

## Schedule 4b - Satisfying Gateway conditions that relate to amending the Parramatta CBD Planning Proposal

DPE Gateway Condition	Action	Supporting Study or analysis
<b>2 Prior to public exhibition, Council is to amend the planning proposal to:</b>		
(a) consider sites that have been subject to a site-specific planning proposal and recommend whether the site-specific clause is to be retained in the Parramatta LEP or integrated with the proposed planning framework;	Consistency assessment undertaken.	Recommendations for amendments to the proposed draft instrument provided in <b>Appendix 2a</b> .
(b) amend the objectives and intended outcomes to reflect the description of Parramatta as Sydney's Central City in the Greater Sydney Region Plan and include an objective that refers to the need for appropriate consideration of heritage items and heritage interface areas;	Relevant section in <b>Part 3</b> of the PP has been updated. Objective 9 of the PP updated accordingly.	Not required
(c) prepare a draft acquisition and strategic corridor preservation map to indicate land that may be required to be rezoned to SP2 to facilitate local and regional infrastructure projects;	Land Reservation Acquisition Map has been amended to identify additional local road widening. Consultation to be undertaken with RMS and TfNSW.	Road widenings to be reviewed through mesoscopic model and ITP.
(d) assess the planning proposal against the Greater Sydney Region Plan and the Central City District Plan and describe how the planning proposal gives effect to and complies with these plans;	Relevant section in <b>Part 3</b> of the PP has been updated. The Greater Sydney Commission's (GSC) Draft "A City Supported by Infrastructure" – A Place-based Infrastructure Compact (PIC) Pilot for the Greater Parramatta and Olympic Peninsula (GPOP) area also been addressed as this has been exhibited since the issuing of the Gateway Determination.	Not required
(e) assess the planning proposal against section 9.1 Direction 7.5 Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Development Plan to demonstrate consistency with this document;	Relevant section in <b>Part 3</b> of the PP has been updated.	Not required

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(f) address the Community Strategic Plan 2018-2038, Culture and Our City: A Cultural Plan for Parramatta's CBD 2017-2022 and the Parramatta Smart City Masterplan and demonstrate consistency with these documents;	Relevant section in <b>Part 3</b> of PP has been updated. Council's LSPS, Local Housing Strategy and Community Infrastructure Strategy also included as these have been prepared since the issuing of the Gateway Determination.	Not required
(g) review the demographic data and the job and housing numbers that could be delivered through the planning proposal;	Relevant section in <b>Part 3</b> of the PP has been updated.	GIS data analysis undertaken to determine yields.
(h) update the planning proposal and maps to provide a consolidated explanation of provisions and assessment of the intended outcomes as amended by this Gateway determination, and review the studies that have been prepared to support the planning proposal and update if required;	This has been addressed across a range of sections in the PP and supporting evidence provided in the Appendices.	Refer to Study List in the <b>Introduction</b> section of the PP.
(i) in relation to the proposed floor space ratio (FSR) controls and incentives:		
i. amend the base and incentive FSR maps to reflect the Gateway conditions;	The Height of Buildings and Floor Space Ratio Maps have been updated as well as the Incentive Height of Buildings and Incentive Floor Space Ratio Maps.	<i>The studies that informed these map amendments are listed elsewhere in this table.</i>
ii. amend the planning proposal and the FSR sliding scale to reflect option FSR-1 in Council's report of 14 December 2015, unless further evidence is provided to demonstrate that alternative thresholds would be appropriate;	The <b>Introduction</b> section of the PP updated to reflect this. The proposed clause - <b>7.2 Floor space ratio</b> - has also been updated to reflect Option FSR-1 in Council's report of 14 December 2015.	<i>The studies that informed these map amendments are listed elsewhere in this table.</i>

