

PLANNING PROPOSAL

Parramatta CBD

AMENDMENT TO PARRAMATTA LEP 2011

August 2020

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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	12 November 2019 – Amendments following Gateway Determination and Council meetings on 28 October 2019 and 11 November 2019
6.	City of Parramatta Council	6 December 2019 – Amendments following Council meeting on 25 November 2019
7.	City of Parramatta Council	4 March 2020 – Amendments following pre-exhibition consultation with public authorities under Condition 2 of the Gateway determination.
8.	City of Parramatta Council	14 August 2020 – Amendments following DPIE endorsement for public exhibition under Condition 3 of the Gateway Determination dated 27 July 2020 and Alteration to the Gateway Determination dated 27 July 2020

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 section 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;
- 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, Parramatta Stadium, certain land zoned B5 Business Development west of Church Street (behind Auto Alley); and certain land zoned B4 Mixed Use at the intersection of Church Street and Pennant Hills Road;
- some additions to Schedule 1 – Additional Permitted Uses;
- 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 precinct;
- amendments to the following maps in the Parramatta LEP 2011:
 - Land Application Map
 - 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 at a later date 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 planning 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.

Similarly, this Planning Proposal does not make any changes to the planning controls that apply to two areas on the fringe of the Parramatta City Centre, being certain land zoned B5 Business Development west of Church Street (behind Auto Alley); and land zoned B4 Mixed Use at the intersection of Church Street and Pennant Hills Road. These areas are also marked 'Area A' on the Parramatta CBD Planning Proposal - Special Provisions Map. The inclusion of these areas within the Planning Proposal reflects the Council resolution of 25 November 2019 to remove land proposed to be zoned R4 High Density Residential from the Planning Proposal to enable further heritage analysis to be undertaken. However, like the 'Park Edge (Highly Sensitive)' area, these areas are within the Parramatta City Centre boundary and subject to planning controls in Part 7 of Parramatta Local Environmental Plan 2011. Therefore, some provisions are necessary in the Planning Proposal to make it clear that only the existing planning controls currently in place for these areas will apply, instead of the new controls proposed in the Planning Proposal.

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.



Figure 1 – Parramatta CBD Planning Proposal area

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 (pp. 380-387);
- 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 - 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 as 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 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 of December 2018 are detailed in Table 1 and explained below in further detail.

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

Research and Technical Studies undertaken to inform the Parramatta CBD Planning Proposal	
Heritage and Urban Design	
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
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 November 2019 and August 2020
Sustainability, Infrastructure and High Performing Buildings	
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
Economic	
Economic Review – Achieving A-Grade Office development, prepared by consultants Urbis	October 2015, updated September 2019
Contamination	
Preliminary Site Investigation Study for the Auto Alley Area (2016), prepared by consultants JSB&G and updated with an addendum (2019)	February 2016, updated August 2019
Stormwater and Flood Risk Management	
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
Community Infrastructure Funding	
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	
Letter regarding “Parramatta CBD LEP Community Infrastructure Provisions” prepared by consultants GLN Planning	October 2019
Transport	
Parramatta CBD Strategic Transport Study, prepared by consultants Aecom	April 2017
Technical Paper 1 – CBD Benchmarking, prepared by AECOM - supplement to the CBD Strategic Transport Study	March 2017
Technical Paper 2 – Strategic Traffic and Transport Analysis, prepared by AECOM - supplement to the CBD Strategic Transport Study	March 2017

Parramatta CBD Planning Proposal – Public Authority Consultation

Following Council's endorsement of the updated Planning Proposal on 25 November 2019 that addressed Condition 1 of the Gateway Determination, Council undertook pre-exhibition consultation between 19 December 2019 and 10 February 2020 with the public authorities listed in Condition 2 of the Gateway determination. This resulted in minor non-policy changes to both the Planning Proposal document and 'Appendix 2a – Mapping'.

The Planning Proposal was then submitted to the Department on 17 March 2020 seeking approval to proceed to public exhibition; and also a Gateway determination alteration to reflect Council's resolution from 25 November 2019 to remove certain areas from the Planning Proposal boundary; and amend condition 1(l) of the Gateway determination to allow the Mesoscopic Model and Integrated Transport Plan to be finalised prior to gazettal of the Planning Proposal.

The 25 November 2019 Council report (Item 9.1) can be accessed via:

- https://www.cityofparramatta.nsw.gov.au/sites/council/files/2019-12/council_report_updated.pdf - pages 1 to 2
- https://www.cityofparramatta.nsw.gov.au/sites/council/files/2019-11/attachment_1.pdf - pages 1 to 7
- https://www.cityofparramatta.nsw.gov.au/sites/council/files/2019-12/council_minutes_-_25_november_2019_-_item_9.1.pdf - Council Minute

Parramatta CBD Planning Proposal – Alteration to the Gateway Determination

Notification that the Planning Proposal could proceed to public exhibition subject to further amendments was outlined in the Department's letter to Council dated 27 July 2020, and accompanying Alteration to the Gateway Determination.

The matters the Department required Council to address by way of amendments to the Planning Proposal prior to public exhibition relate to the high performing buildings clause; overshadowing of Parramatta Square; and community infrastructure. This resulted in minor, non-policy changes to the Planning Proposal document, Overshadowing Technical paper (Appendix 10a), Appendix 2a – Proposed LEP Amending Instrument and Appendix 2b – Proposed LEP Maps. These amendments are discussed in detail later in this Planning Proposal. The Department's letter also included a new condition in the Alteration to the Gateway determination to allow the finalisation of the Integrated Transport Plan and Mesoscopic Model prior to finalisation of the Planning Proposal (instead of being required during the exhibition).

A copy of the letter from the Department and the Alteration to the Gateway determination is at Appendix 4c, and a summary of the work undertaken to address each condition in the Alteration to the Gateway determination is at Appendix 4d.

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

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 Parramatta 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 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, studies and Council resolutions 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), and 'the Marion Street Precinct'.
4. Separate heritage studies commissioned to investigate the heritage impacts of amended draft FSRs and HOBs controls for certain 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. 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.
8. 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.
9. Council endorsed an amendment on 25 November 2019 to remove areas proposed to be zoned R4 High Density Residential from the CBD PP boundary to enable further heritage analysis and consideration of future planning controls to be incorporated into the work investigating the 'Planning Investigation Areas' identified in the *Parramatta CBD Planning Strategy (2015)* and to be undertaken in a separate planning proposal. The areas removed are West Auto Alley Precinct; the block east of Elizabeth Street; and land within and adjacent to the Sorrell Street Heritage Conservation Area.

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 two precinct plans (Marion Street and Church Street) and the 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) for all sites including heritage items except for:

- 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;
- 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

Notes:

- 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 separate 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.

Heritage Study of Interface Areas (2017) prepared by Hector Abraham Architects

The Council endorsed LEP recommendations from this study include:

- FSRs of 6:1 (including design excellence bonus) for most sites zoned B4 Mixed Use within the 'North Parramatta Interface Area' including heritage items, except for the following:
 - The Catholic Institutional Area 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.
- Retain the Incentive FSR of 10:1 (including design excellence bonus) 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 for all sites zoned B4 Mixed Use within the South West Parramatta Interface Area.
- 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.

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 located between the South Parramatta HCA and Auto Alley (Church Street) and 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 part of the West Auto Alley Precinct that is outside the current Parramatta City Centre boundary has been removed from the CBD PP boundary, as per the resolution from the Council meeting held on 25 November 2019 to remove areas zoned R4 High

Density Residential from the CBD PP boundary to enable further heritage analysis to be undertaken.

The part of the West Auto Precinct that is within the current Parramatta City Centre boundary will be retained within the CBD PP boundary; however, no change is proposed to the existing planning controls being B5 Business Development, FSR 2:1 and Height 12m. Consideration of future planning controls for the West Auto Alley Precinct including the part within the Parramatta City Centre boundary will be incorporated into the work investigating the 'Planning Investigation Areas' identified in the Parramatta CBD Planning Strategy (2015) and will be undertaken in a separate planning proposal.

Marion Street Precinct

The Marion Street Precinct is located 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 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 metres) 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 end 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 B”.
- 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 B”.
- 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.

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”);
- 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.

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.PD_E and the minutes from the meeting via this link: 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
10:1	6:1	(6+4X):1	10:1

X = (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 1,800m². 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 1800sqm, 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 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)
- 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.

Gateway Condition 1(j)(v) states: *the Planning Proposal [is] to be updated to address the proposed permissibility of minor intrusions into the protected area of Parramatta Square, the intended outcomes and an analysis of potential impacts.*

To address this condition, Council officers prepared a further subclause to allow for a merit-based assessment of “minor intrusions” of additional overshadowing to the Parramatta Square Protected Area. These “minor intrusions” are limited to building or public domain elements that are considered to likely have minimal additional adverse impacts to the amenity of Parramatta Square – such as flagpoles, spires, architectural roof features, sculptures and public art, fenestrations associated with the restoration or conservation of a heritage item, ground-level street furniture, awnings, shelters, or play equipment.

An assessment of the potential impacts to additional overshadowing by development considered under this clause would be minor due to the physical nature of the elements considered and the potential low-scale or localised overshadowing created by these elements. Accordingly, the potential impacts from development considered under this subclause would be reasonable in the circumstances.

Following the consultation with public authorities as required by Condition 2 of the Gateway Determination, the Department during their consideration of whether to allow exhibition of the Planning Proposal, requested further Council modelling of shadow impacts at the equinoxes. The additional modelling presented to the Department and detailed in the updated Overshadowing Technical Paper ('Appendix 10a') indicated that:

- extending the solar access protection of the Protected Area of Parramatta Square through the year to the equinoxes between 1:00pm and 2:00pm would result in additional lots being impacted, primarily to the west, reducing potential development capacity. There are no overshadowing impacts between 12:00pm and 1:00pm, other than some impacts from the existing development.
- during the same period (at the equinoxes between 1:00pm and 2:00pm) an equivalent area of the eastern end of Parramatta Square (outside of the Protected Area) is in sun which provides compensatory solar access.

