



**CITY OF
PARRAMATTA**

NOTICE OF LOCAL PLANNING PANEL MEETING

PUBLIC AGENDA

A Local Planning Panel meeting will be held in PHIVE 2 Civic Place, Parramatta at 5 Parramatta Square on Tuesday, 4 June 2024 at 3.30PM - Additional Meeting.

Gail Connolly PSM
CHIEF EXECUTIVE OFFICER



**CITY OF
PARRAMATTA**

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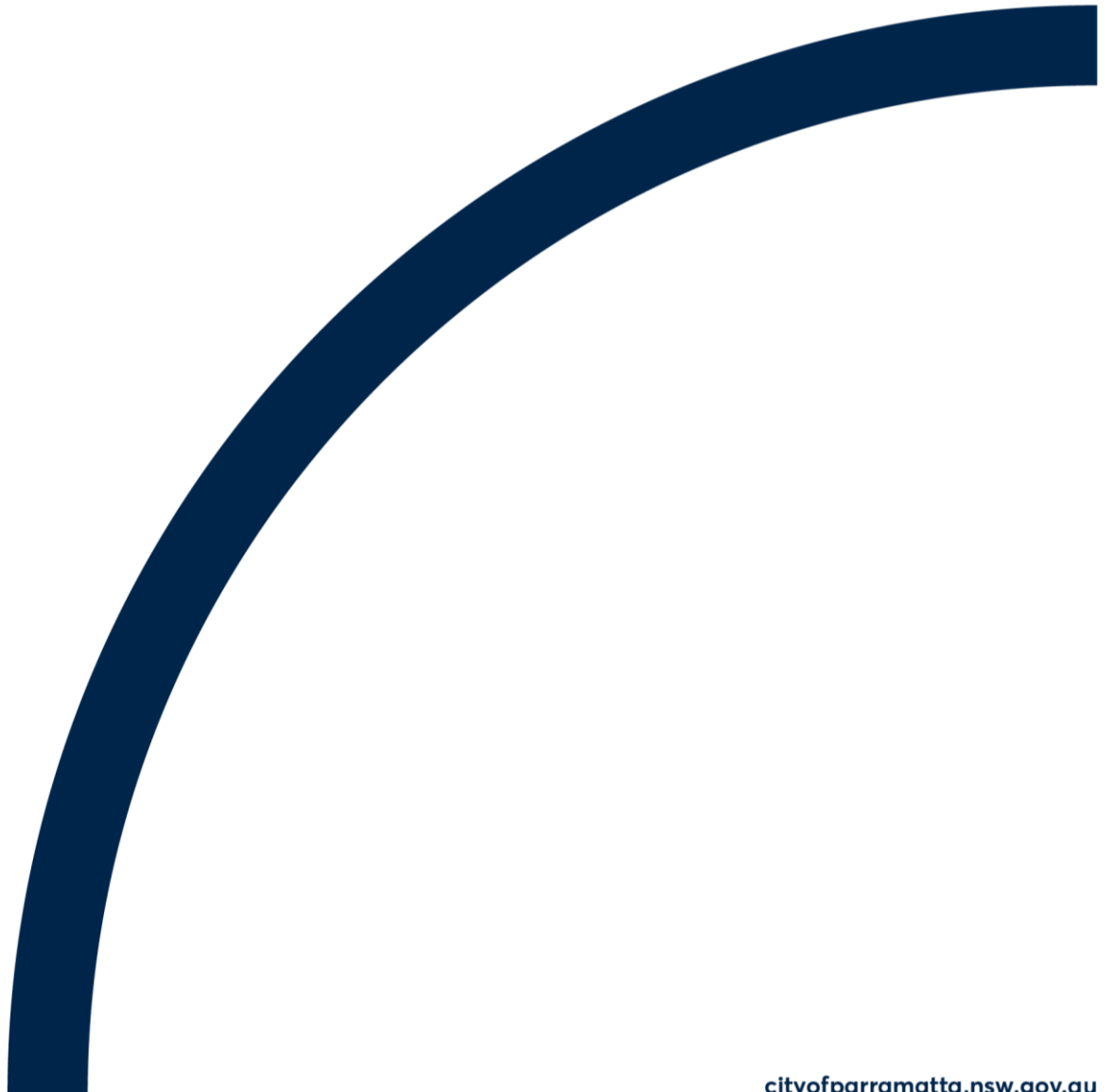


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2	WEBCASTING ANNOUNCEMENT <i>This public meeting will be recorded. The recording will be archived and available on Council's website.</i> <i>All care is taken to maintain your privacy; however if you are in attendance in the public gallery, you should be aware that your presence may be recorded.</i>	
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PLANNING PROPOSALS

