlimited office premises FSR in the B3 Commercial Core on sites greater than 1,800m<sup>2</sup>. Council may reduce this threshold subject to urban design testing and demonstration of the achievement of appropriate commercial floor plates.* Council resolved on 24 March 2019 to allow unlimited office premises FSR in the B3 Commercial Core zone on sites with an area greater than 1800 sqm, and address this issue of site size for commercial office development in the update of the Economic Review.

The update to the Economic Review recommended consideration of the issue of site size for commercial office development in the updated 'Achieving A Grade Office Space - Economic Review' study prepared by Urbis. The study was also informed by urban design testing undertaken by Council, which recommended applying maximum FSRs on small commercial core lots, and to only allow unlimited office space in the B3 Commercial Core for sites over 1800sqm to encourage amalgamation. Following broader city-wide urban design and heritage analysis undertaken, this planning proposal includes provisions to allow development comprising wholly of commercial

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premises in Zone B4 Mixed Use up to the floor space ratio as specified on the Incentive Floor Space Ratio Map and the height of building as specified on the Incentive Height of Building Map to be provided without the need for that development to include community infrastructure. This issue is discussed further in the planning proposal under the heading 'Infrastructure Funding'.

To satisfy Gateway condition, 1(i) iii, this CBD PP has updated the unlimited FSR in the B3 zone to include the minimum 1800sqm requirement.

### Solar access

The four (4) Gateway conditions that relate to overshadowing require the submission of additional information to support the planning proposal to assess the potential impacts of overshadowing from proposed controls and the protection of sunlight access to key public areas (including parks) and heritage conservation areas within and around the Parramatta CBD. To address the Gateway conditions, Council officers have prepared a Technical Paper on overshadowing that sets out the terms of the conditions issued by the DPIE; the method used to undertake the analysis and the findings to address each of the conditions. The Gateway Determination conditions and response are detailed below.

#### Overshadowing of Experiment Farm

Gateway Condition 1. (j) iii – Experiment Farm states: *incorporate an assessment of the potential overshadowing impacts on Experiment Farm that may result from the proposed planning controls (outside the proposed sun access plane of 10am–2pm).*

On 10 July 2017, Council endorsed a sun access plane from 10am to 2pm for Experiment Farm following consideration of a heritage study of the interface areas in and adjacent to the Parramatta CBD. To address the Gateway condition, Council officers tested the impact of an “all-day” (10am-4:30pm) 21 June Sun Access Protection surface from Experiment Farm. The results of the testing indicate that an area across the entire CBD between the railway line to the south and Phillip Street to the north and over to Westmead will be captured by this “all day” surface. The results of the testing also show that extending the protection beyond 2pm has major impacts on existing and potential development, particularly in the eastern parts of the CBD where height controls would be a maximum of 80-90m (RL). Further, any benefits from an extended surface is already compromised by existing development, particularly on the eastern side of the CBD that already cast a shadow over Experiment Farm in the late afternoon.

To balance the impacts on sites across the whole CBD PP while protecting sunlight access to Experiment Farm and the nominated curtilage, the CBD PP will include a Solar Access Plane that protects sunlight access to Experiment Farm and the nominated curtilage area for the period from 10am to 2pm on 21 June.

Detailed analysis on this issue is provided at Section 4 of the *Technical Paper* at Appendix 10a along with the Market and Feasibility Analysis undertaken by JLL at Appendix 10b.

#### Overshadowing of Parramatta Square

Gateway Condition 1. (j) iv – Parramatta Square states: *provide further analysis to inform a sun access plane for the protected area of Parramatta Square between 12pm and 2pm, including the times of year that the proposed controls would apply.*

To address this condition, Council officers tested four (4) overshadowing scenarios for the Parramatta Square Protected Area between 12noon to 2pm for the following times of year:

- 21 June (mid-winter)

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- 14 April to 31 August (nominated dates to avoid daylight saving in Autumn (14 April) and Spring (31 August))
- 21 March to 23 September (equinox to equinox)
- 21 December to 21 December (year-round)

Detailed analysis on the testing of the four scenarios is provided at Section 5 of the *Technical Paper*.

The additional land parcels affected beyond the base case of 21 June (mid-winter) are minimal, and maintaining the currently resolved position will meet the Gateway condition and derive the greatest benefit to amenity within the Parramatta Square protected area for mid-winter, with additional periods of the year deriving marginal incremental improvements over the mid-winter (21 June) scenario. This is mainly due to the Parramatta Square Solar Access Plane surface partly overlapping with the Solar Access Plane for Lancer Barracks.

Therefore, to ensure sunlight access to the major civic open space and public plaza component of Parramatta Square during lunchtime periods, this CBD PP includes a Solar Access Plane that protects sunlight access to the protected area of Parramatta Square for the period 12noon to 2pm on 21 June.

Detailed analysis on this issue is provided at Section 5 of the *Technical Paper* at Appendix 10.

#### Overshadowing of Heritage Conservation Areas

Gateway Condition 1. (k) ii – Heritage Conservation Areas states: *carry out an urban design study of the southern interface areas to ensure that excessive cumulative shadow impacts are not created across the northern sections of adjoining heritage conservation areas (HCA), including the Harris Park HCA, the Experiment Farm HCA, the Tottenham Road HCA and the South Parramatta HCA. These areas should receive a minimum of two hours' direct sunlight between 9am and 3pm at midwinter (21 June). If required, heights and FSRs are to be adjusted accordingly.*

To address the Gateway condition, Council officer overshadowing testing consisted of:

- Comparing the current HOB controls in PLEP against the 'proposed' IHOB controls in the CBD PP at 30-minute intervals between 9am and 3pm on 21 June.
- Modelling overshadowing of HCAs at a parcel level to test whether a minimum 2 hours of sunlight access (non-consecutively) between 9am and 3pm on 21 June could be achieved. (NB: this detailed site-by-site testing was not required for North Parramatta and Sorrell Street HCAs due to all land parcels in these HCAs achieving 2 hours of sunlight access between 9am and 3pm on 21 June).
- For those land parcels that did not receive the minimum 2 hours of sunlight access (non-consecutively) between 9am and 3pm on 21 June, identifying the blocks impacting those parcels and testing alternative maximum building heights to improve solar access for the land parcels within the HCAs.

The results of the testing are detailed in Sections 6 and 8 of the *Technical Paper* at Appendix 10.

To increase the number of land parcels across the four HCAs that will be able to receive a minimum of 2 hours of sunlight access (non-consecutively) between 9am and 3pm on 21 June, the CBD PP includes reduced maximum building heights (which includes the Incentive Height of Buildings control and any Design Excellence and/or High Performing Building bonuses) for various blocks across the CBD.

Detailed analysis on this issue is provided at Sections 6 and 8 in the *Technical Paper* at Appendix 10.

#### Overshadowing of public open space surrounding the Parramatta CBD

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Gateway Condition 1. (j) ii - public open space states: *provide further assessment of the overshadowing impact of the proposed controls on public open spaces surrounding the CBD compared to the existing controls.*

The public open spaces surrounding the CBD that formed part of the Council officer assessment are shown in Figure 2 and were selected on the basis of potential impacts from overshadowing, particularly where IHOB controls in the CBD core propose heights of up to 243m (RL).

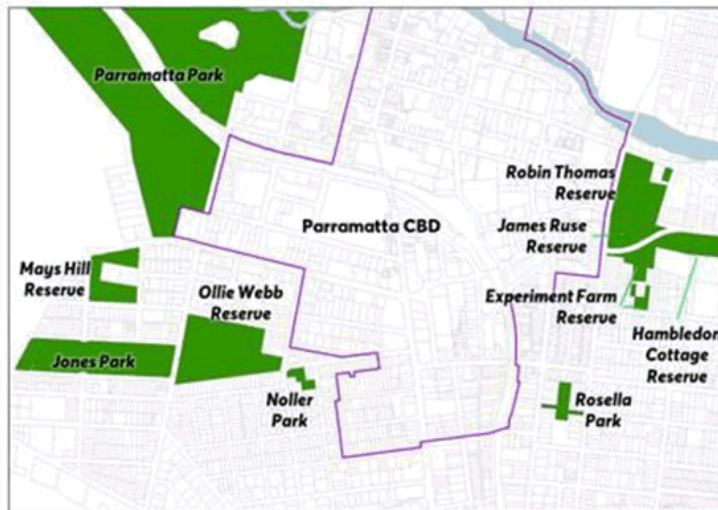


Figure 2: The ten (10) open space areas selected for testing

Detailed analysis of the overshadowing impacts on each of the ten open spaces is provided in Section 7 of the *Overshadowing Technical Paper* at Appendix 10.

To address the Gateway condition, Council officer overshadowing testing consisted of:

- Comparing the current Height of Building controls in Parramatta Local Environmental Plan (LEP) 2011 against the 'proposed' Incentive Height of Building (IHOB) controls in the CBD PP at 30-minute intervals between 9am and 3pm on 21 June.
- Developing criteria (including a benchmark) to test solar access to open spaces, and then applying these criteria to test the impact of overshadowing by planning controls;
- For those open spaces that did not receive the amount of solar access required by the benchmark, identifying the blocks impacting those open spaces and testing alternative maximum building heights to improve solar access for the open spaces.

A comparable benchmark for testing solar access to open space areas is contained within the City of Sydney Development Control Plan 2012 (Clause 3.1.4). The benchmark is - 50% of the total park area to receive 4 hours of sunlight access between 9am and 3pm on 21 June. This does not have to be continuous exposure.

As a consequence of alterations to maximum building heights to address overshadowing of the HCAs, some improvements were also gained to the open space areas including Noller Park, Ollie Webb Reserve, James Ruse Reserve and Hambledon Cottage Reserve. It is noted that Blocks containing SSPPs, recently gazetted SSPPs or new strata titled developments, the height sought did not significantly contribute to overshadowing when compared with the 'no height control' scenario.

Therefore, to achieve solar access to at least 50% of each nominated park (with the exception of James Ruse Reserve and Noller Park – which is a drainage reserve) for a minimum 4 hours between 9am and 3pm on 21 June, the CBD PP recommends reduced maximum building heights (which includes the Incentive Height of Buildings control and any Design Excellence and/or High



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Performing Building bonuses) for identified sites; to protect a minimum 4 hours of sunlight access between 9am and 3pm on 21 June to at least 50% of the open space for eight of the ten nominated open spaces (excluding James Ruse Reserve and Noller Park).

Further testing of the proposed controls recommending reductions in height control to provide “blue sky” access along Church Street and Centenary Square had the consequential benefit of providing an extra hour of sunlight access to Noller Park due to the “gap” created in the height at Westfield and the block bounded by Campbell Street, Marsden Street, Church Street and the Great Western Highway.

Detailed analysis of this issue is provided in Sections 6 and 8 of the *Technical Paper* at Appendix 10.

### Opportunity Site FSR

There are two (2) Gateway conditions that relate to Opportunity Sites that require the submission of additional information to support the planning proposal to assess the potential impacts of additional bulk and scale on the amenity of surrounding localities and areas of heritage significance.

Sites identified as Opportunity Sites may be eligible for an additional FSR of 3:1 up to a maximum FSR of 15:1 (inclusive of bonuses) provided the development site meets minimum site requirements, design excellence is achieved, the building is a high performing building and community infrastructure is provided. Opportunity Sites are identified on the Opportunity Sites Map and are zoned B4 Mixed Use which are located adjacent to the B3 Commercial Core zone.

Gateway condition 1 (k) iii applies to the impacts of opportunity site FSR on the Church Street Precinct and is discussed in this planning proposal under the heading ‘Heritage – Church Street’.

Gateway condition 1 (i) vi applies to all opportunity sites as identified on the Opportunity Sites Map and requires the following: *review the proposed opportunity sites having regard to site depth, site isolation and impacts on heritage areas and historic streetscapes. Opportunity sites should be removed from the planning proposal where the additional bulk and scale could have an adverse impact on the amenity of surrounding localities and areas of heritage significance.*

To address Gateway condition 1 (i) vi, Council prepared a ‘Review of Opportunity Sites Report’ (refer to Appendix 11a) and commissioned a supporting Heritage Study (Appendix 11b) to investigate the impacts of additional FSR on surrounding localities and areas of heritage significance.

The focus of the Review of Opportunity Sites Report considered:

- Site requirements and site isolation
- Impact of additional bulk and scale (resulting from 3:1 bonus FSR)
- Solar access at specific times of the day on public open spaces, Heritage Conservation Areas, Experiment Farm and Parramatta Square
- Recommendations from Council’s recent work relating to Overshadowing Analysis and the Church Street Precinct (June 2019)
- Recent site-specific planning proposals, development applications and sites at design competition stages relevant to the testing
- Historic view corridors along Church Street
- Views of the opportunity site built form from adjacent low scale areas
- Implications of review of opportunity sites on other proposed planning controls (i.e. unlimited commercial FSR)

The first refinement to opportunity sites came from removing opportunity sites affected by a Solar Access Plane consistent with the policy direction taken in the original CBD PP as adopted by Council in April 2016. Since this time and consistent with the Gateway conditions, two additional solar access planes are included in this planning proposal being Parramatta Square and Experiment Farm.

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The second refinement to opportunity sites came from removing opportunity sites impacting solar access to heritage conservation areas and public open spaces. These sites are now subject to a maximum height to satisfy Gateway conditions relating to overshadowing. This is discussed in greater detail in this planning proposal under the heading 'Urban Design – Solar Access'.

The brief for the consultant heritage study was to:

- assess the suitability of mapped opportunity sites with regard to impact on areas of heritage significance;
- to consider the removal of opportunity sites where the additional bulk and scale resulting from the 3:1 bonus FSR could have an adverse impact on amenity and areas of heritage significance;
- to consider whether the provision of opportunity sites will provide for the appropriate management of heritage values; and
- to peer review the consultant heritage report recommendations relating to opportunity sites within the Church Street Precinct.

The key issues and findings of the heritage study were:

- for Opportunity Sites: proximity to heritage items and conservation areas; location of opportunity sites on historic streets or along a historic view corridor; loss of blue sky/sky line due to podium heights and tower setbacks; isolation of heritage items; overshadowing impacts on areas of heritage significance; and scale of new developments (including setbacks and podiums).
- for the Unlimited Commercial FSR: negative impacts on areas of heritage significance in terms of scale and visual impacts on setting and historic view lines; and negates protective provisions under the draft clause for opportunity sites.
- for the Church Street Precinct: key corridor with a historic vista from Lennox Bridge and Parramatta River through to St John's Anglican Cathedral; high concentration of listed heritage items and heritage character; visibility and daylight access to street; limited sites can accommodate additional 3:1 FSR; potential to impact on the physical fabric and finishes of heritage items.

The recommendations of the heritage study were:

- Remove certain opportunity sites based on the following:
  - o To protect solar access to HCAs consistent with recommendations in Council's Overshadowing Technical Paper (refer to Appendix 10a)
  - o To provide blue sky background to Lancer Barracks
  - o Due to inadequate site depth
  - o To provide blue sky background to St Georges Terraces
  - o To protect historic streetscape
  - o To protect blue sky background for St Johns Cathedral and Church Street
- Remove unlimited commercial FSRs for sites where Opportunity sites are being removed.
- Include additional Heritage Provisions to: CI 7.10 Design Excellence; CI 7.6J Opportunity Sites; and CI 7.6K Managing Heritage Impacts.
- Additional B4 Mixed Use zone objectives for heritage items, HCAs and special precincts.
- Remove opportunity sites and unlimited commercial FSR from the Church Street Precinct.

The majority of the heritage recommendations were supported, with exception of the following:

- The removal of opportunity site FSR from sites considered to be within the blue sky background of two heritage items being Lancer Barracks and St Georges Terraces would not result in a perceivable difference compared to the already permitted 12:1 FSR; and in the case of Lancer Barracks, blue sky background is already protected indirectly by a Solar Access Plane and reduced heights and FSRs for sites immediately to the north and east. A detailed assessment of the recommendations for blue sky background is contained within the Review of Opportunity Sites Report at Appendix 11.

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- The removal of opportunity site FSR from one site within the Church Street Precinct being 286-300 Church Street for the reasons discussed in this planning proposal under the heading 'Heritage – Church Street'.
- Removal of opportunity sites due to inadequate site depth was not supported as detailed Council testing indicates either opportunity sites can be accommodated or is addressed by additional detailed LEP provisions in relation to minimum site dimensions (see discussion below).
- The additional provisions recommended for CI 7.10 Design Excellence are not included because they are general provisions and not specific to Opportunity Sites.
- The additional provisions recommended for CI 7.6C Commercial Premises in Zone B4 Mixed Use are not included as the issue has been addressed via a height of building control as tested by Council.
- The additional provisions recommended for CI 7.6K Managing Heritage Impacts are not included because these are inconsistent with statutory processes.

The third refinement to opportunity sites reconciles the supported heritage study recommendations and the findings in the Review of Opportunity Site Report, and includes the opportunity sites as included in this planning proposal and shown on the Opportunity Sites Map; and amends CI 7.16 Opportunity Sites (extract of relevant clauses below with amendments in italics) as follows:

- *where the development site contains a heritage item, the repair, restoration and reconstruction of the heritage item forms part of the development proposal* (Clause 7.6J (5) (c)).
- *any heritage issues and streetscape constraints, including the issues of scale, increased overshadowing, podium heights, tower setbacks and side setbacks between the development and any adjacent heritage items* (Clause 7.6J (8) (c) (iii));
- *the impact on any conservation area, including additional overshadowing* (Clause 7.6J (8) (c) (iv));,

As required by Gateway condition 1 (i) vi, the Review of Opportunity Site Report also considered the Opportunity Site LEP clause having regard to site depth and site isolation. The finding from the review was: that the clause should be amended to include the land to which the development is situated:

- has an area of at least 1,800 square metres; and
- contains a regular shaped area with minimum dimensions of:
  - o 40 metres by 35 metres, where the site is a corner site with at least two street frontages; or
  - o 40 metres by 40 metres, for all other sites;

That in addition to the amendments to the clause endorsed by Council in September 2018, this planning proposal includes amendments to the Opportunity Sites clause (Clause 7.6J) to address isolated sites, relationship with adjoining towers and bulk, massing and modulation of buildings as follows:

- (vi) *site amalgamation and how no isolated sites (on adjoining properties) with an area less than 1,000 square metres will be created by the development,*
- (vii) *the location of any tower proposed, having regard to the need to achieve an acceptable relationship with other towers (existing or proposed) on the same site or on neighbouring sites in terms of separation, setbacks, amenity and urban form,*
- (viii) *the bulk, massing and modulation of buildings.*

Refer to the proposed Clause 7.6J - Opportunity Sites in the draft provisions at Appendix 2a and map changes in Appendix 2b.

### C. Employment and dwelling projections

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The key employment and dwelling projection issue for this Planning Proposal is for Parramatta to meet job and housing targets, which are consistent with the current Greater Sydney Region Plan and Central City District Plan.

Specific issues to be considered are:

- Reinforcing Parramatta CBD as one of Sydney's three metropolitan centres;
- Achieving A-Grade commercial office space in the Parramatta CBD; and
- Retaining a commercial core and creating opportunities for an expanded office market in response to the Central City District Plan.

### **Job and Housing Targets**

Consistent with the adopted Parramatta CBD Planning Strategy this planning proposal adopts the following job and dwelling targets. These targets have been recognised in both the Greater Sydney Region Plan and the Central City District Plan. Using economic analysis prepared by consultants SGS in 2014, the resulting gross floor area and population figures from these targets are outlined in Table 3.

**Table 3** - Job and Dwelling figures for the Planning Proposal area

Capacity Analysis - additional jobs and dwellings under the Planning Proposal								
	Baseline (as at 2011)		2036 Target (additional)		Additional Capacity under existing controls		Additional Capacity under Planning Proposal	
<b>Jobs</b>	49,513	jobs <sup>1</sup>	27,000	jobs	28,500	jobs*	50,200	jobs*
	1,188,312	sqm <sup>2</sup>	972,000	sqm <sup>^</sup>	1,026,040	sqm	1,808,290	sqm
<b>Dwellings</b>	4,769	dwgs <sup>3</sup>	7,500	dwgs	4,410	dwgs*	15,900	dwgs*
	476,900	sqm <sup>4</sup>	1,125,000	sqm <sup>^</sup>	662,100	sqm	2,387,060	sqm
<b>Total floor space</b>	<b>1,665,212</b>	<b>sqm</b>	<b>2,097,000</b>	<b>sqm</b>	<b>1,688,140</b>	<b>sqm</b>	<b>4,195,350</b>	<b>sqm</b>
<b>Notes</b>								
<sup>1</sup> Source: NSW Transport Performance and Analytics, Employment Forecasts, September 2014 release figure								
<sup>2</sup> Assumption based on an average of 24sqm/job (SGS, 2014)								
<sup>3</sup> Figure provided by Forecast.id for the planning proposal area								
<sup>4</sup> Assumption based on an average of 100sqm/dwg								
<sup>^</sup> Equivalent Floorspace needed to meet the jobs/dwellings target plus 50%, given 100% take-up of capacity is unrealistic in practice (SGS, 2014)								
*Additional capacity is modelled based on yield in GFA (sqm). Conversion from yield to jobs/dwellings is calculated based on 66% take-up of total capacity, given 100% take-up of capacity is unrealistic in practice (SGS, 2014)								

As of 2011, being the established baseline for growth within the Parramatta CBD, there was 49,513 jobs and 4,769 dwellings in the Parramatta CBD. Council adopted targets in the Parramatta CBD Planning Strategy for 27,000 additional jobs and 7,500 additional dwellings to 2036. The table above demonstrates there is insufficient capacity under existing planning controls to meet these targets. However, the changes proposed under this planning proposal will

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significantly increase capacity for both jobs and dwellings in the Parramatta CBD, enabling Council to easily achieve or exceed these targets. It should be noted that these numbers differ to the version of the Planning Proposal originally endorsed at April 2016. This is due to changes in the development that has occurred since that time, including: gazettal of site-specific planning proposals; conversion of Parramatta Square floor space from mixed-use to wholly commercial; and development commencements or completions resulting in sites being removed from the yield calculations.

**A-Grade commercial office space**

To ensure the Parramatta CBD can fulfil all its functions as one of Sydney's three metropolitan centres, policies that encourage an on-going supply of A-Grade commercial office space development and retaining a commercial core are required. The need to fulfil this function is identified in the Greater Sydney Region Plan and the Central City District Plan. To address this issue, Council commissioned an *Economic Review – Achieving A-Grade Office 2015*. The key findings and recommendations were:

- *New A-Grade office space generally needs to have a floorplate size of at least 1,300 sqm, with most major tenants likely to want a floorplate of over 1,500 sqm.*
- *Commercial and office development remain the dominant uses within the Commercial Core, and residential be considered where a development increases the supply of commercial floor space by at least 20,000 sqm, with residential development supplied in a separate tower (i.e. horizontal separation) rather than as a part of the commercial tower.*
- *Remove maximum FSRs for commercial office development in the Commercial Core and be more flexible on allowable building heights for commercial development, subject to meeting other design and impact requirements.*
- *Only allow FSRs greater than 3:1 for those sites over 2,000 sqm to promote site amalgamation.*
- *Expand the Commercial Core to create a more cohesive commercial precinct and integrate key commercial nodes (including Westfields) and establish a future Commercial Core along Church Street (Auto Alley) to be redeveloped in the long-term.*
- *Continue to encourage non-residential employment generating land uses in the Auto Alley Precinct.*

Consistent with the Gateway condition requiring studies to be updated (Condition 1 (h)) and to address the Condition recommending unlimited office space incentives only apply to sites of 1,800 sqm or more condition xxx), this study was reviewed and updated in September 2019 to:

- (a) take account of the time elapsed since the original study was prepared in 2015 and changes to market conditions over that time; and
- (b) review the 1800sqm requirement for unlimited office space within the Commercial Core.

The recommendations from the updated study are generally consistent with those from the 2015 study. Given the changes in the commercial market and sustained demand for A-Grade office space within the Parramatta CBD, the updated Study recommends that residential development only be considered within the Commercial Core by exception, and this is on the condition that a development will be able to increase the supply of office floor space by at least 20,000 sqm on the development site and any residential component is to be supplied in a separate tower – i.e. “horizontal mixed use development”. This approach may assist in facilitating an office development in a softer commercial development cycle and should only be considered where the relative viability of office development has deteriorated. The Study's findings also support applying a minimum 1,800sqm site size to development before allowing unlimited office space on the basis of urban

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design and floorplate requirements that will result in A-Grade office space being provided, a position which is consistent with the condition of the Gateway Determination.

The Study also makes the observation that as new office stock is delivered, there could be a transition of existing office stock that may have been classed as “A-Grade” to lower grades, providing opportunities for refurbishment or redevelopment. A diversity of office space quality is considered important to provide opportunities for commercial and office uses at a variety of sizes and levels of affordability. Consequently, there is an ongoing need to ensure a focus on enabling new A-Grade office space to be developed and meet the demands of the market; and provide opportunities and appropriate incentives that will enable refurbishment and redevelopment of sites to provide high quality commercial and office space within the Parramatta CBD.

A copy of the *Economic Review – Achieving A-Grade Office* is provided at Appendix 12, and a discussion of the land use provisions in the draft planning proposal is provided in Part 2.

#### D. Transport, traffic and parking

The key transport, traffic and parking issue for this Planning Proposal is for transport is access to support and complement urban intensification of the Parramatta CBD.

Specific issues to be considered are:

- The scale of the transport task required to support the Planning Proposal
- Capacity of existing and proposed public transport services and infrastructure;
- Timing of infrastructure and services to support the identified land use mix for the CBD;
- Managing transport demand and travel behaviour.

Consistent with the Implementation Plan in the adopted Parramatta CBD Planning Strategy, Council commissioned the *Parramatta CBD Strategic Transport Study*, 2016. This study is the first stage of work required to inform the ‘*Parramatta CBD Integrated Transport Plan*’. The Strategic Transport Study is a high level, strategic analysis that assesses the likely impacts on the transport network from proposed increases in residential and commercial development. The recommendations from the *Parramatta CBD Strategic Transport Study* that are incorporated into this Planning Proposal are discussed in the section following. A partnership was formed with Transport for NSW and the Roads and Maritime Services to complete this strategic study that focused on what role each transport mode will play in future movements to and from Parramatta CBD.

Consistent with the Actions in the adopted Parramatta CBD Planning Strategy, new streets and lanes through large blocks in the Auto Alley area are proposed. These will deliver a more permeable road network in this precinct. This Planning Proposal also contains controls to widen some roads as indicated on the draft Land Reservation Acquisition Map. These reservations, identified to support potential road, public transport and active transport improvements will be tested through transport modelling. The modelling will assess the benefits and timing of any upgrades, as well as the proposed off-street residential and commercial car parking rates. The results of the transport modelling will be incorporated into the *Integrated Transport Plan* being prepared for the Parramatta CBD.

#### Parramatta CBD Strategic Transport Study

The *Strategic Transport Study* identified current and future traffic and transport demands on the network, and the capacity constraints for rail, buses and ferries and at interchanges such as

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Parramatta Interchange for both trains and buses. Based on these challenges, the study suggested the need for a second Parramatta CBD train station by 2056, and encouraged planning work be undertaken to identify an appropriate location.

The State Government's plans to deliver Parramatta Light Rail and connect Westmead to Carlingford via Parramatta CBD and Camellia has the potential to alleviate pressure on existing services and support Greater Parramatta. The *Strategic Transport Study* also discussed the need for expanded future light rail network and higher order bus services and facilities.

Introduction of Metro West will also provide a critical second railway station for the Parramatta CBD and improve east-west connectivity, however high capacity public transport services are also needed to connect Parramatta north and south.

The Study acknowledged that the current road network has limited capability to expand; and new surface transport infrastructure like light rail further impacts on the road space allocation for private vehicles. Council is proposing limited road widening as part of the planning proposal through an amendment to the Land Reservation Acquisition Map. The draft Land Reservation Acquisition Map in Appendix 2b is subject to further consultation with Transport for NSW and the Roads and Maritime Services, in addition to testing through transport modelling.

While provision of public transport is a State Government responsibility, Council can actively contribute to encourage mode shift for commute trips by reducing the capacity to support on-site car parking in future developments. Council is also able to advocate for better services and infrastructure and work with the State Government to manage congestion.

The *Strategic Transport Study* was also reviewed by officers from Transport for NSW and Roads and Maritime Services throughout the process. On 10 April 2017, Council made resolutions in relation to transport and community infrastructure funding, which resulted in additional information being submitted to DPIE. Specifically, Council resolved:

- *That Council endorses the attached Parramatta CBD Strategic Transport Study and accompanying Technical Papers for the purposes of forwarding to the Department of Planning and Environment as part of the Parramatta CBD Planning Proposal.*
- *That Council endorses the action recommended by the Parramatta CBD Strategic Transport Study to reduce maximum car parking rates to levels currently used by City of Sydney CBD and that the Parramatta CBD Planning Proposal be amended to reflect this prior to public exhibition.*
- *That Council notes the Study will be publicly exhibited at the same time as the Parramatta CBD Planning Proposal and associated supporting technical documentation so as to facilitate stakeholder input at that time.*

It is noted that if the Parramatta CBD Planning Proposal were fully realised, by adopting Sydney CBD off-street parking rates compared to Parramatta CBD under LEP 2011, total off-street private parking supply would be 46% of what was permissible for residential, and 80% for commercial. The City of Sydney parking rates have been incorporated into the planning proposal accordingly.

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A copy of the *Parramatta CBD Strategic Transport Study* is included in this Planning Proposal in Appendix 13.

### E. Stormwater and flood risk management

A significant proportion of the Parramatta CBD is within the floodplain of the Parramatta River and its tributaries (refer to Figure 3). Flooding within the Parramatta CBD is typical of flash flood catchments with floodwaters arriving quickly without significant warning, cutting access to areas and buildings, before receding quickly. The key stormwater and flood risk management issue for this Planning Proposal is balancing growth in the CBD with managing risks to life and property from flooding.

The Parramatta CBD PP will allow for a significant increase in development within the floodplain area of the Parramatta CBD and therefore Ministerial Section 9.1 Direction 4.3 Flood Prone Land applies.

To address Direction 4.3 Flood Prone Land, Council commissioned an *Update of Parramatta Floodplain Risk Management Plans 2016* for the Upper and Lower Parramatta River. Consistent with the Gateway condition requiring studies to be updated (Condition 1 (h)), the plan was reviewed by the original consultants. Minor amendments were made however the original conclusion of the study remained unchanged being that the intensification of development in the Parramatta CBD represents a tolerable risk to life and property provided there are amendments to Parramatta LEP and DCP 2011 improving management of flood risks to life.

The amendments recommended occupants of buildings in identified areas that have particular evacuation or emergency response issues to:

- Shelter within a building above the probable maximum flood level; or evacuate safely to land located above the probable maximum flood level;
- Have an emergency access point to the land that is above the 1% annual exceedance probability event, and
- The building is able to withstand the forces of floodwaters, debris and buoyancy resulting from a probable maximum flood event.

These recommendations recognise,

- flood prone land is a valuable resource and should not be sterilised by unnecessarily precluding its development;
- Evacuation of buildings within a flood event is dependent on the rate of water rise, flood depth and velocity and sheltering within an appropriate building may be a safer option; and
- Access into and out of a building during a flood event due to a medical or fire emergency is necessary where people are sheltering within a building;
- Consistency with the Ministerial Section 9.1 – 4.3 Flood Prone Land, and specifically permitting a significant increase in development within the floodplain and the residential flood planning level.

To address Direction 4.3 (7), Council submitted an application to the (then) Department of Planning for Exceptional Circumstances to apply flood planning controls above the FPL, in order to address the specific flooding conditions of the Parramatta CBD. Supporting flood documentation included:

- Draft Update of Parramatta Floodplain Risk Management Plans (2016)
- Summary of Council's Flood Risk Management Activities
- Parramatta CBD Flood Evacuation Assessment 2017
- Horizontal Evacuation Pilot Study for Parramatta CBD



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The aim of the *Flood Evacuation Assessment* was to identify the most suitable flood emergency response strategy for Parramatta CBD under existing and future conditions by assessing and comparing the following possible flood evacuation strategies:

- Horizontal Street Level (HSL) evacuation, achieved by vehicle and on foot before any roads are cut by floodwaters;
- Horizontal High Level (HHL) evacuation, achieved on foot by using a network of elevated walkways that would allow late evacuation.
- Vertical Evacuation through 'Sheltering In Place' (SIP), in which evacuees would take refuge above the flood level within their building and wait for floodwaters to recede.

The *Horizontal Evacuation Pilot Study* tested the viability of three types of Horizontal High Level (HHL) evacuation (top of podium, indoor street, above awning) on the proposed 'Civic Link'. The Civic Link concept is for a car-free north-south link through the heart of the Parramatta CBD, connecting Parramatta train station and Parramatta Square in the south, to the river foreshore in the north.

The key finding in both *Flood Evacuation Assessment* and *Horizontal Evacuation Pilot Study* is there are very significant practical challenges, costs and issues with implementing high-level horizontal evacuation routes in the Parramatta CBD and the preferable response option is SIP.

The Gateway determination for the CBD PP included an approval from the Minister of Environment for Council's request for exceptional circumstances for the purpose of enabling further agency consultation and community consultation. The Gateway determination also contains a condition (Condition 1 (h)) requiring the updating of the studies prepared to support planning proposal request in 2016. To address this condition, Council commissioned a review of the *Update of Parramatta Floodplain Risk Management Plans 2016* and the *Parramatta CBD Flood Evacuation Assessment 2017*. The review of both studies re-affirmed the original conclusions and recommendations and included two additional points:

1. That the recommended DCP control requiring building access at or above the 1% AEP to address a secondary emergency such as fire or medical emergency that occurs during a flood, be elevated to an LEP control to ensure these minimum life safety measures are applied to all developments. .
2. That the risk to lift assessments undertaken as part of review of the FRMP be revisited following the completion of the flood study, or as part of a subsequent floodplain risk management study.

The recommendation for a building access at or above the 1% AEP to address a secondary emergency is included within this Planning Proposal. At the time of writing, Council is finalising a new flood study to cover the Upper and Lower Parramatta River floodplains within the LGA.

The new Flood Study will produce more detailed and accurate data for the assessment of flood risks within the LGA with completion anticipated in 2020, followed by an updated floodplain risk management study and plan. The adoption by Council of updates to the Flood Risk Management Plans as it affects the Parramatta CBD are a separate process to this Planning Proposal, however is programmed to occur concurrently.

Section 3.2.4 in this planning proposal details the assessment of the updated Floodplain Risk Management Plans against Section 9.1 Direction 4.3 Flood Prone Land.

A copy of the Updated Floodplain Risk Management Plan is provided at Appendix 14a, the Evacuation Study and Horizontal Evacuation Study provided at Attachment 14c with a discussion

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of the flooding planning provisions in the draft planning proposal is provided in Part 2 (Appendix 2a).