The Department accepted Council's overshadowing analysis and determined that exhibition of the Planning Proposal could proceed subject to providing compensatory solar access protection to the eastern end of Parramatta Square between 1:00pm and 2:00pm at the Spring and Autumn Equinoxes. This is reflected in the Alteration to the Gateway Determination (dated 27 July 2020) condition 1(o): *ensure protection of compensatory area of solar access at the eastern end of Parramatta Square at the Spring and Autumn equinox.*

To address this condition, the Planning Proposal has been updated as follows:

- clause 7.4 (2) is amended to reference two blocks (to be known as 'Blocks A and B' and shown on the Sun Access Protection Map) that are required to comply with new subclause (3A), as it is only these two blocks that would be impacted by extending the solar access protection of the protected area through the year to the equinoxes between 1:00pm and 2:00pm.
- clause 7.4 includes a new subclause (3A) requiring development consent not to be granted on any land in Areas A and B that results in overshadowing to the protected area of Parramatta Square between 1pm and 2pm on 21 March and 23 September (ie. Equinoxes) in any year, unless there is a compensatory publicly accessible area, at least equivalent in size to the area of overshadowing to the protected area of Parramatta Square, that is unaffected by overshadowing at that time, and which immediately adjoins and is contiguous with the eastern end of Parramatta Square.
- the Sun Access Protection (SAP) map is amended to show Blocks A and B.

The Overshadowing Technical Paper ('Appendix 10a') is amended to reference the new analysis undertaken in support of the new subclause.

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

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 10a.

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 10a.

Overshadowing of public open space surrounding the Parramatta CBD

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).

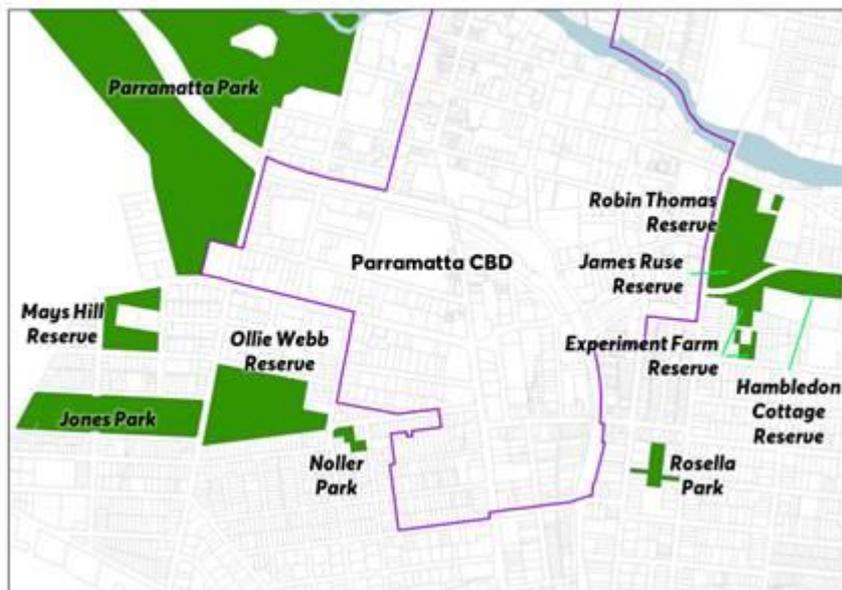


Figure 2: The ten (10) open space areas selected for testing

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 10a.

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 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 10a.

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.

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:
 - To protect solar access to HCAs consistent with recommendations in Council's Overshadowing Technical Paper (refer to Appendix 10a)
 - To provide blue sky background to Lancer Barracks
 - Due to inadequate site depth
 - To provide blue sky background to St Georges Terraces
 - To protect historic streetscape
 - 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.
- 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:*
 - *40 metres by 35 metres, where the site is a corner site with at least two street frontages; or*
 - *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.

EMPLOYMENT AND DWELLING PROJECTIONS

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	
Jobs	49,513	jobs ¹	27,000	jobs	28,500	jobs*	50,250	jobs*
	1,188,312	sqm ²	972,000	sqm [^]	1,026,040	sqm	1,809,320	sqm
Dwellings	4,769	dwgs ³	7,500	dwgs	4,410	dwgs*	14,350	dwgs*
	476,900	sqm ⁴	1,125,000	sqm [^]	662,100	sqm	2,152,500	sqm
Total floor space	1,665,212	sqm	2,097,000	sqm	1,688,140	sqm	3,961,820	sqm
Notes								
¹ Source: NSW Transport Performance and Analytics, Employment Forecasts, September 2014 release figure								
² Assumption based on an average of 24sqm/job (SGS, 2014)								
³ Figure provided by Forecast.id for the planning proposal area								
⁴ Assumption based on an average of 100sqm/dwg								
[^] 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 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 the targets in its Strategy. Refer to Table 3. 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.

The Central City District Plan provides a higher jobs target of 151,500 jobs for “Greater Parramatta” to 2036. Under the District Plan, “Greater Parramatta” includes the Parramatta CBD, Westmead, WSU Rydalmere and North Parramatta. In order to achieve this target, Council’s draft Local Strategic Planning Statement requires the Parramatta CBD to grow by 34,500 additional jobs to 2036. The additional capacity under existing controls is only 28,500 jobs (refer to Table 3), which will not achieve this target. Increases to capacity for jobs under this planning proposal would allow for 50,250 additional jobs (refer to Table 3), which will assist Council in meeting this jobs target for the Parramatta CBD.

Council’s Local Strategic Planning Statement provides for 7,180 additional dwellings in the Parramatta CBD to 2036 to assist Council in meeting its housing targets under the District Plan. Under current controls, there is capacity for only 4,410 additional dwellings (refer to Table 3), which is insufficient. Under the proposed controls in this planning proposal, the capacity for additional housing increases to 14,350 additional dwellings (refer to Table 3), which will provide sufficient capacity for the Parramatta CBD to contribute to the City of Parramatta LGA’s overall housing target, as articulated in the Local Strategic Planning Statement (and supported by the Local Housing Strategy).

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 1(i)(v)), 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 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.

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 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.

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

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

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

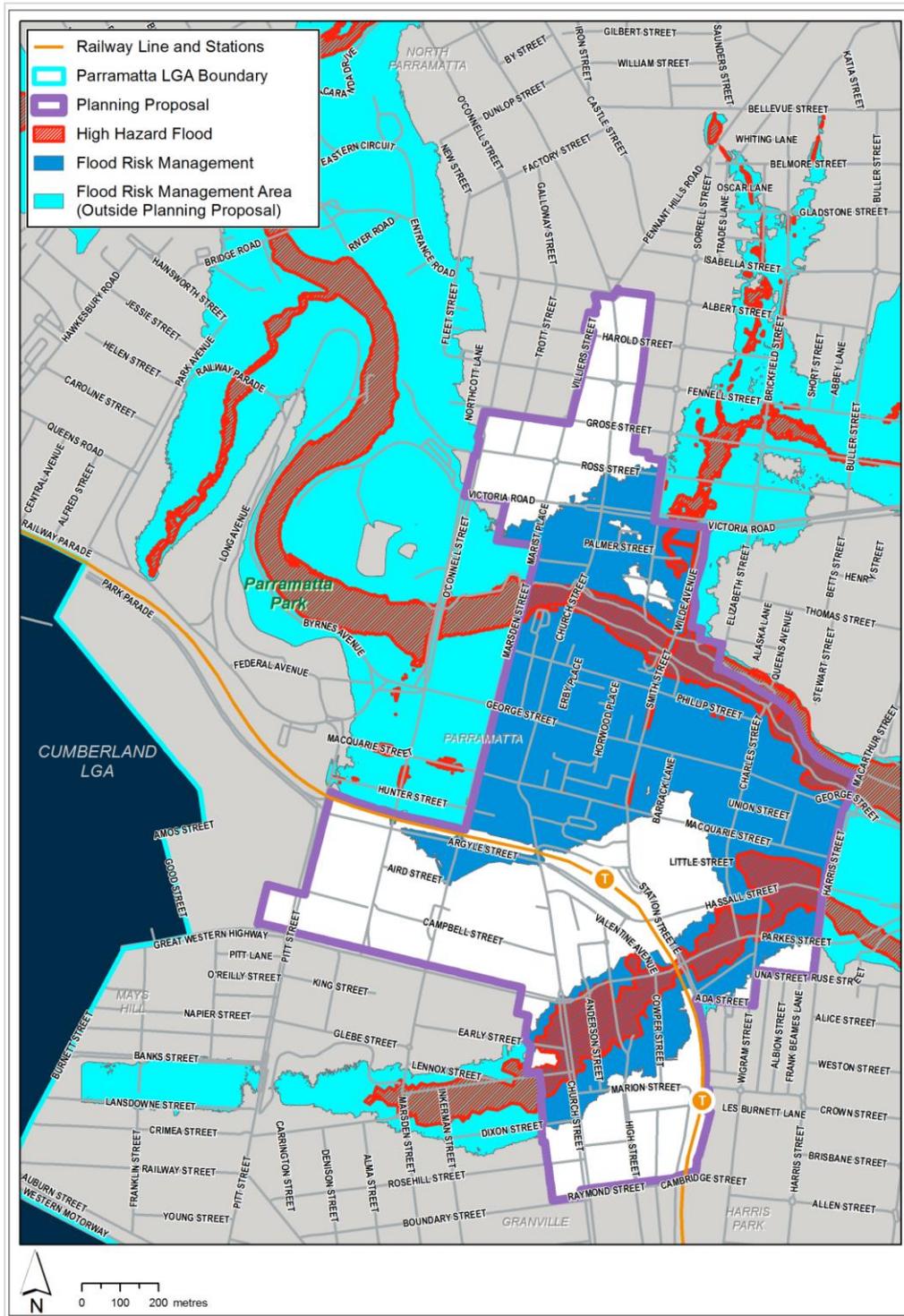


Figure 3 – Flood Risk Management Area - Probable Maximum Flood and the CBD Planning Proposal area

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 PDCP 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. A copy of the 2016 Study is provided at Appendix 15a.