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iii. amend the planning proposal and the FSR out clause to reflect ALT-1 in Council's report of 14 December 2015, but only for isolated sites and where design excellence is achieved;	The <b>Introduction</b> section of the PP updated to reflect this. The proposed clause - <b>7.2 Floor space ratio</b> - has also been updated to reflect Option ALT-1 in Council's report of 14 December 2015.	<i>The studies that informed these map amendments are listed elsewhere in this table.</i>
iv. amend the planning proposal to clearly define what constitutes an isolated site;	A proposed local provision - <b>7.2 Floor Space ratio</b> - inserts a definition of <i>isolated sites</i> .	The methodology is explained in the <b>Introduction</b> section of the planning proposal.
v. enable unlimited office premises FSR in the B3 Commercial Core on sites greater than 1800m <sup>2</sup> . Council may reduce this threshold subject to urban design testing and demonstration of the achievement of appropriate commercial floor plates;	PP amended to include a requirement for an 1,800m <sup>2</sup> site to achieve unlimited office premises FSR in the B3 Zone.	<i>Economic Review – Achieving A-Grade Office development</i> , prepared by consultants Urbis (initially October 2015, updated in September 2019). Other urban design studies prepared between June and October 2019.
vi. review the proposed opportunity sites having regard to site depth, site isolation and impacts on heritage areas and historic streetscapes. Opportunity sites should be removed from the planning proposal where the additional bulk and scale could have an adverse impact on the amenity of surrounding localities and areas of heritage significance; and	Opportunity Sites clause and map amended to reflect analysis undertaken internally and externally (see adjoining column).	<i>Review of Opportunity Sites</i> prepared by Council (with supporting Heritage Review by LSJ) informed the amendments to the Opportunity Sites clause and map.
vii. carry out environmental analysis and feasibility testing to demonstrate that sites with an FSR greater than 6:1 are suitable for the intended 5% FSR high performing buildings bonus and incorporate the intended policy into the explanation of provisions of the planning proposal.	HPB Clause amended to apply a 5% bonus to all sites greater than 6:1. Supporting study prepared.	<i>Sustainability and Infrastructure Study</i> prepared by consultants Kinesis (initially prepared in November 2015, updated June 2019); and <i>High Performance Building Bonus Study</i> , prepared by consultants Kinesis (initially February 2016, updated in July 2017 and July 2019).
(j) in relation to the proposed height of building controls:		

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<p>i. liaise with the Civil Aviation Safety Authority and the federal Department of Infrastructure, Regional Development and Cities to either determine the maximum mapped height of building that can be applied in the Parramatta CBD or provide further justification for the removal of height controls on unconstrained land;</p>	<p>PP updated to include height controls for all sites. Consultation with CASA and DIRDC undertaken consistent with Condition 2 of the Gateway Determination which resulted in a minor amendment to the Height of Building Map (base and incentive) to add an explanatory note; and in the Planning Proposal document, a comment added clarifying referral requirements.</p>	<p>Various studies, including urban design and overshadowing, determined heights.</p>
<p>ii. provide further assessment of the overshadowing impact of the proposed controls on public open spaces surrounding the CBD compared to the existing controls;</p>	<p>Studies undertaken. Heights and FSRs reduced for certain city blocks. Refer to adjoining column.</p>	<p>Refer to Appendix 10a - <i>Overshadowing Technical Paper</i> prepared by Council (revised at November 2019 and August 2020). Other external and internal studies prepared between June and October 2019 also directly or indirectly informed the PP amendments to the instrument and/or map.</p>
<p>iii. incorporate an assessment of the potential overshadowing impacts on Experiment Farm that may result from the proposed planning controls (outside the proposed sun access plane of 10am–2pm);</p>	<p>Studies undertaken. Refer to adjoining column. Position to maintain solar access to Experiment Farm between 10am-2pm on 21 June has been maintained in the PP.</p>	<p>Refer to Appendix 10a - <i>Overshadowing Technical Paper</i> prepared by Council (revised at November 2019 and August 2020). Other external and internal studies prepared between June and October 2019 also directly or indirectly informed the PP amendments to the instrument and/or map.</p>
<p>iv. provide further analysis to inform a sun access plane for the protected area of Parramatta Square between 12pm and 2pm, including the times of year that the proposed controls would apply;</p>	<p>Studies undertaken. Refer to adjoining column. Solar access to Parramatta Square protected between 12pm-2pm on 21 June.</p> <p>[N.B. See also new Condition 1 (o) in the table at Appendix 4d - Satisfying Gateway conditions in the Alteration to Gateway</p>	<p>Refer to Appendix 10a - <i>Overshadowing Technical Paper</i> prepared by Council (revised at November 2019 and August 2020). Other external and internal studies prepared between June and October 2019 also directly or indirectly informed the PP amendments to the instrument and/or map.</p>