04 JUNE 2024

5.1 Gateway Request: Planning Proposal for land at 90-94 Phillip Street,
Parramatta..... 6

PLANNING PROPOSAL

ITEM NUMBER	5.1
SUBJECT	Gateway Request: Planning Proposal for land at 90-94 Phillip Street, Parramatta
REFERENCE	RZ/12/2018 -
APPLICANT/S	Think Planners
OWNERS	Buildup Phillip Pty Ltd (90 Phillip St) and Academy Parramatta Pty Ltd (94 Phillip St)
REPORT OF	Group Manager, Major Projects and Precincts

DEVELOPMENT APPLICATIONS CONSIDERED BY SYDNEY CENTRAL CITY PLANNING PANEL Nil

PURPOSE

To seek the Local Planning Panel advice on a Planning Proposal for land at 90-94 Phillip Street, Parramatta for the purpose of seeking a Gateway determination from the Department of Planning, Housing and Infrastructure (DPHI).

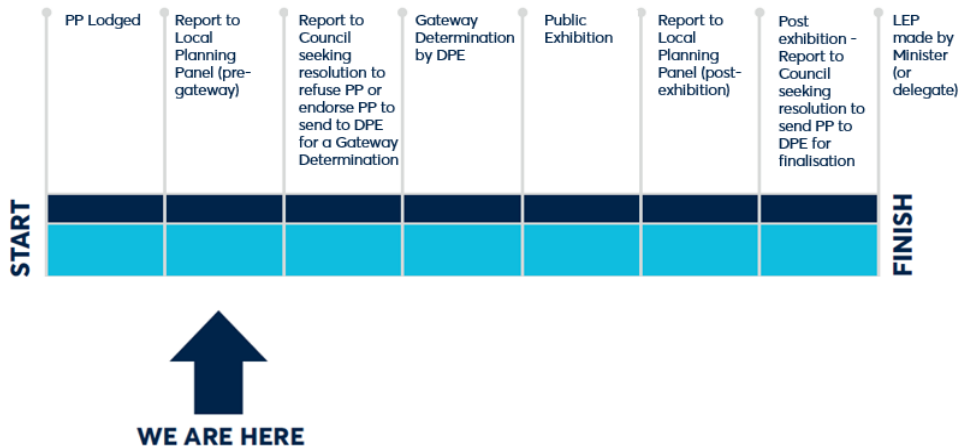
RECOMMENDATION

That the Local Planning Panel consider the following Council Officer recommendation in its advice to Council:

- (a) That Council approve, for the purpose of seeking a Gateway determination from the Department of Planning, Housing and Infrastructure (DPHI), the Planning Proposal for land at 90-94 Phillip Street, Parramatta (**Attachment 1**), which seeks to amend the Parramatta Local Environmental Plan 2023 (Parramatta LEP 2023) in relation to the subject site by:
 - i. Increasing the maximum Height of Buildings control on the map from 80 metres (105 metres when including all bonuses) to part 133 metres (153 metres when including all bonuses) and part 0 metres;
 - ii. Increasing the Floor Space Ratio control on the map from 6:1 (9.7:1 when including all bonuses) to 12.8:1 (15.36:1 when including all bonuses); and
 - iii. Amending Clause 7.28A so that it no longer provides a site-specific FSR and height bonus for the subject site.
- (b) That the Gateway request referred to above in recommendation (a) be submitted to the DPHI after the Applicant's Flood Report has been updated to reflect the Parramatta River Flood Study 2024.
- (c) That Council request the DPHI to provide Council with the authorisation to exercise its plan-making delegations for this Planning Proposal.
- (d) That Council authorise the CEO:
 - i. To amend the Parramatta Development Control Plan 2023 (PDCP 2023) in relation to the subject site as described in this report;
 - ii. To draft a Planning Agreement subject to the details within the submitted Letter of Offer provided at **Attachment 2** which address the matters described in this report; and

- iii. If a Gateway Determination is issued by the DPHI, the draft Planning Agreement and draft amendment to the PDCP 2023 are placed on public exhibition concurrently with the Planning Proposal.
- (d) That Council authorise the CEO to correct any minor anomalies of a non-policy and administrative nature that may arise during the plan-making process of the documents.

PLANNING PROPOSAL TIMELINE



SUMMARY

1. This report seeks the advice of the Local Planning Panel on a Planning Proposal for land at 90-94 Phillip Street, Parramatta for the purpose of seeking a Gateway determination from the DPHI.
2. The Planning Proposal seeks to amend Parramatta Local Environmental Plan 2023 (Parramatta LEP 2023) as shown in **Table 1** below:

Table 1: Existing and proposed controls

Control	Current control	Proposed control
Height of Buildings (Mapped)	80m	133m
Height of Buildings (Total including 15% Design Excellence bonus)	105m* (31 storeys mixed use)	153m (47 mixed use storeys)
Floor Space Ratio (Mapped)	6:1	12.8:1
Floor Space Ratio (Total including 15% Design Excellence bonus and 5% High Performing Buildings bonus)	9.7:1*	15.36:1

* The current height and FSR controls are also subject to a 13 metre and a 2.5:1 site-specific bonus under the controls introduced by SEPP 2. These are included in the total figures for these controls.