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. Refer to Appendix 15b.

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&Gs’ reports (dated February 2016 and May 2019) as a relevant matter for relevant properties.

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:

- 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 the National Australian Built Environment Rating System (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 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, the planning proposal was amended to include 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 (CO₂e/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 was:

- 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.
- 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.

Following the pre-exhibition consultation with public authorities as required under Condition 2 of the Gateway determination and the making of minor amendments, the Planning Proposed was referred back to the Department in March 2020 seeking endorsement to proceed to public exhibition. On 27 July 2020, the Department issued Council with a letter of conditional support to proceed to public exhibition, together with an Alteration to the Gateway Determination with a new condition 1(n) being *remove proposed drafting for high performing building clause and reflect the intent of proposed clause only*.

The Department’s letter acknowledges the need identified by Council for the Central City to be sustainable and for this to occur, a shift in ‘business as usual’ is needed. However, the Department has concerns about the subjectivity of the best-in-market approach and how it would be measured at the development application stage. The Department’s letter advises as follows:

“The intent of this provision is supported but the Department has reservations regarding the subjectivity of current drafting and how it would be measured at the development application stage. To allow exhibition to proceed, I seek that only the intent of this provision be identified in the planning proposal.”

To address the Department’s concerns and to only include the ‘intent’ of the provision within the clause, and also to make a minor edit to make clear that the intent of the application to ‘mixed use development’ means ‘mixed use development’ that contains ‘residential accommodation’, this Planning Proposal does the following:

- inserts a new objective being clause 7.6A (1)(d) to enable high performing building measures to improve over time to reflect new technologies and commercial viability (as this reflects the intent of the original clause as drafted).
- amends clause 7.6A (3)(a) to insert a table specifying maximum energy emissions and water usage requirements. These requirements were extracted from the

Federal Government’s NABERS registry on 26 February 2020 and represent the top 15th percentile of the market on the registry of current ratings.

- retains clause 7.6A(3)(a)(iii) which requires a report be prepared by a qualified consultant to the satisfaction of Council to demonstrate compliance with the water and energy requirements in subclause (a) above.
- makes a minor edit to clause 7.6A(2)(d) to make clear the intent that the application to ‘mixed use development’ here means ‘mixed use development’ that contains ‘residential accommodation’.

In summary, this planning proposal includes high performing building provisions consistent with the recommendations in the updated *High Performing Buildings Study* and the Department’s requirements 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: maximum energy emissions and water usage requirements as extracted from the Federal Government’s NABERS registry on 26 February 2020 that represent the top 15th percentile of the market on the registry of current ratings.

A copy of the Department’s letter and Alteration to Gateway Determination is provided at Appendix 4c and 4d, and a copy of the *Sustainability and Infrastructure Study (2015 and 2019)* and the *High Performing Buildings Study (2019)* is provided at Appendices 16a and 16b. 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

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.

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 consultants 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.

Council officers are in the process of reviewing the findings of this study and undertaking further analysis of various infrastructure funding options, including a more detailed consideration of financial implications and impacts on development feasibility. However, it is also noted that since this study was completed, the Department exhibited in April 2020 draft changes to its policy framework for planning agreements and development contributions. These draft changes propose significant changes to the infrastructure funding framework, and depending on the final position adopted by Government in relation to these matters, would need to be considered further by Council in its review of the infrastructure funding framework for the Parramatta CBD.

In the Department's approval letter dated 27 July 2020, which allowed the planning proposal to proceed to public exhibition, the following advice was provided by the Department:

"I acknowledge the substantial work undertaken by Council to understand and plan for community infrastructure to support the growing Central City. Council has amended the planning proposal to reflect the intent to incentivise delivery of infrastructure on development sites through the provision of additional floor space. This approach would require the negotiation of a planning agreement at the development application stage and I understand work is still underway to develop a policy to guide this process.

The draft planning agreements policy framework released by the Department in April 2020 provides a point of tension in applying Council’s intended approach. The framework seeks to provide certainty of development outcomes while ensuring that development is supported by infrastructure through good strategic planning. The framework discourages the use of planning agreements for value capture.

I have determined to allow public exhibition of this component to occur in acknowledgement of Council’s work and the history of developing this planning proposal. I understand that Council is still investigating other contribution mechanisms which will support the planned growth. I note further resolution of this matter will be required at the finalisation of the planning proposal.

I encourage Council to continue this work to ensure a transparent contributions framework is developed which delivers public benefit to support growth. Any resulting framework should also acknowledge that future development will likely need to contribute towards State infrastructure. This will need to be considered in any feasibility modelling of contributions. In this respect, the Department looks forward to working with the City of Parramatta in delivering a contributions framework that will support the growing City.”

In accordance with the above advice from the Department, Council will continue with its review of infrastructure funding options to support the significant growth anticipated under this planning proposal. This review will be completed prior to finalisation of the planning proposal, so as to ensure an appropriate infrastructure funding framework is in place. The review will also consider the final position adopted by Government in relation to its recent review of the planning agreements and development contributions policy framework. This approach is also consistent with condition 1(m) iv of the Gateway determination, which reads as follows:

“(m) in relation to infrastructure funding:

...

- 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.”*

For the purpose of the CBD PP and addressing Condition 1(m)iii. of the Gateway determination, the consultant who prepared the *Parramatta CBD Community Infrastructure Funding Study* 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 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 Additional Local Provisions 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).

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 Strategy will also consider the findings of Council's review of the infrastructure funding framework for the Parramatta CBD and the final position adopted by Government in relation to its review of the policy framework for planning agreements and development contributions. It is envisaged that the Implementation Plan of the Strategy may potentially 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:

- Infrastructure Funding Models Study 2016 (refer to Appendix 17a)
- Discussion Paper on Infrastructure Planning and Funding in the Parramatta CBD 2017 (refer to Appendix 17b)
- Draft Infrastructure Needs Analysis 2017 (Appendix 17c)
- Independent Peer Review of Council's past work on community infrastructure prepared by Aurecon 2017 (Appendix 17d)
- Letter regarding "Proposed Parramatta CBD LEP Community Infrastructure Provisions" addressing condition 1(m)iii. of the Gateway determination (Appendix 17e).

As discussed above, Council will complete a review of the infrastructure funding framework for the Parramatta CBD prior to the finalisation of this planning proposal, so as to ensure an appropriate framework is in place to support the significant growth anticipated under this planning proposal.

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 described in the sections below.

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 included within the expanded boundary are:

- south of Grose Street and east of O'Connell Street, Parramatta;
- area bound by Ada, Kendall and Wigram Streets, Harris Park;
- Experiment Farm.

The planning controls that apply in the 'Park Edge Highly Sensitive' area on the western edge of the Parramatta 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. Similarly, the planning controls that apply to the following areas that are within the Parramatta City Centre boundary are not being changed: certain land zoned B5 Business Development within the part of the West Auto Alley Precinct; and the land parcels zoned B4 Mixed Use at 34 Albert Street and 2-6 Pennant Hills Road, North Parramatta. 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. Other areas to be removed from the original proposed CBD PP boundary sites proposed to be zoned R4 High Density Residential from the CBD PP boundary to enable further heritage analysis and consideration of future planning controls to be incorporated into the work investigating the 'Planning Investigation Areas' identified in the *Parramatta CBD Planning Strategy (2015)* and to be undertaken in a separate planning proposal. The areas removed are West Auto Alley Precinct; the block east of Elizabeth Street; and land within and adjacent to the Sorrell Street Heritage Conservation Area.

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.

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.
- 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), the Great Western Highway and Lansdowne Street. It is noted 'vehicle repair stations' are permissible with development consent on land zoned B4 Mixed Use.
- 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.

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 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 and B4 Mixed Use.
 - 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).
 - 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.
 - 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.

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 and B4 Mixed Use,
 - 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) reflects uses required 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
 - 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. 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.
 - h. Can be achieved provided the development includes community infrastructure in conjunction with the IFSR.
 - i. Applies to some land zoned B4 Mixed Use
 - j. May not be achieved on some sites due to the sun access protection control and the airspace operations control detailed below.
 - k. 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. Any future development located on 'sun access areas' must not result in additional overshadowing between 12 midday and 2 pm in mid-winter to the Protected Area of Parramatta Square.
 - d. For future development on land marked Area A and B on the Sun Access Protection Map that results in overshadowing to Parramatta Square between 1:00pm to

2:00pm on 21 March and 23 September (ie. Equinoxes) in any year, there must be a compensatory publicly accessible area, at least equivalent in size to the area of overshadowing to Parramatta Square, that is unaffected by overshadowing at that time, and which immediately adjoins and is contiguous with the eastern end of Parramatta Square.

- e. 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. The height of all buildings within the CBD PP is limited by either a sun access surface, the base height of building control or the incentive height of building control. In the case of the base and incentive height of building controls, the maximum permitted height is 243 m RL (which includes any bonus height achieved through Design Excellence).
 - c. 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. Any development that includes a building or structure exceeding 156m (RL) requires compliance with Clause 7.6 'Airspace Operations' of the Parramatta Local Environmental Plan 2011 and is subject to a 'Controlled Activity' assessment.

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

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.

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.
7. For those sites that do not have a height control on the IHOB Map, but Incentive FSR has been utilised as the development includes community infrastructure, the 15% design excellence incentive is calculated using the corresponding control applying to the land on the HOB Map.