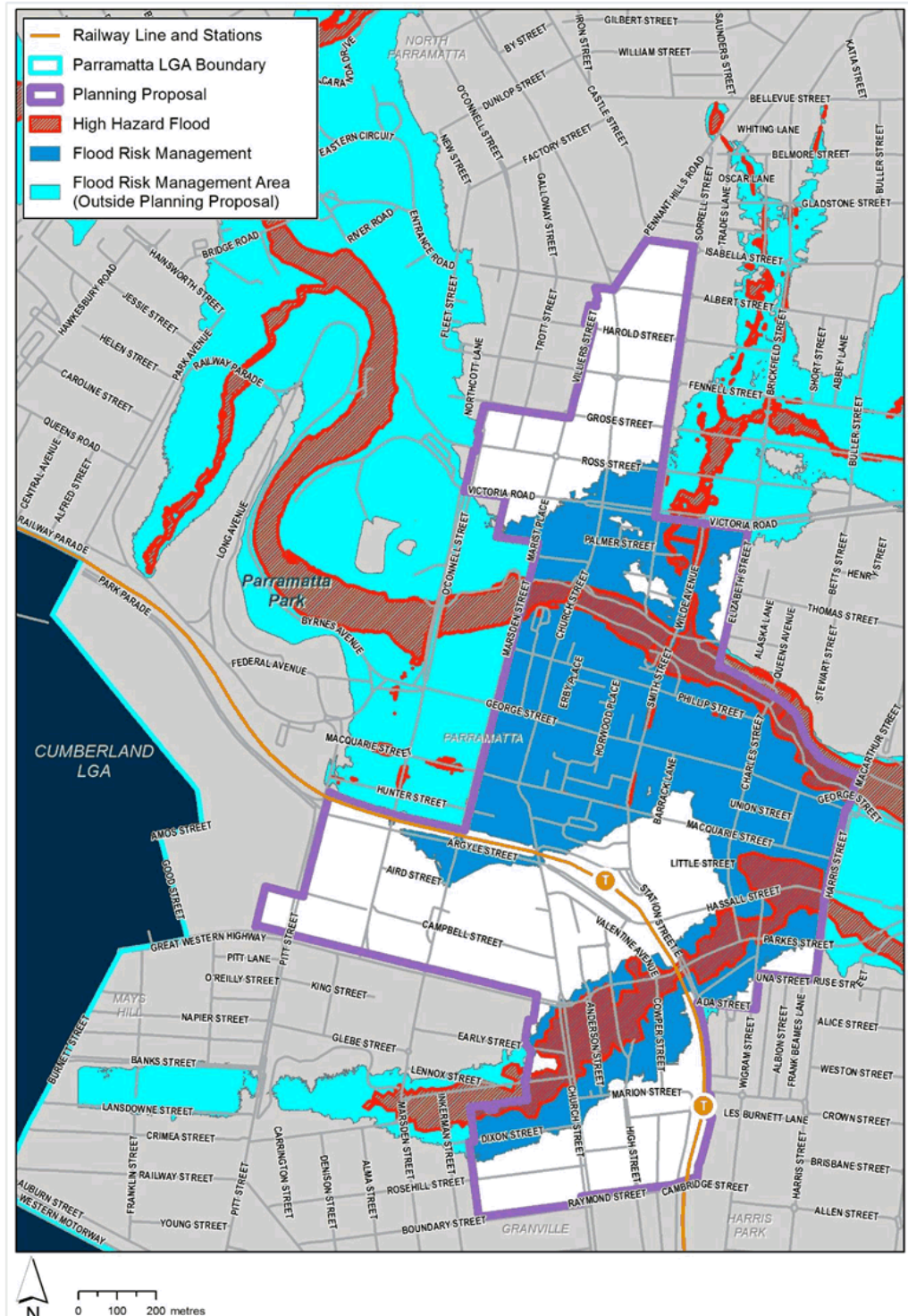


Figure 3 – Flood Risk Management Area - Probable Maximum Flood and the CBD Planning Proposal area

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## F. Contamination

Land within the CBD PP boundary includes sites identified for additional density and sensitive land uses. Land contamination research and technical studies consistent with the requirements of *State Environmental Planning Policy No. 55 Remediation of Land* and associated *Managing Land Contamination Planning Guidelines SEPP 55 – Remediation of Land* support the CBD PP.

The 2016 studies included a desktop investigation of land within the CBD PP boundary and a *Preliminary Site Investigation Study for the Auto Alley area (2016)* prepared by consultants JBS&G. The European history of the B5 Industrial zoned land within the Auto Alley area is characterised by industrial/commercial uses and later car yards with high-quality freestanding buildings and therefore it is likely that a number of sites will have some level of contamination.

The key finding of the 2015 report was:

*“Whilst the investigation identified the potential for soil and groundwater impacts to be present at the site, the investigation did not identify the potential for gross or wide spread contamination which may preclude rezoning of the site. Identified potential soil and groundwater impacts are considered representative of common contaminants and potentially contaminating land use activities which can be readily dealt with during the DA stage for redevelopment and assessment for site suitability. In the absence of gross or widespread contamination, the requirements of the DUAP (1998) Planning Guidelines for this type of rezoning are considered to have been satisfied, namely that the rezoning can proceed, “provided that measures are in place to ensure that the potential for contamination and the suitability of the land for any proposed use are assessed once detailed proposals are made” (s.4.1.2 – Generalised Rezoning, DUAP/EPA 1998). It is recommended that upon submission of a DA, Council enact their PDCCP 2011, which incorporate SEPP 55 provisions. Specifically, it is recommended that a preliminary and detailed site investigation be undertaken upon submission of a DA for redevelopment of any land within the site”.*

The report also recommended that Hazardous Building Material Surveys (HBMS) be undertaken prior to any demolition and redevelopment works on individual land parcels within the site. Refer to Figure 4.

Consistent with Gateway Condition 1 (h) requiring a review of studies prepared to support the CBD PP, Council re-commissioned consultants JB&G to review the findings and recommendations of their 2016 report, and provide an update if required.

The consultant review process included a site inspection and examination of aerial photographs and EPA records for the intervening period since the issue of the PSI. The updated study did not identify any significant material changes from that documented in the PSI (JBS&G 2016) and reaffirms the recommendations from the original *Preliminary Site Investigation Study for the Auto Alley area*. The updated study also recommended that the PSI is considered as part of the Development Assessment process for land within the Auto Alley area. Based on this advice, Section 10.7(5) certificates issued by Council now contain a notation that describes both JBS&G's reports (dated February 2016 and May 2019) as a relevant matter for relevant properties. A copy of the JBS&G Report is provided at Attachment 15.



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## G. Sustainability and Infrastructure, and High Performing Buildings

A key environmental issue for this Planning Proposal is managing the increased demand for electricity, gas, water and sewer services from more intense development. Under a “business as usual” (BAU) scenario, new development will have significant implications for augmentation of existing infrastructure (especially sewer and energy networks) and the subsequent ongoing costs to households.

Specific issues are:

- ensuring resource and infrastructure efficiencies;
- exploring cost savings for residents and office tenants and attracting A-Grade office development; and
- future proofing the city for emerging technologies and investment.

To investigate these issues, Council commissioned the *Sustainability and Infrastructure Study 2015*. This study forecast the likely energy, water, sewer, transport consumption and demand under the likely Parramatta CBD growth scenario and estimated that under the proposed planning scenario when compared with existing demands:

- electricity demand will nearly triple, and peak day electricity demand is expected to increase by over 100MW (twice the existing demand);
- water demand is expected to triple;
- gas demand is expected to more than triple; and
- Increase sewer loads by nearly four times.

The study identified three opportunities to reduce water and energy consumption in the CBD being:

- higher performance building requirements: setting mandatory or incentive based higher BASIX; Future proofing all new buildings with dual reticulation for precinct level; and Requiring electric vehicle and battery storage infrastructure in new buildings.
- Strategic parking management: reducing parking rates across the CBD and across all building typologies, and provision of End of Trip Facilities in Commercial Buildings.
- Resilient Infrastructure and public domain to support the reduction of urban heat including reflectivity of building roofs, podiums and facades; and heat rejection sources.

Consistent with the Gateway Determination condition requiring studies to be updated (Condition 1 (h)), the Sustainability and Infrastructure Study 2015 study was reviewed by the original consultants in 2019. The review found that the original observations made in relation to the key trends for Parramatta CBD (car ownership, travel patterns, urban heat, cost of housing and living and building performance) are continuing under a BAU scenario, and in the case of urban heat, was accelerating due to an increase in the number of hot days in Parramatta and future climate projections.

Further, that if sustainability and parking controls remain unchanged electricity and water demand will continue to be significant, peak electricity demand will be high, sewer loads will be high, and there will be an oversupply of parking. The review concluded that given the significant implications of future growth under a BAU scenario, the original sustainability strategies for high performing buildings, resilient infrastructure and public domain and strategic parking management were still relevant.

This planning proposal includes sustainability strategies consistent with the recommendations in the Sustainability and Infrastructure Study as follows:

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- Higher performing building requirements (see discussion below)
- Reduce parking rates across the CBD (see the discussion under the heading 'Transport, traffic and parking' and proposed clause 7.3 at Appendix 2a).
- Provision of a dual water supply clause to require potable water pipes and recycled water pipes for the purposes of all available internal and external water uses (see clause 7.6B)
- Provision of End of Trip Facilities (showers, change rooms, lockers and bicycle storage areas) in commercial buildings to facilitate pedestrian and cycling access (see clause 7.6E).

The Resilient infrastructure and Public domain opportunities will be part of DCP amendments to support the planning proposal.

### High Performing Building requirements

To investigate the introduction of higher performing building requirements as recommended in the *Sustainability and Infrastructure Study 2015*, Council commissioned a *High Performing Buildings Study (2016)*. This study explored the costs and benefits of higher performance standards for water and energy for commercial and residential development in the Parramatta CBD. A key objective of the Study was to ensure that any new planning controls were both cost effective and provide a genuine environmental outcome for Parramatta CBD.

The key findings and recommendations of the 2016 Study included:

- commercial premises over 10,000 square metres could deliver water and energy savings equivalent to NABERS 5-star Energy and NABERS 4 star Water.
- new residential development are able to deliver BASIX Energy and Water targets 10 points above current BASIX compliance levels. The State Environmental Planning Policy BASIX allows for incentives for the adoption of measures beyond those required by BASIX.
- future development to be built with dual reticulation for recycled water for both internal and external uses.
- Encourage high performing building design by awarding an FSR bonus of 0.5:1 for mixed use development that delivers higher BASIX scores above that required by the SEPP for sites with an FSR of 10:1.

In July 2017, an *Addendum to the High Performing Buildings Study* was undertaken that tested the impact of changes to BASIX to ascertain any impacts on the new bonus LEP clause. The Addendum report recommended that the draft LEP provision remain unchanged at that time.

In September 2018, a Council resolution amended the high performing building FSR bonus to apply to sites with an FSR of 6:1 or greater and to convert the 0.5:1 FSR bonus to a 5% bonus FSR to ensure a proportional scale outcome.

Consistent with the Gateway condition requiring studies to be updated (Condition 1 (h)), the *High Performing Buildings Study 2016* was reviewed and included further environmental analysis and feasibility testing to address Gateway Condition 1 (i) vii *to demonstrate that sites with an FSR greater than 6:1 are suitable for the intended 5% FSR high performing buildings bonus and incorporate the intended policy into the explanation of provisions of the planning proposal.*

To address the Gateway condition, the study approach included:

1. Understanding the scale and value of 5% FSR bonus scheme in the Parramatta CBD.
2. Reviewing environmental performance analysis across typologies.
3. Analysing sustainability pathway modelling across building typologies with varying FSRs and building heights to understand the achievability and feasibility (impact and cost) of higher environmental performance standards.

An early finding by the consultant was that the level of BASIX achievable depends on the building height because *as buildings get taller, centralised energy loads increase making it increasingly difficult to achieve higher BASIX scores. Furthermore, the cost of achieving higher BASIX scores*

## PLANNING PROPOSAL – Parramatta CBD

*increases with residential floorspace.* The consultant then modelled three sustainability pathways (building efficiency; on-site renewables; and combining building efficiency and on-site renewables) across various building heights and FSRs to understand the BASIX scores achievable across different building heights, and the pathways that are cost-effective across different FSRs.

For residential and mixed use development, the key findings and recommendations of the study were:

- cost benefit analysis of the three pathways found that land lift value exceeds the cost of implementing higher BASIX pathways.
- sites with an FSR greater than 6:1 are suitable for the intended 5% FSR high performing buildings bonus extending the sustainability impact Council can have in the CBD.
- apartments of all building heights can achieve BASIX scores higher than the 2019 compliance standards. However, higher BASIX scores are harder to achieve as building height increases. As such, the BASIX targets at Parramatta CBD would vary by building height.
- The BASIX performance standards that are achievable for new residential and mixed-use development across the Parramatta CBD over and above 2019 BASIX compliance standards are BASIX Energy 25 and BASIX Water 40.

For commercial office buildings, large retail buildings and hotels, the updated study noted that since the original study was prepared in 2015, the National Construction Code was revised and released in May 2019. Under the revised standard, new commercial and other non-residential buildings have a choice between two mechanisms to achieve building code compliance being:

1. NABERS Energy for Office - A minimum 5.5-star NABERS Energy for Office Base Building Commitment Agreement is obtained along with satisfying additional conditions as outlined in Section JV1 and JV a of the NCC.
2. Green Star - An alternative compliance pathway is for commercial and other non-residential buildings to be registered for a Green Star – Design & As-Built rating. Under this pathway, the proposed building needs to only demonstrate that its annual greenhouse gas emissions are less than 90% of the reference building - a hypothetical building to calculate the maximum allowable greenhouse gas emissions.

The intention was to include a NABERS rating provision in the LEP; however, this was not supported by the DPIE due to potential inconsistencies with commitments made by the NSW Government under the Australian Building Codes Board Intergovernmental Agreement. On the basis of this feedback, this planning proposal includes a revised High Performing Buildings clause taking a 'best-in-market' approach as the defining method for delivering 'high performing buildings' in the Parramatta CBD as follows:

- annual energy (base building) performance to be within the top 15% of the performance of similar existing buildings of a similar usage type in the Sydney metropolitan region, benchmarked on an emissions (CO<sub>2</sub>e/sqm) basis at the time of application, and
- the annual water (whole building) consumption to be within the top 15% of the performance of similar existing buildings of a similar usage type in the Sydney metropolitan region, benchmarked on an net water demand (l/sqm) basis at the time of application.

The rationale for this approach is:

- The 15th percentile of current market performance is used to derive city specific emission intensity benchmarks for low carbon buildings under the International Climate Bond Standard.
- Since the introduction of the method in 2015, the process has been used to establish baselines for cities including New York, San Francisco, Singapore, Tokyo, Seoul, London and through extension, Paris, Berlin, Warsaw, Prague, São Palao, etc.

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- The method is used by Climate Bonds to establish a baseline performance from which a city specific zero carbon trajectory to 2050 is applied to ensure the targets are in-line with the requirements of the Paris agreement.
- The Climate Bond method has been extensively tested and proven to be robust. Most recently in Australia it was used to establish the target used by Woolworths in their green bond for supermarkets <https://www.climatebonds.net/certification/woolworths>
- Applying the same 'best-in-market' test within the LEP will ensure that targets for new buildings improve over time and do not get outdated as is inevitable if a static target is published in the LEP.
- The use of a 'best-in-market' calibration on new development target will ensure the targets represent genuine best practice, are achievable and not cost prohibitive, given that 15% of the existing buildings of the relevant type in the Sydney metropolitan area will already be operating at the required level of performance at the time of application.

In summary, this planning proposal includes high performing building provisions consistent with the recommendations in the updated *High Performing Buildings Study* as follows:

- For applicable residential development: higher BASIX energy and water targets relative to both FSR and number of storeys of the building (this is optional and will be a 'opt-in' provision where developers can obtain the benefit of the 5% bonus FSR)
- For commercial and non-residential development: requirements to reflect a 'best-in-market approach' for the Sydney metropolitan region.

A copy of the *Sustainability and Infrastructure Study (2019)* and the *High Performing Buildings Study (2019)* is provided at Appendices 16a and 16b, and a discussion of the high performing building planning provisions in draft planning proposal is provided in Part 2. As included at Appendix 2a, the proposed clauses are:

- Clause 7.3 Car parking
- Clause 7.6E End of journey facilities
- Clause are 7.6A High performing buildings
- Clause 7.6B Dual water systems

## H. Provision of Community Infrastructure

The changing demographic profile and significant anticipated growth in jobs and dwellings will place further demands on Council to provide new or augment existing infrastructure.

Specific issues to be considered are:

- Identification of required community infrastructure to meet anticipated needs.
- Ensuring infrastructure funding mechanisms enable the provision of sufficient community and public infrastructure needed in response to significant uplift in FSRs and development yields.
- Assessing development viability of any infrastructure funding arrangements; and
- Determining appropriate funding and delivery models to ensure sufficient local community infrastructure can be funded through a revised development contributions plan.

As a part of the preparation of the original CBD PP, Council prepared an *Infrastructure Funding Models Study*. This study evaluated potential infrastructure funding options to determine the most appropriate mechanism to fund and / or deliver new community infrastructure to meet the demands of anticipated growth in the Parramatta CBD.



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Further to the initial study, Council officers also prepared both a *Discussion Paper on Infrastructure Planning and Funding in the Parramatta CBD* and a detailed draft *Infrastructure Needs Analysis*. Council publicly exhibited both these reports together with an Independent Peer Review of Council's past work, which was prepared by consultant's Aurecon, and in April 2017, re-affirmed its support for the initial approach.

Two (2) of the Gateway Determination conditions that relate to infrastructure funding require technical updates to the planning proposal to include a satisfactory arrangements clause to fund regional infrastructure (condition 1 (m)); and amend references to 'value sharing' in the planning proposal to 'provision of community infrastructure' (Condition 1 (m) ii). These have both been completed in this planning proposal.

The other two (2) Gateway conditions that relate to infrastructure funding require the submission of additional information to support the planning proposal to amend Council's proposed community infrastructure mechanism and developing contributions plans, specifically,

Gateway Condition 1 (m) iii states: *amend the explanation of provisions to clarify that community infrastructure is only able to be provided on the development site; and*

Gateway Condition 1 (m) iv states: *consider a funding mechanism to support the provision of community infrastructure, such as the preparation of a new Section 7.11 contributions plan or a potential increase to the levy under the current 7.12 contributions plan.*

To address these two conditions, Council resolved on 25 March 2019 to *undertake further study to understand the financial implications of the Gateway conditions, including s7.11 and s7.12 contribution rates needed to support community infrastructure (that would match value-sharing rates); and that Council adopt a no net financial loss Council policy position as an interim measure when negotiating Voluntary Planning Agreements in relation to site-specific PPs in the CBD to ensure contributions are consistent with Council's adopted value sharing rates in the Parramatta CBD.*

Consultants GLN Planning and AEC Group were commissioned by Council to prepare a Community Infrastructure Funding Study that:

- reviews and makes recommendations in relation to Council's adopted rates for the provision of community infrastructure
- reviews the draft Parramatta CBD Infrastructure Needs Analysis in light of the Gateway determination conditions, in particular any financial implications
- tests a number of levying options using conventional development contributions mechanisms (i.e. s7.11 and s7.12) to match the revenue that the Council had anticipated from implementing the community infrastructure mechanism
- contains findings to assist Council in responding to the Gateway Determination conditions in relation to infrastructure funding.

At the time of writing, the *Parramatta CBD Community Infrastructure Funding Study* was being finalised by the consultants to include additional analysis requested by Councillors relating to development feasibility assumptions and the calculation of proposed rates. For the purpose of the CBD PP and addressing Condition 1(m) iii, the consultant issued a letter detailing the effect of implementing the condition for the Parramatta CBD to determine items that could possibly be delivered as part of a development on site; and based on this, outlined suggested alternative wording to meet the Gateway Determination condition. The consultant has identified that \$259 million of community infrastructure from Council's draft *Parramatta CBD Infrastructure Needs*

## PLANNING PROPOSAL – Parramatta CBD

*Analysis* could be provided on development sites. To enable this infrastructure to be delivered on site, the consultant recommends Council's planning proposal include a community infrastructure clause based on clause 8.7 of Penrith LEP 2010.

Therefore, consistent with the consultant recommendation and to address the Gateway Determination condition, this CBD PP includes 'a provision of community infrastructure' draft clause to allow higher density development on certain land in the Parramatta City Centre where the development includes community infrastructure, and the land where the clause applies is identified on the Special Provisions Area Map. This clause is based on the Penrith LEP 2010 Clause 8.7 as per the consultant's recommendation.

A copy of the consultant's letter on the *Parramatta CBD Community Infrastructure Funding Study* is provided at Appendix 17f (under separate cover) and the full study will form part of this Planning Proposal during exhibition, assuming support by Council (at a later date).

The community infrastructure provision clause will be supported by an Infrastructure Strategy (to be prepared and reported to Council separately). The purpose of the *Parramatta CBD Infrastructure Strategy* will be to identify future infrastructure needs in the CBD resulting from growth in the CBD and provide a framework for funding and delivery of Council-led projects that will address those needs over the next 20 years. The Implementation Plan of the Strategy will include:

- a Prioritised Works Schedule: based on the work in the *Infrastructure Needs Analysis* (refer to Appendix 17c);
- a Development Guideline for the Provision of Community Infrastructure Mechanism: to explain the process for development that includes community infrastructure; and
- a s.7.11 and/or 7.12 Development Contributions Plan.

Other supporting studies that have guided this content of the planning proposal are the:

- Community Facilities Needs Study 2016 (refer to Appendix 17a),
- Infrastructure Funding Models Study 2016 (refer to Appendix 17b)
- Discussion Paper on Infrastructure Planning and Funding in the Parramatta CBD 2017 (refer to Appendix 17c)
- Draft Infrastructure Needs Analysis 2017 (Appendix 17d)
- Independent Peer Review of Council's past work on community infrastructure prepared by Aurecon 2017 (Appendix 17e)
- Review (Memo) on the Parramatta CBD Community Infrastructure Funding Study 2019 (refer to Appendix 17f).

Further analysis analyses (ie. the final Parramatta CBD Community Infrastructure Funding Study and final Infrastructure Needs Analysis 2017) are yet to be finalised but will be discussed (and appended) in a future iteration of this planning proposal.

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**Key elements of this Planning Proposal**

The amendments sought to *Parramatta Local Environmental Plan 2011* (PLEP 2011) to give effect to the Objectives and Intended Outcomes in Part 1 of this Planning Proposal are as follows:

**A. Parramatta CBD Boundary**

Expanding the boundary of the Parramatta CBD to facilitate and strengthen Parramatta CBD's role as the Metropolitan Centre for the Central City.

The new areas to be included within the expanded boundary are:

- south of Grose Street and east of O'Connell Street, Parramatta;
- south of Isabella Street and west of Sorrell Street, North Parramatta;
- area bound by Ada, Kendall and Wigram Streets, Harris Park;
- areas along Dixon, Rosehill and Boundary Streets, Parramatta.

The planning controls that apply in the 'Park Edge Highly Sensitive' area on the western edge of the City Centre adjacent to the World Heritage listed Old Government House and Domain are not being changed. The 2015 Conservation Agreement between the Commonwealth and State Government and Council governs development within this area. This planning proposal includes a provision to preserve the existing controls that apply to this land.

An area to be removed from the original proposed CBD PP boundary is land south of the Great Western Highway and north of Lennox and Lansdowne Streets, east of Marsden Street, Parramatta. Consideration of future planning controls for this area will be incorporated into the work investigating the three 'Planning Investigation Areas' identified in the *Parramatta CBD Planning Strategy* (2015) to be undertaken in a separate planning proposal.

**B. Land Use**

Amending some of the zone provisions within the Parramatta CBD to facilitate long-term employment opportunities supported by high density residential development.

**B3 Commercial Core zone**

- Rezoning some sites to B3 Commercial Core that are currently zoned B4 Mixed Use and contain existing commercial land uses, including the Westfield Shopping Centre (between Marsden and O'Connell Streets) and sites along Argyle Street and along Station Street East (between Hassall and Parkes Streets).
- Prohibiting serviced apartments within the B3 Commercial Core zone
- Including an additional local provision to enable office floor space to be exempt from the overall maximum floor space ratio on sites zoned B3 Commercial Core with an area greater than 1,800 square metres.
- Requiring development to have an active frontage through provision of a business and or retail premises, and or community facility on the ground floor of sites identified on the Active Frontages Map and zoned B3 Commercial Core and B4 Mixed Use to promote pedestrian traffic in the City Centre.
- Rezoning some land to B3 Commercial Core that is currently zoned B5 Business Development and along Church Street (Auto Alley) to provide for an expanded area of higher order commercial core activities in the future.
- Permitting additional uses for 'vehicle repair stations', with development consent on land proposed to be rezoned from B5 Business Development to B3 Commercial Core (generally within the Church Street 'Auto Alley' area), so as to enable these uses to continue in the short-medium term.

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## B4 Mixed Use zone

- Rezoning some sites to B4 Mixed Use that are currently zoned R3 Medium Density Residential and R2 Low Density Residential in the area south of Grose Street and north of Victoria Road, Parramatta; and in the area west of Sorrell Street.
- Rezoning some sites to B4 Mixed Use that are currently zoned B1 Neighbourhood Centre bounded by Ada, Kendall and Wigram Streets.
- Rezoning some sites B4 Mixed Use currently zoned B5 Business Development and along Church Street (Auto Alley). It is noted 'vehicle repair stations' are permissible with development consent on land zoned B4 Mixed Use.
- Rezoning some sites B4 Mixed Use currently zoned R4 High Density Residential west of Church Street between Lansdowne and Raymond Streets.
- Rezoning some sites B4 Mixed Use currently zoned R4 High Density Residential fronting the Great Western Highway (west of Church Street and east of Marsden Street)
- Including an additional local provision to enable commercial premises floor space in excess of the minimum 1:1 FSR required to be exempt from the overall maximum FSR on some sites zoned B4 Mixed Use with an area greater than 1,800 square metres and identified on the Additional Local Provisions Map.
- Requiring development to have an active frontage through provision of a business and or retail premises, and or community facility on the ground floor of sites identified on the Active Frontages Map and zoned B4 Mixed Use to promote pedestrian traffic in the City Centre.

### C. Building Form

The planning controls that influence building form outcomes are floor space ratio and height of building controls, and in the Parramatta CBD will apply as follows:

#### Floor Space Ratio

1. Density of development is primarily controlled by Floor Space Ratio (FSR) controls.
2. All land within the CBD PP boundary will have an FSR control except land zoned SP1 – Special Activities, SP2 – Infrastructure, RE1 – Public Recreation and existing roads.
3. Land zoned B3 Commercial Core and sites that have been the subject of a gazetted site-specific planning proposal and made a VPA contribution (in the case of residential development) will have one FSR as identified on the 'Floor Space Ratio Map'.
4. Land zoned B4 Mixed Use and R4 High Density Residential and identified on the 'Incentive FSR Map' will have a second FSR (known as 'Incentive FSR').
5. The proposed FSR control (referred to as the 'base'):
  - a. Applies to all land zonings and development permitted within the B3 Commercial Core, B4 Mixed Use and R4 High Density Residential zones.
  - b. Is identified on the 'Floor Space Ratio Map'
  - c. Is largely the same FSR as currently gazetted and shown on the maps for PLEP 2011.
  - d. May not be achievable on some sites due to sun access protection and airspace operation controls also included in this Planning Proposal.
  - e. Is not subject to site area thresholds (i.e. FSR Sliding Scale).

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- f. Can be increased by 15 per cent provided design excellence is achieved. The 15% bonus can only be applied once, either to the base FSR or incentive FSR, but not both.
6. The proposed Incentive Floor Space Ratio (IFSR) control:
- a. Applies to land zoned B4 Mixed Use and R4 High Density Residential
  - b. Is identified on the 'Incentive FSR Map'
  - c. Reflects Council Resolutions for land within the Parramatta CBD PP boundary
  - d. Applies to land where an uplift in FSR is proposed compared to the base FSR
  - e. Allows higher densities on certain land shown on the 'Special Provisions Map' (but not Area A) where the development includes community infrastructure,
  - f. Can be increased by 15 per cent provided design excellence is achieved. The 15% bonus can only be applied once, either to the base FSR or incentive FSR, but not both.
  - g. Is subject to site area thresholds (i.e. FSR Sliding Scale) which may result in a reduction of the maximum FSR due to the size of the site, with the minimum size area being 1000sqm up to 1800sqm.
  - h. The maximum FSR however can be achieved for sites provided the site is between 1000sqm and 1800sqm, meets the definition of an 'isolated site', is awarded design excellence and includes community infrastructure.
  - i. May not be achievable on some sites due to sun access protection, height of building controls, airspace operation controls and site frontage also proposed in this Planning Proposal.
7. Additional floor space in addition to the base and IFSR, is permitted on certain sites, where:
- a. In the B4 zone, if the development includes a minimum of 1:1 commercial floor space and the site has an area greater than 1,800 square metres
  - b. In the B3 zone, office development is not subject to any floor space ratio controls provided the site has an area greater than 1,800 square metres.
8. Bonus FSR, in addition to the IFSR, can be achieved on some sites that meet certain conditions, by utilising planning provisions relating to Opportunity Sites and High Performing Buildings. This is explained as follows:
8. Opportunity Sites bonus FSR:
- a. Is an FSR bonus up to a maximum of 3:1.
  - b. Is in addition to the 10:1 Incentive FSR.
  - c. Applies to some land zoned B4 Mixed Use within the City Core area subject to certain conditions including site dimensions).
  - d. Can be achieved provided the development includes community infrastructure (whether provided on site or not) in addition to the community infrastructure provided as part of the Incentive Floor Space Ratio control.
  - e. Can be achieved if a site specific DCP (or a Concept DA) is submitted.
  - f. Must undertake a competitive design process and exhibit design excellence.
  - g. Must achieve the water and energy targets under the high performing buildings clause.

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9. High Performing Buildings bonus FSR:
  - a. Applies to sites (subject to certain minimum site width and size) within the B4 Mixed Use zone that have IFSR of 6:1 or greater.
  - b. Is a 5% FSR bonus (on top of the IFS) that can be achieved provided energy and water targets (above BASIX requirements) are included.

**Height**

1. The maximum height of a building will be influenced by proposed controls for height of buildings, sun access protection and airspace operations.
2. All land within the Parramatta CBD Planning Proposal boundary will have a height control, as shown on the Height of Buildings Map except land zoned SP1 – Special Activities, SP2 – Infrastructure, RE1 – Public Recreation and existing roads.
3. All land is subject to the airspace operations control under the Radar Terrain Clearance Chart as prescribed by Sydney Airport.
4. All land zoned B4 Mixed Use and R4 High Density Residential and identified on the 'Incentive HOB Map' will have a second HOB (known as 'Incentive HOB'), except sites that have been the subject of a gazetted site-specific planning proposal and made a VPA contribution (in the case of residential development).
5. All land zoned B3 Commercial Core, including certain sites zoned B3 Commercial Core that have been the subject of a gazetted site-specific planning proposal, will have one HOB as identified on the 'HOB Map'.
6. The base maximum height control:
  - a. Applies to all land zonings – B3 Commercial Core, B4 Mixed Use and R4 High Density Residential,
  - b. Is largely the same height as currently gazetted and shown on the maps for PLEP 2011,
  - c. The height of a site with no base height limit is determined by sun access controls,
  - d. Land with a height control of 0m in the Church Street area (Auto Alley Precinct) and West Auto Alley Precinct reflects uses required to be dedicated to Council for the delivery of new roads and or open space,
  - e. Is impacted by an airspace operations control, and
  - f. Can be increased by 15 per cent provided design excellence is achieved. The 15% bonus can only be applied once, either to the base or incentive height, but not both.
7. The incentive maximum height control:
  - a. Applies to land zoned B4 Mixed Use and R4 High Density Residential
  - b. Is identified on the 'Incentive HOB Map'
  - c. Reflects Council Resolutions for land within the Parramatta CBD PP boundary
  - d. Applies to land where an uplift in height is proposed compared to the base height
  - e. Allows higher densities on certain land shown on the 'Special Provisions Map' (but not Area A) where the development includes community infrastructure,
  - f. May not be achievable on some sites due to sun access protection, FSRs, airspace operation controls and site frontage requirements also proposed in this Planning Proposal.
  - g. Only applies height controls to sites in the Auto Alley precinct, West Auto Alley Precinct, Church Street Precinct (between Macquarie and Parramatta River), some sites affecting heritage items and some sites to protect solar access to

## PLANNING PROPOSAL – Parramatta CBD

- heritage conservation areas and open spaces. All other areas have no height controls specified under the incentive height control map.
- h. Where maximum building heights apply, it generally increases the building heights from the base height control to correspond with the incentive FSR control, except where impacted by heritage.
  - i. Can be achieved provided the development includes community infrastructure (whether provided on site or not) in conjunction with the IFSR.
  - j. Applies to some B3 Commercial Core zonings (Auto Alley) and all B4 Mixed Use and R4 High Density Residential zonings.
  - k. May not be achieved on some sites due to the sun access protection control and the airspace operations control detailed below.
  - l. Can be increased by 15 per cent provided design excellence is achieved. The 15% bonus can only be applied once, either to the base or incentive height, but not both.
8. The sun access protection control:
    - a. Any future development located on 'sun access areas' must not result in additional overshadowing in mid-winter between 12 midday and 2pm to the Parramatta River Foreshore, Prince Alfred Square, Lancer Barracks and Jubilee Park.
    - b. Any future development located on 'sun access areas' must not result in additional overshadowing in mid-winter between 10am and 2pm to the Experiment Park.
    - c. For some sites where an incentive height of building control (exclusive of bonuses) applies it is to maintain solar access to heritage conservation areas and open spaces outside the boundaries of the CBD.
  9. The airspace operations control:
    - a. Airspace above the Parramatta City Centre is affected by the operation of Sydney and Bankstown Airports.
    - b. If the incentive height control becomes activated, some areas in the City Centre will be subject to no height limits.
    - c. If the unlimited FSR for commercial development becomes activated, some sites in the City Centre will be subject to no FSR limits.
    - d. Therefore, tall buildings will be required to consider the impact on airspace safety and in some instances be required to obtain approval from the relevant Commonwealth agency.

A map of the proposed height and FSR controls is provided Appendix 2b and proposed draft LEP provisions are provided in Appendix 2a.

#### D. Design Excellence

In order to facilitate design excellence and a high quality built form in the Parramatta CBD, the planning proposal retains similar provisions to those already in the PLEP 2011 relating to a competitive design process for certain buildings in the Parramatta CBD. The competitive process ensures that design excellence is considered at several steps in developing the concept design, and early on in the project when it is most cost effective and easiest to make changes. The process also allows for a broad spectrum of design expertise to be involved and contribute to the project compared to an alternative process where a single architect is commissioned by the applicant.

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Specifically, the planning proposal recommends, with respect to planning controls and design excellence, the following:

1. Amendment to the existing PLEP 2011 provision, requiring development of a height greater than 40 metres (current requirement is 55 metres) to be subject to a competitive design process.
2. Development involving or directly adjoining a heritage item seeking to achieve a FSR of 3:1 or greater to be subject to a competitive design process.
3. The current 15% bonus can be applied to either the base FSR and height, or incentive FSR and height, but not both to prevent “double-dipping” and ensure an equitable application of the control.
4. Developments seeking the maximum FSR shown on the FSR map including the FSR permitted by the sliding scale, must be subject to a competitive design process and exhibit design excellence.
5. Those sites within the B4 Mixed Use zone which are identified as Opportunity Sites and are seeking any bonus FSR in addition to the incentive FSR, are subject to a competitive design process and must exhibit design excellence.
6. Removal of the PLEP 2011 provision relating to a bonus of 25 percent FSR and height for non-residential floor space in the B4 Mixed Use Zone if it exhibits design excellence. This provision will be no longer applicable as it is proposed that non-residential floor space will not be subject to maximum FSR controls in the B4 Mixed Use Zone (subject to compliance with the height controls). This provision will still apply to Area A in the Special Provisions Area map.