DPE Gateway Condition	Action	Supporting Study or analysis
	Determination and Appendix 10a - Overshadowing Technical Paper prepared by Council (revised at November 2019 and August 2020) – additional control added]	
v. update the planning proposal to address the proposed permissibility of minor intrusions into the protected area of Parramatta Square, the intended outcomes and an analysis of potential impacts;	PP updated accordingly. Subclause added which will allow minor overshadowing only.	Not required. Detailed analysis of overshadowing to Parramatta Square undertaken in Overshadowing Technical Paper (copy at Appendix 10a).
(k) in relation to heritage matters, which may also influence the height and FSR outcomes:		
i. carry out further investigations of heritage interface areas and clearly identify where there are inconsistencies between the intended outcomes in the planning proposal and the heritage reports that have been prepared. Council is to provide further information to identify where the inconsistencies exist, the extent of the inconsistencies and how they are proposed to be addressed;	Inconsistencies existed in West Auto Alley, Marion Street, and Church Street precincts. Further studies undertaken for Marion Street and Church Street precincts to address these inconsistencies and the PP has been updated accordingly. The West Auto Alley precinct was removed from the Planning Proposal boundary owing to a decision by Council at its meeting on 25 November 2019.	<i>Church Street Precinct: Urban Design and Feasibility Study</i> prepared by Council with supporting heritage study by City Plan Heritage. <i>Marion Street Precinct Plan</i> prepared by SJB with heritage input from heritage consultant Paul Davies;; <i>Opportunity Sites Study</i> , prepared by Council with heritage input from Lucas, Stapleton, Johnson and Partners (LSJ).

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ii. carry out an urban design study of the southern interface areas to ensure that excessive cumulative shadow impacts are not created across the northern sections of adjoining heritage conservation areas (HCA), including the Harris Park HCA, the Experiment Farm HCA, the Tottenham Road HCA and the South Parramatta HCA. These areas should receive a minimum of two hours' direct sunlight between 9am and 3pm at midwinter (21 June). If required, heights and FSRs are to be adjusted accordingly; and	Overshadowing analysis undertaken. Refer to adjoining column. Heights and FSRs for certain city blocks reduced accordingly to minimise overshadowing.	<i>Overshadowing Technical Paper</i> prepared by Council (revised at November 2019 and August 2020) – refer to copy at Appendix 10a.
iii along Church Street between Lennox Bridge and Macquarie Street, retain the FSR of 3:1, the height limit of 12m and the podium setback of 18m unless a heritage, urban design and commercial feasibility study is carried out to demonstrate that a reduced tower podium setback has merit from a heritage, urban design and commercial feasibility perspective, and consider removing opportunity sites in this precinct if additional height and FSR will have an adverse impact on heritage values;	<i>Church Street Precinct Study and Opportunity Sites Study</i> undertaken. 12m podium setback is included and reduction in FSRs to 3:1 to certain smaller sites has been included, as well as removal of most opportunity sites.	<i>Church Street Precinct Plan - Planning, Urban Design and Feasibility</i> prepared by Council and <i>Heritage Analysis</i> prepared by City Plan Heritage. <i>Opportunity Sites Study</i> , prepared by Council with heritage analysis by LSJ.
(l) prepare a mesoscopic model and integrated transport plan in consultation with Transport for NSW, Roads and Maritime Services, Parramatta Light Rail and Sydney Metro West, taking into account planned transport infrastructure improvements;	<i>Strategic Transport Study</i> and Technical Papers prepared and will be exhibited with the PP. Work on a mesoscopic model and ITP has commenced and will be finalised prior to PP gazettal.  [N.B. Alteration to the Gateway Determination deletes this condition, and creates a new condition 7, which requires the mesoscopic model and ITP prior to finalisation of the PP, not with exhibition]	<i>Strategic Transport Study</i> and Technical Papers by AECOM completed. Mesoscopic Model and ITP by Jacobs commenced and will be completed prior to finalisation of the planning proposal.
(m) in relation to infrastructure funding:		

DPE Gateway Condition	Action	Supporting Study or analysis
i. amend the planning proposal to introduce a satisfactory arrangements clause to fund regional infrastructure;	Relevant sections in the PP have been updated including <b>Part 2. Appendix 2a</b> of the PP contains the draft amending instrument which includes clause 7.6G Arrangements for contributions to designated State public infrastructure.	Not required.
ii. change all references to 'value sharing' in the planning proposal to 'provision of community infrastructure';	Relevant sections in the PP have been updated.	Not required.
iii. amend the explanation of provisions to clarify that community infrastructure is only able to be provided on the development site; and	Relevant section in <b>Part 2</b> of the PP has been updated. Clause 7.6H - Community Infrastructure has been amended based on Penrith LEP clause.	Refer to Appendix 17e – Letter regarding “Parramatta CBD LEP Community Infrastructure Provisions” prepared by GLN Planning (5 October 2019).
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.	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. This will include consideration of the preparation of a new s7.11/s7.12 contributions plan for the Parramatta CBD.	Infrastructure Funding Framework Review – to be completed prior to finalisation of the planning proposal.