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, for most sites zoned B4 Mixed Use FSRs of 6:1 (plus design excellence and HPB bonus) and 80m height limit including heritage items, except for the following:
 - a. The Catholic Institutional Area 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.
5. Within the South- Eastern Area, for sites zoned B4 Mixed Use 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, for most sites zoned B4 Mixed Use and B3 Commercial Core 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.

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 in the Parramatta City Centre where the development includes community infrastructure (excluding Area A on the Special Provisions Area Map).
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 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).

The Development Guideline will also explain how community infrastructure is to be included with the development of Opportunity Sites.

Note: As discussed previously in this planning proposal, Council will complete a review of the infrastructure funding framework for the Parramatta CBD prior to the finalisation of this planning proposal, so as to ensure an appropriate framework is in place to support the significant growth anticipated under this planning proposal.

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 (that includes residential accommodation), 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 part of any building used for the purposes in Column 1 of the table, does not exceed the energy emission in Column 2 of the table and the water usage in Column 3 of the table:

Column 1	Column 2	Column 3
Retail premises (including as part of a mixed use development) – common areas only	< 52.8 kgCO ₂ /m ² /annum	< 1.1 kl/m ² /annum
Office premises (base building)	< 63.8 kgCO ₂ /m ² /annum	< 0.5 kl/m ² /annum
Hotel or motel accommodation or serviced apartments (whole building)	< 5,220 kgCO ₂ /guest room/annum	< 76.1 kl/guest room/annum

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 that includes residential accommodation with a maximum incentive FSR of at least 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

Building Height	Column 2		
	Higher BASIX Energy and Water Standards		
	BASIX standard	Points above minimum BASIX standard for development with a floor space ratio of 6:1 or greater, up to, but not including, 14:1	Points above minimum BASIX standard for development 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.

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 various 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.

Allow for additional road widenings through amendments to the LRA Map.

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.

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*.

RE1 Public Recreation zone

This planning proposal provides for the retention of all land currently zoned RE1 Public Recreation under Parramatta LEP 2011 within the Parramatta CBD area, with the exception of a small parcel of land adjacent to Parramatta River and Barry Wilde Bridge. The affected land is shown in the figure below and is legally described as part of 30B Phillip Street, Parramatta (Lot 1 DP 1247122) and part of 46 Phillip Street, Parramatta (Lot 3 DP 1247122). The land predominantly serves as the vehicular exit to the adjoining Riverbank Car Park. The intent of the rezoning of this land is to rationalise and align the land zones in this area, so as to provide a consistent alignment along the foreshore. This matter is discussed further below in Table 17 – Consistency of planning proposal with relevant Section 9.1 Directions to address Ministerial Direction 6.2 Reserving Land for Public Purposes, clause (4).

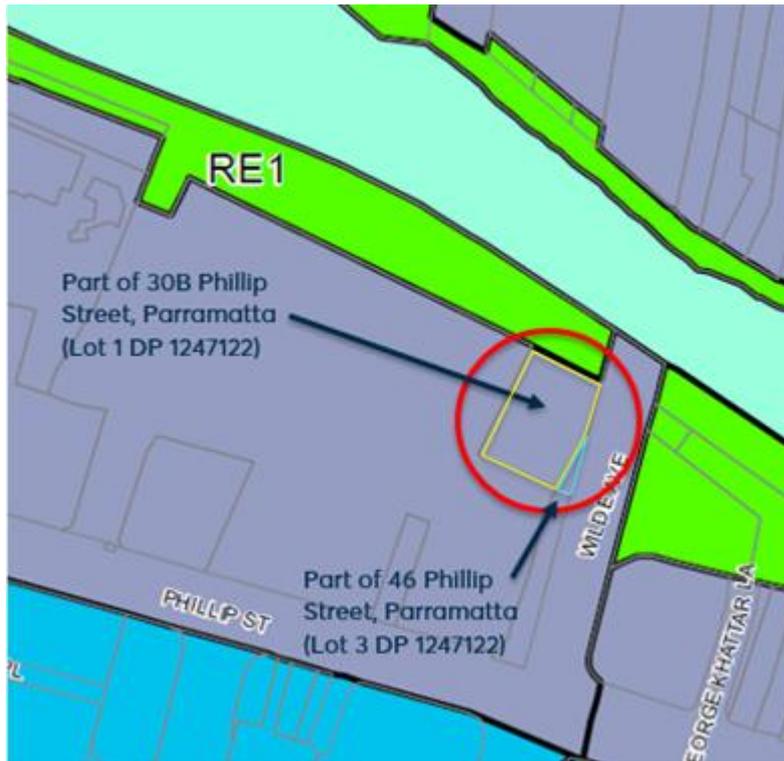


Figure 5 – Area proposed to rezoned from RE1 Public Recreation to B4 Mixed Use

Appendices

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

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 areas, heritage interface areas, 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.

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:

2.1 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.

2.2 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 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’ (for 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, 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, 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).

2.3 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 consistent with the incentive height and incentive FSR control where a mixed use or residential development includes community infrastructure. This applies only to land within the Parramatta City Centre (excluding Area A on the Special Provisions Area 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.

Note: As discussed previously in this planning proposal, Council will complete a review of the infrastructure funding framework for the Parramatta CBD prior to the finalisation of this planning proposal, so as to ensure an appropriate framework is in place to support the significant growth anticipated under this planning proposal.

2.4 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

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.

2.5 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.

2.6 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.

The clause also ensures that development consent must not be granted to development on any land in Areas A or B on the Sun Access Protection Map that results in any part of a building causing additional overshadowing to the ‘Protected Area’ of Parramatta Square between 1:00pm and 2:00pm on 21 March and 23 September in any year, unless there is a compensatory publicly accessible area, at least equivalent in size to the area of overshadowing to the ‘Protected Area’, that is unaffected by overshadowing at that time, and which immediately adjoins and is contiguous with the eastern end of the ‘Protected Area’. This has been added to address condition 1(o) of the Gateway alteration.

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.

2.7 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.

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 or 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.

2.8 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.

2.9 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.

2.10 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.

2.11 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.

2.12 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 (that contains residential accommodation) 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 meet maximum energy emissions and water usage based on the Federal Government’s NABERS registry as taken on 26 February 2020 that represents the top 15th percentile of the market on the registry of current ratings. This clarification of the intent of this clause was made in response to condition 1(n) of the Gateway alteration.

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.

2.13 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.

2.14 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.

2.15 Floodplain Risk Management

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.

2.16 Site Specific Provisions

This Planning Proposal also proposes four (4) 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. Development for the purpose of retail premises on the remaining B5 zoned land has also been retained.

The second 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 (Area B). 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 third 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 fourth 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.

2.17 Parramatta Park and Park Edge Highly Sensitive Area and other fringe areas

The planning proposal includes a clause to preserve the built form controls for Parramatta Park and the Park Edge Highly Sensitive Area and certain land on the fringes of the Parramatta City

Centre (defined as ‘Area A’ on the Special Provisions Area Map). The planning proposal is not proposing to change controls in this area. 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.

2.18 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 “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.

2.19 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.

2.20 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.

2.21 Draft Provisions

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

2.22 Other relevant matters

2.22.1 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 planning proposal. This will be drafted separately and reported to Council to allow them to resolve to exhibit the Draft DCP amendment at the appropriate time.

2.22.2 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.*

2.22.3 Development Contributions Plan — Section 7.11 and/or 7.12

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

*Note: As discussed previously in this planning proposal, Council will complete a review of the infrastructure funding framework for the Parramatta CBD prior to the finalisation of this planning proposal, so as to ensure an appropriate framework is in place to support the significant growth anticipated under this planning proposal.

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 *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	O1: Infrastructure supports the three cities	This planning proposal is supported by both planning and investment in local and state infrastructure.
	O2: Infrastructure aligns with forecast growth – growth infrastructure compact	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’s recently adopted Community Infrastructure Strategy (July 2020) aims to ensure quality community infrastructure is provided across the City (including the Parramatta CBD) to strengthen people’s sense of community and belonging.
	O3: Infrastructure adapts to meet future need	Council has received expert consultant advice which recommends the application of a community infrastructure provision based on the Penrith LEP model (refer to Appendix 17e). The planning proposal has been updated accordingly. This requires 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.
	O4: Infrastructure use is optimised	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 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 significantly increases over the next 20 years. The PP also includes a satisfactory arrangements clause for state infrastructure, as per the gateway determination condition.

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
A city for people	O6: Services and infrastructure meet communities’ changing needs	(See responses to O1 to O4, above).
	O7: 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 endorsed Community Infrastructure Strategy also seeks to address community need by establishing Council’s long term direction for community infrastructure across the LGA.
	O8: 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
	O9: Greater Sydney celebrates the arts and supports creative industries and innovation	
Housing the city	O10: 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 14,350 additional new dwellings.
	O11: Housing is more diverse and affordable	The Planning Proposal is also consistent with the planning priorities and actions of the Local Strategic Planning Statement (LSPS) and the 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. 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). 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 and the expansion of Sydney’s Global Economic Corridor.
	O15: The Eastern, GOP and Western Economic Corridors are better connected and more competitive	The planning proposal is consistent with the GOP 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.
Jobs and skills for the city	O19: Greater Parramatta is stronger and better connected	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 50,250 new jobs. 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.
	O21: 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>
	O22: 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.
	O23: 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 Local Urban Service Hubs as espoused in the Local Strategic Planning Statement (and its accompanying Employment Lands Review and Update (July 2020).
	O24: Economic sectors are targeted for success	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).