## E. Heritage

The heritage controls for the Parramatta CBD proposed in the planning proposal are as follows:

1. Retain the existing PLEP 2011 controls relating to heritage under Clause 5.10.
2. Include a new clause (clause 7.6K) to require development to demonstrate an appropriate relationship to heritage items and heritage conservation areas that responds positively to heritage fabric, the street and the wider area. This operates in addition to the standard heritage clause at clause 5.10.
3. Within the City Centre Core, FSRs of 10:1 (plus design excellence, HPB and opportunity sites bonus (where applicable)) with variable height controls for all sites including heritage items, except for:
  - a. Some sites directly north of Lancer Barracks, being an item of national heritage significance, where the existing height and FSR controls in PLEP 2011 will continue to apply;
  - b. Some sites adjoining state heritage items within a significant landscape setting, including St John’s Cathedral Church and St John’s Cemetery where the existing FSR control in PLEP 2011 will continue to apply, but includes a new height control;
  - c. Sites within the Church Street Precinct where a street wall height of 12m and a 12m upper level (tower) setback control applies.
  - d. Some sites within the Church Street Precinct that are small, narrow and contain significant concentrations of heritage items have an IFSR of 3:1.
  - e. Harrisford House, being an item of state significance where the existing height control in PLEP 2011 will continue to apply, but includes a new FSR control
  - f. Roxy Theatre site has a reduced height control of 18m.
4. Within the Northern Interface Area, FSRs of 6:1 (plus design excellence and HPB bonus) and 80m height limit for most sites including heritage items, except for the following:



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- a. Sites within the Sorrell Street HCA, Catholic Institutional Area, All Saints Church heritage items and some sites adjacent to Prince Alfred Square where the incentive FSR and HOB is removed, and the base FSR and HOB is the maximum or a solar access plane applies.
  - b. Sites at 452 – 456 Church Street where the incentive HOB is replaced with a maximum 10 metre incentive HOB for the first 10 metres of the site given heritage items fronting Church Street.
  - c. Sites at 2 Sorrell Street and 14 – 16 Lamont Street where an incentive FSR of 5.2:1 applies.
  - d. The site at 5 Elizabeth Street where an incentive FSR of 5.2:1 applies.
5. Within the South- Eastern Area, FSRs between 2:1 and 10:1 (plus design excellence and HPB bonus for FSRs 6:1 and greater) and corresponding height limits for most sites including heritage items, except for the following:
    - a. The sites recommended to be retained in the reconfigured boundary of the Harris Park West HCA where the incentive FSR and HOB is removed, and the base FSR and HOB is the maximum.
    - b. The sites recommended to be removed from the Harris Park West HCA where the incentive HOB is amended to 26 metres.
    - c. The sites impacting on overshadowing of Experiment Farm to be subject to a solar access plane
    - d. The sites impacting on overshadowing of the Experiment Farm HCA and Harris Park West HCA to be subject to height of building controls.
  6. Within the South-Western Interface Area, FSRs between 2:1 and 10:1 (plus design excellence and HPB bonus for FSRs 6:1 and greater) and corresponding height limits for most sites including heritage items, except for the following:
    - a. Sites within the heritage core of the Marion Street Precinct where the existing FSR is retained.
    - b. Sites within the block bound by High and Raymond Streets, and Peace and Raymond Lanes, where the where the existing FSR is retained to protect solar access to the HCA.
  7. A development that includes Incentive or Opportunity Site FSR must demonstrate an appropriate transition to any heritage items or conservation areas.
  8. Sites where there is an impact on HCAs have been removed as Opportunity Sites.

## F. Provision of Community Infrastructure

This planning proposal allows for increased heights and FSRs for certain sites where development includes community infrastructure. To achieve this:

1. Higher density development is permitted on certain land identified on the Special Provisions Area Map where the development includes community infrastructure.
2. Mixed use or residential development up to the maximum incentive height and incentive FSR control can be achieved, where community infrastructure is included with the development.
3. The amount of community infrastructure to be included with development seeking to achieve the Incentive FSR and Incentive Height will be explained further in a separate Development Guideline (to be prepared by Council).
4. Community infrastructure means development for the purposes of community facilities, cycle ways, environmental facilities, footways, information and education facilities, public administration buildings, public car parks, public roads, public places, public reserves, public

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- utility undertakings, recreation areas, recreation facilities (indoor), recreation facilities (major) and recreation facilities (outdoor).
- 5. The provision of community infrastructure will be linked to Council’s ‘Infrastructure Strategy’ and must be agreed by Council.
- 6. Further community infrastructure can be included with increased development on Opportunity Sites.
- 7. In relation to Opportunity sites, an additional FSR bonus of 3:1 (up to a maximum of 15:1) could be achieved as part of the development if the site meets certain conditions including, size of the site, achieving design excellence, heritage management, meeting water and energy targets and preparation of a DCP (or a Concept DA).
- 8. The Development Guideline will also explain how community infrastructure is to be included with the development of Opportunity Sites.

**G. High Performing Buildings**

This planning proposal attempts to foster environmental wellbeing and efficient and sustainable use of energy and resources so that Parramatta develops as a sustainable city. To achieve this, the key recommendations with respect to the planning controls can be summarised as follows:

1. Applies to office premises with a GFA of 1,250sqm or greater; retail premises with a GFA of 5,000sqm or greater; serviced apartments or hotel or motel accommodation; residential flat buildings and mixed use development, significant alterations and additions (that have a capital value of more than \$5 million) to existing retail premises (with a GFA of 5,000 sqm or greater), office premises, hotel or motel accommodation or serviced apartments.
2. For the part of any building used for the purposes of retail premises (including as part of a mixed use development), office premises, hotel or motel accommodation or serviced apartments, a report by a qualified consultant must verify that the following standards are met:
  - a. For energy, the annual energy (base building) performance is within the top 15% of the performance of similar existing buildings of a similar usage type in the Sydney metropolitan region, benchmarked on an emissions (CO<sub>2</sub>e/sqm) basis at the time of application;
  - b. For water, the annual water (whole building) consumption is within the top 15% of the performance of similar existing buildings of a similar usage type in the Sydney metropolitan region, benchmarked on an net water demand (l/sqm) basis at the time of application.
3. A FSR Bonus of 5% will be available where a building that is a dwelling, including as a part of a residential flat building or mixed use development with a maximum incentive FSR of 6:1, a site area greater than 1800sqm and a site frontage greater than 24 metres wide, complies with the higher BASIX Energy and BASIX Water standards (shown in Column 2) than the minimum standards as provided in SEPP (Building Sustainability Index: BASIX) 2004, which correspond to the height of the building (shown in Column 1) and its FSR (also shown in Column 2), as indicated in the table below.

**Table 4** – Application of proposed 5% bonus

	Column 2		
Building Height	Higher BASIX Energy and Water Standards		
	BASIX standard	Points above minimum BASIX standard for development with a floor space ratio of 6:1 or	Points above minimum BASIX standard for development

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		greater, up to, but not including, 14:1	with a floor space ratio of 14:1 or greater
5-15 storeys	Energy	+25	+15
	Water	+15	+15
16-30 storeys	Energy	+20	+10
	Water	+15	+15
31-40 storeys	Energy	+10	+10
	Water	+15	+15
41+ storeys	Energy	+10	+10
	Water	+15	+15

4. Given the lifespan of new buildings or where significant alterations are proposed to an existing building, a further requirement is proposed to be included requiring dual reticulation (to accommodate both potable and recycled water pipes) for all future developments to allow for district wide water recycling in Parramatta.
5. End of journey facilities for pedestrian and cyclists must be provided where a building consists entirely of commercial, and in a mixed use development where more than 600 sqm of commercial premises is provided consistent with the recommendation from the Economic Review – Achieving A Grade Office Report as a way to improve the amenity of the workplace, encourage alternative forms of transport to work and for businesses to attract and retain staff. The rate of provision of these facilities will be outlined in a supporting draft DCP control.

**H. Transport, traffic and parking**

This planning proposal will address the Section 9.1 Direction 3.4 Integrating Land Use and Transport by increasing the development potential of land for more intense commercial and residential development activity close to well serviced transport routes to maximise the use of public transport and accessibility to local services.

This Planning Proposal adopts the approach put forward by the Strategic Transport Study that encourages sustainable transport policies by reducing parking rates and supporting increased use of public transport, walking and cycling.

As a result, the key recommendations with respect to the planning controls are summarised as follows:

1. Reduce maximum car parking rates for residential and commercial uses to levels currently used by City of Sydney CBD.
2. Apply consistent parking rates to existing site-specific Planning Proposals and Design Competitions within the Parramatta CBD as a provision applicable to each proposal or competition to ensure future development will be consistent with the strategic direction to reduce maximum car parking rates.
3. Allow for additional road widenings through amendments to the LRA Map.

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## I. Stormwater and flood risk management

This planning proposal provides for intensification of development within a floodplain while complying with the Section 9.1 Direction relating to Flood Prone Land. To address this, the key recommendations with respect to the planning controls are summarised as follows:

1. In addition to requirements for flooding under Clause 6.3, include: a new clause requiring buildings with evacuation issues on land affected by the probable maximum flood within the City Centre to:
  - a. Contain either an area that is located above the probable maximum flood level, and connected to an emergency electricity and water supply, and of sufficient size to provide refuge for all occupants of the building (including residents, workers and visitors), or flood free pedestrian access between the building and land that is above the probable maximum flood level, and
  - b. have an emergency access point to the land that is above the 1% annual exceedance probability event, and
  - c. is able to withstand the forces of floodwaters, debris and buoyancy resulting from a probable maximum flood event.
2. Imposing planning controls on residential development above the Flood Planning Level requires the Minister for Environment to grant for exceptional circumstances.
3. The changes outlined in the planning proposal are in accordance with a floodplain risk management plan prepared in accordance with the principles and guidelines of the *Floodplain Development Manual 2005*.

## Appendices

Given the size of much of the technical studies and attachments appended to this planning proposal, most appendices are provided under separate cover.

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# PART 1 – OBJECTIVES OR INTENDED OUTCOMES

The objectives or intended outcomes of the proposed amendments to *Parramatta Local Environmental Plan 2011* (PLEP 2011) are:

1. To reinforce Parramatta CBD as the Metropolitan Centre role for the Central City.
2. To increase the capacity for new jobs and dwellings so as to create a dynamic and diverse city and meet targets in the Central City District plan.
3. To encourage a high quality and activated public domain with good solar access.
4. To facilitate the provision of community infrastructure to service the growing city.
5. To strengthen opportunities for the provision of high quality commercial floor space.
6. To future proof the city through efficient and sustainable use of energy and resources.
7. To manage risks to life and property from flooding.
8. Ensure tall buildings are of an appropriate form for their size and context
9. To protect and manage the heritage values of Parramatta's local, State, national and world significant European and Aboriginal heritage items, conservation area, places and views.
10. To promote active transport and use of public transport.
11. To advocate for regionally significant transport infrastructure to connect residents within 30 minutes to jobs, education and health facilities, services and recreation including the Parramatta light rail and Sydney West Metropolitan rail link.
12. To support the provision of regionally significant cultural and public domain infrastructure including the Riverside Theatre, the Museum of Applied Arts and Science, the Civic Link, Parramatta Square and the River foreshore.

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## PART 2 – EXPLANATION OF PROVISIONS

This planning proposal seeks to amend the provisions that apply to *Parramatta Local Environmental Plan 2011* (PLEP 2011) as follows:

### Land-use table and zoning objectives

This Planning Proposal includes an amendment to the permitted uses in the Land Use Table for Zone B3 Commercial Core in order to prohibit serviced apartments. The reason for this amendment is to ensure that employment land is protected and that the conversion to residential apartments does not occur in the future.

### Built form controls (Height and FSR)

Under the current PLEP 2011, most sites in the Parramatta CBD have one height control and one FSR control. This Planning Proposal retains in the main these heights and FSRs as shown on the existing Height of Buildings Map and FSR Map, and proposes to introduce a second height and FSR control for certain sites zoned B4 Mixed Use and R4 Residential where an uplift is proposed. These are to be known as 'incentive FSR and incentive height'. Land zoned B3 Commercial Core and land that is the subject of a gazetted site-specific Planning Proposal will have one FSR and height control as shown on the Height of Buildings and FSR map.

The 'base' height is shown on the 'Height of Buildings Map', the 'incentive' height is shown on the 'Incentive Height of Buildings Map', the 'base' FSR is shown on the 'FSR Map', and the 'incentive' FSR is shown on the 'Incentive Floor Space Map' (floor applicable sites).

The proposed incentive FSR control is generally higher for land adjacent to the B3 Commercial Core than land in the interface areas of the CBD. Exceptions to these incentive FSRs are for heritage or solar access reasons.

All sites in the CBD will have a specified building height and will be subject to an amended airspace operations control that regulates intrusions into prescribed airspace.

Within the Auto Alley Precinct and West Auto Alley Precinct, incentive FSRs and heights are generally more varied than the remainder of the Parramatta CBD and reflect separate detailed analysis. Sites of significant heritage value have in the main height and FSRs controls consistent with the existing controls in PLEP 2011 including St Johns Cathedral Church, the Catholic Institutional Area in North Parramatta, All Saints Church, and sites adjacent to Lancer Barracks and sites to the north and west of St John's Cemetery. Exceptions include Harrisford House and the Roxy Theatre, where the height is lower, consistent with the existing controls in PLEP 2011, but the FSR is as per adjoining development under the CBD PP (to facilitate amalgamation with adjoining sites and FSR transfer).

### Community Infrastructure

The purpose of a 'base' and 'incentive' height and FSR control is to enable development to include community infrastructure arising from the additional yield under the 'incentive' controls. This Planning Proposal seeks to include a new control in PLEP 2011 allowing a development to be

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consistent with the incentive height and incentive FSR control where a mixed use or residential development includes community infrastructure. This applies only to sites identified on the Special Provisions Application map, that have an incentive height and incentive FSR allocated on the incentive height and incentive FSR maps. The draft provision is based on a similar provision included in the Penrith LEP 2010.

Council will separately prepare a Development Guideline which will outline details on how community infrastructure is to be included with development. The amount of community infrastructure that must be included will be proportional based on the difference between the base FSR and the incentive FSR. Community infrastructure means development for the purposes of community facilities, cycle ways, environmental facilities, footways, information and education facilities, public administration buildings, public car parks, public roads, public places, public reserves, public utility undertakings, recreation areas, recreation facilities (indoor), recreation facilities (major) and recreation facilities (outdoor).

There are also site-specific requirements for certain sites to achieve the Incentive Height and Incentive FSR for development that includes community infrastructure – refer to discussion under “Site-Specific Provisions” below.

**Built form controls (FSR sliding scale)**

Under the existing PLEP 2011, a site may achieve the maximum FSR indicated on the FSR map where the site area is greater than the minimum amount stated in the instrument. Where a site area is less than that stated in the instrument, the sliding scale control limits the maximum FSR that can be achieved on a site proportional to the site area through the application of a formula. The purpose of this control is to promote site amalgamation and to prevent overdevelopment and inappropriate built forms on small sites.

Refer to the table below for the existing FSR sliding scale control in PLEP 2011 (extracted from Clause 7.2 of PLEP 2011).

**Table 5** – Existing FSR sliding scale in PLEP 2011

FSR Shown on Map	Site is less than or equal to 1000sqm	Site is greater than 1000sqm but less than 1,800sqm	Site is equal to or greater than 1,800sqm
6:1	4:1	(4 + 2X):1	6:1
8:1	5:1	(5 + 3X):1	8:1
10:1	6:1	(6 + 4X):1	10:1

$X = (\text{the site area in square metres} - 500) / 1500$

This Planning Proposal replaces the existing FSR sliding scale with a new FSR sliding scale control (refer to the table below) with the key differences being: the addition of 4:1 and 7:1 FSRs to reflect all mapped incentive FSRs in the planning proposal; a minor change to the formula; and applies only to development seeking incentive FSRs that are whole numbers (i.e. the FSR sliding scale will not apply to development seeking base FSR only and sites with mapped Incentive FSRs of 4.2:1 and 5.2:1).

**Table 6** – Proposed new FSR sliding scale

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FSR Shown on Incentive FSR Map	Site is less than or equal to 1000sqm	Site is greater than 1000sqm but less than 1,800sqm	Site is equal to or greater than 1,800sqm
4:1	3:1	(3+1X):1	4:1
6:1	4:1	(4 + 2X):1	6:1
7:1	4.5:1	(4.5+2.5X):1	7:1
8:1	5:1	(5 + 3X):1	8:1
10:1	6:1	(6 + 4X):1	10:1

X = (the site area in square metres – 1000)/800

The intent of these changes to the FSR sliding scale is to balance equity of development potential with the physical capacity of the site and give certainty of development and fair value to the smaller sites while incentivising the consolidation of sites. Development seeking base FSR only will not be subject to the FSR sliding scale, only development seeking incentive FSRs will be subject to the new sliding scale. The FSR sliding scale will also only apply to incentive FSRs that are whole numbers i.e. sites mapped with an incentive FSR of 4.2:1 and 5.2:1 will not be subject to the FSR sliding scale.

**Built form controls (FSR Sliding Scale ‘out clause’)**

This Planning Proposal also introduces a new control to enable the maximum incentive FSR for a development to be achieved where the site area is between 1,000 square metres and up to 1,800 square metres, provided certain conditions relating to design excellence, development including community infrastructure, and the site is ‘isolated’ are all met. An isolated site is defined in this PP as a site where amalgamation with adjoining sites is not physically possible; is not reasonably feasible due to the nature of surrounding development; and will be unable to reasonably achieve its development potential due to its size, shape and location. The clause is known as the ‘FSR sliding scale out clause’ and the intent is to allow some sites an opportunity to demonstrate the maximum FSR for a site can be achieved.

**Building Heights (Sun Access Protection)**

This Planning Proposal identifies properties on the ‘Height of Buildings Map’ that cannot exceed a height determined by a sun access plane. To protect solar access to key open spaces between 12:00pm and 2:00pm on 21 June (mid-winter), a sun access plane is created over land and extends in a strip ascending as one moves back from the front of the plane. This clause will protect solar access to Prince Alfred Square, Parramatta River Foreshore, Lancer Barracks site, Jubilee Park and Parramatta Square. The same clause will protect solar access to Experiment Farm on 21 June between 10am and 2pm. Further, the clause also provides for some very minor overshadowing into the protected area of Parramatta Square, associated with the non-useable parts (including structural elements), heritage parts and amenity parts (eg. street furniture, shelters, awnings, etc) of a development. This was prepared in response to a condition of the Gateway Determination.

**Design Excellence**

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



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

**Office and Commercial Premises in the B4 and B3 Zones**

This Planning Proposal introduces a new clause that applies to certain sites within the B4 Mixed Use zone that have a site area greater than 1800sqm that are identified on the Additional Local Provisions Area Map. The new clause requires that a minimum FSR of 1:1 commercial floor space is to be provided as part of a development of these sites, and that any additional commercial floor space (on top of the 1:1 FSR requirement) is exempt from overall maximum floor space ratio controls shown on the Incentive FSR Map, however is subject to maximum heights. A provision of this clause is that the conversion of the commercial premises floor space approved under the clause to residential accommodation is prohibited. The intent of the control to exempt commercial development from overall maximum FSR controls is to activate land on the edge of B3 Commercial Core zone and facilitate the provision of a range of commercial uses (business, office and retail) that will contribute to the long term economic and jobs growth of the CBD. Further, the clause also provides for wholly commercial development that is built in the B4 Mixed Use zone to develop to the heights and FSRs shown on the Incentive Height Map and Incentive FSR Map without the need for that development to include community infrastructure. This is to incentivise more employment generating development in the B4 Mixed Use zone.

For land within the B3 Commercial Core zone, this Planning Proposal introduces a new clause that exempts office development from any floor space ratio controls provide the site has an area of 1800sqm or greater. The intent of this planning control is to encourage office development that typically has higher order employment opportunities and yields to support Parramatta CBD's long term growth as Sydney's Metropolitan Centre. Height controls for the B3 Commercial Core zone will apply on the base FSR map.

**Opportunity Sites**

This Planning Proposal introduces a new clause that allows certain sites to receive an additional FSR of 3:1 up to a maximum of 15:1 (inclusive of all bonuses) where a development meets certain conditions and includes community infrastructure. This clause applies to land identified as an Opportunity Site on the Opportunity Site Map, and also Area 1 and Area 2 at 286-302 Church Street and 5-7 Hassall Street respectively, where amalgamation of these respective areas is required to achieve opportunity site status.

The intent of this clause is to allow additional residential development within the B4 Mixed Use zone provided the site has a land area greater than 1800sqm and meets certain site dimensions; and the applicant demonstrates via a site-specific DCP (or a Concept DA) that the site can accommodate the additional FSR, design excellence is achieved, the building is a high performing building and community infrastructure included in the development.

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**Transport Related Controls – Parking and Road Widening**

This planning proposal replaces the majority of the existing car parking provision in clause 7.3 in the *Parramatta LEP 2011* with a new car parking provision based on similar provisions in *Sydney LEP 2012*. This was based on the recommendations of the Strategic Transport Study, which recommended using the City of Sydney parking controls so as to minimise car parking in the Parramatta CBD due to adverse transport impacts associated with increased development. The new clause includes a table which details the parking rates for various types of land uses, based on the City of Sydney provisions. Council is also preparing a mesoscopic model and *Integrated Transport Plan*, which will help to refine these parking rates post exhibition. Similar to the current car parking clause, the new parking rates prescribe maximum rates, which cannot be exceeded. The existing provision in the *Parramatta LEP 2011* which allows Council, in situations where there are car parking spaces in excess of the requirements of the occupiers of an existing building, to approve the use of those car parking spaces by persons other than the occupiers of the building. This has been retained as it allows for shared use of excess car parking.

Further the planning proposal also includes amendments to the Land Reservation Acquisition Map to allow for road widenings to accommodate the following:

- Strategic opportunities to improve capacity and capability of the existing road network, having regard to the significant growth within the Parramatta CBD as well as inherent existing constraints such as heritage and existing significant development.
- Opportunities to improve public transport capability through localised intersection improvements and augmentation of existing bus lanes.
- Opportunities for a regional cycleway network within the Parramatta CBD.

Similar to the parking provision described above, these proposed road widenings will be subject to refinement post exhibition through the mesoscopic modelling process, preparation of the *Integrated Transport Plan* and also stakeholder feedback during the consultation process.

**Heritage**

To manage the protection and enhancement of heritage values of Parramatta's local, state, national and world significant European and Aboriginal heritage items, conservation areas, places and views, Council have proposed necessary amendments to LEP Provisions to as part of this Planning Proposal.

This includes applying maximum height of building controls to protect solar access to heritage conservation areas and heritage items within a landscape setting; and a new clause to manage heritage impacts. This new clause, which operates in addition to the standard heritage clause 5.10, requires development sites to demonstrate an appropriate relationship to heritage items and heritage conservation areas that responds positively to heritage fabric, the street and the wider area. Further, development seeking an FSR of 3:1 or greater that involves or directly adjoins a heritage item, is required to undertake an architectural design competition.

**High Performing Buildings and Improved Environmental Outcomes**

This Planning Proposal introduces new clauses to foster efficient and sustainable use of energy and resources that minimise new buildings' consumption of energy and water. For residential and mixed use development with a floor space ratio of 6:1 or more, with a site area greater than 1800sqm and front building line greater than 24m, an FSR Bonus of 5% is available. To be eligible for the bonus, residential development must achieve water and energy targets greater than current BASIX targets. Office premises, the office component of a mixed-use development, large format retail, motel or hotel accommodation and serviced apartments are required to

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achieve energy and water targets using a 'best-in-market approach' for the Sydney metropolitan region.

A new clause is also proposed requiring dual water systems (both potable water pipes and recycled water pipes) to be contained within all new buildings within the CBD. This clause will be a cost effective measure for the delivery of significant reductions in potable water requirements for the CBD and create market conditions to encourage recycled water provision in the Parramatta CBD.

This Planning Proposal also introduces a clause requiring end of journey facilities (including showers, lockers, change rooms and bike parking) to be delivered within a commercial development or within a mixed use development. The intent of the clause is to improve the amenity of the workplace, encourage alternative forms of transport to work and for businesses to attract and retain staff. An additional benefit of this control is providing worker facilities that meet the requirements for A-Grade rated office space. Further detail in relation to the provision of these facilities will be outlined in a supporting draft DCP control.

**Active Frontages**

To promote uses that attract pedestrian traffic along certain ground floor street frontages, public space frontages and river foreshore frontages in Zone B3 Commercial Core and Zone B4 Mixed Use, this planning proposal includes a clause requiring active frontages to be provided as shown on the Active Frontages Map. A building has an active frontage if all premises on the ground floor of the building facing the street and any public spaces are used for the purposes of business premises, community facilities, entertainment facilities or retail premises. Exclusions include any of the following entrances and lobbies (including as part of mixed use development), access for fire services, electrical services and vehicular access.

**Arrangements for contributions to designated State public infrastructure**

As required by the Gateway Determination, this planning proposal includes a new clause which requires satisfactory arrangements to be made for the provision of 'designated State public infrastructure' before the development of land for residential or commercial purposes.

Under the terms of the clause, development consent must not be granted unless the Secretary of the Department of Planning, Infrastructure and Environment has certified in writing to the consent authority that satisfactory arrangements have been made to contribute to the provision of designated State public infrastructure in relation to that development. The clause will not apply if a development does not result in an increase in residential or commercial floor space, or if a Special Infrastructure Contribution (SIC) is introduced by the State Government in the Parramatta CBD (should that ever occur). In the clause, 'designated State public infrastructure' includes:

- (a) State and regional roads,
- (b) bus interchanges and bus lanes,
- (c) land required for regional open space,
- (d) social infrastructure and facilities (such as schools, hospitals, emergency services and justice purposes),
- (e) light rail infrastructure.

**Floodplain Risk Management**

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Currently the Flood Planning Level for the Parramatta LGA is the 1 in 100 ARI (average recurrent interval) flood event plus 0.5 metre freeboard. This means that flood controls in the LEP cannot apply to residential development affected by flood events greater than the Flood Planning Level. This Planning Proposal introduces a new clause that will apply to sites within the CBD Planning Proposal boundary that are affected by flood events up to the Probable Maximum Flood (PMF) being the largest flood that could conceivably occur.

The purpose of this new clause is to ensure that although the planning proposal will permit a significant increase in development potential and thus people, the overall risk to life will not be increased. To achieve this, it is proposed that a new planning control is included that requires a shelter to be available within a building that is above the PMF level, or that people can evacuate safely to land that is located above the PMF. The building must also have an emergency access point to land that is above the 1% annual exceedance probability event, and that buildings be able to withstand flooding up to the PMF.

This new clause is supported by an updated Flood Risk Study and Plan which considers the unique flooding characteristics affecting the Parramatta CBD, expected population increase and NSW State Government's recognition of Parramatta as a Metropolitan Centre and "Central City". The clause will apply to land within the CBD Planning Proposal boundary identified as being affected by the PMF on the Floodplain Risk Management Map.

As the Updated Floodplain Risk Management Plans will become a Council adopted plan, a separate process to this Planning Proposal is also required. This process is programmed to occur concurrently with the Planning Proposal for the CBD, including the application to the Minister for the Environment for exceptional circumstances to impose controls above the flood planning level. It is noted that the Gateway Determination advises that Council's request for exceptional circumstances has been granted to enable further agency consultation and community consultation, although, consistency with the Ministerial Direction for flood prone land would require further consideration and agreement by the Department's Secretary.

**Site Specific Provisions**

This Planning Proposal also proposes five (5) site specific planning controls. The first one permits vehicle repair stations on some land principally along Church Street within the Auto Alley precinct. These sites are to be identified on the Additional Permitted Uses Map and are proposed to be rezoned from B5 Business Development to B3 Commercial Core. The existing B5 zone permits vehicle repair stations, however the proposed B3 Commercial Core zone does not. The purpose of this amendment is to manage the transition of sites from existing car uses in the short term to a more traditional commercial use in the longer term.

The second site specific planning provision relates to certain land in the West Auto Alley Precinct and will be shown on the Special Provisions Area Map. The proposed amendment will allow Incentive FSR and Incentive Height on certain land within the precinct provided a minimum site width is achieved. If the required width is not achieved, then a reduced Incentive FSR and Incentive Height is possible, subject to meeting a reduced width requirement. If this width requirement is not met, then the base FSR and base height apply. The purpose of the clause is to encourage a built form outcome that forms a transition between higher densities in the Auto Alley Precinct (Church Street) and the South Parramatta HCA. As the provision relates to Incentive

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Height and Incentive FSR, it is included as additional site-specific requirements in relation to development that includes community infrastructure.

The third site specific planning provision relates to certain land in the Marion Street Precinct bounded by Marion Street, Anderson Street and Jubilee Lane and will be shown on the Special Provisions Area Map. The proposed amendment will allow the Incentive FSR and Incentive height on this site provided an amalgamated site is achieved. The purpose of this amendment is to encourage the amalgamation of sites to achieve a built form outcome that is proportional to the site area and forms a transition between higher densities within the Auto Alley Precinct (Church Street) and the cluster of heritage items along Marion Street. As the provision relates to Incentive Height and Incentive FSR, it is included as additional site-specific requirements in relation to development that includes community infrastructure.

The fourth site specific planning provision relates to two (2) land parcels being 5 and 7 Hassall Street and will be shown on the Opportunity Site Map as 'Area 2'. If these two land parcels are amalgamated, the proposed amendment will allow these sites to be considered as an Opportunity Site and access the additional bonus FSR of 3:1 (subject to the other requirements of the Opportunity Site clause). Amalgamation of these two sites will allow for a much improved urban design outcome rather than each site developing individually, given their thin width. An additional height of 52 metres will also be permitted should the two sites be amalgamated as an Opportunity Site to further improve the urban design outcome in a tall, slender tower form.

The fifth site specific planning provision relates to two (2) land parcels being 286-300 Church Street and 302 Church Street and will be shown as 'Area 1' on the Opportunity Site Map. If the two land parcels are amalgamated, the proposed amendment will allow these sites to develop as an Opportunity site and therefore will allow an additional bonus FSR of 3:1 over that part of the site that creates a regular shape with a minimum site area of at least 1,800sqm, and minimum dimensions of 40m by 35m where the site is a corner site with at least two street frontages, and 40m by 40m for all other sites. Urban design advice indicates that this will allow for a more efficient floorplate and therefore a lower building (despite the additional FSR) on the sensitive heritage streetscape on Church Street.

**Parramatta Park and Park Edge Highly Sensitive Area**

The planning proposal includes a clause to preserve the built form controls for Parramatta Park and the Park Edge Highly Sensitive Area (defined as 'Area A' on the Special Provisions Area Map). The planning proposal is not proposing to change controls in this area as it is affected by a Conservation Agreement between the Council, the NSW Government and Australian Government in relation to the World Heritage Listed Old Government House. The effect of this clause is simply to ensure that the current controls for this area under *Parramatta LEP 2011* will continue to apply. This includes the existing FSR sliding scale, design excellence provisions (including bonuses) and car parking provisions will continue to apply. There are no changes to existing heights, FSRs and zoning in this area. It also ensures that any new provisions proposed under this planning proposal will not apply to this area so its existing planning framework is preserved.

**Miscellaneous Amendments**

Minor amendments are proposed to a number of site-specific provisions to delete references to car parking provisions. This is a technical amendment to avoid repetition as a new generic car parking clause is proposed under this planning proposal (refer to separate discussion under

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“Transport Related Controls – Parking and Road Widening”). A further technical amendment is required to the site-specific provision for 2-6 Hassall Street, Parramatta (clause 7.15) to remove reference to the new high performing buildings clause and dual water systems clause as these issues are already covered (in a manner specific to that site) in the clause.

**Additional Permitted Uses – Minor amendments**

A minor technical amendment is proposed to clause 7 (1) of Schedule 1 – Additional Permitted Uses (under the current Parramatta LEP 2011), which relates to the use of certain land at North Parramatta. This technical amendment relates to a changed boundary of the R2 Low Density Residential Zone (referred to in the clause) as a result of a rezoning to B4 Mixed Use under this planning proposal (ie. changing reference from “Ross Street” to “Grose Street”).

A minor technical amendment is proposed to clause 8 (2) of Schedule 1 – Additional Permitted Uses (under the current Parramatta LEP 2011), which relates to the use of certain land at Argyle Street, Parramatta. This clause currently allows for development of a residential flat building, but only under certain conditions. The purpose of this minor amendment will be to preserve the existing FSR of 6:1, which currently applies should the site be developed under the terms of this existing clause.

A further amendment is proposed to clause 9 (2) with respect to the permissibility of “vehicle repair stations” in the Auto Alley Precinct – refer to discussion under “Site Specific Provisions” above.

**Maps**

This planning proposal seeks to amend some of the existing maps of the PLEP 2011 and create a series of new maps. The proposed LEP Maps are provided at Appendix 2b (under separate cover). The following broadly summarises the key changes and additions:

- Amend the areas shown in the Additional Local Provisions Map relating to Part 7 – Additional Local Provisions Parramatta City Centre of the Parramatta LEP 2011 to expand the boundary of the Parramatta City Centre.
- Amend the zones in the Land Zoning Map.
- Amend the maximum FSR in the Floor Space Ratio Map.
- Amend the maximum building height in the Height of Buildings Map.
- Amend the Additional Permitted Uses Map to include the Church Street south area (Auto Alley) relating to Schedule 1 Additional Permitted Uses of the PLEP 2011.
- Create an Incentive Floor Space Ratio Map.
- Create an Incentive Height of Buildings Map.
- Create a Sun Access Protection Map relating to the proposed Clause 7.4 Sun Access Protection provisions.
- Create an Active Frontages Map relating to the proposed Clause 7.6F Active Frontages provisions.
- Create an Opportunity Sites Map relating to the proposed Clause 7.6J Opportunity Sites provisions.
- Create a Special Provisions Area Map.
- Amend the Land Reservation Acquisition Map.

**Draft Provisions**

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A copy of the draft provisions has been prepared and is provided at Appendix 2a (under separate cover).

**2.1 Other relevant matters****2.1.1 Draft Development Control Plan (DCP)**

Amendments to *Parramatta DCP 2011* are required to deliver more detailed controls to guide future built forms and support the changes being made under this PP. This will be drafted separately and reported to Council to allow them to resolve to exhibit the Draft DCP, amendment at the appropriate time.

**2.1.2 Development Guideline on Community Infrastructure**

Council will prepare a Development Guideline to support the new planning provision in PLEP 2011 that will provide details on how development is to include community infrastructure.

**2.1.3 Section 7.11 and/or 7.12 Plan**

A new Section 7.11 or 7.12 contributions Plan will be prepared, the works program of which will be informed by the *Infrastructure Needs Analysis* for the Parramatta CBD.

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## PART 3 – JUSTIFICATION

This part describes the reasons for the proposed outcomes and development standards in the planning proposal.

### 3.1 Section A - Need for the planning proposal

This section establishes the need for a planning proposal in achieving the key outcome and objectives. The set questions address the strategic origins of the proposal and whether amending the LEP is the best mechanism to achieve the aims on the proposal.

#### 3.1.1 Is the Planning Proposal a result of any study or report?

The primary outcome of this planning proposal, to enable a higher density of commercial and residential development, stems from local and state government strategic plans including the NSW Government's *A metropolis of three cities* 2018 and *Greater Sydney Region Plan: Central City District Plan* 2018, as well as the NSW Government's earlier iteration – *A Plan for Growing Sydney* 2014, and Council's *CBD Planning Strategy* 2015.

*A Metropolis of three cities* and *Central City District Plan* retransform Greater Sydney (formerly known as Metropolitan Sydney) into a metropolis of three metropolitan centres at Western Sydney Airport, Parramatta CBD and the Eastern Harbour City (comprising Sydney CBD). These plans strengthen the significant economic function of the Parramatta CBD and its role in providing a high density form of housing choice to promote more efficient land use outcomes – as the City of Parramatta's population doubles over the next 20 years.

The vision and objectives in the 2015 *Parramatta CBD Planning Strategy* reflected Council's vision for how the objectives in the then Region Plan *A Plan for Growing Sydney* will be achieved in the Parramatta CBD. It remains current and consistent with *A metropolis of three cities* and *Central City District Plan* and in this regard, remain current for guiding the preparation of the CBD PP.

#### 3.1.2 Is the Planning Proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

A planning proposal is the most effective way of providing certainty for Council, the local community and landowners and allows for orderly and economic development of the land. The current height and FSR development standards in *PLEP 2011* fall short of delivering the number of jobs and housing required to meet the NSW Government's jobs and housing targets established within the *Metropolis of three cities* and *Central City District Plan*. The only alternate way to achieve this is via ad-hoc site specific Planning Proposals which does not allow for proper consideration of CBD wide cumulative issues, nor enable comprehensive CBD-wide analysis of the associated planning issues.

### 3.2 Section B – Relationship to strategic planning framework

This section assesses the relevance of the planning proposal to the directions outlined in key strategic planning policy documents since the issuing of the Gateway determination in December 2018.

Consistent with condition 1 (d), questions in this section consider state and local government plans including the NSW Government's *A metropolis of three cities* and



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Central City District Plan, State Environmental Planning Policies, local strategies and applicable Ministerial Directions.

**3.2.1 Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy?**

**A Metropolis of Three Cities**

In March 2018, the NSW Government released the *Greater Sydney Region Plan: Metropolis of three cities*, a 20 year plan which outlines a three-city vision for metropolitan Sydney to the year 2036.

The *Greater Sydney Region Plan* is structured under four themes: Infrastructure and Collaboration, Liveability, Productivity and Sustainability. Sitting under these themes are 10 directions which contain a suite of objective/s with each objective supported by a Strategy or Strategies. The objectives and or strategies relevant to this planning proposal are discussed in the tables below.

***Infrastructure and Collaboration***

The table below assesses the planning proposal’s consistency with the relevant Infrastructure and Collaboration Directions in the *Greater Sydney Region Plan* (GSRP).

**Table 7 –** Consistency of planning proposal with relevant GSRP Actions – Infrastructure and Collaboration

Infrastructure and Collaboration Direction	Relevant Objective	Comment
A city supported by infrastructure	<b>O1:</b> Infrastructure supports the three cities	This planning proposal is supported by both planning and investment in local and state infrastructure.  Examples of local infrastructure planning and investment is: Parramatta Square redevelopment, Civic Link and improving connectivity by Parramatta Ways all of which support the increased growth and activity within Parramatta CBD. Council is also exhibiting its Draft Community Infrastructure Strategy (October-November 2019). The CIS aims to ensure quality community infrastructure is provided across the City (including the Parramatta CBD) to strengthen people’s sense of community and belonging.
	<b>O2:</b> Infrastructure aligns with forecast growth – growth infrastructure compact	Council commissioned a Community Infrastructure Funding Study which recommends the application of a community infrastructure provision based on Penrith and Burwood LEP models. The planning proposal has been updated accordingly. This require development to include community infrastructure in order to achieve the Incentive FSRs or Opportunity Site FSRs (where applicable). Refer to proposed clauses in Appendix 2a.
	<b>O3:</b> Infrastructure adapts to meet future need	State Government infrastructure investment includes the new Bankwest Stadium, the proposed Parramatta Aquatic and Leisure Centre, Museum of Applied Arts and Sciences (MAAS), Western Sydney Airport and Parramatta Light Rail (PLR) Stage 1 project
	<b>O4:</b> Infrastructure use is optimised	

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		<p>with the Sydney Metro West and PLR Stage 2 projects at the planning phases. All of projects are critical to the success of the Parramatta CBD as the City's growth doubles in the next 20 years.</p> <p>The PP also includes a satisfactory arrangement clause for state infrastructure, as per the gateway determination condition.</p>
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**Liveability**

The table below assesses the planning proposal's consistency with the relevant Liveability Directions in the *Greater Sydney Region Plan*.

**Table 8 – Consistency of planning proposal with relevant GSRP Actions – Liveability**

Liveability Direction	Relevant Objective	Comment
<b>A city for people</b>	<b>O6:</b> Services and infrastructure meet communities' changing needs	(See responses to O1 to O4, above).
	<b>O7:</b> Communities are healthy, resilient and socially connected	This planning proposal supports the changing community needs of Parramatta CBD as Sydney's Central City. The planning proposal will encourage redevelopment within the City Centre through incentives built into the planning controls, which will assist with revitalising areas. To enable a healthy, resilient and socially connected built environment, this planning proposal includes provisions to promote walking and cycling, active streets, community facilities, and buildings that minimise energy and water. Councils recent release of its Draft Community Infrastructure Strategy also seeks to address community need by establishing Council's long term direction for community infrastructure across the LGA.
	<b>O8:</b> Greater Sydney's communities are culturally rich with diverse neighbourhoods	State Government investment in Bankwest Stadium and the Museum of Applied Arts and Sciences (MAAS) and redevelopment of the Riverside Theatres will support Parramatta CBD as an active, innovative and creative hub as will local investment such as the Civic Link and Parramatta Square redevelopment
	<b>O9:</b> Greater Sydney celebrates the arts and supports creative industries and innovation	
<b>Housing the city</b>	<b>O10:</b> Greater housing supply	The planning proposal will allow for an appropriate mix of residential and commercial/retail uses which will support the city centre. The development will also allow for the concentration of housing around transport nodes and contributes towards dwelling targets for the Parramatta local government area.  It is estimated that the planning proposal will accommodate approximately 19,976 additional new dwellings.
	<b>O11:</b> Housing is more diverse and affordable	The Planning Proposal is also consistent with the planning priorities and actions of the Draft Local Strategic Planning Statement (LSPS) and the Draft Local Housing Strategy (LHS) by concentrating substantial residential growth within the Parramatta CBD which increases supply. This can release pressure on housing demand and potentially have a positive impact on housing affordability.

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		The capacity for the Parramatta CBD PP to deliver affordable and diverse housing is limited through any community infrastructure funding mechanism. However, the planning proposal does contain a high performing buildings clause with one of the aims of delivering cost savings for residents.
A city of great places	O12: Great places that bring people together	The planning proposal is consistent with the vision of the Civic Link Framework Plan 2017. The civic link plays an important role in the Parramatta CBD in terms of the public domain linking Parramatta River to Parramatta Square and the transport interchange via a pedestrian only space - for the growing population of Parramatta.  The planning proposal also maintains the current design excellence/competition framework, the aim of which is to improve the design quality of buildings.  See also responses to O6 to O19.
	O13: Environmental heritage is identified, conserved and enhanced	The planning proposal builds on existing heritage provisions and further strengthens design excellence provisions related to heritage matters. It also responds to the DPIE's Gateway determination report on how the heritage values within the CBD and on the CBD periphery are proposed to be managed, including the interface of high-density development with small-scale heritage items (eg. Marion Street Precinct, West Auto Alley Precinct and Sorrell Street Precinct). A new clause is proposed titled, "Managing heritage impacts" to require development to ensure development demonstrates an appropriate relationship to heritage items and heritage conservation areas that responds positively to heritage fabric, the street and the wider area. Maximum building heights are also recommended to protect solar access to HCAs, and solar access planes protect sun access to Experiment Farm.

**Productivity**

The table below assesses the planning proposal's consistency with the relevant Productivity Directions in the *Greater Sydney Region Plan*.

**Table 9 –** Consistency of planning proposal with relevant GSRP Actions – Productivity

Productivity Direction	Relevant Objective	Comment
A well connected city	O14: The plan integrates land use and transport creates walkable and 30 minute cities	The planning proposal will enable the development of residential dwellings and non-residential uses that will contribute towards dwelling and employment targets in the Parramatta City Centre which will have very high levels of access to public transport (heavy rail, light rail, buses, cycling and walking).  The increase in commercial development potential and incorporation of the provisions included in this planning proposal will contribute to the achievement of metropolitan planning goals of providing jobs closer to home to the growing population of Western Sydney

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		and the expansion of Sydney's Global Economic Corridor.
	<b>O15:</b> The Eastern, GOPP and Western Economic Corridors are better connected and more competitive	The planning proposal is consistent with the GOPP vision which is centred around: investment in infrastructure and transport; housing diversity; job creation and enterprise; culture, leisure, tourism, sport and recreation assets; education, health and research; and open spaces, waterways and natural assets and amenities. Also with a focus on productive, liveable and sustainable outcomes.
<b>Jobs and skills for the city</b>	<b>O19:</b> Greater Parramatta is stronger and better connected	<p>The planning proposal is consistent with the directions outlined in the <i>Greater Sydney Region Plan</i>, as it will facilitate the delivery of additional commercial floorspace which will further strengthen Parramatta's role as Greater Sydney's Central City. It is estimated that the planning proposal will accommodate an additional 50,200 new jobs.</p> <p>The planning proposal will help build the City as a centre of high employment and a driving force behind the future prosperity for the City of Parramatta. The increase in commercial development potential and incorporation of the provisions included in this planning proposal will contribute to the achievement of metropolitan planning goals, providing jobs closer to home to the growing population of Western Sydney and the expansion of Sydney's Global Economic Corridor.</p>
	<b>O21:</b> Internationally competitive health, education, research and innovation precincts	<p>Parramatta CBD is supported by internationally competitive health, education, research and innovation precincts at Westmead and Western Sydney University (Rydalmere and Parramatta CBD). This planning proposal complements the planning work being undertaken in these precincts. It also compliments the proposed Sydney University campus at North Parramatta and future UNSW Innovation Hub in Parramatta CBD.</p> <p>The development of the Museum of Applied Arts and Sciences (MAAS) will further enhance Parramatta's role as a research and innovation precinct.</p> <p>The planning proposal is consistent with Parramatta's Civic Link Framework Plan, supporting productivity in the CBD by guiding development of a new arts and culture precinct and providing spaces for small bars, local businesses, creative industries and collaborative workspaces.</p>
	<b>O22:</b> Investment and business activity in centres	The retention of the commercial core for non-residential uses, and the expansion of the commercial core to include Westfield and adjoining Station Street will protect capacity for employment growth and in the future; the Auto Alley Precinct will provide capacity for longer term employment growth.
	<b>O23:</b> Industrial and urban services land is planned, retained and managed	The planning proposal complements the planning work being undertaken for the City's Strategic Metropolitan Employment Lands and

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	<b>O24:</b> Economic sectors are targeted for success	Local Urban Service Hubs as espoused in the Draft Local Strategic Planning Statement (and its accompanying Employment Lands Review/ (August 2019).  The planning proposal also proposes local clauses to promote A-grade office space as informed by the <i>Economic Review – Achieving A-Grade Office development analysis</i> (refer to Appendix 2a).
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**Sustainability**

The table below assesses the planning proposal’s consistency with the relevant Sustainability Directions in the *Greater Sydney Region Plan*.

**Table 10 –** Consistency of planning proposal with relevant GSRP Actions – Sustainability

Sustainability Direction	Relevant Objective	Comment
<b>A city in its landscape</b>	<b>O25:</b> ...waterways are protected and healthier	The planning proposal seeks to protect solar access to Parramatta River foreshore through proposed building heights and a sun access protection control ensuring future development must not result in additional overshadowing in mid-winter between 12 midday and 2pm to the Parramatta River Foreshore.
	<b>O27:</b> Biodiversity is protected, urban bushland and remnant vegetation is enhanced	Solar access planes are also proposed for Jubilee Park and Prince Alfred Park to protect solar access in mid-winter between 12 midday and 2pm.
	<b>O28:</b> Scenic and cultural landscapes are protected	The planning proposal does not propose to amend the provisions that apply in the ‘Park Edge Highly Sensitive’ area on the western edge of the City Centre adjacent to the World Heritage listed Old Government House and Domain. This planning proposal includes a provision to conserve the existing controls that apply to this land consistent with the 2015 Conservation Agreement between the Commonwealth, State Government and Council that governs development within this area.
	<b>O30:</b> Urban tree canopy cover is increased	The planning proposal is consistent with the Environmental Sustainability Strategy 2017 which aims to protect and enhance the health of Parramatta’s unique natural ecosystem. An example of this is the proposed naturalisation of the section of Clay Cliff Creek north of Dixon Street that is currently a stormwater channel.
	<b>O31:</b> Public open space is accessible, protected and enhanced	City of Parramatta’s Disability Inclusion Action Plan outlines directions for the provision of accessible and inclusive public open space. Additionally, Parramatta’s Environmental Sustainability Strategy aims to protect, enhance and increase parks and green spaces.  The planning proposal is consistent with the objectives outlined in Parramatta’s <i>Disability Inclusion Action Plan</i> and <i>Environmental Sustainability Strategy</i> . It does not propose to rezone any land currently zoned RE1 Public Recreation.

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		<p>The planning proposal includes a sun access protection control ensuring future development must not result in additional overshadowing in mid-winter between 12 midday and 2pm to the Parramatta River Foreshore, Prince Alfred Square, Lancer Barracks and Jubilee Park.</p> <p>The planning proposal is consistent with the <i>Civic Link Framework Plan</i>. Parramatta's Civic Link will support sustainability in the CBD, creating an open green pedestrian corridor for cooling, stormwater management and infrastructure needs.</p> <p>The planning proposal proposes clause 7.4 Sun access protection which seeks to protect solar access to Prince Alfred Square, Parramatta River Foreshore, Jubilee Park and Parramatta Square during key winter midday hours. This clause is underpinned by the <i>Overshadowing Analysis</i> (June and September 2019).</p>
	<p><b>O32:</b> The Green grid links Parks, open spaces, bushland and walking and cycling paths</p>	<p>The planning proposal is consistent with the City's <i>Parramatta Ways – implementing Sydney's Green Grid</i>.</p> <p>The plan aims to improve walkability across Parramatta, with a focus on Parramatta's street network, local corridors and footpaths that provide access to open space, schools, transport options, community facilities and shops. Additionally, the plan intends to increase urban greenery, recreation and local centre amenity.</p>
<p><b>An efficient city</b></p>	<p><b>O33:</b> A low-carbon city contributes to net-zero emissions by 2050 and mitigates climate change</p>	<p>The planning proposal contains a high performing buildings bonus clause which aims to deliver:</p> <ul style="list-style-type: none"> <li>• In the case of residential development, higher energy and water targets than the base case BASIX targets; and</li> <li>• In the case of office development over 1,250 square metres, higher energy and water targets.</li> </ul> <p>Consistent with Action A4 in <i>the Parramatta CBD Planning Strategy</i>, work undertaken by Kinesis in 2016 and further work undertaken in 2019 (refer to Appendix 3) provides the planning evidence for these proposed controls.</p>
	<p><b>O34:</b> Energy and water flows are captured, used and re-used</p>	<p>The planning proposal is consistent with the <i>Environmental Sustainability Strategy 2017</i> to build for the future considering energy and carbon, water use and waste and litter.</p> <p>A key issue of this planning proposal is the management of the increased demand for electricity, gas, water and sewer services.</p> <p>To build Parramatta CBD's resilience, this planning proposal recommends controls to future proof new buildings and create high performing buildings that deliver more sustainable outcomes.</p> <p>The planning proposal is also consistent with the City's design excellence/competition framework, the process of which includes an</p>

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		assessment of a design against sustainability performance measures.
<b>A resilient city</b>	<b>O36:</b> People and places adapt to climate change and future shocks and stresses	<p>The planning proposal is consistent with the <i>Environmental Sustainability Strategy 2017</i> goal to improve liveability by cooling the city and protecting people and communities from heat stress. The plan highlights the need for the future design of Parramatta to adapt to the impacts of climate change through sustainable design. This planning proposal includes a new LEP control that enables certain large-scale office and retail development and mixed use development to minimise energy and water consumption (clause 7.6 High Performing buildings).</p> <p>The planning proposal has included an Update of the Flood Risk Management Plans that affect the Parramatta CBD. The conclusion from the report is that the risks to life and property from flooding of Parramatta River catchment are considered to be tolerable provided amendments are made to the LEP and DCP to better manage some of the risks of flooding to life. This planning proposal includes a new LEP control to provide for shelter above the PMF and building access at or above the 1% AEP flood level.</p> <p>This includes seeking approval from the Minister for the Environment for a new flood planning LEP clause for properties where evacuation is compromised.</p> <p>See also response above at <b>O34</b>.</p>
	<b>O37:</b> Exposure to natural and urban hazards is reduced	
	<b>O38:</b> Heatwaves and extreme heat are managed	

**Implementation**

The table below assesses the planning proposal's consistency with the relevant Implementation Directions in the *Greater Sydney Region Plan*.

**Table 11** – Consistency of planning proposal with relevant GSRP Actions – Implementation

<b>Implementation Direction</b>	<b>Relevant Objective</b>	<b>Comment</b>
<b>Implementation</b>	<b>O39:</b> A collaborative approach to city planning	<p>This planning proposal aims to promote orderly development that aligns with Local, District and regional planning frameworks.</p> <p>The planning proposal will ensure a collaborative approach to city planning is achieved through consultation with state agencies, the DPIE and the Greater Sydney Commission. Additionally, the planning proposal will be placed on public exhibition for community consultation and feedback.</p> <p>The planning proposal supports the objectives of Parramatta's Community Engagement Strategy. This strategy is consistent with the Greater Sydney Region Plan and outlines a collaborative approach with the community throughout planning, design, development and management.</p>

**Central City District Plan**

PLANNING PROPOSAL – Parramatta CBD

In March 2018, the NSW Government released *Central City District Plan* which outlines a 20 year plan for the Central City District which comprises The Hills, Blacktown, Cumberland and City of Parramatta local government areas.

Taking its lead from the GSRP, the *Central City District Plan* (“CCDP”) is also structured under four themes relating to Infrastructure and Collaboration, Liveability, Productivity and Sustainability. Within these themes are Planning Priorities which are each supported by a series of Policy Directions and Actions. Those Planning Priorities and Actions relevant to this planning proposal are discussed in the tables below.

**Infrastructure and Collaboration**

The table below assesses the planning proposal’s consistency with the relevant Infrastructure and Collaboration Priorities and Actions in the *Central City District Plan*.

**Table 12** – Consistency of planning proposal with relevant CCDP Actions – Infrastructure and Collaboration

Infrastructure and Collaboration Direction	Planning Priority/Action	Comment
<p><b>A city supported by infrastructure</b></p> <p><b>O1:</b> Infrastructure supports the three cities</p> <p><b>O2:</b> Infrastructure aligns with forecast growth – growth infrastructure compact</p> <p><b>O3:</b> Infrastructure adapts to meet future need</p> <p><b>O4:</b> Infrastructure use is optimised</p>	<p><b>PP C1: Planning for a city supported by infrastructure</b></p> <ul style="list-style-type: none"> <li>• <b>A1:</b> Prioritise infrastructure investments to support the vision of <i>A metropolis of three cities</i></li> <li>• <b>A2:</b> Sequence growth across the three cities to promote north-south and east-west connections</li> <li>• <b>A3:</b> Align forecast growth with infrastructure</li> <li>• <b>A4:</b> Sequence infrastructure provision using a place based approach</li> <li>• <b>A5:</b> Consider the adaptability of infrastructure and its potential shared use when preparing infrastructure strategies and plans</li> <li>• <b>A6:</b> Maximise the utility of existing infrastructure assets and consider strategies to influence behaviour changes to reduce the demand for new infrastructure, supporting the development of adaptive and flexible regulations to allow decentralised utilities</li> </ul>	<p>Refer to the responses against the GSRP above, at O1 to O4, in Table 6.</p>

**Liveability**

The table below assesses the planning proposal’s consistency with the relevant Liveability Priorities and Actions in the *Central City District Plan*.

**Table 13** – Consistency of planning proposal with relevant CCDP Actions – Liveability

Liveability Direction	Planning Priority/Action	Comment
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<p><b>A city for people</b></p> <p><b>O6:</b> Services and infrastructure meet communities' changing needs</p>	<p><b>PP C3: Provide services and social infrastructure to meet people's changing needs</b></p> <ul style="list-style-type: none"> <li>• <b>A8:</b> Deliver social infrastructure that reflects the needs of the community now and in the future</li> <li>• <b>A9:</b> Optimise the use of available public land for social infrastructure</li> </ul>	<p>The planning proposal is consistent with the <i>draft Community Infrastructure Strategy 2019</i>, which outlines social infrastructure required to meet the needs of Parramatta's current and future community.</p> <p>The planning proposal is consistent with the objectives outlined in the <i>Disability Inclusion Action Plan</i>. This plan seeks to address the barriers to accessibility and inclusion whilst supporting the vision of Sydney's sustainable, liveable and productive Central City.</p>
<p><b>O7:</b> Communities are healthy, resilient and socially connected</p> <p><b>O8:</b> Greater Sydney's communities are culturally rich with diverse neighbourhoods</p> <p><b>O9:</b> Greater Sydney celebrates the arts and supports creative industries and innovation</p>	<p><b>PP C4: Working through collaboration</b></p> <ul style="list-style-type: none"> <li>• <b>A10:</b> Deliver healthy, safe and inclusive places for people of all ages and abilities that support active, resilient and socially connected communities by (a-d).</li> <li>• <b>A11:</b> Incorporate cultural and linguistic diversity in strategic planning and engagement.</li> <li>• <b>A12:</b> Consider the local infrastructure implications of areas that accommodate large migrant and refugee populations.</li> <li>• <b>A13:</b> Strengthen the economic self-determination of Aboriginal communities by engagement and consultation with Local Aboriginal Land Councils.</li> <li>• <b>A14:</b> Facilitate opportunities for creative and artistic expression and participation, wherever feasible with a minimum regulatory burden including (a-c).</li> <li>• <b>A15:</b> Strengthen social connections within and between communities through better understanding of the nature of social networks and supporting infrastructure in local places</li> </ul>	<p>The planning proposal is consistent with Parramatta's <i>Civic Link Framework Plan</i>. Parramatta's Civic Link will support liveability in the CBD, creating an inclusive, permeable, open green corridor for people of all ages to support an active, resilient and socially connected CBD between Parramatta Square and River Square. The CBD PP includes an Active Frontages Map and the intended alignment of the link is shown supported by active frontages.</p> <p>To support the provision of active, resilient and socially connected communities, the planning proposal is consistent with the objectives of Parramatta Ways Walking Strategy. The strategy aims to increase Parramatta's transport options, urban greenery, recreation and local amenity. The CBD PP is consistent with this Strategy as it protects existing open spaces and includes in the southern part of the CBD new streets, lanes, and open spaces.</p> <p>The planning proposal is consistent with the objectives outlined in <i>Culture and Our City: A Cultural Plan for Parramatta's CBD 2017-2022</i>.</p> <p>The planning proposal expands the CBD boundary and increases the amount of commercial-only floorspace which will strengthen employment which will significantly increase the population within the CBD. This growth population, as well as the population from the surrounding district will create a demand for arts and cultural services and facilities within the CBD as espoused in the City's Cultural Plan.</p>

## PLANNING PROPOSAL – Parramatta CBD

		See also responses against the GSRP above, at <b>O7</b> to <b>O9</b> , in Table 7..
<b>Housing the city</b> <b>O10:</b> Greater housing supply <b>O11:</b> Housing is more diverse and affordable	<b>PP C5: Providing housing supply, choice and affordability, with access to jobs, services and public transport</b> <ul style="list-style-type: none"> <li>• <b>A16:</b> Prepare local or district housing strategies that address housing targets [abridged version]</li> <li>• <b>A17:</b> Prepare Affordable Rental housing Target Schemes</li> </ul>	<p>The planning proposal increases the housing opportunities within the B4 Mixed Use and R4 High Density Residential Zone by increasing FSRs.</p> <p>The planning proposal is consistent with the priorities and actions outlined in the Council endorsed Draft Local Strategic Planning Statement and the Draft Local Housing Strategy (August 2019).</p> <p>See also the discussion in Section 3.2.2.</p>
<b>A city of great places</b> <b>O12:</b> Great places that bring people together <b>O13:</b> Environmental heritage is identified, conserved and enhanced	<b>PP C6: Creating and renewing great places and local centres, and respecting the District's heritage</b> <ul style="list-style-type: none"> <li>• <b>A18:</b> Using a place-based and collaborative approach throughout planning, design, development and management deliver great places by (a-e)</li> <li>• <b>A19:</b> Identify, conserve and enhance environmental heritage by (a-c)</li> <li>• <b>A20:</b> Use place-based planning to support the role of centres as a focus for connected neighbourhoods</li> <li>• <b>A21:</b> In Collaboration Areas, Planned Precincts and planning for centres (a-d)</li> <li>• <b>A22:</b> Use flexible and innovative approaches to revitalise high streets in decline.</li> </ul>	<p>The planning proposal aims to protect and enhance the heritage values of Parramatta's local, state, national and world significant European and Aboriginal heritage items, conservation areas, places and views whilst providing for urban intensification and integration of new development in the CBD.</p> <p>An additional clause is proposed, "Managing heritage impacts" to ensure development demonstrates an appropriate relationship to heritage items and heritage conservation areas that responds positively to heritage fabric, the street and the wider area.</p> <p>The planning proposal is also consistent with the Parramatta CBD Civic Link Strategy, the Parramatta City River Strategy, the Parramatta Square redevelopment – all strategies to accommodate the growth and liveability of the Parramatta CBD.</p> <p>See also responses against the GSRP above, at <b>O12</b> and <b>O13</b>, in Table 7.</p>

**Productivity**

The table below assesses the planning proposal's consistency with the relevant Productivity Priorities and Actions in the *Central City District Plan*.

**Table 14 –** Consistency of planning proposal with relevant CCDP Actions – Productivity

Productivity Direction	Planning Priority/Action	Comment
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<p><b>A well-connected city</b>  <b>O19:</b> Greater Parramatta is stronger and better connected</p>	<p><b>PP C7: Growing a stronger and more competitive Greater Parramatta</b></p> <ul style="list-style-type: none"> <li>• <b>A23:</b> Strengthen the economic competitiveness of Greater Parramatta and grow its vibrancy [abridged]</li> <li>• <b>A25:</b> Support the emergency services transport, including helicopter access</li> <li>• <b>A26:</b> Prioritise infrastructure investment [abridged]</li> <li>• <b>A27:</b> Manage car parking and identify smart traffic management strategies</li> </ul>	<p>This planning proposal increases the commercial opportunities to strengthen Parramatta CBD as Sydney’s Central City by expanding the B3 Commercial Core zone; introducing unlimited floor space ratio for office uses in the B3 zone (for sites over 1800sqm) and bonus commercial uses FSR in certain part of the B4 zone; and having an FSR sliding scale to encourage site amalgamation. Furthermore, the planning proposal balances residential and commercial development to promote vibrancy and social opportunity within Parramatta CBD.</p> <p>The planning proposal is consistent with the vision for a well-connected city. Council resolved to introduce lower parking rates to encourage the use of other modes of transport in the CBD and in response to the Strategic Transport Study (refer to Appendix13).</p> <p>Refer also to responses against the GSRP above, at <b>O19</b> in Table 8.</p>
<p><b>Jobs and skills for the city</b>  <b>O15:</b> The Eastern, GOP and Western Economic Corridors are better connected and more competitive</p>	<p><b>PP C8: Delivering a more connected and competitive GOP Economic Corridor</b></p> <ul style="list-style-type: none"> <li>• <b>A29:</b> Prioritise public transport investment to deliver the 30-minute city objective for strategic centres along the GOP Economic Corridor</li> <li>• <b>A30:</b> Prioritise transport investments that enhance access to the GOP between centres within GOP</li> </ul>	<p>The planning proposal is consistent with the GOP vision as it aims to strengthen Parramatta CBD’s role in the GOP corridor as a connected and competitive CBD for Greater Sydney.</p> <p>The planning proposal outlines a minimum 1:1 FSR requirement for commercial uses in parts of the B4 zone near the B3 zone. This requirement will enhance the vibrancy and viability of retail and service jobs in the CBD.</p> <p>The planning proposal also relies on the State Government delivering critical transport infrastructure such as the Parramatta Light Rail (Stages 1 and 2) and the Sydney Metro West projects.</p> <p>Refer also to responses against the GSRP above, at <b>O15</b> in Table 8.</p>
<p><b>O14:</b> A Metropolis Of Three Cities – integrated land use and transport creates walkable and 30-minute cities.</p>	<p><b>PP C9: Delivering integrated land use and transport planning and a 30-minute city</b></p> <ul style="list-style-type: none"> <li>• <b>A32:</b> Integrate land use and transport plans to deliver a 30-minute city</li> <li>• <b>A33:</b> Investigate, plan and protect future transport and infrastructure corridors</li> </ul>	<p>To achieve the delivery of an accessible 30-minute city, the planning proposal is supported by strategies including Parramatta Bike Plan and Parramatta Ways Walking Strategy. The CBD PP is consistent with this Strategy as it protects existing open spaces and includes in the southern part of the</p>

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	<ul style="list-style-type: none"> <li>• <b>A34:</b> Support innovative approaches to the operation of business, educational and institutional establishments to improve the performance of the transport network</li> <li>• <b>A35:</b> Optimise the efficiency and effectiveness of the freight handling and logistics network by (a-d)</li> </ul>	<p>CBD new streets, lanes, and open spaces.</p> <p>The planning proposal is also supported by the Parramatta CBD Pedestrian Strategy and the <i>Strategic Transport Study</i> with technical traffic analysis supporting the reduced parking rates proposed in the planning proposal (refer to Appendix13).</p> <p>Additionally, the planning proposal relies on State Government investment in infrastructure as noted above.</p> <p>Refer also to responses against the GSRP above, at <b>O14</b> in Table 8.</p>
<b>O22:</b> Investment and business activity in centres.	<p><b>PP C10: Growing investment, business opportunities and jobs in strategic centres</b></p> <ul style="list-style-type: none"> <li>• <b>A37:</b> Provide access to jobs, goods and services in centres [abridged]</li> <li>• <b>A38:</b> Create new centres in accordance with the principles for Greater Sydney's centres</li> <li>• <b>A39:</b> Prioritise strategic land use and infrastructure plans for growing centres, particularly those with capacity for additional floorspace</li> </ul>	<p>The Planning Proposal aims to strengthen the economic function of Parramatta as Greater Sydney's Central City.</p> <p>The planning proposal maintains the prohibition of residential uses in the B3 Commercial Core to protect employment uses, whilst the B4 mixed use zoning aims to support residential uses and services near the CBD core.</p> <p>Furthermore, the Parramatta CBD Planning Proposal has identified areas that can accommodate additional retail floor space which will encourage investment into the CBD.</p> <p>Refer also to responses against the GSRP above, at <b>O23</b> in Table 8.</p>
<b>O23:</b> Industrial and urban services land is planned, retained and managed	<p><b>PP C11: Maximising opportunities to attract advanced manufacturing and innovation in industrial and urban services land</b></p> <ul style="list-style-type: none"> <li>• <b>A49:</b> Review and manage industrial and urban service land, in line with the principles for managing industrial and urban services land, in the identified local government area</li> <li>• <b>A51:</b> Facilitate the contemporary adaption of industrial and warehouse buildings through increased floor to ceiling heights</li> <li>• <b>A52:</b> Manage the interfaces of industrial areas, trade gateways and intermodal facilities by land use activities (a-e) and transport operations (f-g) [abridged]</li> </ul>	<p>The planning proposal aims to strengthen the economic function of Parramatta as Greater Sydney's Central City. It complements the analysis with the Employment Lands Strategy (2017) and its update, the Employment Lands Review and Update (2019) which is a component of the Draft LSPS.</p> <p>See responses against the GSRP above in <b>O22</b> and <b>O23</b> in Table 8.</p>
<b>O24:</b> Economic sectors are targeted for success	<p><b>PP C12: Supporting growth of targeted industry sectors</b></p> <ul style="list-style-type: none"> <li>• <b>A53:</b> Facilitate health and education precincts by (a-d) [abridged]</li> <li>• <b>A54:</b> Provide a regulatory environment that enables economic</li> </ul>	<p>The planning proposal aims to continue developing Parramatta as a Smart City, consistent with the Smart City Masterplan 2015 and the vision in the Draft Local Strategic Planning Statement.</p>

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	<p>opportunities created by changing technologies</p> <ul style="list-style-type: none"> <li>• <b>A55:</b> Consider the barriers to the growth of internationally competitive trade sectors, including engaging with industry and assessing regulatory barriers</li> </ul>	<p>The planning proposal also complements the planning work being undertaken for the Westmead Health and Education Precinct. Also, the Parramatta Square redevelopment and Civic Link support economic growth.</p> <p>The planning proposal's ability to support targeted industry sectors is also reliant on the State Government delivering critical State infrastructure such as the Museum of Applied Arts and Sciences (MAAS), Parramatta Light Rail (Stages 1 and 2) and the Sydney Metro West.</p> <p>Refer also to responses against the GSRP at <b>O24</b> in Table 8.</p>
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**Sustainability**

The table below assesses the planning proposal's consistency with the relevant Sustainability Priorities and Actions in the *Central City District Plan*.