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
A city in its landscape	O25: ...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.
	O27: 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.
	O28: 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

	<p>O30: Urban tree canopy cover is increased</p>	<p>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.</p> <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.</p>
	<p>O31: Public open space is accessible, protected and enhanced</p>	<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 Environmental Sustainability Strategy 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</i> and <i>Environmental Sustainability Strategy</i>. No changes are proposed to existing land zoned RE1 Public Recreation, except for a marginal reduction.</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 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 in mid-winter between 12 midday and 2pm. This clause also requires future development on land marked Area A and B on the Sun Access Protection Map that results in overshadowing to Parramatta Square between 1:00pm to 2:00pm on 21 March and 23 September (ie. Equinoxes) in any year, that there must be a compensatory publicly accessible area, at least equivalent in size to the area of overshadowing to Parramatta Square, that is unaffected by overshadowing at that time, and which immediately adjoins and is contiguous with the eastern end of Parramatta Square.</p> <p>This clause is underpinned by the <i>Overshadowing Analysis</i> (June 2019, revised in November 2019 and August 2020).</p>
	<p>O32: 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>An efficient city</p>	<p>O33: 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"> • In the case of residential development, higher energy and water targets than the base case BASIX targets; and • In the case of office development over 1,250 square metres, higher energy and water targets. <p>Consistent with Action A4 in <i>the Parramatta CBD Planning Strategy</i>, work undertaken by Kinesis in 2016 and further work</p>

		undertaken in 2019 (refer to Appendix 3) provides the planning evidence for these proposed controls.
	O34: Energy and water flows are captured, used and re-used	<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 assessment of a design against sustainability performance measures.</p>
A resilient city	O36: 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 O34.</p>
	O37: Exposure to natural and urban hazards is reduced	
	O38: 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

Implementation Direction	Relevant Objective	Comment
Implementation	O39: 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

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>A city supported by infrastructure</p> <p>O1: Infrastructure supports the three cities</p> <p>O2: Infrastructure aligns with forecast growth – growth infrastructure compact</p> <p>O3: Infrastructure adapts to meet future need</p> <p>O4: Infrastructure use is optimised</p>	<p>PP C1: Planning for a city supported by infrastructure</p> <ul style="list-style-type: none"> • A1: Prioritise infrastructure investments to support the vision of <i>A metropolis of three cities</i> • A2: Sequence growth across the three cities to promote north-south and east-west connections • A3: Align forecast growth with infrastructure • A4: Sequence infrastructure provision using a place based approach • A5: Consider the adaptability of infrastructure and its potential shared use when preparing infrastructure strategies and plans • A6: 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 	<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
<p>A city for people</p> <p>O6: Services and infrastructure meet communities' changing needs</p>	<p>PP C3: Provide services and social infrastructure to meet people's changing needs</p> <ul style="list-style-type: none"> • A8: Deliver social infrastructure that reflects the needs of the community now and in the future • A9: Optimise the use of available public land for social infrastructure 	<p>The planning proposal is consistent with the <i>Community Infrastructure Strategy 2020</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>O7: Communities are healthy, resilient and socially connected</p> <p>O8: Greater Sydney's communities are culturally rich with diverse neighbourhoods</p> <p>O9: Greater Sydney celebrates the arts and supports creative industries and innovation</p>	<p>PP C4: Working through collaboration</p> <ul style="list-style-type: none"> • A10: Deliver healthy, safe and inclusive places for people of all ages and abilities that support active, resilient and socially connected communities by (a-d). • A11: Incorporate cultural and linguistic diversity in strategic planning and engagement. • A12: Consider the local infrastructure implications of areas that accommodate large migrant and refugee populations. • A13: Strengthen the economic self-determination of Aboriginal communities by engagement and consultation with Local Aboriginal Land Councils. • A14: Facilitate opportunities for creative and artistic expression and participation, wherever feasible with a minimum regulatory burden including (a-c). • A15: Strengthen social connections within and between communities through better understanding of the nature of social networks and supporting infrastructure in local places 	<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> <p>See also responses against the GSRP above, at O7 to O9, in Table 7.</p>
<p>Housing the city</p> <p>O10: Greater housing supply</p> <p>O11: Housing is more diverse and affordable</p>	<p>PP C5: Providing housing supply, choice and affordability, with access to jobs, services and public transport</p> <ul style="list-style-type: none"> • A16: Prepare local or district housing strategies that address housing targets [abridged version] • A17: Prepare Affordable Rental housing Target Schemes 	<p>The planning proposal increases the housing opportunities within the B4 Mixed Use by increasing FSRs.</p> <p>The planning proposal is consistent with the priorities and actions outlined in the Council endorsed Local Strategic Planning Statement (March 2020) and the Local Housing Strategy (July 2020).</p> <p>See also the discussion in Section 3.2.2 also in the 'Employment and Dwelling Projections' section.</p>

<p>A city of great places O12: Great places that bring people together O13: Environmental heritage is identified, conserved and enhanced</p>	<p>PP C6: Creating and renewing great places and local centres, and respecting the District’s heritage</p> <ul style="list-style-type: none"> • A18: Using a place-based and collaborative approach throughout planning, design, development and management deliver great places by (a-e) • A19: Identify, conserve and enhance environmental heritage by (a-c) • A20: Use place-based planning to support the role of centres as a focus for connected neighbourhoods • A21: In Collaboration Areas, Planned Precincts and planning for centres (a-d) • A22: Use flexible and innovative approaches to revitalise high streets in decline. 	<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 O12 and O13, in Table 7.</p>
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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
<p>A well-connected city O19: Greater Parramatta is stronger and better connected</p>	<p>PP C7: Growing a stronger and more competitive Greater Parramatta</p> <ul style="list-style-type: none"> • A23: Strengthen the economic competitiveness of Greater Parramatta and grow its vibrancy [abridged] • A25: Support the emergency services transport, including helicopter access • A26: Prioritise infrastructure investment [abridged] • A27: Manage car parking and identify smart traffic management strategies 	<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 O19 in Table 8.</p>
<p>Jobs and skills for the city O15: The Eastern, GOP and Western Economic Corridors are better</p>	<p>PP C8: Delivering a more connected and competitive GOP Economic Corridor</p> <ul style="list-style-type: none"> • A29: Prioritise public transport investment to deliver the 30-minute city objective for strategic centres along the GOP Economic Corridor • A30: Prioritise transport investments that enhance 	<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>connected and more competitive</p>	<p>access to the GOP between centres within GOP</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 O15 in Table 8. See also the discussion in the 'Employment and Dwelling projections' section.</p>
<p>O14: A Metropolis Of Three Cities – integrated land use and transport creates walkable and 30-minute cities.</p>	<p>PP C9: Delivering integrated land use and transport planning and a 30-minute city</p> <ul style="list-style-type: none"> • A32: Integrate land use and transport plans to deliver a 30-minute city • A33: Investigate, plan and protect future transport and infrastructure corridors • A34: Support innovative approaches to the operation of business, educational and institutional establishments to improve the performance of the transport network • A35: Optimise the efficiency and effectiveness of the freight handling and logistics network by (a-d) 	<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 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 O14 in Table 8.</p>
<p>O22: Investment and business activity in centres.</p>	<p>PP C10: Growing investment, business opportunities and jobs in strategic centres</p> <ul style="list-style-type: none"> • A37: Provide access to jobs, goods and services in centres [abridged] • A38: Create new centres in accordance with the principles for Greater Sydney's centres • A39: Prioritise strategic land use and infrastructure plans for growing centres, particularly those with capacity for additional floorspace 	<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 O23 in Table 8.</p>
<p>O23: Industrial and urban services land is planned, retained and managed</p>	<p>PP C11: Maximising opportunities to attract advanced manufacturing and innovation in industrial and urban services land</p> <ul style="list-style-type: none"> • A49: 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 • A51: Facilitate the contemporary adaption of industrial and warehouse buildings through increased floor to ceiling heights • A52: Manage the interfaces of industrial areas, trade gateways and intermodal facilities by land 	<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 (2016) and its update, the Employment Lands Review and Update (2020).</p> <p>See responses against the GSRP above in O22 and O23 in Table 8.</p>

	use activities (a-e) and transport operations (f-g) [abridged]	
O24: Economic sectors are targeted for success	<p>PP C12: Supporting growth of targeted industry sectors</p> <ul style="list-style-type: none"> • A53: Facilitate health and education precincts by (a-d) [abridged] • A54: Provide a regulatory environment that enables economic opportunities created by changing technologies • A55: Consider the barriers to the growth of internationally competitive trade sectors, including engaging with industry and assessing regulatory barriers 	<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> <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 O24 in Table 8.</p>

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>A city in its landscape</p> <p>O25: ...waterways are protected and healthier</p>	<p>PP C13: Protecting and improving the health and enjoyment of the District's Waterways</p> <ul style="list-style-type: none"> • A60: Protect environmentally sensitive areas of waterways • A61: Enhance sustainability and liveability by improving and managing access to waterways and foreshores for recreation, tourism, cultural events and water based transport • A62: Improve the health of catchments and waterways through a risk based approach to managing the cumulative impacts of development including coordinated monitoring of outcomes • A63: Work towards reinstating more natural conditions in highly modified urban waterways 	<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. No changes are proposed to existing land zoned RE1 Public Recreation, except for a marginal reduction.</p> <p>See responses against the GSRP above in O25, O27, O28, O30 and O31 in Table 10.</p>
<p>O26: ...waterways are protected and healthier</p> <p>O27: Biodiversity is protected, urban bushland and remnant vegetation is enhanced</p> <p>O28: Scenic and cultural landscapes are protected</p>	<p>PP C15: Protecting and enhancing bushland, biodiversity and scenic and cultural landscapes</p> <ul style="list-style-type: none"> • A65: Protect and enhance biodiversity by (a-c) [abridged] • A66: Identify and protect scenic and cultural landscapes 	<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</p>

	<ul style="list-style-type: none"> • A67: Enhance and protect views of scenic and cultural landscapes from the public realm 	<p>Parramatta’s <i>Disability Inclusion Action Plan and Environmental Sustainability Strategy</i>. No changes are proposed to existing land zoned RE1 Public Recreation, except for a marginal reduction.</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 also requires future development on land marked Area A and B on the Sun Access Protection Map that results in overshadowing to Parramatta Square between 1:00pm to 2:00pm on 21 March and 23 September (ie. Equinoxes) in any year, that there must be a compensatory publicly accessible area, at least equivalent in size to the area of overshadowing to Parramatta Square, that is unaffected by overshadowing at that time, and which immediately adjoins and is contiguous with the eastern end of Parramatta Square.</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 O25, O27, O28 and O30 in Table 9.</p>
<p>O30: Urban tree canopy cover is increased</p> <p>O32: The Green grid links Parks, open spaces, bushland and walking and cycling paths</p>	<p>PP C16: PP C16: Increasing urban tree canopy cover and delivering Green grid connections</p> <ul style="list-style-type: none"> • A68: Expand urban tree canopy in the public realm • A69: progressively refine the detailed design and delivery of (a-c) [abridged] • A70: Create Greater Sydney green Grid connections to the Western Sydney Parklands 	<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</p>

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

Draft “A City Supported by Infrastructure” – A Place-based Infrastructure Compact (PIC) Pilot

The Greater Sydney Commission (GSC) has prepared the Draft “A City Supported by Infrastructure” – A Place-based Infrastructure Compact (PIC) Pilot for the Greater Parramatta and Olympic Peninsula (GPOP) area (“the Draft GPOP PIC”). The Draft GPOP PIC was exhibited by the GSC from 7 November to 18 December 2019 and is currently being reviewed by the NSW Government.