**Table 15 –** Consistency of planning proposal with relevant CCDP Actions – Sustainability

Sustainability Direction	Planning Priority/Action	Comment
<p><b>A city in its landscape</b> <b>O25:</b> ... waterways are protected and healthier</p>	<p><b>PP C13: Protecting and improving the health and enjoyment of the District's Waterways</b></p> <ul style="list-style-type: none"> <li>• <b>A60:</b> Protect environmentally sensitive areas of waterways</li> <li>• <b>A61:</b> Enhance sustainability and liveability by improving and managing access to waterways and foreshores for recreation, tourism, cultural events and water based transport</li> <li>• <b>A62:</b> Improve the health of catchments and waterways through a risk based approach to managing the cumulative impacts of development including coordinated monitoring of outcomes</li> <li>• <b>A63:</b> Work towards reinstating more natural conditions in highly modified urban waterways</li> </ul>	<p>The planning proposal is consistent with the Environmental Sustainability Strategy 2017 which aims to protect and enhance the health of Parramatta's unique natural ecosystem. It does not propose to rezone any land currently zoned RE1 Public Recreation.</p> <p>See responses against the GSRP above in <b>O25, O27, O28 and O30</b> in Table 9.</p>
<p><b>O26:</b> ... waterways are protected and healthier <b>O27:</b> Biodiversity is protected, urban bushland and remnant vegetation is enhanced <b>O28:</b> Scenic and cultural landscapes are protected</p>	<p><b>PP C15: Protecting and enhancing bushland, biodiversity and scenic and cultural landscapes</b></p> <ul style="list-style-type: none"> <li>• <b>A65:</b> Protect and enhance biodiversity by (a-c) [abridged]</li> <li>• <b>A66:</b> Identify and protect scenic and cultural landscapes</li> <li>• <b>A67:</b> Enhance and protect views of scenic and cultural landscapes from the public realm</li> </ul>	<p>City of Parramatta's Disability Inclusion Action Plan outlines directions for the provision of accessible and inclusive public open space.</p> <p>Additionally, Parramatta's <i>Environmental Sustainability Strategy</i> aims to protect, enhance and increase parks and green spaces.</p> <p>The planning proposal is consistent with the objectives outlined in Parramatta's <i>Disability Inclusion Action Plan and Environmental Sustainability Strategy</i>. It does not propose to</p>

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		<p>rezone any land currently zoned RE1 Public Recreation.</p> <p>The planning proposal includes a sun access protection control ensuring future development must not result in additional overshadowing in mid-winter between 12 midday and 2pm to the Parramatta Square, Parramatta River Foreshore, Prince Alfred Square, Lancer Barracks and Jubilee Park.</p> <p>The planning proposal is consistent with the <i>Civic Link Framework Plan</i>. Parramatta's Civic Link will support sustainability in the CBD, creating an open green corridor for cooling, stormwater management and infrastructure needs. The CBD PP includes an Active Frontages Map and the intended alignment of the link is shown supported by active frontages.</p> <p>See responses against the GSRP above in <b>O25, O27, O28 and O30</b> in Table 9.</p>
<p><b>O30:</b> Urban tree canopy cover is increased</p> <p><b>O32:</b> The Green grid links Parks, open spaces, bushland and walking and cycling paths</p>	<p><b>PP C16: PP C16: Increasing urban tree canopy cover and delivering Green grid connections</b></p> <ul style="list-style-type: none"> <li>• <b>A68:</b> Expand urban tree canopy in the public realm</li> <li>• <b>A69:</b> progressively refine the detailed design and delivery of (a-c) [abridged]</li> <li>• <b>A70:</b> Create Greater Sydney green Grid connections to the Western Sydney Parklands</li> </ul>	<p>The planning proposal is consistent with <i>Parramatta Ways Walking Strategy</i>. This strategy aims to deliver Parramatta's green grid connections and improve walkability and accessibility across the CBD and wider LGA.</p> <p>Furthermore, this strategy also aims to increase urban tree canopy cover to improve the quality of Parramatta's streetscapes, open space and river corridors.</p> <p>The CBD PP is consistent with this Strategy as it protects existing open spaces and includes in the southern part of the CBD new streets, lanes, and open spaces. The new open spaces are located along the Clay Cliff Creek network and will provide green connections between Ollie Webb Reserve and Jubilee Park. The Infrastructure Strategy to be prepared to support the CBD PP will likely include green links, new open spaces and walking infrastructure to support connections within and though the CBD.</p>

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<p><b>O31:</b> Public open space is accessible, protected and enhanced</p>	<p><b>PP C17: Delivering high quality open space</b></p> <ul style="list-style-type: none"> <li>• <b>A71:</b> Maximise the use of existing open space and protect, enhance and expand public open space by (a-g) [abridged]</li> </ul>	<p>Refer to the response against the GSRP at <b>O31</b> above, in Table 9.</p>
<p><b>An efficient city</b></p> <p><b>O33:</b> A low-carbon city contributes to net-zero emissions by 2050 and mitigates climate change</p> <p><b>O34:</b> Energy and water flows are captured, used and re-used</p>	<p><b>PP C19: Reducing carbon emissions and managing energy, water and waste efficiently</b></p> <ul style="list-style-type: none"> <li>• <b>A75:</b> Support initiatives that contribute to the aspirational objectives of achieving net-zero emissions by 2050</li> <li>• <b>A76:</b> Support precinct-based initiatives to increase renewable energy generation and energy and water efficiency</li> <li>• <b>A77:</b> Protect existing and identify new locations for waste recycling and management</li> <li>• <b>A78:</b> Support innovative solutions to reduce the volume of waste and reduce waste transport requirements</li> <li>• <b>A79:</b> Encourage the preparation of low carbon, high efficiency strategies to reduce emissions, optimise the use of water, reduce waste and optimising car parking provisions where an increase in total floor in 100,000sqm</li> </ul>	<p>Refer to the responses against the GSRP at <b>O33</b> and <b>O34</b> above, in Table 9.</p>
<p><b>O36:</b> People and places adapt to climate change and future shocks and stresses</p> <p><b>O37:</b> Exposure to natural and urban hazards is reduced</p> <p><b>O38:</b> Heatwaves and extreme heat are managed</p>	<p><b>PP C20: Adapting to the impacts of urban and natural hazards and climate change</b></p> <ul style="list-style-type: none"> <li>• <b>A81:</b> Support initiatives that respond to the impacts of climate change</li> <li>• <b>A82:</b> Avoid locating new urban development in areas exposed to natural and urban hazards and consider options to limit the intensification of development in existing areas most exposed to hazards</li> <li>• <b>A83:</b> Mitigate the urban heat island effect and reduce the vulnerability to extreme heat</li> <li>• <b>A85:</b> Consider strategies and measures to manage flash flooding and safe evacuation when planning for growth in Parramatta CBD</li> </ul>	<p>Refer to the responses against the GSRP at <b>O36</b> and <b>O37</b> and <b>O38</b>, in Table 9. Furthermore, to manage flash flood and safe evacuations in the Parramatta CBD, refer the response against the GSRP at <b>O38</b> in Table 9.</p>

### 3.2.2 Is the planning proposal consistent with the local Council's Community Strategic Plan or other local strategic plan?

The following local strategic planning documents are relevant to the planning proposal.

#### Parramatta CBD Planning Strategy

The *Parramatta CBD Planning Strategy* (2015) established Council's future vision for the CBD and identified actions Council is pursuing to prepare a planning proposal to implement new controls seeking to achieve this vision. The Strategy was informed by high level

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strategic analysis prepared by urban design consultants, Architectus, in 2014 which was informed by an economic analysis prepared by SGS Planning and Economics. The overarching purpose of this work was to identify how Council could develop and implement a planning framework to create a world class city. The Architectus and SGS work, together with separate urban design and economic studies for the Auto Alley precinct and the River Strategy were endorsed for community consultation.

The *Parramatta City Centre Planning Framework Study* (Architectus 2014) and the *Draft Auto Alley Planning Framework Study* were publically exhibited in 2014 and following consideration of stakeholder feedback arising from the exhibition, were integrated by Council into the *Parramatta CBD Planning Strategy* (the Strategy). The Strategy was adopted by Council on 27 April 2015.

The vision identified in the Strategy is that,

*Parramatta will be Australia’s next great city, defined by landmark buildings and high quality public spaces with strong connections to regional transport. It will respect its heritage, be an exemplar in design excellence, facilitate job growth and ensure its streets are well activated.*

The principles identified in the Strategy to achieve this vision are:

P1	Achieve world's best practice in the planning and development of cities.
P2	Achieve a strategic balance of land uses.
P3	Create an attractive and distinctive city skyline, defined by tall, slender towers.
P4	Create a liveable, active and highly desirable city.
P5	Promote economic diversity, prosperity and jobs growth.
P6	Improve the quality of urban design and the public domain.
P7	Achieve design excellence.
P8	Celebrate heritage and the natural environment.
P9	Facilitate the delivery of infrastructure to support Parramatta's growth.
P10	Improve access to the regional transport network.

This Planning Proposal is considered to generally meet the vision and principles in the Strategy by:

- Incorporating a floor space ratio control to provide developer certainty and achieve design quality, while also providing a mechanism for development to include community infrastructure (P1).
- Maintaining and expanding the commercial core for non-residential uses and providing for additional residential capacity in adjacent mixed use zones (P2).
- Providing a floor space ratio control that promotes the creation of tall, slender towers for the City Centre Core, and in the expanded commercial core zone along Church Street in the Auto Alley Precinct (P3).
- Identifies streets and public spaces where active frontages at ground level are appropriate and provides for additional density within the CBD to enable people to live and work in a place that has good public transport facilities and access to services and shops and high quality recreation spaces (P4).
- Expanding the commercial core zone for non-residential uses and providing for additional capacity within this zone to enable greater employment opportunities to be



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provided that will contribute to the long term success of the Parramatta CBD and support the vision of Parramatta becoming Australia's next great city (P5).

- Protecting solar access to key public spaces to create an attractive and inviting public domain and identifying community infrastructure needed to support the workers and residents (P6).
- Amending the design excellence requirements to capture more developments required to go through an architectural design competition, including sites adjacent to heritage items (P7).
- Retaining the existing heritage provisions and reducing FSRs adjacent to national and state heritage items that are within a landscape setting to ensure the protection of heritage (P8).
- Identifying infrastructure requirements to support the population and providing a mechanism for development to include community infrastructure (P9).
- Undertaking a Strategic Transport Study that will review the existing transport network and the required improvements to support the expected increase in population (P10).

#### **Parramatta Community Strategic Plan 2018-2038: Buttbutt Yura Barra Ngurra**

The *Community Strategic Plan 2018-2038: Buttbutt Yura Barra Ngurra* (CSP) identifies the City's priorities and aspirations and provides a clear set of strategies to guide policies and decision making for the next 20 years.

The CSP outlines plans to improve 30-minute access to Greater Parramatta by focusing on new transport connections, particularly from the north and south, as well as unlocking capacity on existing road and rail corridors, and supporting renewal and walkability by drawing traffic away from centres. This will increase both Parramatta's and Greater Sydney's ability to connect people with jobs and other opportunities. The increase in development potential and associated provisions in the planning proposal support the identified strategic objectives contained in the CSP.

The planning proposal also pursues the strategies in the CSP including; Improve public transport to and from Parramatta CBD, local centres, neighbourhoods and the Greater Sydney region. The planning proposal also allows for an appropriate mix of residential and commercial/retail uses, which will support the city centre and urban revitalisation. The planning proposal will also allow for the concentration of housing around transport nodes and contribute towards dwelling targets for the City of Parramatta local government area. A copy of the CSP can be accessed via

<https://www.cityofparramatta.nsw.gov.au/council/key-council-documents/community-strategic-plan>

#### **Parramatta Smart City Masterplan July 2015**

The Parramatta Smart City Masterplan 2015 is closely aligned to the strategic objectives in the Parramatta Community Strategic Plan. The need for a Smart City Masterplan was identified in Council's Corporate Plan. The Smart City vision is Parramatta will be a Smart City that leverages the foundations of good urban planning, transparent governance, open data and enabling technologies that will underpin our position as a vibrant, people centric, connected and economically prosperous city.

Parramatta's mission as a Smart City is that:

- Parramatta will be a highly liveable, technologically enabled, active and desirable place to live, work and visit as Australia's next great city.

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- Parramatta will develop an environment that encourages and leverages the synergies between centres of excellence in research, technology, education, health, enterprise and creativity.
- Parramatta will plan for outcomes that drive economic competitiveness, improve safety, enhance mobility, improves environmental sustainability, enriches social and community connections, embraces cultural diversity and celebrates our heritage.

The Smart City Masterplan identifies ten guiding principles which support Parramatta's mission, and will be used to assess any initiative that is put forward to test its consistency with the overarching Smart City Vision.

The CBD Planning Proposal is generally consistent with the guiding principles of the Smart City Masterplan. The CBD Planning Proposal will help Parramatta CBD to become a centre of excellence through high-quality planning and sustainability outcomes that promote liveability, and contribute to the overall economic prosperity of the city. A copy of the CSP can be accessed via <https://www.cityofparramatta.nsw.gov.au/council/smart-city>

### Parramatta City River Strategy

City of Parramatta Council has prepared the Parramatta City River Strategy. The strategy is a public domain project for revitalising the foreshore of the Parramatta River between Gasworks Bridge and the bridge at O'Connell Street. It aims to improve connections between the river and the city, activation of public and private spaces and create more recreational opportunities for city residents, workers and visitors.

This planning proposal is consistent with the Parramatta City River Strategy in that the floor space ratios will enable the delivery of building forms generally consistent with the indicative forms shown in the Strategy. The active frontage clause within the planning proposal, which applies, to the river foreshore between Charles Street Weir and Smith Street, is consistent with the Parramatta City River Strategy in that uses that attract pedestrian traffic along the river foreshore are promoted. Future DCP amendments and an Infrastructure Strategy will also support the Parramatta City River Strategy. A copy of the CSP can be accessed via <https://www.cityofparramatta.nsw.gov.au/council/precinct-planning/parramatta-cbd/city-river-foreshore>

### Parramatta Cultural Plan

The City's Culture and Our City: A Cultural Plan for Parramatta's CBD 2017-2022 supports the State Government's District Plan which identifies Parramatta as an area where arts and cultural opportunities can expand. The District Plan considers the relocation of the Powerhouse Museum (Museum of Applied Arts and Sciences) as a catalyst for increased opportunities and enhanced arts and culture. *Create in NSW*, the NSW Arts and Cultural Policy Framework, outlines the plan to create a Parramatta Cultural Precinct in partnership with the City of Parramatta, private sector partners, Western Sydney arts and cultural organisations and local artists.

The planning proposal expands the CBD boundary and increases the amount of commercial-only floorspace which will strengthen employment (approximately 50,200 jobs over 40 years – 2016-2056). The proposed height and FSR controls enable a significant increase in housing (approximately 15,900 apartments over 40 years – 2016-2056) which will significantly increase the population within the CBD. This growth population, as well as the population from the surrounding district will create a demand for arts and cultural services and facilities within the CBD as espoused in the City's *Cultural Plan*.

The City of Parramatta has prepared its draft Local Housing Strategy (LHS), which at the time of preparing this revised planning proposal had commenced public exhibition.

## PLANNING PROPOSAL – Parramatta CBD

Developed in accordance with the liveability, productivity and sustainability strategic priorities of the Central District Plan, the draft LHS provides direction at the local level about when and where future housing growth will be located and actions for implementation and delivery. The draft LHS has identified that Council is meeting its 2021 dwelling targets, but will also exceed its 2036 dwelling targets. The draft LHS and has helped to inform the preparation of Council's Local Strategic Planning Statement (discussed further below). A copy of the CSP can be accessed via <https://www.cityofparramatta.nsw.gov.au/council/key-council-documents/other-council-plans-and-strategies>

**Draft Local Housing Strategy**

The City has prepared its Draft Local Housing Strategy (LHS) to support and inform the Draft Local Strategic Planning Statement (LSPS) which, at the time of preparing this revised planning proposal, had commenced public exhibition.

Key objectives of the LHS include the following:

- Housing delivery that complements the economic significance of the city
- Housing affordability and place-based outcomes that meet the needs of residents
- Additional housing is sequenced with existing transport and capacity improvements
- Community infrastructure is adequately funded and delivered with new housing
- Local mechanisms improve built form environmental performance and reduce urban heat impacts

The continual preparation and approval of the draft CBD Planning Proposal is identified throughout several actions within the draft LHS, required to implement the draft strategy and meet its key objectives. In this regard, the CBD PP is considered to be generally consistent with the draft LHS as it will facilitate future housing growth of Parramatta, guided by a framework which seeks to promote the economic significance of the city, quality planning, urban design and environmental outcomes, and housing concentration in locations that leverages from existing connectivity, and future transport infrastructure. A copy of the Draft LHS can be accessed via <https://oursay.org/cityofparramatta/draftlsp>

**Draft Local Strategic Planning Statement**

The City has prepared its Draft Local Strategic Planning Statement (LSPS) and the Draft Local Housing Strategy (LHS) which, at the time of preparing this revised planning proposal, had commenced public exhibition.

One of the key roles of the draft LSPS is to provide strategic direction on where housing and jobs should be concentrated within the City of Parramatta. With regards to housing, the Draft LSPS (and its supporting Draft LHS) directs high density within the City's existing growth precincts because growth precincts are serviced by major infrastructure or have major transport infrastructure being planned or rolled out. The Draft LSPS also concentrates job growth within the City's Strategic Centres and CBD where employees can access major transport infrastructure and other high level facilities and services. Because the planning proposal is seeking to amend the planning controls which will bring a substantial increase in dwellings and jobs (15,900 and 50,200 respectively) the planning proposal is consistent with the Draft LSPS. A copy of the Draft LSPS can be accessed via <https://oursay.org/cityofparramatta/draftlsp>

**Draft Community Infrastructure Strategy**

City of Parramatta has prepared the *Draft Community Infrastructure Strategy* (CIS) which, at the time of preparing this revised planning proposal, had commenced public exhibition in conjunction with the Draft LSPS and Draft LHS.

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The Draft CIS outlines the City’s long term direction for community infrastructure provision across the Parramatta LGA. It aims to support the City of Parramatta’s fast-paced growth by identifying priorities for future community infrastructure; and will be used to inform planning, funding, delivering and negotiating for community infrastructure.

The CIS identifies five key considerations for community infrastructure planning in the Parramatta CBD:

1. Meeting demand from a growing community
2. Supporting a diverse community
3. Providing local and metropolitan level community infrastructure
4. Meeting the needs of residents living in high density
5. Fostering equity

Funding Models Study evaluated infrastructure funding options to determine the most appropriate mechanism to fund and / or deliver new infrastructure to meet the demands of anticipated growth in the Parramatta CBD

The CBD Planning Proposal is generally consistent with the guiding principles of *Draft Community Infrastructure Strategy* in that both pieces of work recognise and plan for the changing demographic profile and significant anticipated growth in jobs and dwellings which will place further demands on Council to provide new or augment existing infrastructure. To understand the implications of this, Council has prepared numerous infrastructure funding studies to investigate ways growth can be supported through the planning proposal.

The Parramatta CBD Planning Proposal includes an LEP clause for the provision of community infrastructure where an uplift in development on a site is sought. The provision of community infrastructure funding will be detailed in an Infrastructure Strategy (including Draft Section 7.11/12 Plan and Draft Development Guideline) together with a Works Program. The Works Program will be informed by the community and open space needs for the Parramatta CBD identified in the *draft Community Infrastructure Strategy*.

The CBD Planning Proposal will help meet the demands from a growing community by assisting with the provision of local and metropolitan level community infrastructure to meet the needs of workers, residents and visitors. A copy of the Draft CIS can be accessed via <https://oursay.org/cityofparramatta/draftcis>

**3.2.3 Is the planning proposal consistent with the applicable State Environmental Planning Policies?**

The following State Environmental Planning Policies are of relevance to the site.

**Table 16 – Consistency of planning proposal with relevant SEPPs and REPs**

State Environmental Planning Policies (SEPPs)	Consistency: Yes = ✓ No = x N/A = Not applicable	Comment
<b>SEPP No 1</b> Development Standards <b>SEPP No 6</b> Number of Storeys in a Building <b>SEPP No 22</b> Shops and Commercial Premises	✓	Consistent. This planning proposal does not contain provisions that contradict or would hinder the application of these SEPPs.

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<p><b>SEPP No 32</b> Urban Consolidation (Redevelopment of Urban Land)</p> <p><b>SEPP No 33</b> Hazardous and Offensive Development</p>		
<p><b>SEPP No 55</b> Remediation of Land</p>	✓	<p>Consistent.</p> <p>This planning proposal does not contain provisions that contradict or would hinder the application of this SEPP. Given this industrial history of land uses in the Auto Alley Precinct, it is likely that a number of sites will have some level of contamination. To address this, Council commissioned a Preliminary Site Investigation that recommended that a detailed site investigation be undertaken at the development application stage of the redevelopment of any land within the CBD.</p> <p>In its Gateway Determination Report of November 2018, the DPIE noted it is <i>satisfied that satisfactory measure are in place to provide for the remediation of contaminated land.</i></p>
<p><b>SEPP No 64</b> Advertising and Signage</p>	✓	<p>Consistent.</p> <p>This planning proposal does not contain provisions that contradict or would hinder the application of this SEPP.</p>
<p><b>SEPP No 65</b> Design Quality of Residential Flat Development</p>	✓	<p>Consistent.</p> <p>The provisions sought in this Planning Proposal aim to facilitate design excellence and a high quality built form in the Parramatta CBD. Any future high density mixed use or residential development in the B4 Mixed Use zone will be required to consider SEPP 65's Apartment Design Guide and will be subject to a competitive design process where the proposal triggers the requirements.</p> <p>The planning proposal amends the <i>PLEP 2011</i> provisions relating to a competitive design process applying to tall buildings (over 40 metres) and where an FSR of 3:1 is proposed and adjoins a heritage item in the Parramatta CBD to ensure more buildings are subject to the design excellence process.</p> <p>Furthermore, in order to support the proposed controls, an amendment to the Parramatta Development Control Plan 2011 (DCP) in relation to the Parramatta CBD is required. In accordance with Clause 6A of the SEPP, any proposed requirements or standards contained in the DCP will be consistent with the Apartment Design Guide. It is intended that the Draft DCP will be exhibited at the same time as the planning proposal.</p> <p>Additional urban design testing of built form controls has been undertaken for specific parts of the CBD including potential built form typologies. This testing included the Marion Street Precinct, West Auto Alley Precinct, Church Street Precinct, Opportunity Sites and some areas north of heritage conservation areas. The urban design testing considered SEPP 65 and ADG compliance.</p>

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<p><b>SEPP No 70</b> Affordable Housing (Revised Schemes)</p> <p><b>SEPP</b> (Building Sustainability Index: BASIX) 2004</p> <p><b>SEPP</b> (Housing for Seniors or People with a Disability) 2004</p> <p><b>SEPP</b> (Major Development) 2005</p> <p><b>SEPP</b> (Infrastructure) 2007</p> <p><b>SEPP</b> (Temporary Structures) 2007</p> <p><b>SEPP</b> (Exempt and Complying Development Codes) 2008</p> <p><b>SEPP</b> (Affordable Rental Housing) 2009</p>	✓	<p>Consistent.</p> <p>This planning proposal does not contain provisions that contradict or would hinder the application of these SEPPs</p>
<b>State Regional Environment Plans (REPs) – Deemed SEPPs</b>		<b>Comment</b>
<p><b>Sydney REP</b> (Sydney Harbour Catchment) 2005</p>	✓	<p>Consistent. Parramatta local government area is part of the Sydney Harbour Catchment. This planning proposal is consistent with the planning principles for land within the Foreshore and Waterways Area as it maintains public access to the foreshore and the ferry service by way of zoning (i.e. W2 - Recreational Waterways and RE1 – Public Recreation).</p>

**3.2.4 Is the planning proposal consistent with applicable Ministerial Directions (s.9.1 directions)**

The Minister issues directions for the relevant planning authorities to follow when preparing planning proposals for new LEPs in accordance with Clause 9.1 of the *EP&A Act 1979*. The relevant directions applicable to the planning proposal apply to the following categories:

- Employment and resources
- Environment and heritage
- Housing, infrastructure and urban development
- Hazard and risk
- Housing, Infrastructure and Urban Development
- Local plan making
- Metropolitan planning

The following directions are considered relevant to the subject Planning Proposal.

**Table 17** – Consistency of planning proposal with relevant Section 9.1 Directions

Relevant Direction	Comment	Compliance
<b>1. Employment and Resources</b>		
<p><b>Direction 1.1 – Business and Industrial Zones</b></p> <p>The objectives of this direction are to:</p> <p>a) encourage employment growth in suitable locations,</p>	<p>The planning proposal is consistent with the direction as it retains and enhances the location of existing business zones in the Parramatta CBD, except in the Auto Alley area.</p> <p>The Planning proposal includes controls to rezone land in the Auto Alley area (Church Street South) from B5 Business Development to part B3 Commercial Core and part B4 Mixed Use. The expansion of the B3 Commercial Core to the Auto Alley Precinct supported by B4 Mixed Use land has consistently been part of Council's draft</p>	Consistent

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<p>b) protect employment land in business and industrial zones, and c) support the viability of identified strategic centres.</p>	<p>Planning Framework since 2013. The most recent study <i>Achieving A-Grade Office Space in the Parramatta CBD – Economic Review</i> prepared to support the CBD PP recommends for the Auto Alley Precinct that Council continue to encourage non-residential employment generating land uses in the Auto Alley Precinct as a longer term prospect.</p> <p>Despite the loss of employment land in the Auto Alley area, the planning proposal results in a net increase in total potential floor space area for employment uses from 56.1 ha to 67.3 ha. The proposed and existing provisions that increase the amount commercial floorspace within the city and therefore increase the opportunity for employment growth are:</p> <ul style="list-style-type: none"> <li>- Expansion of the B3 Commercial Core zone</li> <li>- Increase to some FSRs for commercial land</li> <li>- For sites with a land area greater than 1800sqm – a new control permitting unlimited commercial FSR above a minimum 1:1 in the B4 Mixed Use zone; a new control permitting unlimited office FSR within the B3 Commercial Core zone.</li> </ul> <p>It is also worth noting that current provision 7.6 Airspace operations enables a maximum height of up to 243m AHD where CASA approves penetration of the OLS (at 156m AHD).</p> <p>These will result in new employment area and floor space and greater worker density which support the growth of Parramatta as Sydney's Central City as identified in the State Government's, <i>Metropolis of three cities</i> and <i>Central City District Plan</i>.</p> <p>Refer to the draft amending instrument in Appendix2a).</p>	
<p><b>2. Environment and Heritage</b></p>		
<p><b>Direction 2.3 - Heritage Conservation</b></p> <p>The objective of this direction is to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance.</p>	<p>Justifiable non-compliance</p> <p>The planning proposal initially noted it was consistent with the direction as it retains the existing controls in clause 5.10 of <i>PLEP 2011</i> and the key objective of this clause is to conserve the environmental heritage of Parramatta. The planning proposal also does not propose any additional heritage items, or changes to existing heritage conservation areas identified in Schedule 5 – Heritage of the <i>PLEP 2011</i>. A new provision (clause 7.10 (5) (b)) is also proposed to require a design competition process for certain development adjacent to heritage items.</p> <p>In its Gateway Determination Report of December 2018, the DPIE noted this direction requires further resolution and clarification and therefore remain unresolved <i>subject to further consideration after community and public agency consultation has occurred</i>. The DPIE therefore recommend that: <i>OEH, the National Trust of Australia, the Greater Sydney Local Land Services, the NSW Aboriginal Land Council and Deerubbin Local Aboriginal Land Council should all be consulted as part of the LEP plan-making process</i>.</p> <p>The CBD PP has been the subject of a series of heritage studies and subsequent draft LEP controls since 2015, including the Parramatta CBD Heritage Study (2015), Heritage study of interface areas (2017) and most current,</p>	<p>Justifiable non-compliance</p>

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	<p>separate heritage studies which have been required by the Gateway Determination and Council resolution of 25 March 2019 for certain areas where the previously endorsed planning controls were inconsistent with the previous studies as a result of subsequent Council resolutions. To address this, additional studies were undertaken as follows:</p> <ul style="list-style-type: none"> <li>- West Auto Alley Precinct Urban Design and Heritage Study</li> <li>- Marion Street Precinct Urban Design and Heritage Study</li> <li>- Church Street Precinct Urban Design, Heritage and Feasibility Analysis Study</li> <li>- Review of Opportunity Sites Urban Design and Heritage Study</li> <li>- Overshadowing Technical Paper</li> </ul> <p>The findings of these studies has ultimately led to revised planning controls within the updated CBD PP, which have been required to demonstrate consistency with Division 9.1, Direction 2.3 (Heritage) of the Environmental Planning and Assessment Act 1979. However, the finding from one study is not included in this planning proposal being the removal of opportunity site FSR provision from one site within the Church Street Precinct, making this an inconsistency with the relevant 9.1 Ministerial Direction.</p> <p>The Church Street Precinct Heritage Study and the Review of Opportunity Sites Heritage Study both recommend the removal of the opportunity site provision from all sites within the Church Street Precinct.</p> <p>This planning proposal includes one site within the Church Street Precinct as an opportunity site being 286-302 Church Street; however, to achieve the opportunity site bonus FSR these sites must be amalgamated, as per a condition on the Gateway Determination for that site-specific PP. This recommendation has also been based on the urban design analysis, which shows little perceivable difference between 12:1 and 15:1 for this site with a tower setback at 12m. The analysis also demonstrated that the amalgamation of 286-300 Church Street and 302 Church Street with an FSR of 15:1 would result in a lower building height due to a larger and more efficient floorplate. Nonetheless, as an unresolved matter, the DPIE as the plan making authority will be required to determine the outcome of this matter.</p>	
<b>3. Housing, Infrastructure and Urban Development</b>		
<p><b>Direction 3.1 - Residential Zones</b></p> <p>The objectives of this direction are to:</p> <ul style="list-style-type: none"> <li>a) to encourage a variety and choice of housing types to provide for existing and future housing needs,</li> <li>b) to make efficient use of existing infrastructure and services and ensure that</li> </ul>	<p>The planning proposal lodged for Gateway purposes noted the planning proposal was consistent with this direction because it encourages housing choice through increased density controls and a resulting increased supply. Due to its location within an existing urban environment it makes efficient use of existing infrastructure and therefore reduces the consumption of land on the urban fringe of Sydney.</p> <p>The increased opportunities for mixed use residential development in the Parramatta CBD is consistent with the</p>	<p>Justifiable non-compliance</p>



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<p>new housing has appropriate access to infrastructure and services, and</p> <p>c) to minimise the impact of residential development on the environment and resource lands.</p>	<p>direction in the Central City District Plan to connect residents within 30 minutes to jobs, education and health facilities, services and recreation.</p> <p>In its Gateway Determination Report of November 2018, the DPIE noted the planning proposal was <i>inconsistent with this Direction as it does not contain provisions that will broaden the choice of building types and locations available in the housing market</i>. However, the DPIE are of the view that the non-compliance is justifiable because <i>while there is limited opportunity for the provision of different housing types within the CBD, the proposal encourages housing choice through increased density and therefore an increase in housing supply</i>.</p>	
<p><b>Direction 3.4 - Integrating Land Use and Transport</b></p> <p>The [abridged] objectives of this direction is to ensure that urban structures, building forms, land use locations, development designs, subdivision and street layouts achieve the following planning objectives relating to:</p> <p>a) improving access b) increasing transport choice c) reducing travel demand d) supporting the efficient operation of public transport services e) providing for the efficient movement of freight.</p>	<p>The planning proposal is consistent with this Direction by:</p> <ul style="list-style-type: none"> <li>• locating more intense development activity close to the Parramatta Railway Station and Bus interchange to maximise the use of public transport;</li> <li>• locate development close to local services including Westfield (a major shopping centre) and medical and education services;</li> <li>• encourage sustainable transport choices by improving through site links in the public domain particularly in the Auto Alley Precinct; and</li> <li>• locating jobs close to existing and future public transport routes, including the Western Sydney Light Rail, Parramatta and Harris Park Railway Stations and key bus routes and bus interchange.</li> <li>• Reducing car parking provision as part of development sites.</li> <li>• Introducing road widenings to reflect the following: <ul style="list-style-type: none"> <li>- Strategic opportunities to improve capacity and capability of the existing road network, having regard to the significant growth within the Parramatta CBD as well as inherent existing constraints such as heritage and existing significant development.</li> <li>- Opportunities to improve public transport capability through localised intersection improvements and augmentation of existing bus lanes.</li> <li>- Opportunities for a regional cycleway network within the Parramatta CBD.</li> </ul> </li> </ul> <p>The planning proposal is also consistent with the metropolitan strategy for Sydney as it intensifies development within Parramatta, Sydney's Central City.</p>	Consistent.
<p><b>Direction 3.5 – Development Near Regulated Airports and Defence Airfields</b></p> <p>The [abridged] objectives of this direction are:</p> <p>a) to ensure the effective, safe operation of aerodromes b) to ensure development does not obstruct, create a</p>	<p>The planning proposal lodged for Gateway purposes noted the planning proposal does not promote development within the (Australian Noise Exposure Forecast) ANEF contours 20 and 25 however Sydney and Bankstown Airports are subject to the <i>Federal Airports Act 1996</i> and the <i>Airports (Protection of Airspace) Regulations 1996</i>. It also noted the airspace above the Parramatta CBD is affected by operational requirements for those airports and that a building that penetrates the Obstacle Limitation Surface (OLS) requires approval under that legislation, via</p>	Unresolved. Further consultation required prior to exhibition

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<p>hazard or potential hazard to aircraft</p> <p>c) to ensure residential development within certain Australian Noise Exposure Forecast (ANEF) contours incorporates appropriate mitigation measures it is not adversely affected by aircraft noise</p>	<p>the Commonwealth Department of Infrastructure and Regional Development.</p> <p>This planning proposal also noted it included an airspace operations clause in the LEP which controls development within the prescribed airspace area and therefore is consistent with this direction.</p> <p>In its Gateway Determination Report of November 2018, the DPIE noted while <i>controlled activity approvals have been granted by the federal government to exceed the OLS within the Parramatta CBD for certain sites, this Direction should remain unresolved until further consultation with CASA and DIRDC has occurred.</i></p> <p>The DPIE recommend that <i>CASA and DIRDC be consulted prior to community consultation.</i></p>	
<b>4. Hazard and Risk</b>		
<p><b>Direction 4.1 - Acid Sulfate Soils</b></p> <p>The objective of this direction is to avoid significant adverse environmental impacts from the use of land that has a probability of containing acid sulfate soils.</p>	<p>At Gateway lodgement stage, the planning proposal noted:</p> <p><i>The planning proposal maintains the existing PLEP 2011 provisions in respect to the management of acid sulphate soils. The proposed land uses and built form as part of this Planning Proposal does not significantly alter the existing pattern of development in the Parramatta CBD. Therefore, consistent with the existing PLEP provisions, any acid sulphate soils that may be present can continue to be dealt with as part of the development assessment process.</i></p> <p>In its Gateway Determination Report of November 2018, the DPIE <i>considered that the inconsistency is minor and no further consideration of this issue is warranted at the planning proposal stage.</i></p> <p>The DPIE recommend that the <i>Secretary's delegate agree that the inconsistency with this Direction is of minor significance.</i></p>	<p>Inconsistency with minor significance</p>
<p><b>Direction 4.3 - Flood Prone Land</b></p> <p>The [abridged] objectives of this direction are:</p> <p>a) to ensure that development of flood prone land is consistent with the NSW Policy and the principles of the Floodplain Development Manual 2005, and</p> <p>b) to ensure that the provisions of an LEP on flood prone land is commensurate with flood hazard.</p> <p><b>What a relevant authority must do if this direction applies</b> [abridged]</p> <p><b>4.3 (4)</b> A planning proposal must include provisions that</p>	<p>The planning proposal contains provisions that apply to land within the PMF and is therefore inconsistent with this direction. Council has sought a request for exceptional circumstances.</p> <p>The planning proposal provisions are consistent with the <i>NSW Flood Prone Land Policy</i> and the principles of the <i>Floodplain Development Manual 2005</i>, with the exception of the introduction of controls on development above the Flood Planning Level.</p> <p>The need for these controls is justified in the update to the Floodplain Management Plans for the Parramatta CBD. In summary the report states that, <i>Parramatta CBD represents exceptional circumstances which require flood planning controls to residential development above the residential flood planning level ... given importance of the CBD, the expected future population, the short warning times (minutes), rapid rates of rise, and the number of people who could be isolated in high rise buildings for long periods.</i></p> <p>Also, see also sub-sections below.</p>	<p>Exceptional circumstances to enable consultation prior to exhibition</p>

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<p>give effect to or be consistent with the <i>NSW Flood Prone Land Policy</i> and the principles of the <i>Floodplain Development Manual 2005</i> (including the <i>Guideline on Development Controls on Low Risk Flood Areas</i>).</p>		
<p><b>4.3 (5)</b> A planning proposal must not rezone land within the flood planning areas from Special Use, Special Purpose, Recreation, Rural or Environmental Protection Zones to a Residential, Business, Industrial, Special Use or Special Purpose</p>	<p>A significant portion of the Parramatta CBD is within the flood planning area and is below the Flood Planning Level being the 1 in 100 ARI flood plus 0.5m freeboard.</p> <p>Some land within the CBD Planning Proposal boundary is zoned Special Use and Special Purpose and includes roads, churches, cemetery, railway, and some of this land is within the flood planning area. This Planning Proposal however does not propose to change the zoning of any land within the flood planning area that is zoned Special Use and Special Purpose.</p> <p>Also, see also sub-sections below.</p>	<p>Consistent.</p>
<p><b>4.3 (6)</b> A planning proposal must not contain provisions that apply to the flood planning areas which:</p> <ul style="list-style-type: none"> <li>a) Permit development in floodway areas</li> <li>b) Permit development that will result in significant flood impacts to other properties.</li> <li>c) Permit a significant increase in the development of the land.</li> <li>d) Are likely to result in a substantially increased requirement for government spend on flood mitigation measures, infrastructure services, or,</li> <li>e) Permit development to be carried out without development consent except for the purposes of agriculture, roads or exempt development.</li> </ul>	<p>This planning proposal contains provisions that apply to the flood planning area within the Parramatta CBD which permit development in floodway areas, and permit a significant increase in the development of land.</p> <p>To investigate the impact of this, Council commissioned an update to the Flood Risk Management Plans that apply to the CBD Planning Proposal boundary. In summary the report states that, <i>As provided for in clause (9) of the Section 117 Direction, these inconsistencies are permissible if "the planning proposal is in accordance with a floodplain risk management plan prepared in accordance with the principles and guidelines of the Floodplain Development Manual 2005.</i></p> <p><i>The risk assessment in this report has been carried out in line with the principles and guidelines of the Floodplain Development Manual (2005). It is our view that the planning proposal presents a tolerable flood risk to life and property if the recommendations made within this report, with regard to DCP revisions and other flood risk management measures, are implemented.</i></p> <p><i>This conclusion has been made recognising that while the planning proposal increases the overall population at risk, it will also provide the opportunity to decrease the risk to that population through encouraging re-development which is more compatible with the flood risk.</i></p> <p>Also, see also sub-sections below.</p>	<p>Exceptional circumstances to enable consultation prior to exhibition</p>
<p><b>4.3 (7)</b> A planning proposal must not impose flood related development controls above the residential flood planning level for residential development on land, unless a relevant planning authority provides adequate justification for those controls to the satisfaction of the Director-</p>	<p>Council sought exceptional circumstances as part of the request for a Gateway Determination to impose flood related development controls above the flood planning level for development on land affected by the PMF. The justification for this recommendation is contained in the update to the Flood Risk Management Plans that apply to the CBD Planning Proposal boundary and which was discussed above in point 4.3 (4) within this table. Additional justification was provided in the Parramatta CBD Evacuation Study. The Gateway determination for</p>	<p>Exceptional circumstances to enable consultation prior to exhibition</p>

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General (or an officer of the Department nominated by the Director General).	the CBD PP included an approval from the Minister of Environment for Council's request for exceptional circumstances for the purpose of enabling further agency consultation and community consultation. Also, see also sub-sections below.	
<p><b>4.3 (8)</b> For the purposes of a planning proposal, the relevant planning authority must not determine a flood planning level that is inconsistent with the Floodplain Development Manual 2005 (including the Guideline on Development Controls on Low Risk Flood Areas) unless a relevant planning authority provides adequate justification for the proposed departure from the Manual to the satisfaction of the Director-General (or an officer of the Department nominated by the Director-General).</p>	<p>Council's application for exceptional circumstances contained the following evidence to support the justification for the proposed departure from the Manual:</p> <ul style="list-style-type: none"> <li>- Draft Update of Parramatta Floodplain Risk Management Plans (2016)</li> <li>- Summary of Council's Flood Risk Management Activities</li> <li>- Parramatta CBD Flood Evacuation Assessment 2017</li> <li>- Horizontal Evacuation Pilot Study for Parramatta CBD</li> </ul> <p>The aim of the Flood Evacuation Assessment was to identify the most suitable flood emergency response strategy for Parramatta CBD under existing and future conditions by assessing and comparing the following possible flood evacuation strategies being Horizontal Street Level (HSL) evacuation, achieved by vehicle and on foot before any roads are cut by floodwaters; Horizontal High Level (HHL) evacuation, achieved on foot by using a network of elevated walkways that would allow late evacuation; and Vertical Evacuation through Sheltering In Place (SIP), in which evacuees would take refuge above the flood level within their building and wait for floodwaters to recede.</p> <p>The Horizontal Evacuation Pilot Study tested the viability of three types of Horizontal High Level (HHL) evacuation (top of podium, indoor street, above awning) on the proposed 'Civic Link'. The Civic Link concept is for a car-free north-south link through the heart of the Parramatta CBD, connecting Parramatta train station and Parramatta Square in the south, to the river foreshore in the north.</p> <p>The key finding in both Flood Evacuation Assessment and Horizontal Evacuation Pilot Study is there are very significant practical challenges, costs and issues with implementing high-level horizontal evacuation routes in the Parramatta CBD and the preferable response option is shelter-in-place.</p> <p>The 2016 Draft Update of Parramatta Floodplain Risk Management Plans; and the 2017 Parramatta CBD Flood Evacuation Assessment 2017 were both updated in 2019. The review of both studies re-affirmed the original conclusions and recommendations and included two additional points:</p> <ol style="list-style-type: none"> <li>1. That the recommended DCP control requiring building access at or above the 1% AEP to address a secondary emergency such as fire or medical emergency that occurs during a flood, be elevated to an LEP control to ensure these minimum life safety measures are applied to all developments (clause 7.6L).</li> <li>2. That the risk to life assessments undertaken as part of review of the FRMP be revisited following the completion</li> </ol>	Exceptional circumstances to enable consultation prior to exhibition

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	<p>of the flood study, or as part of a subsequent floodplain risk management study.</p> <p>The recommendation for a building access at or above the 1% AEP to address a secondary emergency is included within this Planning Proposal. The new Flood Study will produce more detailed and accurate data for the assessment of flood risks within the LGA with completion anticipated in 2020, followed by an updated floodplain risk management study and plan. The adoption by Council of updates to the Flood Risk Management Plans as it affects the Parramatta CBD are a separate process to this Planning Proposal, however is programmed to occur concurrently.</p> <p>Also, see also sub-sections below.</p>	
<p><b>Consistency</b></p> <p><b>4.3 (9)</b> A planning proposal may be inconsistent with this direction only if the relevant planning authority can satisfy the Director- General (or an officer of the Department nominated by the Director General) that:</p> <p>a) the planning proposal is in accordance with a floodplain risk management plan prepared in accordance with the principles and guidelines of the Floodplain Development Manual 2005, or</p> <p>b) the provisions of the planning proposal that are inconsistent are of minor significance.</p>	<p>As provided for by this clause, inconsistencies with the Floodplain Development Manual 2005 (including the Guideline on Development Controls on Low Risk Flood Areas) are permissible if, "the planning proposal is in accordance with a floodplain risk management plan prepared in accordance with the principles and guidelines of the Floodplain Development Manual 2005".</p> <p>The risk assessment in the review of the Floodplain Risk Management Plans has been carried out in line with the principles and guidelines of the Floodplain Development Manual (2005). It is the view of the report author that the planning proposal presents a tolerable flood risk to life and property if the recommendations made within this report, with regard to amendments to the FPL, DCP revisions and other flood risk management measures, are implemented.</p> <p>In its Gateway Determination Report of November 2018, the DPIE recommend that the <i>That the Secretary's delegate grant exceptional circumstances to enable consultation and consideration of a new planning provision that would apply to all land in the Parramatta CBD that is impacted by the PMF and that the overall consistency with this Direction be considered at finalisation. The NSW SES, OEH and the GSC are to be consulted before the plan is exhibited.</i></p>	<p>Exceptional circumstances to enable consultation prior to exhibition</p>
<b>6. Local Plan Making</b>		
<p><b>Direction 6.1 - Approval and Referral Requirements</b></p> <p>The objective of this direction is to ensure that LEP provisions encourage the efficient and appropriate assessment of development.</p>	<p>This planning proposal introduces does not propose to change any existing approval and referral requirements.</p>	<p>Consistent</p>
<p><b>Direction 6.2 - Reserving Land for Public Purposes</b></p> <p>The [abridged] objectives of this direction are:</p> <p>a) to facilitate the provision of public services/facilities, and</p>	<p>The draft Land Reservation Acquisition Map within the planning proposal is proposed to be amended to reflect road widening to identify the following:</p> <ul style="list-style-type: none"> <li>- Strategic opportunities to improve capacity and capability of the existing road network, having regard to the significant growth within the Parramatta CBD as well as inherent existing</li> </ul>	<p>Consistent</p>

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<p>b) to facilitate the removal of reservations of land for public purposes where required.</p>	<p>constraints such as heritage and existing significant development.</p> <ul style="list-style-type: none"> <li>- Opportunities to improve public transport capability through localised intersection improvements and augmentation of existing bus lanes.</li> <li>- Opportunities for a regional cycleway network within the Parramatta CBD.</li> </ul>	
<p><b>Direction 6.3 - Site Specific Provisions</b></p> <p>The objective of this direction is to discourage unnecessarily restrictive site specific planning controls, and applies when a relevant planning authority prepares a planning proposal that will allow a particular development to be carried out.</p>	<p>In its Gateway Determination Report of November 2018, the DPIE found that the proposed site specific provisions are inconsistent with this direction as Council <i>is to carry out further investigations in these precincts to support the planning proposal, it is recommended that this Direction remains unresolved.</i> Council has now completed those investigations and considers the site specific provisions within the planning proposal as mostly justifiably inconsistent with this Direction as outlined in the sub-sections below.</p> <p>Council's <i>PLEP 2011</i> already contains site specific local provisions pertaining to the Parramatta CBD. This planning proposal proposes further site specific provisions in order to address specific planning issues associated with the proposed amendments.</p>	<p>Justifiably Inconsistent</p>
<p><b>6.3 (4)</b> A planning proposal that will amend another environmental planning instrument in order to allow a particular development proposal to be carried out must either:</p> <ul style="list-style-type: none"> <li>a) allow that land use to be carried out in the zone the land is situated on, or</li> <li>b) rezone the site to an existing zone already applying in the environmental planning instrument that allows that land use without imposing any development standards or requirements in addition to those already contained in that zone, or</li> <li>c) allow that land use on the relevant land without imposing any development standards or requirements in addition to those already contained in the principal environmental planning instrument being amended.</li> </ul>	<p>The planning proposal contains five (5) site specific planning controls which are detailed below.</p> <p><b>1. Auto Alley</b></p> <p>This site specific amendment (which amends clause 9 (2) in Schedule 1) will allow vehicle repair stations on some land principally along Church Street within the Auto Alley precinct. In the main this land is proposed to be rezoned from B5 Business Development to B3 Commercial Core. The B5 zone permits vehicle repair stations, however the B3 zone prohibits the use. The purpose of this amendment is to manage the transition from existing car uses in the short term to a more traditional form of commercial use in the longer term.</p> <p>This site specific amendment is consistent with part (c) of this direction in that vehicle repair stations are permissible on land identified in the Additional Permitted Uses Map and no other development standards or requirements are proposed in addition to those already contained in <i>PLEP 2011</i>.</p> <p>This site specific amendment is therefore considered to be consistent with Direction 6.3 (4).</p> <p><b>2. West Auto Alley Precinct</b></p> <p>This site specific amendment (which will form part of new clause 7.6l) will allow additional FSR and additional height above the current development standards provided that a minimum frontage of 26m or 48m is achieved. The sites affected by clause 7.6l are marked "Area B", "Area C", "Area D" and "Area E" on the Special Provisions Area Map.</p> <p>This site specific amendment will not affect land uses but will impose development standards in addition to those</p>	<p>Justifiably inconsistent</p>

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	<p>contained in <i>PLEP 2011</i>, and in this regard the amendment is not consistent with Direction 6.3 (4) (c). This inconsistency with Direction 6.3 is justified below in parts (5) and (6) of this table. This specific planning control is necessary to encourage amalgamation of land and achieve a particular built form outcome for the precinct, facilitate transition to lower scale areas and the HCA and achieve a new park.</p> <p><b>3. Marion Street Precinct</b></p> <p>This site specific amendment (which will form part of new clause 7.6I) provides for additional FSR and additional height incentives above the current development standards provided that specific site amalgamations are undertaken. The sites affected by clause 7.6I are marked "Area E" on the Special Provisions Area Map.</p> <p>This site specific amendment will not affect land uses but will impose development standards in addition to those contained in <i>PLEP 2011</i>, and in this regard the amendment is not consistent with Direction 6.3 (4) (c). This inconsistency with Direction 6.3 is justified below in parts (5) and (6) of this table. This site specific planning control is necessary to encourage an improved built form and facilitate transition.</p> <p><b>4. 5-7 Hassall Street</b></p> <p>This site specific amendment (which will form part of new clause 7.6J) provides for additional 'Opportunity Site' FSR and additional height incentives above the current development standards provided that specific site amalgamations are undertaken. The sites affected by clause 7.6J are marked as "Area 2" on the Opportunity sites Map.</p> <p>This site specific amendment will not affect land uses but will impose development standards in addition to those contained in <i>PLEP 2011</i>, and in this regard the amendment is not consistent with Direction 6.3 (4) (c). This inconsistency with Direction 6.3 is justified below in parts (5) and (6) of this table. This site specific planning control is necessary to encourage an improved built form outcome given the thin width of the affected sites.</p> <p><b>5. 286-302 Church Street</b></p> <p>This site specific amendment (which will form part of new clause 7.6J) provides for additional 'Opportunity site' FSR incentives above the current development standards provided that specific site amalgamations are undertaken. The sites affected by clause 7.6J are marked as "Area 1" on the Opportunity sites Map.</p> <p>This site specific amendment will not affect land uses but will impose development standards in addition to those contained in <i>PLEP 2011</i>, and in this regard the amendment is not consistent with Direction 6.3 (4) (c). This inconsistency with Direction 6.3 is justified below in parts (5) and (6) of this table. This site specific planning control is necessary to encourage an improved built form outcome through a more efficient floor plate.</p> <p>Also, see also sub-sections below.</p>	
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<p><b>6.3 (5)</b> A planning proposal must not contain or refer to drawings that show details of the development proposal.</p>	<p>The five site specific amendments do not contain or refer to drawings that show details of any the development proposals.</p> <p>Also, see also sub-sections below.</p>	<p>Consistent</p>
<p><b>6.3 (6)</b> A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that the provisions of the planning proposal that are inconsistent are of minor significance.</p>	<p>The intent of the above amendments (2-4) is to encourage the amalgamation of sites to achieve a built form outcome that is proportional to the site area, to achieve a particular built form outcome at a precinct scale, achieve public open space, and facilitate transition between taller development and adjoining lower density residential areas.</p> <p>The imposition of these site specific development standards within the planning proposal that is inconsistent with Direction is therefore considered to be of minor significance and therefore justifiably inconsistent with the Direction 6.3.</p>	<p>Justifiably Inconsistent</p>
<p><b>7. Metropolitan Planning</b></p>		
<p><b>Direction 7.1 - Implementation of A Plan for Growing Sydney</b></p> <p>The objective of this direction is to give legal effect to the planning principles; directions; and priorities for subregions, strategic centres and transport gateways contained in A Plan for Growing Sydney.</p>	<p>A Plan for a Growing Sydney 2014 has been superseded by the recently released Greater Sydney Region Plan – A Metropolis of Three Cities. The Parramatta CBD Planning Proposal is consistent with the direction and objectives within the plan as detailed in Section 3.2.1 of this document.</p>	<p>Consistent</p>
<p><b>Direction 7.5 Implementation of Greater Parramatta Priority Growth Area (GPOP) Interim Land Use and Infrastructure Development Plan (LUIIP)</b></p> <p>The objective of this direction is to ensure development within the GPOP Area is consistent with the Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan dated July 2017 (the interim Plan).</p>	<p>In its Gateway Determination Report of November 2018, the DPIE recommended that <i>Council is to address the Interim LUIIP in the planning proposal to demonstrate consistency with this Direction.</i></p> <p>A key action in the LUIIP is to <i>work with the City of Parramatta to advance the planning proposal for Parramatta CBD to strengthen its commercial core, provide additional jobs and homes to promote Parramatta CBD as Sydney's central city.</i> The planning proposal is consistent with the direction as it will facilitate the delivery of additional commercial floorspace which will further strengthen Parramatta's role as Greater Sydney's Central City. It is estimated that the planning proposal will accommodate an additional 50,200 new jobs.</p> <p>The increase in commercial development potential will contribute to the achievement of metropolitan planning goals, providing jobs closer to home to the growing population of Western Sydney and the expansion of Sydney's Global Economic Corridor.</p> <p>The Interim LUIIP also recognises the need for additional regional infrastructure to support growth and this is proposed to be implemented via a special infrastructure contribution (SIC). To that end, a satisfactory arrangements provision is included in the planning proposal to enable a contribution towards state infrastructure and the potential future application of a SIC</p>	<p>Consistent</p>



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	<p>to ensure consistency with the Interim LUIIP and this Direction. Furthermore, with regards to local infrastructure, existing development contributions are being revised in order to fund and deliver local community infrastructure within CBD area.</p> <p>With regards to local community infrastructure, the planning proposal proposes clause 7.6H Community Infrastructure which provides an incentive for development to include community infrastructure.</p> <p>The planning proposal is consistent with this direction.</p>	
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**3.3 Section C – Environmental, social and economic impact**

This section considers the potential environmental, social and economic impacts which may result from the Planning Proposal.

**3.3.1 Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?**

The site is located within a highly modified urban environment and it is very unlikely to contain critical habitat or threatened species, populations or ecological communities, or their habitats.

**3.3.2 Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?**

The key environmental considerations arising from the planning proposal are discussed in detail below.

- European and Aboriginal cultural heritage;
- Urban Design and Built Form;
- Flooding; and
- Contamination.

**European and Aboriginal cultural heritage**

The amendments proposed as part of this Planning Proposal may have impacts on heritage. This includes impacts on the scale, solar access, curtilage and setting of heritage items, conservation areas and heritage views resulting from infill or new development, subdivision or site amalgamation.

These potential impacts on heritage are proposed to be managed by amended and new provisions detailed in this report under the heading, ‘Key elements of this Planning Proposal’. In general, heritage impacts are proposed to be managed by retaining the existing heritage controls in PLEP 2011, reducing FSRs and heights adjacent to state heritage items within a significant landscaped setting and requiring a design competition to be held where a development site adjoins a heritage item and an FSR of 3:1 or more is proposed.

Existing planning controls that apply in the ‘Park Edge Highly Sensitive’ land on the western edge of the City Centre adjacent to the World Heritage listed Old Government House and Domain are not being changed. The 2015 Conservation Agreement between the Commonwealth and State Government and Council governs development within this area. The Planning Proposal includes a provision to conserve the existing controls that apply to this land.

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Heritage impacts are also proposed to be managed by limiting heights to protect solar access to heritage conservation areas, and retaining existing solar access protection planes and introducing new ones to protect solar access to significant heritage items. Further, a new heritage clause ('Managing Heritage Impacts') is proposed to apply to the CBD PP areas to provide clarity to what constitutes 'appropriate transition' to heritage significant items and areas.

**Urban Design and Built Form**

The planning proposal generally allows higher density development within the core area of the CBD bound by the River to the north and Parkes Street and the Great Western Highway to the south, and along Church Street South (Auto Alley). Outside the core, this planning proposal allows lesser density development in the interface areas (north, south-east and south-west areas) of the CBD to provide a transition to the lower scale residential areas and heritage conservation areas outside the CBD.

Within the core area of the CBD, FSRs up to 10:1 are permitted for commercial development with additional FSR awarded for design excellence. Office development above the 10:1 FSR is not limited by an FSR control, rather the airspace operation clause which for Parramatta CBD is generally 243 AHD (RL). Exceptions to these FSRs or heights are for heritage or solar access reasons.

The expansion of the commercial core to Auto Alley (Church Street South) will allow for long term economic growth of the CBD. This planning proposal supports the expansion of commercial activities to Auto Alley by allowing FSRs consistent with the B3 zoned land within the core. Height controls (up to 100 metres) are applied to the area to reflect detailed urban design analysis including provision of new streets.

For residential and mixed use development surrounding the commercial core zone, FSRs up to 12:1 are permitted (inclusive of design excellence and high performing building bonuses). Additional FSR of up to 3:1 (above the 12:1 FSR) is available to 'Opportunity Sites' subject to meeting certain criteria. Further FSR is available for some sites for commercial uses above a minimum commercial FSR requirement of 1:1 (but contained within a height control). All sites within the CBD will have a specified height control and will also be subject to the airspace operation clause.

The maximum FSR available is also dependent on the size of the site. Where sites are seeking the mapped incentive FSR, the minimum site area is 1800sqm. The FSR sliding scale applies to sites that have any area less than this minimum requirement. The purpose of the sliding scale is to regulate the density of development so it is proportional to the site area and enables sites that meet the definition of 'isolated' to develop.

This planning proposal protects solar access through solar access planes or building heights (and associated FSRs) especially for sites to the north and north-east of identified open spaces and heritage areas including the River Foreshore, Prince Alfred Square, Jubilee Park, Parramatta Park, Lancer Barracks, Experiment Farm, Ollie Webb Reserve, Jones Reserve, Parramatta Park, Robin Thomas Reserve and Experiment Farm Reserve.

Potential impacts on low density residential areas and heritage conservation areas include impacts in terms of the amenity, scale and character of these areas. Where Higher FSRs are applied to smaller sites, this also raise questions about whether inter-building separation (and associated privacy and amenity requirements) can be achieved.

The potential impacts on urban design and built form are proposed to be managed by amended and new provisions detailed in this report under the heading, 'Key elements of this Planning Proposal'. In general, urban design and built form impacts are proposed to be managed by encouraging a more intense central core, with less intense interface areas

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north and south of the City; incorporating sun access controls to achieve a high quality public domain; requiring a built form transition to heritage items for a small number of sites that are within landscaped settings; and requiring buildings that include community infrastructure to provide for tall, slender towers and improvements to the public domain.

**Flooding**

This planning proposal allows a significant increase in development potential in flood affected areas in the Parramatta CBD. The issues associated with this are the safety of residents and workers and managing the potential for damage to property. To address this, Council commissioned an update to the Floodplain Risk Management Plans that apply to the Parramatta CBD and an Evacuation Study.

One of the key recommendations from this report and supported by the analysis in the Evacuation Study is that approval from the Minister for the Environment be sought to impose controls for development above the flood planning level (FPL) in PLEP 2011. The effect of this is buildings with particular evacuation issues must be structurally adequate and incorporate a place for people to shelter above the PMF, or alternatively people must be able to evacuate to land above the PMF. In addition, access into and out of a building during a flood event due to a medical or fire emergency is necessary where people are sheltering within a building. The Gateway determination has granted Council exceptional circumstances for purpose of consultation with State agencies.

**Contamination**

The Planning Proposal is consistent with the provisions and advice contained in State Environmental Planning Policy No 55 – Remediation of Land and associated Managing Land Contamination Planning Guidelines SEPP 55 – Remediation of Land. Council has undertaken a preliminary (desktop) investigation of the area within the draft Planning Proposal boundary, and also a site specific contamination study for Auto Alley. The findings from both studies were that no issues were identified that will preclude additional density (by way of increased height and FSR controls) and rezoning (including to more sensitive land uses including residential).

The Addendum letter prepared by JBS&G reaffirms the recommendations from the original a *Preliminary Site Investigation Study for the Auto Alley area*, the report suggests that the PSI is considered at a Development Assessment applications within the Auto Alley Area. Based on this advice, a notation on Section 10.7(5) certificates for relevant properties is included that describes both JBS&Gs' reports (dated February 2016 and May 2019) as a relevant matter and also become available on Council website.

There are no other aspects of the natural or built environment that require assessment as a result of consideration of this Planning Proposal. In summary, the potential variations to development standards that may arise as a result of this planning proposal will, through the proposed regime of design excellence, as well as the general provisions of the assessment process, ensure that environmental effects of development are appropriately managed and mitigated.

**3.3.3 How has the planning proposal adequately addressed any social and economic effects?**

The planning proposal estimates that by 2036 an additional 27,000 jobs and 27,475 residents will be located which the City Centre and these new residents, workers and visitors will generate demand for schools and tertiary education facilities as well as increased usage of sporting and recreation facilities and community infrastructure.

**Social effects**

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To address the social effects of this growth, certain development seeking higher development yields will be required to include community infrastructure. The provision of community infrastructure funding will be detailed in an Infrastructure Strategy (including Draft Section 7.11/12 Contributions Plan and Draft Development Guideline) together with a Works Program. The Infrastructure Strategy will outline how Council will collect contributions, and the associated Works Program for the CBD will outline how community infrastructure will be funded and delivered, and the associated Works Program for the CBD will outline the community infrastructure required to support growth.

The Works Program will identify local community infrastructure needs associated with the anticipated growth under the Parramatta CBD. Major regional infrastructure projects (such as Parramatta Light Rail, Parramatta Schools Project, Museum of Applied Arts and Sciences Sydney Metro West) are not included in the needs analysis, however, they were taken into consideration in identifying local community infrastructure needs. Examples of local community infrastructure include active transport facilities for cycling and walking, upgrades to the public domain, a new theatre, flood mitigation works, open spaces, childcare etc. Addressing the needs identified therein will help to ensure that Parramatta CBD grows into a sustainable, liveable and productive CBD and addresses social and economic issues.

As also identified in the Infrastructure Needs Analysis, the recently exhibited draft Community Infrastructure Strategy supports the City of Parramatta's fast-paced growth by identifying priorities for future community infrastructure and informing planning, funding, delivering and negotiating for community infrastructure. This draft strategy identifies facilities, buildings and spaces across the City of Parramatta LGA that Council plays a role in delivering or where it advocates for on behalf of the community. A sample of the community infrastructure identified in the Community Infrastructure Strategy for the Parramatta CBD includes:

- Deliver new and updated community infrastructure as part of the 5 and 7 Parramatta Square development including a new regional library, community space, updated community space within the Parramatta Town Hall
- Deliver a new indoor recreation facility of 4 multiuse court capacity to cater for local resident and worker needs
- Continue to work with partners to support the delivery of a contemporary Aquatic Leisure Centre offering at Mays Hill

Analysis undertaken to date on Community Infrastructure is provided in Appendices 17a to 17f.

### **Economic effects**

New dwellings and jobs within the City Centre will enhance the role and function of the Parramatta CBD. This planning proposal attempts to meet the targets for jobs and generate economic benefits for Sydney through zoning and floor space ratio planning controls. The B3 Commercial Core zone is proposed to be expanded and within this zone, commercial development is exempt from maximum FSR controls. Within the B4 Mixed Use zone, a minimum provision of 1:1 commercial is required, with any additional commercial development provided also being exempt from maximum FSR controls.

Community consultation and public authority consultation during the exhibition of the planning proposal will explore the social and economic benefits in more detail.

## **3.4 Section D – State and Commonwealth Interests**

### **3.4.1 Is there adequate public infrastructure for the planning proposal?**

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The draft changes to the planning controls will permit a significant increase in development potential across the City Centre. The uplift of the FSR and or height controls has been quantified as outlined in the table below (Table 2 in the Introduction section of this planning proposal).

Based on these numbers, the planning proposal is expected to result in additional demand for existing public infrastructure as follows:

- Utilities, waste management and recycling services
- Public transport and roads
- Essential Services
- Community Infrastructure
- Aeronautical operations

#### **Utilities, waste management and recycling services**

The full range of utility services (electricity, telecommunications, water and sewer) and waste management and recycling services are all currently available across the City Centre. It is expected that this Planning Proposal will generate greater demand for electricity, gas, water and sewer services from higher and more intense development permitted by the new planning controls. To manage these impacts, this Planning Proposal will include new controls to reduce water and energy requirements and future-proof buildings to accommodate dual piping. These planning controls are expected to have the following benefits:

- Achieve an 18% reduction in CBD peak electricity demand (compared to business as usual planning controls)
- Achieve a 10% reduction in CBD potable water consumption (compared to business as usual planning controls)
- Reduction in energy and water utility costs
- Promote Parramatta's competitive edge as a Smart City
- Building resilient infrastructure in the CBD
- Low cost water rates for residents and businesses
- Make Parramatta more attractive to A-Grade commercial tenants (cost savings & reputational)
- Support from utilities, less augmentation & disruption to the CBD

*Source: Kinesis, 2016 (Appendix 12 and 13)*

Council is also preparing an Infrastructure Strategy which will include a Works Schedule, an updated Section 7.11/12 Development Contributions plan and a Development Guideline. The Infrastructure Strategy will support the provision of the community infrastructure funding mechanism in the LEP and detail the rates. The Strategy will be used to continue discussions with the relevant state agencies and developers on the provision of community infrastructure in and around the CBD. Council will engage with utility, waste management and recycling service providers.

#### **Public transport and roads**

Parramatta is well-served by existing public transport including trains, buses and a ferry service with future upgrades including light rail and a metropolitan train line identified in the Strategic Traffic and Transport Plan. However, as a consequence of the anticipated

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increases in workforce and residential populations from new development permitted by the new planning controls, greater demand for transport infrastructure, public transport and car parking is expected. Any upgrades required to the road network will be identified in the Integrated Transport Plan to be prepared in support of this planning proposal.

Council will continue to engage with Transport for NSW and the Roads and Maritime Service regarding the findings in the Strategic Traffic and Transport Plan and provision of any upgrades and new services for roads and public transport.

### Essential Services

The Metropolitan Strategy aligns land use strategies and infrastructure provisions across the range of services and Council will engage with essential service providers on the provision of public infrastructure in and around the CBD including schools, hospitals, water, sewer, police, fire, state emergency services and the like.

### Community Infrastructure

As mentioned above, to better inform how and when other essential infrastructure is to be delivered, Council is preparing an Infrastructure Strategy with supporting Works Schedule, updated Section 7.11/12 Development Contributions plan and a Development Guideline. The Infrastructure Strategy together with the Council's recently exhibited draft Community Infrastructure Strategy will be used to continue discussions with the relevant state agencies and developers on the provision of community infrastructure in and around the CBD.

### Aeronautical operations of Bankstown and Sydney airports

Parramatta is located approximately 20km north west of Sydney Airport and 11km north of Bankstown Airport. Airspace above the Parramatta CBD is affected by the operation of these airports. Any effects on aeronautical operations above the Parramatta CBD will be managed by the inclusion of an airspace operation clause to control development within the prescribed airspace area.

### 3.4.2 What are the views of State and Commonwealth public authorities consulted in accordance with the gateway determination?

Consultation with state public authorities was undertaken during the public exhibition of the Auto Alley and City Centre Frameworks in 2014; with the views of the following public authorities informing the preparation of the Parramatta CBD Planning Strategy.:

- Endeavour Energy
- Education and Communities
- Office of Environment and Heritage – Heritage Council of NSW
- Health - Western Sydney Local District
- Transport for NSW
- Roads and Maritime Service
- Family and Community Services – Land and Housing Corporation

Condition 2 of the Gateway Determination states: *Prior to public exhibition and resubmitting the planning proposal to the Department for approval, Council is to consult with the following public authorities to further refine the planning proposal in accordance with the Gateway determination:*

- *Transport for NSW;*
- *Roads and Maritime Services;*

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- Office of Environment and Heritage – Heritage Division;
- NSW Heritage Office;
- NSW State Emergency Service,
- Government Architect NSW;
- Civil Aviation Safety Authority; and

Federal Department of Infrastructure, Regional Development and Cities.

Council will commence consultation with the above listed public authorities following Council's endorsement of this Planning Proposal. During this period of consultation, Council will also seek direction from CASA and the Federal Department of Infrastructure, Regional Development and Cities to determine the approach to maximum building heights for the CBD, as required by Condition 1 (j) i of the Gateway determination.

Additionally, as part of the preparation of the mesoscopic model and Integrated Transport Plan, there is ongoing consultation with Transport for NSW, Roads and Maritime Services, Parramatta Light Rail and Sydney Metro West. Should there be any amendments to the Planning Proposal as a result of the consultation with the listed public authorities, prior to public exhibition, Council will make the necessary changes.

Following consultation with State agencies and prior to community consultation (as required in condition 3), the planning proposal will be referred to the DPIE for approval to enable a review of the consolidated planning proposal and ensure consistency with the Gateway conditions.

Condition 3 of the Gateway determination states: *Public exhibition is required under Section 3.34(2)(c) and schedule 1 clause 4 of the Act as follows:*

- (a) *the planning proposal must be made publicly available for a minimum of 28 days; and*
- (b) *the planning proposal 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 planning proposals as identified in section 5.5.2 of A guide to preparing local environmental plans (Department of Planning and Environment 2016).*

Condition 4 of the Gateway determination states: *Further consultation is required with the public authorities listed in Condition 2 and the following additional public authorities/organisations under Section 3.34(2)(d) of the Act:*

- Department of Family and Community Services;
- Department of Education;
- Department of Industry – Trade and Investment;
- Fire and Rescue NSW
- Department of Health;
- NSW Police Force;
- Sydney Water;
- adjoining local government area councils;
- Federal Department of the Environment and Energy;
- National Trust of Australia;
- Department of Defence;
- Deerubbin Aboriginal Land Council;
- Western Sydney Local Health District;
- Greater Sydney Local Land Services;

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- NSW Aboriginal Land Council;
- relevant service providers; and
- UrbanGrowth NSW.

At the conclusion of the public exhibition on this Planning Proposal, Council officers will review any submissions and consider whether amendments are required prior to requesting the DPIE make the LEP amendments.

Condition 6 of the Gateway determination states: *The time frame for completing the LEP is to be 24 months following the date of the Gateway determination.* Council officers will to work to finalise the Planning Proposal and report it to Council in June 2020 to enable finalisation by the DPIE and approval by the Minister by December 2020.



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## PART 4 – MAPPING

Located in this part are the following maps, which this planning proposal seeks to amend and create.

- Amend the Additional Local Provisions Map
- Amend the Land Zoning Map
- Amend the Floor Space Ratio Map
- Amend the Height of Buildings Map
- Amend the Additional Permitted Uses Map
- Amend the Special Provisions Map
- Create a new Incentive Floor Space Ratio Map
- Create a new Incentive Height of Buildings Map
- Create a new Sun Access Protection Map
- Create a new Active Frontages Map
- Create a new Opportunity Sites Map
- Create a new Floodplain Risk Management Map

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## **PART 5 – COMMUNITY CONSULTATION**

In accordance with Section 3.34(2)(c) and Schedule 1 Clause 4 of the EP&A Act, 1979, the planning proposal must be made publicly available for a minimum of 28 days and comply with the requirements set out in Section 5.5.2 of 'A guide to preparing local environmental plans' (DPIE 2016). Council will undertake community consultation as part of the public exhibition period that is anticipated to take place

Council is required to submit the planning proposal to DPIE, as revised to comply with both the gateway determination and consultation with particular public authorities, before community consultation is undertaken.

Consistent with Section 3.34(2)(d) of the Act, Condition 4 of the Gateway Determination requires Council to undertake further consultation during public exhibition with public authorities and organisations.

Public exhibition is likely to include a newspaper advertisement, display on the Council's web-site and written notification to landowners.

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## PART 6 – PROJECT TIMELINE

The DPIE has set a timeframe to finalise the amendments to the LEP within 24 months of the Gateway Determination. The Greater Sydney Commission may take action under section 3.32 (2)(d) of the Act if the timeframes if the timeframes outlined in the determinations Are not met.

The envisaged project timeline (Table 18) has been prepared based on the requirements of the Gateway Determination to finalise the LEP by 13 December 2020 (24 months). This includes the progress of the planning proposal through its various stages of consultation and approval, as required by the conditions of the Gateway Determination.