The Draft GPOP PIC is a strategic planning model that seeks to better align growth of jobs and housing with the provision of infrastructure and services centred around 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.

The GPOP area is at the core of the Central City, and the centre of Greater Sydney. The Draft GPOP PIC outlines GPOPs role as a major generator of new jobs and housing and identifies the requirement for sequencing of growth and supporting infrastructure projects in a logical way to ensure that the area becomes more liveable, productive and sustainable as it grows.

The Planning Proposal is consistent with the Draft GPOP PIC vision as it aims to strengthen Parramatta CBD’s role in the GPOP corridor as a connected and competitive CBD for Greater Sydney. The Planning Proposal encourages employment growth and enhances the availability and vibrancy of retail and service jobs, consistent with the Draft GPOP PIC, by requiring a minimum 1:1 FSR for commercial uses in parts of the B4 zone near the B3 zone. Additionally, the Parramatta CBD Planning Proposal is proposing to expand the B3 Commercial Core zone and increase floor space ratio planning controls to support the targets for increased job opportunities and generate economic benefits for Sydney, consistent with the Draft GPOP PIC.

The Planning Proposal also encourage the provision of local community infrastructure through incentive FSR and will be supported by an analysis of community infrastructure needs to support the expected growth. Furthermore, consistent with the Draft GPOP PIC vision for the alignment of growth with the timely provision of infrastructure, both local community infrastructure and State Government infrastructure investment will play a critical role in supporting the growth of jobs and dwellings in the Parramatta CBD. The growth envisaged under the Planning Proposal is supported by a range of regional infrastructure projects currently in the planning, design, construction and completion phases including: the Bankwest Stadium, Parramatta Aquatic and Leisure Centre, Museum of Applied Arts and Sciences (MAAS), Western Sydney Airport, Parramatta Light Rail (PLR) Stage 1 and Stage 2, and the Sydney Metro West project.

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 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 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/councilkey-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.
- 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/city-river-foreshore-transformation>

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 50,250 additional jobs over 40 years – 2016-2056). The proposed height and FSR controls enable a significant increase in housing (approximately 14,350 additional dwellings 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 Local Housing Strategy (LHS) that was endorsed by Council in July 2020 following public exhibition. Developed in accordance with the liveability, productivity and sustainability strategic priorities of the Central District Plan, the LHS provides direction at the local level about when and where future housing growth will be located and actions for implementation and delivery. The LHS has identified that Council is meeting its 2021 dwelling targets, but will also exceed its 2036 dwelling targets. The 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>

Local Housing Strategy

The City has prepared its Local Housing Strategy (LHS) approved by Council on 13 July 2020 to support and inform the Local Strategic Planning Statement (LSPS).

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 LHS, required to implement the LSPS and meet its key objectives. In this regard, the CBD PP is considered to be generally consistent with the LHS as it will facilitate future housing growth in the Parramatta CBD, 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 LHS as endorsed by Council in July 2020 can be accessed via <https://www.cityofparramatta.nsw.gov.au/local-housing-strategy>

Local Strategic Planning Statement

The City of Parramatta's Local Strategic Planning Statement (LSPS) "City Plan 2036" came into effect on 31 March 2020.

One of the key roles of the LSPS is to provide strategic direction on where housing and jobs should be concentrated within the City of Parramatta. With regards to housing, the LSPS (and its supporting LHS) directs high density housing 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 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 (14,350 and 50,250 respectively) the planning proposal is consistent with the LSPS. A copy of the LSPS as endorsed by Council and assured by the GSC in March 2020 can be accessed via <https://www.cityofparramatta.nsw.gov.au/lsp>

Community Infrastructure Strategy

The City of Parramatta's *Community Infrastructure Strategy* (CIS) was approved by Council on 13 July 2020. The CIS outlines the City's long term direction for community infrastructure provision across the City of 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

The CBD Planning Proposal is generally consistent with the guiding principles of the *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.

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. As discussed previously in this planning proposal, Council will complete a review of the infrastructure funding framework for the Parramatta CBD prior to the finalisation of this planning proposal, so as to ensure an appropriate framework is in place to support the significant growth anticipated under this planning proposal.

A copy of the CIS can be accessed via <https://www.cityofparramatta.nsw.gov.au/cis>.

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 area which is subject to the planning proposal.

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
SEPP No 1 Development Standards SEPP No 6 Number of Storeys in a Building SEPP No 22 Shops and Commercial Premises SEPP No 32 Urban Consolidation (Redevelopment of Urban Land) SEPP No 33 Hazardous and Offensive Development	✓	Consistent. This planning proposal does not contain provisions that contradict or would hinder the application of these SEPPs.
SEPP No 55 Remediation of Land	✓	Consistent. 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 in 2016 (refer to Appendix 15a) that recommended that a detailed site investigation be undertaken at the development application stage of the redevelopment of any land within the CBD. 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> . An addendum to the 2016 was

		prepared in 2019 as a review of the 2016 Study for currency (refer to Appendix 15b).
SEPP No 64 Advertising and Signage	✓	Consistent. This planning proposal does not contain provisions that contradict or would hinder the application of this SEPP.
SEPP No 65 Design Quality of Residential Flat Development	✓	Consistent. 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. 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. 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. 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, Church Street Precinct, Opportunity Sites and some areas north of heritage conservation areas. The urban design testing considered SEPP 65 and ADG compliance.
SEPP No 70 Affordable Housing (Revised Schemes) SEPP (Building Sustainability Index: BASIX) 2004 SEPP (Housing for Seniors or People with a Disability) 2004 SEPP (Major Development) 2005 SEPP (Infrastructure) 2007 SEPP (Temporary Structures) 2007 SEPP (Exempt and Complying Development Codes) 2008 SEPP (Affordable Rental Housing) 2009	✓	Consistent. This planning proposal does not contain provisions that contradict or would hinder the application of these SEPPs
State Regional Environment Plans (REPs) – Deemed SEPPs		Comment
Sydney REP (Sydney Harbour Catchment) 2005	✓	Consistent. The City of 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).

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 section 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
1. Employment and Resources		
<p>Direction 1.1 – Business and Industrial Zones</p> <p>The objectives of this direction are to:</p> <p>a) encourage employment growth in suitable locations,</p> <p>b) protect employment land in business and industrial zones, and</p> <p>c) support the viability of identified strategic centres.</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 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"> • Expansion of the B3 Commercial Core zone • Increase to some FSRs for commercial land • 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. <p>It is also worth noting that current provision 7.6 Airspace operations enables a maximum height of up to 243m AHD where DITRDC approves penetration of the OLS (at 156m RL).</p>	<p>Consistent</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 Appendix 2a.</p>	
2. Environment and Heritage		
<p>Direction 2.3 - Heritage Conservation</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, 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"> • Marion Street Precinct Urban Design and Heritage Study • Church Street Precinct Urban Design, Heritage and Feasibility Analysis Study • Review of Opportunity Sites Urban Design and Heritage Study • Overshadowing Technical Paper <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>Justifiable non-compliance</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>	
3. Housing, Infrastructure and Urban Development		
<p>Direction 3.1 - Residential Zones</p> <p>The objectives of this direction are to:</p> <ol style="list-style-type: none"> a) to encourage a variety and choice of housing types to provide for existing and future housing needs, b) to make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services, and c) to minimise the impact of residential development on the environment and resource lands. 	<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 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>Justifiable non-compliance</p>
<p>Direction 3.4 - Integrating Land Use and Transport</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> <ol style="list-style-type: none"> a) improving access b) increasing transport choice c) reducing travel demand 	<p>The planning proposal is consistent with this Direction by:</p> <ul style="list-style-type: none"> • locating more intense development activity close to the Parramatta Railway Station and Bus interchange to maximise the use of public transport; • locate development close to local services including Westfield (a major shopping centre) and medical and education services; • encourage sustainable transport choices by improving through site links in the public domain particularly in the Auto Alley Precinct; and • locating jobs close to existing and future public transport routes, including the Western Sydney Light 	<p>Consistent.</p>