**Table 18** – Anticipated timeframe to planning proposal process

MILESTONE	ANTICIPATED TIMEFRAME
Report amended and consolidated planning proposal to Council seeking endorsement for the purpose of consultation with Agencies and public exhibition	October 2019
Pre exhibition state agency consultation on planning proposal	November – December 2019
DPIE assessment of planning proposal for purposes of public exhibition	December 2019 – January 2020
Public exhibition of Parramatta CBD Planning Proposal	February – March 2020
Consideration of planning proposal post exhibition and amend/update planning proposal	April 2020 – June 2020
Report final planning proposal to Council seeking endorsement to adopt for gazettal	July 2020
DPIE Review; Parliamentary Counsel prepares LEP, DPIE finalisation and sign off by Minister (or delegate)	August – December 2020

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# Appendix 1a – Part 7 of PLEP 2011 instrument affecting Parramatta CBD

## Part 7 Additional local provisions—Parramatta City Centre

### 7.1 Land to which this Part applies

- (1) This Part applies to all land in Parramatta City Centre, as identified on the Additional Local Provisions Map.
- (2) A provision in this Part prevails over any other provision of this Plan to the extent of any inconsistency.

### 7.2 Floor space ratio

- (1) Despite clause 4.4, the maximum floor space ratio for buildings on land for which the maximum floor space ratio shown on the Floor Space Ratio Map is specified in Column 1 of the table to this subclause is the amount specified opposite that floor space ratio in -
  - (a) if the site area for the development is less than or equal to 1,000 square metres - Column 2 of the table, or
  - (b) if the site area for the development is greater than 1,000 square metres but less than 1,800 square metres - Column 3 of the table, or
  - (c) if the site area for the development is equal to or greater than 1,800 square metres - Column 4 of the table.

Column 1	Column 2	Column 3	Column 4
6:1	4:1	(4 + 2X):1	6:1
8:1	5:1	(5 + 3X):1	8:1
10:1	6:1	(6 + 4X):1	10:1

- (2) For the purposes of Column 3 of the table to subclause (1) –
 

$X = (\text{the site area in square metres} - 500) / 1500$
- (3) This clause does not apply to land marked “Area 8” on the Special Provisions Area Map.

### 7.3 Car parking

- (1) If development for a purpose set out in Column 1 of the table to this subclause includes a car parking space in connection with that use, the development must provide no more than the number of car parking spaces specified opposite that use in Column 2 of that table.

Column 1 Proposed use	Column 2 Maximum number of parking spaces
Centre-based child care facilities	A maximum of 1 parking space to be provided for every 4 child care places

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Commercial premises	A maximum of 1 parking space to be provided for every 100 square metres of gross floor area
Drive-in take away food and drink premises with seating	A maximum of 1 parking space to be provided for every 10 square metres of gross floor area or 1 parking space to be provided for every 6 seats (whichever is the lesser)
Health consulting rooms	A maximum of 1 parking space to be provided for every 300 square metres of gross floor area
Hostels and residential care facilities	A maximum of 1 parking space to be provided for every 10 beds plus 1 parking space to be provided for every 2 employees plus 1 parking space to be provided that is suitable for an ambulance
Hotel accommodation	A maximum of 1 parking space to be provided for every 5 hotel rooms or suites plus 1 parking space to be provided for every 3 employees
Motels	A maximum of 1 parking space to be provided for every 2 motel rooms or suites plus 1 parking space to be provided for every 3 employees
Multi dwelling housing: 1, 2 and 3 bedrooms	A maximum of 1 parking space to be provided for every dwelling plus 1 parking space to be provided for every 5 dwellings for visitors
Restaurants or cafes	A maximum of 1 parking space to be provided for every 10 square metres of gross floor area or 1 parking space to be provided for every 4 seats (whichever is the lesser)
Seniors housing (other than residential care facilities)	A maximum of 1 parking space to be provided for every 10 dwellings plus 1 parking space to be provided for every 10 dwellings for visitors
Shops	A maximum of 1 parking space to be provided for every 30 square metres of gross floor area
Warehouses or distribution centres	A maximum of 1 parking space to be provided for every 300 square metres of gross floor area

- (2) The number of car parking spaces to be provided under subclause (1) is to be calculated by including any existing car parking spaces.
- (3) The consent authority may approve additional car parking spaces in excess of the number of car parking spaces calculated under subclause (2), but only if the additional car parking spaces approved are to be included as part of the building's gross floor area, whether the space is below or above ground level (existing).
- (4) If the consent authority is satisfied that there are car parking spaces in excess of the requirements of the occupiers of an existing building, the consent authority may grant development consent to the use of those car parking spaces by persons other than the occupiers of the building.
- (5) Subclause (3) does not apply to a public car parking station owned by the Council.

**7.4 Sun access**

- (1) The objective of this clause is to protect public open space in Parramatta Square, the Lancer Barracks site and Jubilee Park from overshadowing.
- (2) The consent authority must not grant consent to development on any land if the consent authority is satisfied that the development will result in any additional overshadowing, between 12 noon and

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2pm, on Parramatta Square, being the land at Parramatta Square shown with blue hatching on the Sun Access Protection Map.

- (3) If the consent authority considers that development that is the subject of a development application is likely to cause excessive overshadowing of the Lancer Barracks site or Jubilee Park, it must take into consideration the relevant sun access plane controls specified for that land in section 4.3.3 of the Parramatta Development Control Plan in determining that development application.
- (4) This clause applies despite clause 7.11(2)(f).

**7.5 Serviced apartments**

- (1) Development consent must not be granted to development on land in Zone B3 Commercial Core for the purpose of the strata subdivision of a building or part of a building that is or has been used for serviced apartments.
- (2) Development consent must not be granted to development on land in Zone B4 Mixed Use for the purpose of the strata subdivision of a building or part of a building that is or has been used for serviced apartments, unless the consent authority is satisfied that the following design principles are achieved for the development as if it were a residential flat development –
  - (a) the design quality principles set out in Schedule 1 to *State Environmental Planning Policy No 65—Design Quality of Residential Apartment Development*,
  - (b) the design principles of the *Apartment Design Code* (within the meaning of that Policy).
- (3) Development consent must not be granted to development for the purpose of serviced apartments on the following land, comprising the eastern part of the land bounded by Macquarie Street, Smith Street, Darcy Street and Church Street, Parramatta –
  - (a) any part of Lot 2, DP 1192394 that is in Zone B3 Commercial Core (eastern part of Civic Place),
  - (b) Lot 1, DP 863571 (153 Macquarie Street, Parramatta),
  - (c) Lot 1, DP 1192394 (169 Macquarie Street, Parramatta),
  - (d) Lot 1, DP 1136922 (1 Smith Street, Parramatta).

**7.6 Airspace operations**

- (1) The objective of this clause is to protect airspace around airports.
- (2) This clause applies to land identified as “Area 3”, “Area 6” or “Area 7” on the Special Provisions Area Map.
- (3) The consent authority must not grant development consent to development that is a controlled activity within the meaning of Division 4 of Part 12 of the *Airports Act 1996* of the Commonwealth on land to which this clause applies unless the applicant has obtained approval for the controlled activity under regulations made for the purposes of that Division.

**Note: Controlled activities** include the construction or alteration of buildings or other structures that cause an intrusion into prescribed airspace (being generally airspace around airports). Controlled activities cannot be carried out without an approval granted under regulations made for the purposes of Division 4 of Part 12 of the *Airports Act 1996* of the Commonwealth.

**7.7 Development on land at Church and Early Streets, Parramatta**

- (1) This clause applies to the following land –

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- (a) land at 83 Church Street, Parramatta, being Lot 10, DP 733044 and at 44 Early Street, Parramatta, being Lot B, DP 304570 (**Site 1**),
  - (b) land at 63 Church Street, Parramatta, being Lot 20, DP 732622 (**Site 2**).
- (2) The objectives of this clause are to ensure that development on land to which this clause applies –
- (a) provides employment opportunities in the precinct by ensuring that a minimum proportion of the available floor space is provided for commercial purposes, and
  - (b) does not adversely impact the amenity of the precinct by reason of the scale and bulk of the development.
- (3) Development consent must not be granted for development (including staged development) for the purposes of a new building, or extension of an existing building, on Site 1 unless the following conditions are satisfied –
- (a) at least 40% of the gross floor area of Site 1 is used for a purpose other than residential accommodation or serviced apartments,
  - (b) the floor space ratio of Site 1 does not exceed –
    - (i) if the development includes a basement to be used for commercial purposes – 7.2:1, or
    - (ii) in any other case – 6.4:1,
  - (c) the gross floor area of each storey of a building above a height of 40 metres does not exceed 700 square metres.
- (4) Development consent must not be granted for development (including staged development) for the purposes of a new building, or extension of an existing building, on Site 2 unless at least 40% of the gross floor area of Site 2 is used for a purpose other than residential accommodation or serviced apartments.

**7.8 Development on land at 160–182 Church Street, Parramatta**

- (1) This clause applies to land marked “Area 3” on the Special Provisions Area Map.
- (2) Despite clauses 4.3, 4.4 and 7.10(5), the consent authority may grant consent to development on land to which this clause applies, but only if the consent authority is satisfied that the gross floor area of any resulting building will not be greater than 95,000 square metres and of that gross floor area –
  - (a) not less than 10% will be used for common areas such as common rooms, communal gardens, corridors, foyers and recreation facilities (indoor), and
  - (b) not less than 5% will be used for private open space.

**7.9 Development on land at 189 Macquarie Street, Parramatta**

- (1) This clause applies to land marked “Area 4” on the Special Provisions Area Map.
- (2) Despite clauses 4.3, 4.4 and 7.10(5), the consent authority may grant consent to development involving the construction of a new building or external alterations to an existing building on land to which this clause applies if –
  - (a) the design of the building or alteration is the result of a competitive design process as required by clause 7.10(5), and
  - (b) the consent authority is of the opinion that the building or alteration exhibits design excellence with regard to the design criteria specified in clause 7.10(4), and

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- (c) the development continues to include a public car park on the site (the area of which is not subject to paragraphs (e) and (f)), and
  - (d) the development does not result in a building with a building height that exceeds 91.3 metres above natural ground level, and
  - (e) the development does not result in a building with a gross floor area that exceeds 36,000 square metres, excluding any floor space used only for private balconies and communal open space, and
  - (f) the development does not result in a building with a gross floor area that exceeds 2,750 square metres that is used for the purposes of communal open space and private balconies.
- (3) In this clause –

**communal open space** means areas for the purpose of recreation for use by building tenants, including gymnasiums, common rooms and communal gardens.

**private balcony** means a balcony, terrace, deck or winter garden (whether unenclosed, partially enclosed or wholly enclosed) that is attached to a dwelling for private use.

**7.9A Development of land at 7 Charles Street and 116 Macquarie Street, Parramatta**

- (1) This clause applies to Lots 3 and 4, DP 17466 (7 Charles Street) and Lot 12, DP 706694 (116 Macquarie Street), Parramatta.
- (2) Development consent must not be granted to the erection of a building on land to which this clause applies unless the consent authority is satisfied that at least 6,000 square metres of the floor space of the building will be used for commercial premises.

**7.10 Design Excellence—Parramatta City Centre**

- (1) The objective of this clause is to deliver the highest standard of architectural, urban and landscape design.
- (2) This clause applies to development involving the erection of a new building or external alterations to an existing building on land to which this Part applies.
- (3) Development consent must not be granted to development to which this clause applies unless, in the opinion of the consent authority, the proposed development exhibits design excellence.
- (4) In considering whether development to which this clause applies exhibits design excellence, the consent authority must have regard to the following matters –
  - (a) whether a high standard of architectural design, materials and detailing appropriate to the building type and location will be achieved,
  - (b) whether the form and external appearance of the proposed development will improve the quality and amenity of the public domain,
  - (c) whether the proposed development detrimentally impacts on view corridors,
  - (d) how the proposed development addresses the following matters –
    - (i) the suitability of the land for development,
    - (ii) the existing and proposed uses and use mix,
    - (iii) any heritage and archaeological issues and streetscape constraints or opportunities,



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- (iv) the location of any tower proposed, having regard to the need to achieve an acceptable relationship with other towers (existing or proposed) on the same site or on neighbouring sites in terms of separation, setbacks, amenity and urban form,
  - (v) the bulk, massing and modulation of buildings,
  - (vi) street frontage heights,
  - (vii) environmental impacts, such as sustainable design, overshadowing and solar access, visual and acoustic privacy, noise, wind and reflectivity,
  - (viii) the achievement of the principles of ecologically sustainable development,
  - (ix) pedestrian, cycle, vehicular and service access and circulation requirements, including the permeability of any pedestrian network,
  - (x) the impact on, and any proposed improvements to, the public domain,
  - (xi) the impact on any special character area,
  - (xii) achieving appropriate interfaces at ground level between the building and the public domain,
  - (xiii) excellence and integration of landscape design.
- (5) Development consent must not be granted to the following development to which this clause applies unless a competitive design process has been held in relation to the proposed development –
- (a) development in respect of a building that has, or will have, a height above ground level (existing) greater than 55 metres,
  - (b) development on a site greater than 1,000 square metres and up to 1,800 square metres seeking to achieve the maximum floor space ratio identified on the Floor Space Ratio Map, where amalgamation with adjoining sites is not physically possible,
  - (c) development having a capital value of more than \$10,000,000 on a “Key site” identified on the Key Sites Map,
  - (d) development having a capital value of more than \$100,000,000 on any other site,
  - (e) development for which the applicant has chosen such a process.
- (6) A competitive design process is not required under subclause (5) if the consent authority is satisfied that such a process would be unreasonable or unnecessary in the circumstances and that the development –
- (a) involves only alterations or additions to an existing building, and
  - (b) does not significantly increase the height or gross floor area of the building, and
  - (c) does not have significant adverse impacts on adjoining buildings and the public domain, and
  - (d) does not significantly alter any aspect of the building when viewed from public places.
- (7) If, before the commencement of this clause, the Secretary issued a certificate under clause 22B(5) of *Parramatta City Centre Local Environmental Plan 2007* for any development to which subclause (5) of this clause applies, then subclause (5) of this clause does not apply to that development.
- (8) If the design of a new building, or an external alteration to an existing building, is the winner of a competitive design process and the consent authority is satisfied that the building or alteration exhibits design excellence, it may grant development consent to the erection of the new building, or the alteration to the existing building, with –

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- (a) in any case – a building height that exceeds the maximum height shown for the land on the Height of Buildings Map or an amount of floor space that exceeds the maximum floor space ratio shown for the land on the Floor Space Ratio Map (or both) by up to 15%, or
  - (b) if the proposal is for a building containing entirely non-residential floor space in Zone B4 Mixed Use – a building height that exceeds the maximum height shown for the land on the Height of Buildings Map or an amount of floor space that exceeds the maximum floor space ratio shown for the land on the Floor Space Ratio Map (or both) by up to 25%.
- (9) In this clause –

**building or alteration exhibits design excellence** means a building where the design of the building (or the design of an external alteration to the building) is the winner of a competitive design process and the consent authority is satisfied that the building or alteration exhibits design excellence.

**competitive design process** means an architectural design competition carried out in accordance with procedures approved by the Secretary of the Department of Planning and Environment.

**7.11 Development on land at 153 Macquarie Street and part of 1A Civic Place, Parramatta**

- (1) This clause applies to land marked “Area 5” on the Special Provisions Area Map.
- (2) The consent authority may grant consent to development involving the construction of a new building or external alterations to an existing building on land to which this clause applies if –
  - (a) the design of the building or alteration is the result of a competitive design process as required by clause 7.10(5), and
  - (b) the consent authority is of the opinion that the building or alteration exhibits design excellence with regard to the design criteria specified in clause 7.10(4), and
  - (c) the development does not result in a building with a gross floor area that exceeds 46,200 square metres, and
  - (d) at least 90% of the floor space of the building will be used for business premises, office premises or retail premises, and
  - (e) no part of the building will be used for residential purposes, and
  - (f) the development does not result in any additional overshadowing on the land shown with blue hatching on the Sun Access Protection Map between 12 noon and 2pm on 21 June in each year.

**7.12 Development on land at 180 George Street, Parramatta**

- (1) This clause applies to land marked “Area 6” on the Special Provisions Area Map.
- (2) Despite clauses 4.4 and 7.2, the minimum floor space ratio for a building on land to which this clause applies that is used for any of the following purposes is 1:1 –
  - (a) commercial premises,
  - (b) tourist and visitor accommodation,
  - (c) centre-based child care facilities,
  - (d) serviced apartments.
- (3) Despite clause 7.3, the maximum number of car parking spaces for residential accommodation on land to which this clause applies is as follows –

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- (a) 0.1 space per studio apartment,
  - (b) 0.3 space per 1 bedroom apartment,
  - (c) 0.7 space per 2 bedroom apartment,
  - (d) 1 space per 3 bedroom apartment.
- (4) Despite clause 7.3, the maximum number of car parking spaces for a building on land to which this clause applies that is used for the purposes of commercial premises, tourist and visitor accommodation, centre-based child care facilities or serviced apartments, and has a floor space ratio greater than 3.5:1, is to be calculated using the following formula –

$$M = (G \times A) \div (50 \times T)$$

where –

**M** is the maximum number of parking spaces, and

**G** is the gross floor area of all commercial premises, tourist and visitor accommodation, centre-based child care facilities and serviced apartments in the building in square metres, and

**A** is the site area in square metres, and

**T** is the total gross floor area of all buildings on the site in square metres.

**7.13 Development on land at 2–10 Phillip Street, Parramatta**

- (1) This clause applies to land marked “Area 7” on the Special Provisions Area Map.
- (2) The consent authority may, despite any other provision of this Plan, grant consent to the erection of a building on land to which this clause applies that has a floor space ratio that exceeds the maximum floor space ratio shown for the land on the Floor Space Ratio Map by an amount of up to 5.5:1, but only if the consent authority is satisfied that the additional floor area will be used only for the purposes of hotel or motel accommodation or commercial premises.
- (3) The consent authority must not grant consent to the erection of a new building on land to which this clause applies unless the consent authority is satisfied that part of the building will be used for the purposes of commercial premises and that part will have a minimum gross floor area that equates to a floor space ratio of 1:1.
- (4) Gross floor area that is to be used for the purposes of commercial premises may be counted only for the purposes of satisfying subclause (2) or (3), but not for the purposes of satisfying both those subclauses.
- (5) Despite clause 7.3, the maximum number of car parking spaces permitted for a building on land to which this clause applies is the number permitted under subclauses (6) and (7).
- (6) The maximum number of car parking spaces for residential accommodation in the building is as follows –
  - (a) 0.1 space per studio apartment,
  - (b) 0.3 space per 1 bedroom apartment,
  - (c) 0.7 space per 2 bedroom apartment,
  - (d) 1 space per 3 bedroom apartment.

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- (7) The maximum number of car parking spaces for hotel or motel accommodation or commercial premises in the building is to be calculated using the following formula (but only if the building has a floor space ratio greater than 3.5:1) –

$$M = (G \times A) \div (50 \times T)$$

where –

**M** is the maximum number of parking spaces, and

**G** is the gross floor area of all hotel or motel accommodation or commercial premises in the building in square metres, and

**A** is the site area in square metres, and

**T** is the total gross floor area of all buildings on the site in square metres.

#### 7.14 Car parking for certain land in Parramatta City Centre

- (1) This clause applies to the following land –
- (a) Lot 1, DP 1041242, 220 Church Street, Parramatta,
  - (b) Lot 1, DP 702291, 230 Church Street, Parramatta,
  - (c) Lot B, DP 394050, 48 Macquarie Street, Parramatta,
  - (d) Lot 11, DP 1115358, Lot 30, DP 1115365 and Lot 20, DP 1115360, 184–188 George Street, Parramatta.
- (2) The maximum number of car parking spaces for residential accommodation in a building on land to which this clause applies is as follows –
- (a) 0.1 space per studio apartment,
  - (b) 0.3 space per 1 bedroom apartment,
  - (c) 0.7 space per 2 bedroom apartment,
  - (d) 1 space per 3 bedroom apartment.
- (3) The maximum number of car parking spaces for non-residential premises in a building on land to which this clause applies is to be calculated using the following formula (but only if the building has a floor space ratio greater than 3.5:1) –
- $$M = (G \times A) \div (50 \times T)$$
- where –
- M** is the maximum number of parking spaces.
- G** is the gross floor area of all non-residential premises in the building in square metres.
- A** is the site area in square metres.
- T** is the total gross floor area of all buildings on the site in square metres.
- (4) This clause applies despite clause 7.3.

#### 7.15 Development on land at 2–6 Hassall Street, Parramatta

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- (1) This clause applies to land at 2–6 Hassall Street, Parramatta, being Lot 22, DP 608861, Lot 62, DP 1006215 and Lot 7, DP 128820.
- (2) The maximum number of car parking spaces for commercial premises and educational establishments in a building on land to which this clause applies is to be calculated using the following formula (but only if the building has a floor space ratio greater than 3.5:1) –
- $$M = (G \times A) \div (50 \times T)$$
- where –
- M** is the maximum number of parking spaces, and
- G** is the gross floor area of all commercial premises and educational establishments in the building in square metres, and
- A** is the site area in square metres, and
- T** is the total gross floor area of all buildings on the site in square metres.
- (3) Development consent must not be granted to development involving the construction of a new building or external alterations to an existing building on land to which this clause applies unless the consent authority is satisfied that–
- (a) the building complies with the following standards (but only if the building has a gross floor area that exceeds 10,000 square metres) –
- (i) the energy target is a maximum 140 kg/m<sup>2</sup> per year,
  - (ii) the water target is a maximum 65 kL/m<sup>2</sup> per year, and
- (b) the building utilises a dual water reticulation system containing pipes for potable water and recycled water for all internal and external water uses.
- (4) This clause applies despite clause 7.3.

**7.16 Development on land at 12A Parkes Street, Harris Park**

- (1) This clause applies to land marked “Area 8” on the Special Provisions Area Map.
- (2) The consent authority must not grant consent to the erection of a new building on land to which this clause applies unless, in addition to being satisfied of the matters mentioned in clause 6.3(3) in relation to the development on the land, the consent authority is satisfied that the building –
- (a) contains an area that is –
- (i) located above the probable maximum flood level, and
  - (ii) connected to an emergency electricity and water supply, and
  - (iii) of sufficient size to provide refuge for all occupants of the building (including residents, workers and visitors), and
- (b) has an emergency access point to the land that is above the 1% annual exceedance probability event, and
- (c) is able to withstand the forces of floodwaters, debris and buoyancy resulting from a probable maximum flood event.
- (3) Despite clause 7.3, the maximum number of car parking spaces permitted for a building on land to which this clause applies is the number permitted under subclauses (4) and (5).

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- (4) The maximum number of car parking spaces for residential accommodation in the building is as follows –
- (a) 0.1 space per studio apartment,
  - (b) 0.3 space per 1 bedroom apartment,
  - (c) 0.7 space per 2 bedroom apartment,
  - (d) 1 space per 3 bedroom apartment.
- (5) The maximum number of car parking spaces for commercial premises in the building is to be calculated using the following formula (but only if the building has a floor space ratio greater than 3.5:1) –
- $$M = (G \times A) \div (50 \times T)$$
- where –
- M** is the maximum number of parking spaces.
- G** is the gross floor area of all hotel or motel accommodation or commercial premises in the building in square metres.
- A** is the site area in square metres.
- T** is the total gross floor area of all buildings on the site in square metres.
- (6) A word or expression used in this clause has the same meaning as it has in the *Floodplain Development Manual* (ISBN 0 7347 5476 0), published in 2005 by the NSW Government.

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## Appendix 1b – PLEP 2011 Maps affecting Parramatta CBD

[Provided under separate cover]

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## Appendix 2a – Proposed LEP Amending Instrument

[Provided under separate cover]



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## Appendix 2b – Proposed LEP Maps

[Provided under separate cover]

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## Appendix 3 – CBD Planning Strategy (2015)

[Provided under separate cover]

PLANNING PROPOSAL – Parramatta CBD

## Appendix 4a – Gateway determination



PP\_2017\_COPAR\_002\_00/(IRF18/4384)

Ms Sue Coleman  
Acting Chief Executive Officer  
City of Parramatta Council  
PO Box 32  
PARRAMATTA NSW 2124

Attention: Mr Roy Laria

Dear Ms Coleman *Sue*

**Planning proposal PP\_2017\_COPAR\_002\_00 to amend Parramatta Local Environmental Plan 2011**

I am writing in response to Council's request for a Gateway determination under section 3.34(1) of the *Environmental Planning and Assessment Act 1979* (the Act) in respect of the planning proposal to prepare a new planning framework for the continued growth and development of the Parramatta central business district (CBD).

As delegate of the Minister for Planning, I have now determined that the planning proposal should proceed subject to the conditions in the enclosed Gateway determination.

As requested by Council, the Department has issued a conditional Gateway determination to allow the planning proposal to be updated and consolidated. The Gateway determination therefore contains several conditions to seek further clarification or evidence to support the planning proposal.

The Gateway conditions seek to enable further understanding of the intended framework, understand the potential impacts of the proposed height, bulk and scale and ensure that this is appropriate in the context of the significant heritage values in the CBD, and to enhance public spaces. In updating the planning proposal in accordance with the gateway conditions, Council may choose to submit information to the Department for approval ahead of the consolidated planning proposal.

I have agreed, as delegate of the Secretary, that the planning proposal's inconsistencies with section 9.1 Directions 3.1 Residential Zones and 4.1 Acid Sulfate Soils are justified in accordance with the terms of the Directions. No further approval is required in relation to these Directions.

I have considered Council's request for exceptional circumstances under section 9.1 Direction 4.3 Flood Prone Land which is required to enable the public exhibition of a proposed new flood planning clause that will apply to land impacted by the probable maximum flood (PMF). I have decided to grant exceptional circumstances to enable

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further agency consultation and community consultation. However, consistency with section 9.1 Direction 4.3 Flood Prone Land will require further consideration and agreement from the Department's Secretary.

Council will still need to obtain the agreement of the Department's Secretary to comply with the requirements of relevant section 9.1 Directions 2.3 Heritage Conservation 3.5 Development Near Licensed Aerodromes, 6.1 Approval and Referral Requirements, 6.2 Reserving Land for Public Purposes, 6.3 Site Specific Provisions and 7.5 Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan following agency and community consultation.

I have considered Council's request to be the local plan-making authority and have determined not to condition the Gateway for Council to be the local plan-making authority.

The amending local environmental plan (LEP) is to be finalised within 24 months of the date of the Gateway determination. Council should aim to commence consultation with relevant authorities as soon as possible to enable a consolidated and updated planning proposal to be submitted to the Department for further consideration and approval prior to public exhibition. Council's request for the Department to draft and finalise the LEP should be made eight weeks prior to the projected publication date.

The state government is committed to reducing the time taken to complete LEPs by tailoring the steps in the process to the complexity of the proposal, and by providing clear and publicly available justification for each plan at an early stage. In order to meet these commitments, the Greater Sydney Commission may take action under section 3.32(2)(d) of the Act if the time frames outlined in this determination are not met.

Should you have any enquiries about this matter, I have arranged for Ms Christine Gough to assist you. Ms Gough can be contacted on 9860 1531.

Yours sincerely



**Marcus Ray**  
**Deputy Secretary**  
**Planning Services**  
*13/12/2018*  
Encl: Gateway determination

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### Gateway Determination

**Planning proposal (Department Ref: PP\_2017\_COPAR\_002\_00):** to prepare a new planning framework for the Parramatta central business district (CBD).

I, the Deputy Secretary, Planning Services at the Department of Planning and Environment, as delegate of the Minister for Planning, have determined under section 3.34(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the Parramatta Local Environmental Plan (LEP) 2011 to prepare a new planning framework for the Parramatta CBD should proceed subject to the following conditions:

1. Prior to public exhibition, Council is to amend the planning proposal to:
  - (a) consider sites that have been subject to a site-specific planning proposal and recommend whether the site-specific clause is to be retained in the Parramatta LEP or integrated with the proposed planning framework;
  - (b) amend the objectives and intended outcomes to reflect the description of Parramatta as Sydney's Central City in the Greater Sydney Region Plan and include an objective that refers to the need for appropriate consideration of heritage items and heritage interface areas;
  - (c) prepare a draft acquisition and strategic corridor preservation map to indicate land that may be required to be rezoned to SP2 to facilitate local and regional infrastructure projects;
  - (d) assess the planning proposal against the Greater Sydney Region Plan and the Central City District Plan and describe how the planning proposal gives effect to and complies with these plans;
  - (e) assess the planning proposal against section 9.1 Direction 7.5 Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Development Plan to demonstrate consistency with this document;
  - (f) address the Community Strategic Plan 2018-2038, Culture and Our City: A Cultural Plan for Parramatta's CBD 2017-2022 and the Parramatta Smart City Masterplan and demonstrate consistency with these documents;
  - (g) review the demographic data and the job and housing numbers that could be delivered through the planning proposal;
  - (h) update the planning proposal and maps to provide a consolidated explanation of provisions and assessment of the intended outcomes as amended by this Gateway determination, and review the studies that have been prepared to support the planning proposal and update if required;
  - (i) in relation to the proposed floor space ratio (FSR) controls and incentives:
    - i. amend the base and incentive FSR maps to reflect the Gateway conditions;

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- ii. amend the planning proposal and the FSR sliding scale to reflect option FSR-1 in Council's report of 14 December 2015, unless further evidence is provided to demonstrate that alternative thresholds would be appropriate;
  - iii. amend the planning proposal and the FSR out clause to reflect ALT-1 in Council's report of 14 December 2015, but only for isolated sites and where design excellence is achieved;
  - iv. amend the planning proposal to clearly define what constitutes an isolated site;
  - v. enable unlimited office premises FSR in the B3 Commercial Core on sites greater than 1800m<sup>2</sup>. Council may reduce this threshold subject to urban design testing and demonstration of the achievement of appropriate commercial floor plates;
  - vi. review the proposed opportunity sites having regard to site depth, site isolation and impacts on heritage areas and historic streetscapes. Opportunity sites should be removed from the planning proposal where the additional bulk and scale could have an adverse impact on the amenity of surrounding localities and areas of heritage significance; and
  - vii. carry out environmental analysis and feasibility testing to demonstrate that sites with an FSR greater than 6:1 are suitable for the intended 5% FSR high performing buildings bonus and incorporate the intended policy into the explanation of provisions of the planning proposal;
- (j) in relation to the proposed height of building controls:
- i. liaise with the Civil Aviation Safety Authority and the federal Department of Infrastructure, Regional Development and Cities to either determine the maximum mapped height of building that can be applied in the Parramatta CBD or provide further justification for the removal of height controls on unconstrained land;
  - ii. provide further assessment of the overshadowing impact of the proposed controls on public open spaces surrounding the CBD compared to the existing controls;
  - iii. incorporate an assessment of the potential overshadowing impacts on Experiment Farm that may result from the proposed planning controls (outside the proposed sun access plane of 10am–2pm);
  - iv. provide further analysis to inform a sun access plane for the protected area of Parramatta Square between 12pm and 2pm, including the times of year that the proposed controls would apply;
  - v. update the planning proposal to address the proposed permissibility of minor intrusions into the protected area of Parramatta Square, the intended outcomes and an analysis of potential impacts;

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- (k) in relation to heritage matters, which may also influence the height and FSR outcomes:
  - i. carry out further investigations of heritage interface areas and clearly identify where there are inconsistencies between the intended outcomes in the planning proposal and the heritage reports that have been prepared. Council is to provide further information to identify where the inconsistencies exist, the extent of the inconsistencies and how they are proposed to be addressed;
  - ii. carry out an urban design study of the southern interface areas to ensure that excessive cumulative shadow impacts are not created across the northern sections of adjoining heritage conservation areas (HCA), including the Harris Park HCA, the Experiment Farm HCA, the Tottenham Road HCA and the South Parramatta HCA. These areas should receive a minimum of two hours' direct sunlight between 9am and 3pm at midwinter (21 June). If required, heights and FSRs are to be adjusted accordingly; and
  - iii. along Church Street between Lennox Bridge and Macquarie Street, retain the FSR of 3:1, the height limit of 12m and the podium setback of 18m unless a heritage, urban design and commercial feasibility study is carried out to demonstrate that a reduced tower podium setback has merit from a heritage, urban design and commercial feasibility perspective, and consider removing opportunity sites in this precinct if additional height and FSR will have an adverse impact on heritage values;
- (l) prepare a mesoscopic model and integrated transport plan in consultation with Transport for NSW, Roads and Maritime Services, Parramatta Light Rail and Sydney Metro West, taking into account planned transport infrastructure improvements;
- (m) in relation to infrastructure funding:
  - i. amend the planning proposal to introduce a satisfactory arrangements clause to fund regional infrastructure;
  - ii. change all references to 'value sharing' in the planning proposal to 'provision of community infrastructure';
  - iii. amend the explanation of provisions to clarify that community infrastructure is only able to be provided on the development site; and
  - iv. consider a funding mechanism to support the provision of community infrastructure, such as the preparation of a new section 7.11 contributions plan or a potential increase to the levy under the current 7.12 contributions plan.

The planning proposal is to be submitted to the Department for approval prior to public exhibition.

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2. Prior to public exhibition and resubmitting the planning proposal to the Department for approval, Council is to consult with the following public authorities to further refine the planning proposal in accordance with the Gateway determination:
  - Transport for NSW;
  - Roads and Maritime Services;
  - Office of Environment and Heritage – Heritage Division;
  - NSW Heritage Office;
  - NSW State Emergency Service;
  - Government Architect NSW;
  - Civil Aviation Safety Authority; and
  - federal Department of Infrastructure, Regional Development and Cities.
  
3. Public exhibition is required under section 3.34(2)(c) and schedule 1 clause 4 of the Act as follows:
  - (a) the planning proposal must be made publicly available for a minimum of 28 days; and
  - (b) the planning proposal 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 planning proposals as identified in section 5.5.2 of *A guide to preparing local environmental plans* (Department of Planning and Environment 2016).
  
4. Further consultation is required with the public authorities listed in condition 2 and the following additional public authorities/organisations under section 3.34(2)(d) of the Act:
  - Department of Family and Community Services;
  - Department of Education;
  - Department of Industry – Trade and Investment;
  - Fire and Rescue NSW;
  - Department of Health;
  - NSW Police Force;
  - Sydney Water;
  - adjoining local government area councils;
  - federal Department of the Environment and Energy;
  - National Trust of Australia;
  - Department of Defence;
  - Deerubbin Aboriginal Land Council;

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Environment**

- Western Sydney Local Health District;
- Greater Sydney Local Land Services;
- NSW Aboriginal Land Council;
- relevant service providers; and
- UrbanGrowth NSW.

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

5. A public hearing is not required to be held into the matter by any person or body under section 3.34(2)(e) of the 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).
6. The time frame for completing the LEP is to be 24 months following the date of the Gateway determination.

Dated 13<sup>th</sup> day of December 2018.

A handwritten signature in black ink that reads 'Marcus Ray'.

**Marcus Ray**  
Deputy Secretary  
Planning Services  
Department of Planning and Environment

Delegate of the Minister for Planning

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# Appendix 4b – Satisfying the Gateway conditions

Schedule 4b - Satisfying Gateway conditions that relate to amending the Parramatta CBD Planning Proposal		Supporting Study or analysis
DPE Gateway Condition	Action	
2 Prior to public exhibition, Council is to amend the planning proposal to:	Consistency assessment undertaken.	Recommendations for amendments to the proposed draft instrument provided in Table in Appendix 2a.
(a) consider sites that have been subject to a site-specific planning proposal and recommend whether the site-specific clause is to be retained in the Parramatta LEP or integrated with the proposed planning framework;	Relevant section in Part 3 of the PP has been updated.	Not required
(b) amend the objectives and intended outcomes to reflect the description of Parramatta as Sydney's Central City in the Greater Sydney Region Plan and include an objective that refers to the need for appropriate consideration of heritage items and heritage interface areas;	Land Reservation Acquisition Map has been amended to identify additional local road widening. Consultation to be undertaken with RMS and TINSW.	Road widenings to be reviewed through mesoscopic model and ITP.
(c) prepare a draft acquisition and strategic corridor preservation map to indicate land that may be required to be rezoned to SP2 to facilitate local and regional infrastructure projects;	Relevant section in Part 3 of the PP has been updated.	Not required
(d) assess the planning proposal against the Greater Sydney Region Plan and the Central City District Plan and describe how the planning proposal gives effect to and complies with these plans;	Relevant section in Part 3 of the PP has been updated.	Not required
(e) assess the planning proposal against section 9.1 Direction 7.5 Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Transport Management Plan to demonstrate consistency with this document;	Relevant section in Part 3 of the PP has been updated.	Not required
(f) address the Community Strategic Plan 2018-2038; Culture and Our City; A Cultural Plan for Parramatta's CBD 2017-2022 and the Parramatta Smart City Masterplan and demonstrate consistency with these documents.	Relevant section in Part 3 of PP has been updated. Council's Draft LSPS and Draft Local Housing Strategy also included as these have been prepared since the issuing of the Gateway Determination.	Not required

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DPE Gateway Condition	Action	Supporting Study or analysis
(g) review the demographic data and the job and housing numbers that could be delivered through the planning proposal;	Relevant section in Part 3 of the PP has been updated.	GIS data analysis undertaken to determine yields.
(h) update the planning proposal and maps to provide a consolidated explanation of provisions and assessment of the intended outcomes as amended by this Gateway determination, and review the studies that have been prepared to support the planning proposal and update if required;	This has been addressed across a range of sections in the PP and supporting evidence provided in the Appendices.	Refer to Study List in the Introduction section of the PP.
(i) in relation to the proposed floor space ratio (FSR) controls and incentives;		
i. amend the base and incentive FSR maps to reflect the Gateway conditions;	The Height of Buildings and Floor Space Ratio Maps have been updated as well as the Incentive Height of Buildings and Incentive Floor Space Ratio Maps.	The studies that informed these map amendments are listed elsewhere in this table.
ii. amend the planning proposal and the FSR sliding scale to reflect option FSR-1 in Council's report of 14 December 2015, unless further evidence is provided to demonstrate that alternative thresholds would be appropriate;	The Introduction section of the PP updated to reflect this. The proposed clause - 7.2 Floor space ratio - has also been updated to reflect Option FSR-1 in Council's report of 14 December 2015.	The studies that informed these map amendments are listed elsewhere in this table.
iii. amend the planning proposal and the FSR out clause to reflect ALT-1 in Council's report of 14 December 2015, but only for isolated sites and where design excellence is achieved;	The Introduction section of the PP updated to reflect this. The proposed clause - 7.2 Floor space ratio - has also been updated to reflect Option ALT-1 in Council's report of 14 December 2015.	The studies that informed these map amendments are listed elsewhere in this table.
iv. amend the planning proposal to clearly define what constitutes an isolated site;	A proposed local provision - 7.2 Floor Space ratio - inserts a definition of isolated sites.	The methodology is explained in the Introduction section of the planning proposal.

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DPE Gateway Condition	Action	Supporting Study or analysis
<p>v. enable unlimited office premises FSR in the B3 Commercial Core on sites greater than 1800m<sup>2</sup>. Council may reduce this threshold subject to urban design testing and demonstration of the achievement of appropriate commercial floor plates.</p>	<p>PP amended to include a requirement for an 1,800m<sup>2</sup> site to achieve unlimited office premises FSR in the B3 Zone.</p>	<p><i>Economic Review – Achieving A-Grade Office Development</i>, prepared by consultants Urbis (initially October 2015, updated in September 2019). Other urban design studies prepared between June and October 2019.</p>
<p>vi. review the proposed opportunity sites having regard to site depth, site isolation and impacts on heritage areas and historic streetscapes. Opportunity sites should be removed from the planning proposal where the additional bulk and scale could have an adverse impact on the amenity of surrounding localities and areas of heritage significance, and</p>	<p>Opportunity Sites clause and map amended to reflect analysis undertaken internal and externally (see adjoining column).</p>	<p><i>Review of Opportunity Sites</i> prepared by Council (with supporting Heritage Review by LSJ) informed the amendments to the Opportunity Sites clause and map.</p>
<p>vii. carry out environmental analysis and feasibility testing to demonstrate that sites with an FSR greater than 6:1 are suitable for the intended 5% FSR high performing buildings bonus and incorporate the intended policy into the explanation of provisions of the planning proposal.</p>	<p>HPB Clause amended to apply a 5% bonus to all sites greater than 6:1. Supporting study prepared.</p>	<p><i>Sustainability and Infrastructure Study</i> prepared by consultants Kinesis (initially prepared in November 2015, updated June 2019), and <i>High Performance Building Bonus Study</i>, prepared by consultants Kinesis (initially February 2016, updated in July 2017 and July 2019).</p>
<p>(j) in relation to the proposed height of building controls:</p>		
<p>i. liaise with the Civil Aviation Safety Authority and the federal Department of Infrastructure, Regional Development and Cities to either determine the maximum mapped height of building that can be applied in the Parramatta CBD or provide further justification for the removal of height controls on unconstrained land;</p>	<p>PP updated to include height controls for all sites. Consultation with CASA and DIRDC to be undertaken.</p>	<p>Various studies, including urban design and overshadowing, determined heights.</p>
<p>ii. provide further assessment of the overshadowing impact of the proposed controls on public open spaces surrounding the CBD compared to the existing controls;</p>	<p>Studies undertaken. Heights and FSRs reduced for certain city blocks. Refer to adjoining column.</p>	<p>Refer to <i>Technical Paper</i> prepared by Council (revised at October 2019). Other external and internal studies prepared between June and October 2019 also directly or indirectly informed the PP amendments to the instrument and/or map.</p>

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DPE Gateway Condition	Action	Supporting Study or analysis
<p>iii. Incorporate an assessment of the potential overshadowing impacts on Experiment Farm that may result from the proposed planning controls (outside the proposed sun access plane of 10am–2pm);</p>	<p>Studies undertaken. Refer to adjoining column. Position to maintain solar access to Experiment Farm between 10am-2pm on 21 June has been maintained in the PP.</p>	<p>Refer to <i>Technical Paper</i> prepared by Council (revised at October 2019). Other external and internal studies prepared between June and October 2019 also directly or indirectly informed the PP amendments to the instrument and/or map.</p>
<p>iv. provide further analysis to inform a sun access plane for the protected area of Parramatta Square between 12pm and 2pm, including the times of year that the proposed controls would apply;</p>	<p>Studies undertaken. Refer to adjoining column. Solar access to Parramatta Square protected between 12pm-2pm on 21 June.</p>	<p>Refer to <i>Technical Paper</i> prepared by Council (revised at October 2019). Other external and internal studies prepared between June and October 2019 also directly or indirectly informed the PP amendments to the instrument and/or map.</p>
<p>v. update the planning proposal to address the proposed permissibility of minor intrusions into the protected area of Parramatta Square, the intended outcomes and an analysis of potential impacts;</p>	<p>PP updated accordingly. Subclause added which will allow minor overshadowing only.</p>	<p>Not required. Detailed analysis of overshadowing to Parramatta Square undertaken in <i>Technical Paper</i>.</p>
<p>(k)</p>	<p>in relation to heritage matters, which may also influence the height and FSR outcomes;</p>	
<p>i. carry out further investigations of heritage interface areas and clearly identify where there are inconsistencies between the intended outcomes in the planning proposal and the heritage reports that have been prepared. Council is to provide further information to identify where the inconsistencies exist, the extent of the inconsistencies and how they are proposed to be addressed;</p>	<p>Inconsistencies existed in West Auto Alley, Marion Street, and Church Street precincts. Further studies undertaken to address these inconsistencies and the PP has been updated accordingly.</p>	<p><i>Church Street Precinct: Urban Design and Feasibility Study</i> prepared by Council with supporting heritage study by City Plan Heritage, Marion Street Precinct Plan prepared by SJB with heritage input from heritage consultant Paul Davies; <i>West Auto Alley Precinct Plan</i> prepared by consultants Olsson Associates with landscape input by Jane Irwin and heritage input by Howard Tanner Architects; <i>Opportunity Sites Study</i>, prepared by Council with heritage input from Lucas Stapleton, Johnson and Partners (LSJ), both from October 2019.</p>

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DPE Gateway Condition	Action	Supporting Study or analysis
ii. carry out an urban design study of the southern interface areas to ensure that excessive cumulative shadow impacts are not created across the northern sections of adjoining heritage conservation areas (HCA), including the Harris Park HCA, the Experiment Farm HCA, the Tottenham Road HCA and the South Parramatta HCA. These areas should receive a minimum of two hours' direct sunlight between 9am and 3pm at midwinter (21 June). If required, heights and FSRs are to be adjusted accordingly; and	Overshadowing analysis undertaken. Refer to adjoining column. Heights and FSRs for certain city blocks reduced accordingly to minimise overshadowing.	Overshadowing Technical Paper (October 2012).
iii. along Church Street between Lennox Bridge and Macquarie Street, retain the FSR of 3:1, the height limit of 12m and the podium setback of 18m unless a heritage, urban design and commercial feasibility study is carried out to demonstrate that a reduced tower podium setback has merit from a heritage, urban design and commercial feasibility perspective, and consider removing opportunity sites in this precinct if additional height and FSR will have an adverse impact on heritage values;	Church Street Precinct Study and Opportunity Sites Study. Undertaken. 12m podium setback is included and reduction in FSRs to 3:1 to certain smaller sites has been included, as well as removal of most opportunity sites.	Church Street Precinct Plan - Planning, Urban Design and Feasibility prepared by Council and Heritage Analysis prepared by City Plan Heritage Opportunity Sites Study, prepared by Council with heritage analysis by L.S.J.
(l) prepare a mesoscopic model and integrated transport plan in consultation with Transport for NSW, Roads and Maritime Services, Parramatta Light Rail and Sydney Metro West, taking into account planned transport infrastructure improvements;	Strategic Transport Study prepared and will be exhibited with the PP. Work on a mesoscopic model and ITP has commenced and will be finalised prior to PP gazettal. Council will seek a Gateway alteration to reflect this course of action.	Strategic Transport Study by AECOM completed. Mesoscopic Model and ITP by Jacobs commenced.
(m) in relation to infrastructure funding;		

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DPE Gateway Condition	Action	Supporting Study or analysis
i. amend the planning proposal to introduce a satisfactory arrangements clause to fund regional infrastructure;	Relevant sections in the PP have been updated including Part 2, Appendix 2a of the PP contains the draft amending instrument which includes clause 7.6G Arrangements for contributions to designated State public infrastructure.	Not required.
ii. change all references to 'value sharing' in the planning proposal to 'provision of community infrastructure' ;	Relevant sections in the PP have been updated.	Not required.
iii. amend the explanation of provisions to clarify that community infrastructure is only able to be provided on the development site; and	Relevant section in Part 2 of the PP has been updated. Clause 7.6H - Community Infrastructure has been amended based on Penrith LCP clause.	Community Infrastructure Funding Study by GLN Planning and AEC currently being finalised. Refer to GLN Planning letter.
iv. consider a funding mechanism to support the provision of community infrastructure, such as the preparation of a new Section 7.11 contributions plan or a potential increase to the levy under the current 7.12 contributions plan.	Study underway to consider appropriate way forward with a new contributions plan. This will be reported separately.	Community Infrastructure Funding Study prepared by consultants GLN Planning with economic input from AEC (currently being finalised).

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## Appendix 5 – Heritage Study (Urbis) 2015

[Provided under separate cover]



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## Appendix 6a – Heritage Study of Interface Areas (Hector Abraham Architects) 2019

[Provided under separate cover]

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## Appendix 6b – Council's response to Hector Abraham Architects report

[Provided under separate cover]

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## Appendix 7 – West Auto Alley Precinct Plan

[Provided under separate cover]

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## Appendix 8 – Marion Street Precinct Plan

[Provided under separate cover]

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## Appendix 9a – Urban Design & Feasibility Study – Church Street Precinct (Council) June 2019

[Provided under separate cover]

PLANNING PROPOSAL – Parramatta CBD

# Appendix 9b – Heritage Study - Church Street Precinct (City Plan) June 2019

[Provided under separate cover]

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## Appendix 10a – Overshadowing Technical Paper (October 2019)

[Provided under separate cover]

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## Appendix 10b – Market and Feasibility Analysis (October 2019)

[Provided under separate cover]



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## Appendix 11a – Opportunity Sites Report (October 2019)

[Provided under separate cover]

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# Appendix 11b – Parramatta CBD Opportunity Sites – Heritage Review by LSJ (October 2019)

[Provided under separate cover]

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## Appendix 12 – Economic Review – Achieving A-Grade Office

[Provided under separate cover]

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## Appendix 13 – Strategic Transport Study (2017)

[Provided under separate cover]

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# Appendix 14a – Updated Flood Risk Management Plans (2019)

[Provided under separate cover]

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## Appendix 14b – Flood Evacuation Assessment (2019)

[Provided under separate cover]

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# Appendix 14c – Parramatta CBD Horizontal Evacuation Pilot Study (2017) by SJB

[Provided under separate cover]

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## Appendix 15 – Preliminary Site Investigation Study for the Auto Alley area (2019a)

[Provided under separate cover]



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## Appendix 16a – Sustainability and Infrastructure Study (2019)

[Provided under separate cover]

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## Appendix 16b – Review of High Performing Buildings Study (2019)

[Provided under separate cover]

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## Appendix 17a – Community Facilities Needs Study (2016)

[Provided under separate cover]

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## Appendix 17b – Infrastructure Funding Models Study (2016)

[Provided under separate cover]

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## Appendix 17c – Discussion Paper on Infrastructure Planning and Funding in the Parramatta CBD (2017)

[Provided under separate cover]

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# Appendix 17d – Draft Infrastructure Needs Analysis (2017)

[Provided under separate cover]

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## Appendix 17e – Independent Peer Review of Council's past work on community infrastructure – by Aurecon (2017)

[Provided under separate cover]

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## Appendix 17f – Memo on the Parramatta CBD Community Infrastructure Funding Study (2019)

[Provided under separate cover]



**Attachment 3** Technical Studies in support of the draft Parramatta CBD Planning Proposal are provided under separate cover and available on Council's website here:

<https://www.cityofparramatta.nsw.gov.au/council/council-meetings/council-business-papers-minutes-dates>

The full list of Attachments to the Planning Proposal are set out below.

Draft Parramatta CBD Planning Proposal - Appendices			Author
Appendix	1a	Current planning controls - Parramatta LEP 2011 Instrument (provided within the Planning Proposal)	N/A
	1b	Current planning controls - Parramatta LEP 2011 Maps	N/A
Appendix	2a	Proposed planning controls – Proposed LEP amending instrument	CoP
	2b	Proposed planning controls – Proposed LEP maps	CoP
Appendix	3	Parramatta CBD Planning Strategy 2015	CoP
Appendix	4a	Gateway Determination for the Parramatta CBD Planning Proposal 2018 (provided within the Planning Proposal)	DPIE
	4b	Satisfying the Gateway conditions table (provided within the Planning Proposal)	CoP
Appendix	5	Urbis Heritage Study (2015)	Urbis
Appendix	6a	Heritage Study of Interface Areas 2019	Hector Abraham Architects (HAA)
	6b	Council's response to the HAA Heritage Study	CoP
Appendix	7	West Auto Alley Precinct Plan	Olsson Associates
Appendix	8	Marion Street Precinct Plan	SJB Urban & Paul Davies
Appendix	9a	Urban Design & Feasibility Study – Church Street Precinct	CoP
	9b	Heritage Study - Church Street Precinct	City Plan
Appendix	10a	Overshadowing Technical Paper (October 2019)	CoP
	10b	Market and Feasibility Analysis - Parramatta CBD (Blocks A - D)	JLL
Appendix	11a	Opportunity Sites Report (October 2019)	CoP
	11b	Parramatta CBD Opportunity Sites – Heritage Review	LSJ
Appendix	12	Economic Review – Achieving A-Grade Office	Urbis
Appendix	13	Strategic Transport Study 2017	AECOM
Appendix	14a	Updated Flood Risk Management Plans 2019	Molino Stewart
	14b	Parramatta CBD Flood Evacuation Assessment 2019	Molino Stewart
	14c	Horizontal Evacuation Pilot Study for Parramatta CBD 2017	SJB
Appendix	15	Preliminary Site Investigation Study for the Auto Alley area (2019a)	JBS&G
Appendix	16a	Sustainability and Infrastructure Study (2016)	Kinesis
	16b	Review (Memo) Sustainability and Infrastructure Study 2019	Kinesis

	16b	Review of High Performing Buildings Study (June 2019)	Kinesis
Appendix	17a	Community Facilities Needs Study 2016	Elton
	17b	Infrastructure Funding Models Study 2016	GLN
	17c	Discussion Paper on Infrastructure Planning and Funding in the Parramatta CBD 2017	CoP
	17d	Draft Infrastructure Needs Analysis 2017	CoP
	17e	Independent Peer Review of Council's past work on community infrastructure prepared by Aurecon 2017	Aurecon
	17f	Memo on the Parramatta CBD Community Infrastructure Funding Study 2019	GLN

# **MINUTES**

Extraordinary Council Meeting  
20 November 2019

MINUTES OF THE EXTRAORDINARY COUNCIL MEETING OF CITY OF PARRAMATTA COUNCIL HELD IN THE PARRAMATTA TOWN HALL ON WEDNESDAY, 20 NOVEMBER 2019 AT 7.00PM AND ADJOURNED TO MONDAY 25 NOVEMBER 6:30PM HELD IN THE CLOISTER FUNCTION ROOM, ST PATRICK'S CATHEDRAL, 1 MARIST PLACE, PARRAMATTA.

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PRESENT

The Lord Mayor, Councillor Bob Dwyer and Councillors Benjamin Barrak (7.08pm), Phil Bradley, Donna Davis, Michelle Garrard (Deputy Lord Mayor), Paul Han, Steven Issa, Andrew Jefferies, Sameer Pandey, Dr Patricia Prociv, Bill Tyrrell, Andrew Wilson, Lorraine Wearne and Martin Zaiter (8.22pm).

1. OPENING MEETING

The Lord Mayor, Councillor Bob Dwyer, opened the meeting at 7.00pm.

2. ACKNOWLEDGEMENT OF THE TRADITIONAL LAND OWNERS

The Lord Mayor, Councillor Dwyer, acknowledged the Burramattagal people of The Darug Nation as the traditional custodians of this land, and paid respect to their ancient culture and their elders past and present.

3. WEBCASTING ANNOUNCEMENT

The Lord Mayor, Councillor Dwyer, advised that this public meeting is being recorded and streamed live on the internet. The recording will also be archived and made available on Council's website.

The Lord Mayor, Councillor Dwyer further advised that all care will be taken to maintain privacy, however as a visitor in the public gallery, the public should be aware that their presence may be recorded.

4. OTHER RECORDING OF MEETING ANNOUNCEMENT

As per Council's Code of Meeting Practice, the recording of the Council Meeting by the public using any device, audio or video, is only permitted with Council permission. Recording a Council Meeting without permission may result in the individual being expelled from the Meeting.

5. APOLOGIES/REQUESTS FOR LEAVE OF ABSENCE

SUBJECT: Apologies/Requests for leave of absence

2503 RESOLVED (Tyrrell/Wilson)

**That** the apology received from Councillor Pierre Esber be accepted.

## 6. DECLARATIONS OF INTEREST

Councillor Barrak declared a non-pecuniary and less than significant interest in Item 9.1 being RESCISSION MOTION: Parramatta CBD Planning Proposal – Response to Gateway Determination Conditions as he owns land at Harris Park not affected by the Rescission Motion. He stated he would remain in the meeting during debate and voting on the Rescission Motion. This declaration was made upon his arrival at the meeting at 7:08pm.

Councillor Zaiter declared a non-pecuniary but significant interest in in Item 9.1 being RESCISSION MOTION: Parramatta CBD Planning Proposal - Response to Gateway Determination Conditions as a client of his practice owns property within the CBD Planning Area. He stated he would retire from the meeting during debate and voting on the Rescission Motion. This declaration was made upon his arrival at the meeting at 8:22pm.

## 7. MATTERS OF URGENCY (if any)

There were no matters of urgency raised at this meeting.

### PROCEDURAL MOTION

2504 RESOLVED (Dwyer/Garrard)

**That** the order of Council Business be amended to allow the Minutes of the Lord Mayor to be considered after Item 9.1 – RESCISSION MOTION: Parramatta CBD Planning Proposal – Response to Gateway Determination Conditions.

#### **Note:**

- 1. Councillor Barrak arrived at 7:08pm after consideration of the procedural motion.**
- 2. The Lord Mayor provided Clr. Barrak the opportunity to make a declaration of interest.**
- 3. Councillor Barrak declared a non-pecuniary and less than significant interest in Item 9.1 being RESCISSION MOTION: Parramatta CBD Planning Proposal - Response to Gateway Determination Conditions as he owns land at Harris Park not affected by the Rescission Motion. He stated he would remain in the meeting during debate and voting on the Rescission Motion.**

### PROCEDURAL MOTION

2505 RESOLVED (Tyrrell/Davis)

**That** the meeting be adjourned for a period of 10 minutes.

**Note: The meeting was adjourned at 7.20pm to obtain staff advice to assist Councillors in determining if they have an interest in the matter. The meeting resumed at 7.30pm.**

The meeting resumed in the Council Chambers at 7:30pm with the following Councillors in attendance: the Lord Mayor, Clr. Dwyer and

Councillors Barrak, Bradley, Davis, Garrard (Deputy Lord Mayor), Han, Issa, Jefferies, Pandey, Prociv, Tyrrell, Wilson and Wearne.

PROCEDURAL MOTION

2506 RESOLVED (Dwyer/Garrard)

**That** the meeting be adjourned for a period of 10 minutes.

**Note: The meeting was adjourned at 7.45pm to obtain staff advice if business other than that stated on the agenda may be considered at an Extraordinary Council Meeting. The meeting resumed at 7.55pm.**

The meeting resumed in the Council Chambers at 7:55pm with the following Councillors in attendance: the Lord Mayor, Clr. Dwyer and Councillors Barrak, Bradley, Davis, Garrard (Deputy Lord Mayor), Han, Issa, Jefferies, Pandey, Prociv, Tyrrell, Wilson and Wearne.

PROCEDURAL MOTION

MOTION (Garrard/Tyrrell)

**That** the meeting be adjourned until Monday, 25 November 2019 at the Cloister Function Room, St Patrick's Cathedral, 1 Marist Place, Parramatta at 6:30pm.

PROCEDURAL MOTION

2507 RESOLVED (Dwyer/Garrard)

**That** the meeting be adjourned for 15 minutes.

**Note:**

- 1. The meeting was adjourned at 8.03pm to obtain staff advice on the legality of an adjournment of the Extraordinary Council Meeting to another date and time. The meeting resumed at 8.22pm.**
- 2. Councillor Zaiter entered the chamber at 8.22pm.**

The meeting resumed in the Council Chambers at 8:22pm with the following Councillors in attendance: the Lord Mayor, Clr. Dwyer and Councillors Barrak, Bradley, Davis, Garrard (Deputy Lord Mayor), Han, Issa, Jefferies, Pandey, Prociv, Tyrrell, Wilson, Wearne and Zaiter (8.22pm).

**Note: Councillor Zaiter declared a non-pecuniary but significant interest in Item 9.1 being RESCISSION MOTION: Parramatta CBD Planning Proposal - Response to Gateway Determination Conditions as a client of his practice owns property within the CBD Planning Area. He stated he would retire from the meeting during debate and voting on the Rescission Motion.**

PROCEDURAL MOTION

2508 RESOLVED (Garrard/Tyrrell)

**That** the meeting be adjourned until Monday, 25 November 2019 at the Cloister Function Room, St Patrick's Cathedral, 1 Marist Place, Parramatta at 6:30pm.

PROCEDURAL MOTION

2509 MOTION (Barrak/Bradley)

**That** Council dissent from the Lord Mayor's ruling on the adjournment of the meeting to Monday, 25 November 2019.

The motion on being put was declared LOST on the casting vote of the Lord Mayor.

**Note:**

1. **The Lord Mayor vacated the Chair at 9.19pm and the Deputy Lord Mayor assumed the Chair at this time, after the vote on this procedural motion.**
2. **The meeting was adjourned at 9.26pm.**

RESUMPTION OF MEETING

The meeting resumed in the Council Chambers, Cloisters Function Room, St Patrick's Cathedral, 1 Marist Place, Parramatta at 6:28pm on Monday, 25 November 2019 with the following Councillors in attendance: the Lord Mayor, Councillor Bob Dwyer and Councillors Benjamin Barrak (6:36pm), Phil Bradley, Donna Davis, Steven Issa, Andrew Jefferies (6:33pm), Sameer Pandey, Dr Patricia Prociv, Bill Tyrrell, Andrew Wilson and Lorraine Wearne.

5. APOLOGIES/REQUESTS FOR LEAVE OF ABSENCE

SUBJECT: APOLOGIES/REQUEST FOR LEAVE OF ABSENCE

2510 RESOLVED (Zaiter/Tyrrell)

- (a) **That** the apology received for the late arrival of Councillor Andrew Jefferies be noted.
- (b) **Further, that** the apologies received from Councillor Paul Han and Councillor Michelle Garrard (Deputy Lord Mayor) be accepted.

6. DECLARATIONS OF INTEREST

Councillor Barrak declared a non-pecuniary and less than significant interest in Item 9.1 being RESCISSION MOTION: Parramatta CBD Planning Proposal - Response to Gateway Determination Conditions as he owns land at Harris Park not affected by the Rescission Motion. He stated he would remain in the meeting during debate and voting on the Rescission Motion.

Councillor Esber declared a pecuniary interest in Item 9.1 being RESCISSION MOTION: Parramatta CBD Planning Proposal - Response to Gateway Determination Conditions as he owns property 33 Fennel Street, Parramatta in the CBD. He stated he would retire from the meeting during debate and voting on the Rescission Motion.

Councillor Zaiter declared a non-pecuniary but significant interest in Item 9.1 being RESCISSION MOTION: Parramatta CBD Planning Proposal - Response to Gateway Determination Conditions as a client of his practice owns property within the CBD Planning Area. He stated he would retire from the meeting during debate and voting on the Rescission Motion.

## 7. MATTER OF URGENCY (if any)

There were no matters of urgency raised at this meeting.

### PROCEDURAL MOTION

2511 RESOLVED (Tyrrell/Issa)

**That** the order of the Council Business be amended to allow Item 8.1 LORD MAYORAL MINUTE: Condolence Motion for Bryan Powyer to be considered as the first item of the business of Council.

## 8. MINUTES OF THE LORD MAYOR

8.1 SUBJECT Condolence Motion for Bryan Powyer  
REFERENCE F2019/03630  
REPORT OF The Lord Mayor, Councillor Dwyer

2512 RESOLVED (Dwyer/Wilson)

- (a) **That** Council acknowledge the passing of National Trust (NSW) President and member of the Parramatta & District Historical Society, Mr Brian Powyer.
- (b) **Further, that** the Chamber hold a minutes silence as a gesture of respect on his passing and in recognition of his contributions to the Parramatta community.

### **Note:**

- 1. Councillor Jefferies arrived at 6:33pm during Item 8.1.**
- 2. Councillor Barrak arrived at 6:36pm during Item 8.1.**

### **Note:**

- 1. Councillor Zaiter retired from the meeting at 6:39pm before the commencement of Item 9.1.**
- 2. Councillor Esber retired from the meeting at 6:39pm before the commencement of Item 9.1.**
- 3. Councillor Barrak retired from the meeting at 6:42pm after the commencement of Item 9.1.**

## 9. RESCISSION MOTIONS

9.1 SUBJECT RESCISSION MOTION: Parramatta CBD Planning Proposal Response to Gateway Determination Conditions  
REFERENCE F2018/03742- D07117803  
REPORT OF Councillors Bradley, Prociv and Wearne



**That** the resolution of the Council Meeting held on 11 November 2019 in relation to Item 12.1 regarding the Parramatta CBD Planning Proposal – Response to Gateway Determination Conditions, namely:

- (a) **That** Council endorse the updated draft Parramatta CBD Planning Proposal (“Proposal”) informed by technical studies contained at **Attachment 2** (of Item 15.1 of the Council meeting held on 28 October 2019 – being the Draft Consolidated Parramatta CBD Planning Proposal – Response to Gateway Determination) for the purposes of consultation with State agencies, and subject to the following amendments being incorporated:
- (i) Amend maximum building heights shown on both the base and incentive height of building maps as 243m (RL) to 211m (RL) to account for the 15% design excellence bonus.
  - (ii) Amend the incentive height of building map for 295 Church Street, Parramatta to include a 211m (RL) height limit for that portion of the site that was inadvertently left uncoloured.
  - (iii) Amend the incentive height of building map for the block bound by Station Street West, Raymond Street, Peace Lane and Raymond Lane, Parramatta from 72m to 80m, consistent with other 6:1 Incentive FSR sites in the Proposal.
  - (iv) Amend the base height of buildings map from 18m to 12m for the two sites at 83 Macquarie Street and eastern portion of 38 Hunter Street, Parramatta (to align with the rear boundary of 83 Macquarie Street) so as to ensure heritage significant views to St John’s Church from Church Street (looking south) can be maintained.
  - (v) Amend the Proposal to include the sites at 7-11 Great Western Highway, Parramatta as they were inadvertently taken out as part of the removed area (as referenced in part (g) below), and reinstate draft controls for these sites as per the original Proposal endorsed by Council on 11 April 2016, including a zoning of B4 Mixed Use, Base Height of 12m, Incentive Height of 80m, Base FSR of 2:1 and Incentive FSR of 6:1.
- (b) **That** the CEO be authorised to make any minor amendments of a non-policy nature that are consistent with the intent of the draft Proposal and that may arise during the State agency consultation.
- (c) **That** subject to the outcome of consultation with State agencies being that only minor amendments of a non-policy nature are required, that the Proposal be forwarded on DPIE for approval for public exhibition.
- (d) **That** Council write to the DPIE with a request to amend the Gateway Determination in relation condition 1 (l) to:

- i. Update the condition to require the mesoscopic model and integrated transport plan be completed prior to the finalisation of the draft Proposal.
  - ii. Update the condition to only require the Strategic Transport Study (endorsed in April 2017) for public exhibition.
- (e) **That** following approval from the DPIE, the Proposal be placed on public exhibition for a minimum period of 28 days.
- (f) **That** the outcomes of public exhibition of the Proposal and the consideration of submissions are reported back to Council.
- (g) **That** Council endorse the removal of the area south of the Proposal boundary, bound by Great Western Highway and north of Lennox and Lansdowne Streets, and east of Marsden Street, Parramatta from the Proposal, and that this area be included in the future work on the Planning Investigation Areas as per the Parramatta CBD Planning Strategy.
- (h) **That** Council note that the draft Community Infrastructure Funding Study for the Parramatta CBD is currently underway in response to Gateway conditions 1(m) iii-iv, and that it be reported to Council when finalised later in 2019.
- (i) **Further, that** draft amendments to Parramatta Development Control Plan to support the Proposal, and a draft Infrastructure Strategy (incorporating a development guideline for the provision of community infrastructure and new contributions plan) be reported to Council prior to public exhibition.

be and is hereby rescinded.

DIVISION The result being:-

AYES: Ctrs Bradley, Davis, Pandey, Prociv, Wearne and Wilson

NOES: Ctrs Dwyer, Issa, Jefferies and Tyrrell

MOTION FOLLOWING RESCISSION MOTION

2514 RESOLVED (Davis/Wearne)

- (a) **That** Council endorse the updated draft Parramatta CBD Planning Proposal (“Proposal”) informed by technical studies contained at **Attachment 2** (of Item 15.1 of the Council meeting held on 28 October 2019 – being the Draft Consolidated Parramatta CBD Planning Proposal – Response to Gateway Determination) for the purposes of consultation with State agencies, and subject to the following amendments being incorporated:
- (i) Amend maximum building heights shown on both the base and incentive height of building maps as 243m (RL) to 211m (RL) to account for the 15% design excellence bonus.
  - (ii) Amend the incentive height of building map for 295 Church

- Street, Parramatta to include a 211m (RL) height limit for that portion of the site that was inadvertently left uncoloured.
- (iii) Amend the incentive height of building map for the block bound by Station Street West, Raymond Street, Peace Lane and Raymond Lane, Parramatta from 72m to 80m, consistent with other 6:1 Incentive FSR sites in the Proposal.
  - (iv) Amend the base height of buildings map from 18m to 12m for the two sites at 83 Macquarie Street and eastern portion of 38 Hunter Street, Parramatta (to align with the rear boundary of 83 Macquarie Street) so as to ensure heritage significant views to St John's Church from Church Street (looking south) can be maintained.
  - (v) Amend the Proposal to include the sites at 7-11 Great Western Highway, Parramatta as they were inadvertently taken out as part of the removed area (as referenced in part (g) below), and reinstate draft controls for these sites as per the original Proposal endorsed by Council on 11 April 2016, including a zoning of B4 Mixed Use, Base Height of 12m, Incentive Height of 80m, Base FSR of 2:1 and Incentive FSR of 6:1.
  - (vi) Amend the Proposal so as to remove the three areas zoned R4 High Density Residential (as shown on the Proposed Land Zoning Map) and that these areas be included in the future work on the 'Planning Investigation Areas' as per the Parramatta CBD Planning Strategy.
- (b) **That** the CEO be authorised to make any minor amendments of a non-policy nature that are consistent with the intent of the draft Proposal and that may arise during the State agency consultation.
  - (c) **That** subject to the outcome of consultation with State agencies being that only minor amendments of a non-policy nature are required, that the Proposal be forwarded on DPIE for approval for public exhibition.
  - (d) **That** Council write to the DPIE with a request to amend the Gateway Determination in relation condition 1 (l) to:
    - i. Update the condition to require the mesoscopic model and integrated transport plan be completed prior to the finalisation of the draft Proposal.
    - ii. Update the condition to only require the Strategic Transport Study (endorsed in April 2017) for public exhibition.
  - (e) **That** following approval from the DPIE, the Proposal be placed on public exhibition for a minimum period of 28 days.
  - (f) **That** the outcomes of public exhibition of the Proposal and the consideration of submissions are reported back to Council.
  - (g) **That** Council endorse the removal of the area south of the

Proposal boundary, bound by Great Western Highway and north of Lennox and Lansdowne Streets, and east of Marsden Street, Parramatta from the Proposal, and that this area be included in the future work on the Planning Investigation Areas as per the Parramatta CBD Planning Strategy.

- (h) **That** Council note that the draft Community Infrastructure Funding Study for the Parramatta CBD is currently underway in response to Gateway conditions 1(m) iii-iv, and that it be reported to Council when finalised later in 2019.
- (i) **Further, that** draft amendments to Parramatta Development Control Plan to support the Proposal, and a draft Infrastructure Strategy (incorporating a development guideline for the provision of community infrastructure and new contributions plan) be reported to Council prior to public exhibition.

DIVISION     The result being:-


AYES:         Clrs Bradley, Davis, Pandey, Prociv, Wearne and Wilson

NOES:         Clrs Dwyer, Issa, Jefferies and Tyrrell

#### 10. CONCLUSION OF MEETING

The meeting terminated at 6:52pm.

THIS PAGE AND THE PRECEDING 8 PAGES ARE THE MINUTES OF THE EXTRAORDINARY COUNCIL MEETING HELD ON WEDNESDAY, 20 NOVEMBER 2019, ADJOURNED TO 25 NOVEMBER 2019 AND CONFIRMED ON 9 DECEMBER 2019.



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Chairperson