<p>d) supporting the efficient operation of public transport services</p> <p>e) providing for the efficient movement of freight.</p>	<p>Rail, Parramatta and Harris Park Railway Stations and key bus routes and bus interchange.</p> <ul style="list-style-type: none"> • Reducing car parking provision as part of development sites. • Introducing road widenings to reflect the following: <ul style="list-style-type: none"> ○ 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. <p>The planning proposal is also consistent with the metropolitan strategy for Sydney as it intensifies development within Parramatta, Sydney's Central City.</p>	
<p>Direction 3.5 – Development Near Regulated Airports and Defence Airfields</p> <p>The [abridged] objectives of this direction are:</p> <p>a) to ensure the effective, safe operation of aerodromes</p> <p>b) to ensure development does not obstruct, create a 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 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 the Commonwealth Department of Infrastructure, Transport, Regional Development and Communications.</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 DITRDC has occurred.</i></p> <p>The DPIE recommend that <i>CASA and DITRDC be consulted prior to community consultation.</i></p> <p>This consultation has now been carried out as part of the pre-exhibition consultation process with relevant public authorities required in Condition 2 of the Gateway determination. DITRDC has issued their approval for the proposal to go to public exhibition and therefore Council is of the view that this Planning Proposal is now consistent with this direction.</p>	<p>Consistent.</p>
<p>4. Hazard and Risk</p>		
<p>Direction 4.1 - Acid Sulfate Soils</p> <p>The objective of this direction is to avoid significant adverse</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</i></p>	<p>Inconsistency with minor significance</p>

<p>environmental impacts from the use of land that has a probability of containing acid sulfate soils.</p>	<p><i>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>Direction 4.3 - Flood Prone Land</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>What a relevant authority must do if this direction applies [abridged]</p> <p>4.3 (4) A planning proposal must include provisions that 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>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>
<p>4.3 (5) 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>4.3 (6) A planning proposal must not contain provisions that apply to the flood planning areas which:</p> <ul style="list-style-type: none"> a) Permit development in floodway areas b) Permit development that will result in significant flood impacts to other properties. c) Permit a significant increase in the development of the land. d) Are likely to result in a substantially increased requirement for government spend on flood mitigation measures, infrastructure services, or, e) Permit development to be carried out without development consent except for the purposes of agriculture, roads or exempt development. 	<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>4.3 (7) 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-General (or an officer of the Department nominated by the Director General).</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 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.</p> <p>Also, see also sub-sections below.</p>	<p>Exceptional circumstances to enable consultation prior to exhibition</p>
<p>4.3 (8) 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</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"> - 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 <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</p>	<p>Exceptional circumstances to enable consultation prior to exhibition</p>

<p>the Director-General (or an officer of the Department nominated by the Director-General).</p>	<p>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"> 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). 2. That the risk to life 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. <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>Consistency 4.3 (9) A planning proposal may be inconsistent with this direction only if the relevant planning authority can satisfy the Director- General (or an</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</p>	<p>Exceptional circumstances to enable consultation prior to exhibition</p>

<p>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>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>	
6. Local Plan Making		
<p>Direction 6.1 - Approval and Referral Requirements</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>Direction 6.2 - Reserving Land for Public Purposes</p> <p>The [abridged] objectives of this direction are:</p> <p>a) to facilitate the provision of public services/facilities, and</p> <p>b) to facilitate the removal of reservations of land for public purposes where required.</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"> - 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. <p>The draft Land Zoning Map within the planning proposal is proposed to be amended to reflect a proposed change in zoning from RE1 Public Recreation to B4 Mixed Use for an area of land approximately 1065 sqm in size and adjacent to the Barry Wilde Bridge and Parramatta River. The land includes part of 30B Phillip Street, Parramatta (Lot 1 DP 1247122) owned by the NSW Government and part of 46 Phillip Street, Parramatta (Lot 3 DP 1247122) owned by the City of Parramatta Council. The intent of the rezoning of this land is to rationalise and align the land zones in this area, so as to provide a consistent alignment along the foreshore. Prior to finalisation of the Planning Proposal, Council will seek approval from the relevant public</p>	<p>Consistent. Approval needs to be obtained to reduce the RE1 zone as proposed.</p>

	authority and DPIE, in accordance with clause (4) of this Ministerial direction to make this proposed zoning change.	
<p>Direction 6.3 - Site Specific Provisions</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>	Justifiably Inconsistent
<p>6.3 (4) 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> <p>a) allow that land use to be carried out in the zone the land is situated on, or</p> <p>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</p> <p>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.</p>	<p>The planning proposal contains four (4) site specific planning controls which are detailed below.</p> <p>Auto Alley</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>. Further to the above, development for the purposes of retail premises on the remaining B5 zoned land has also been retained under this Planning Proposal.</p> <p>This site specific amendment is therefore considered to be consistent with Direction 6.3 (4).</p> <p>Marion Street Precinct</p> <p>This site specific amendment (which will form part of new clause 7.6l) 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 7.6l are marked "Area B" 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>	Justifiably inconsistent

	<p>5-7 Hassall Street</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>286-302 Church Street</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>	
<p>6.3 (5) A planning proposal must not contain or refer to drawings that show details of the development proposal.</p>	<p>The four 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>6.3 (6) 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 (3-4) 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>7. Metropolitan Planning</p>		
<p>Direction 7.1 - Implementation of 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</p>	<p>Consistent</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>within the plan as detailed in Section 3.2.1 of this document.</p>	
<p>Direction 7.5 Implementation of Greater Parramatta Priority Growth Area (GPOP) Interim Land Use and Infrastructure Development Plan (LUIIP)</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 50,250 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 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>	<p>Consistent</p>

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.

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 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 (refer to Appendix 15a). 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 *Preliminary Site Investigation Study for the Auto Alley area*, the report suggests that the PSI is considered in Development applications within the Auto Alley Area (refer to Appendix 15b). 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 creates capacity for an additional 50,250 jobs and 14,350 dwellings, which would allow for residents to be located within 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

To address the social effects of this growth, certain development seeking higher development yields will be required to include community infrastructure. This is to ensure that the additional demands on the infrastructure network generated by the new development are adequately addressed.

As discussed previously in this planning proposal, Council will complete a review of the infrastructure funding framework for the Parramatta CBD prior to the finalisation of this planning proposal, so as to ensure an appropriate framework is in place to support the significant growth anticipated under this planning proposal. The review will also consider and update the infrastructure needs analysis for the Parramatta CBD.

Major regional infrastructure projects (such as Parramatta Light Rail, Parramatta Schools Project, Museum of Applied Arts and Sciences and 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. It is also noted that the Greater Sydney Commission has prepared the Draft "A City Supported by Infrastructure" – A Place-based Infrastructure Compact (PIC) Pilot for the Greater Parramatta and Olympic Peninsula (GPOP) area, which outlines a strategic plan for regional infrastructure that is currently being reviewed by the NSW Government.

Further, the recently finalised Community Infrastructure Strategy also 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 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 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 on Community Infrastructure is provided in Appendices 17a to 17e.

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?

The draft changes to the planning controls will permit a significant increase in development potential across the City Centre. The uplift of the FSR controls in terms of yield has been quantified and is outlined in Table 3 earlier in 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 will also engage with utility, waste management and recycling service providers during the exhibition of the planning proposal.

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 Sydney Metro line planned by the NSW Government. However, as a consequence of the anticipated 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. Council has prepared a Strategic Transport Study with accompanying Technical Papers (copy provided at Appendix 13). The purpose of that study was to identify the transport task generated by the future Parramatta CBD, and develop an understanding of the scale and type of transport interventions required to support proposed planning control changes under the planning proposal. Further work is also being undertaken in the preparation of a mesoscopic model and Integrated Transport Plan, both of which are required to be completed prior to finalisation of the planning proposal.

Any upgrades required to the road network will be identified through the mesoscopic model and Integrated Transport Plan work. It is also noted that Council is proposing a number of new road widenings through this planning proposal – refer to the proposed Land Reservation Acquisition Map.

Council will continue to engage with Transport for NSW and the Roads and Maritime Service regarding the preparation of the mesoscopic model and Integrated Transport Plan, including the 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

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. As discussed previously in this planning proposal, Council will complete a review of the infrastructure funding framework for the Parramatta CBD prior to the finalisation of this planning

proposal, so as to ensure an appropriate framework is in place to support the significant growth anticipated under this planning proposal. Council will engage with relevant state agencies as required should any issues arise in the provision of community infrastructure and how this relates to the delivery of regional infrastructure.

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?

Early 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 in 2015:

- 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;*
- *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, Transport, Regional Development and Communications.*

Pre-exhibition consultation with the above listed public authorities occurred between 19 December 2019 and 10 February 2020 following Council's endorsement of the Planning Proposal in November 2019. During this consultation, Council sought comment on the updated Planning Proposal from the public authorities in Condition 2 of the Gateway Determination (listed above) and received four (4) submissions from:

- Department of Infrastructure, Transport, Regional Development and Communications,
- Civil Aviation Safety Authority,

- Airservices Australia, and
- Government Architect NSW.

The public authorities that did not provide a submission during the pre-exhibition consultation period were advised that they would receive a further opportunity to make a submission on the Planning Proposal during the formal public exhibition with the community and other public authorities as required by Condition 4 of the Gateway Determination.

The issues raised in the four submissions received resulted in minor, non-policy changes to the Planning Proposal document and 'Appendix 2b – Proposed LEP Maps' in response to the submissions from the Department of Infrastructure, Transport, Regional Development and Communications (DITRDC) and the Government Architect NSW (GANSW).

The submission from DITRDC requested the Planning Proposal be updated to reinforce the referral process required to DITRDC for development that exceeds the Obstacle Limitation Surface (OLS) of 156 metres AHD and is considered a 'controlled activity'. To address this, it was agreed that changes be made to the Height of Building Map (base and incentive) in 'Appendix 2b – Proposed LEP Maps' of the Planning Proposal to add in an explanatory note. Minor additions reiterating the need for referral to DITRDC when development or a structure penetrates the OLS was also made in the Planning Proposal for consistency.

The submission from the GANSW raised a number of urban design matters broadly relating to active street frontages, DCP considerations, design excellence and solar access. The GANSW requested that the active frontages controls be reviewed, particularly where full activation is unsuitable such as new schools and Lancer Barracks. To address this, it was agreed that changes be made to the Active Frontages Map in 'Appendix 2b – Proposed LEP Maps' of the Planning Proposal to remove sites where active street frontages are not viable due to their special infrastructure uses and historical significance specifically:

- Lancer Barracks given its significant heritage status (which is the approach taken with the St Johns Cathedral Church); and
- The school sites at Arthur Phillip High School and Parramatta Public School, which have been recently redeveloped and have not provided active frontages given their status as educational facilities.

The other matters raised by GANSW did not warrant changes to the Planning Proposal.

It is also noted that a late submission was received from Heritage NSW on 16 June 2020. Given that the Planning Proposal was already submitted with the Department for review at that time, Heritage NSW and the Department were both advised that the late Heritage NSW submission would be considered by Council as part of the formal public exhibition process. This was acknowledged in the Department's approval letter dated 27 July 2020, which allowed the Planning Proposal to proceed to public exhibition. This Department letter notes that "*Council will consider this submission following public exhibition of the proposal.*" It is noted that no formal submission was received from Transport for NSW and Roads and Maritime Services during the pre-exhibition consultation process. Notwithstanding this, as part of the preparation of the Mesoscopic Model and Integrated Transport Plan that support the Planning Proposal, there is ongoing consultation with Transport for NSW, Roads and Maritime Services, Parramatta Light Rail and Sydney Metro West.

Following the pre-exhibition consultation process with public agencies (as described above), and as required under Condition 1 of the Gateway Determination, Council referred

the Planning Proposal to the Department on 17 March 2020 seeking approval to proceed to public exhibition. The referral also included a request to amend condition 1(l) of the Gateway determination to allow the updated Planning Proposal to progress to exhibition without further delay caused by the current incomplete status of the Mesoscopic Model and Integrated Transport Plan (which are currently being prepared).

On 27 July 2020, notification that the Planning Proposal could proceed to public exhibition subject to further amendments was outlined in the Department’s letter to Council dated 27 July 2020 and accompanying Alteration to the Gateway Determination. A copy of the Letter from the Department and the Alteration to the Gateway Determination is at Appendix 4c, and a summary of the work undertaken to address each condition in the Alteration to the Gateway Determination is at Appendix 4d.

The matters the Department raise in their approval letter required Council to address by way of amendments to the Planning Proposal prior to public exhibition related to the high performing buildings clause, overshadowing of Parramatta Square and community infrastructure. This version of the Planning Proposal incorporates the required amendments and are explained elsewhere in this Planning Proposal. The altered Gateway Determination condition about completion of the Integrated Transport Plan and Mesoscopic Model prior to finalisation of the Planning Proposal responds to Council’s request in March 2020 for this amendment to the conditions of the Gateway Determination issued in December 2018.

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;*
- *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.

Council will consult with the public authorities/agencies listed in Conditions 2 and 4 of the Gateway determination during the public exhibition of the Planning Proposal.

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 Department make the LEP amendments.

PART 4 – MAPPING

This planning proposal seeks to amend and/or create the following maps.

- 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

Appendix 1b contains the existing PLEP 2011 maps which apply to the CBD Planning Proposal area whilst Appendix 2b contains the proposed maps subject to this planning proposal (both are provided under separate cover).

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 6.5.2 of 'A guide to preparing local environmental plans' (DPIE 2018).

Council can now undertake community consultation following the DPIE's approval on 27 July 2020 that the Planning Proposal could proceed to public exhibition subject to further amendments, as outlined elsewhere in this document and detailed in Appendices 4c and 4d.

The public exhibition of the Planning Proposal will run for six (6) weeks given the significance of the project, which exceeds the minimum 28 day period required by the Gateway determination. The public exhibition period will start on 21 September 2020 and conclude on 2 November 2020.

Public exhibition will include statutory and non-statutory engagement tools and methods including:

- Notification letters to:
 - Landowners inside the Planning Proposal boundary
 - Landowners within a 300m buffer of the Planning Proposal boundary (excluding those adjacent to the western boundary near Parramatta Park as no changes are occurring in this area)
 - Occupiers inside the Planning Proposal boundary and within a 300m buffer of the Planning Proposal boundary (excluding those adjacent to the western boundary near Parramatta Park as no changes are occurring in this area)
- Frequently Asked Questions (FAQs) sheet
- Summary document – translated into Mandarin, Cantonese, Hindi, Arabic and Korean
- Media Release, Social Media updates and notification in Council's E-Pulse newsletter
- Emails to: Our City, Your Say panel, known stakeholders, City Engagement Community Updates
- Public notice on City of Parramatta corporate website, and 'Participate Parramatta' City of Parramatta Council website
- Free text response to enable an online submission
- 'Phone a Planner' Sessions (in lieu of face-to-face drop-in sessions given COVID)
- Recorded presentation providing a brief overview of key aspects of the Planning Proposal
- Online forums – one for industry and one for the community (in lieu of "town hall style" community meetings given COVID)
- Public notice in a newspaper at the commencement of the public exhibition

PART 6 – PROJECT TIMELINE

The DPIE has set a timeframe to finalise the amendments to the LEP within 24 months of the Gateway Determination (ie. by December 2020). The Minister may take action under section 3.32 (2)(d) of the Act if the timeframes outlined in the determinations is not met.

The envisaged project timeline (Table 18) has been prepared based on the requirements of the Gateway Determination (although additional time will be required to finalise the LEP beyond the December 2020 timeframe specified in the Gateway Determination). A request to amend the timeframe will need to be made in the post-exhibition period. The project timeline below includes progressing 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
Council officers amend planning proposal consistent with Council resolution of 25 November 2019.	November (late) 2019 – December 2019
Pre-exhibition consultation with certain public authorities as per condition no. 2 of the Gateway determination.	December 2019 –February (early) 2020
Department of Planning, Industry and Environment (DPIE) assessment of updated Parramatta CBD Planning Proposal and issuing of approval to place on public exhibition (as per the Gateway determination).	March 2020 to 27 July 2020
Subject to DPIE approval with no significant changes that would require a further Council resolution – Preparation for public exhibition, including all logistics, consultation materials, and mass mail-out.	August-September 2020
Public exhibition of Parramatta CBD Planning Proposal (including additional public authority consultation).	21 September 2020 to 2 November 2020
Consideration of submissions received and preparation of updates to the planning proposal and Council officer reports to Local Planning Panel and Council (including all supporting documentation).	November 2020 – January 2021
Report to Local Planning Panel on post-exhibition outcomes and seek advice on adoption of final planning proposal.	February 2020
Report to Council on post-exhibition outcomes and seek resolution to finalise and submit to DPIE for finalisation.	March 2021
DPIE review; Parliamentary Counsel prepares LEP (legal drafting), DPIE finalisation and sign-off by Minister (or delegate).	April 2021 to June 2021

*Note: Condition 6 of the Gateway determination requires the LEP to be completed by 13 December 2020. Council will need to request a Gateway alteration to request additional time to complete the process, as specified in the timetable above (ie. LEP completion by June 2021).

Appendix 1a – PLEP 2011 extract of relevant clauses from the instrument affecting Parramatta CBD

[Provided under separate cover]

Appendix 1b – PLEP 2011 Maps affecting Parramatta CBD

[Provided under separate cover]

Appendix 2a – Proposed LEP Amending Instrument

[Provided under separate cover]

Appendix 2b – Proposed LEP Maps

[Provided under separate cover]

Appendix 3 – CBD Planning Strategy (2015)

[Provided under separate cover]

Appendix 4a – Gateway determination

[Provided under separate cover]

Appendix 4b – Satisfying the Gateway conditions

[Provided under separate cover]

Appendix 4c – Department’s approval letter and Alteration to the Gateway determination

[Provided under separate cover]

Appendix 4d – Satisfying the Altered Gateway conditions

[Provided under separate cover]

Appendix 5 – Heritage Study (Urbis) 2015

[Provided under separate cover]

Appendix 6a – Heritage Study of Interface Areas (Hector Abraham Architects) 2017

[Provided under separate cover]

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

[Provided under separate cover]

Appendix 7 – Omitted

[West Auto Alley Precinct Plan removed owing to a decision by Council at its meeting on 25 November 2019]

Appendix 8 – Marion Street Precinct Plan

[Provided under separate cover]

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

[Provided under separate cover]

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

[Provided under separate cover]

Appendix 10a – Overshadowing Technical Paper (November 2019, updated August 2020)

[Provided under separate cover]

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

[Provided under separate cover]

Appendix 11a – Opportunity Sites Report (October 2019)

[Provided under separate cover]

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

[Provided under separate cover]

Appendix 12 – Economic Review – Achieving A-Grade Office

[Provided under separate cover]

Appendix 13a – Strategic Transport Study CBD Benchmarking (2017)

[Provided under separate cover]

Appendix 13b – Technical Paper 1 Strategic Traffic and Transport Analysis (2017)

[Provided under separate cover]

Appendix 13c – Technical Paper 2 Parking Review (2017)

[Provided under separate cover]

Appendix 13d – Technical Paper 3 (2017)

[Provided under separate cover]

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

[Provided under separate cover]

Appendix 14b – Flood Evacuation Assessment (2019)

[Provided under separate cover]

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

[Provided under separate cover]

Appendix 15a – Preliminary Site Investigation Study for the Auto Alley area (2016)

Appendix 15b – Addendum to Preliminary Site Investigation Study (2019)

[Provided under separate cover]

Appendix 16a – Sustainability and Infrastructure Study (2015 and 2019)

[Provided under separate cover]

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

[Provided under separate cover]

Appendix 17a – Infrastructure Funding Models Study (2016)

[Provided under separate cover]

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

[Provided under separate cover]

Appendix 17c – Draft Infrastructure Needs Analysis (2017)

[Provided under separate cover]

Appendix 17d – Independent Peer Review of Council’s past work on community infrastructure – by Aurecon (2017)

[Provided under separate cover]

Appendix 17e –Letter regarding “Parramatta CBD LEP Community Infrastructure Provisions” (2019)

[Provided under separate cover]