3. The Planning Proposal necessitates amendment of the Parramatta Development Control Plan (DCP) 2023 to increase the eastern tower setback and align with the reference scheme.

SITE DESCRIPTION

4. The subject site is located at 90 and 94 Phillip Street, Parramatta and has a legal description of Lot 10 DP 773452 (90 Phillip St) and Lot 2 DP 706033 (94 Phillip Street) (see **Figure 1**). The site is on the southern bank of the Parramatta River and is to the west of the Ferry Wharf known as “Parramatta Quay” and the recently completed Charles Street Square. The total site area is 2,192 sqm.
5. Both 90 and 94 Phillip Street contain existing four storey commercial buildings with four storeys above ground floor level car parking. Vehicular access is provided to 90 Phillip Street directly from Phillip Street. Vehicular access is provided to 94 Phillip Street from a driveway over an unmade part of Charles Street directly to the east of the site (refer to **Figure 2** below). This arrangement is under an existing right of carriageway over Council owned land that benefits No. 94 Phillip Street.

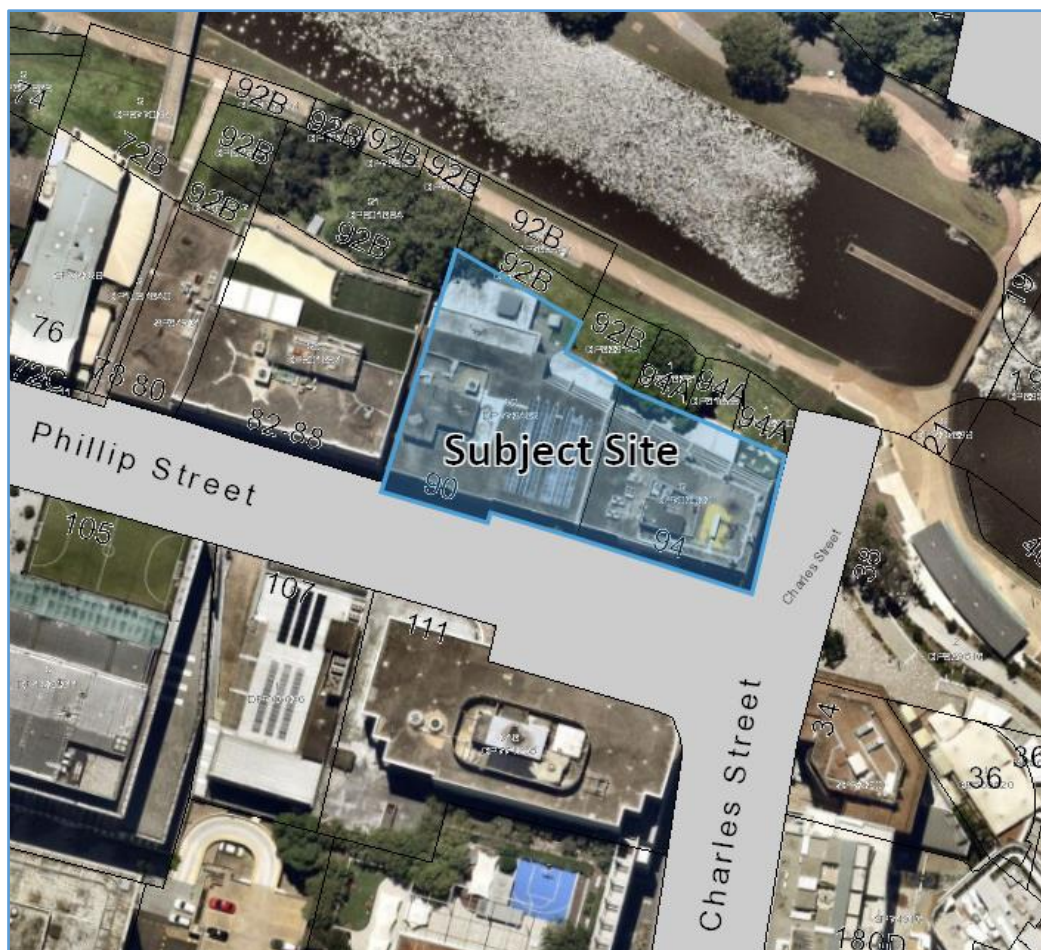


Figure 1: Site location (City of Parramatta GIS)

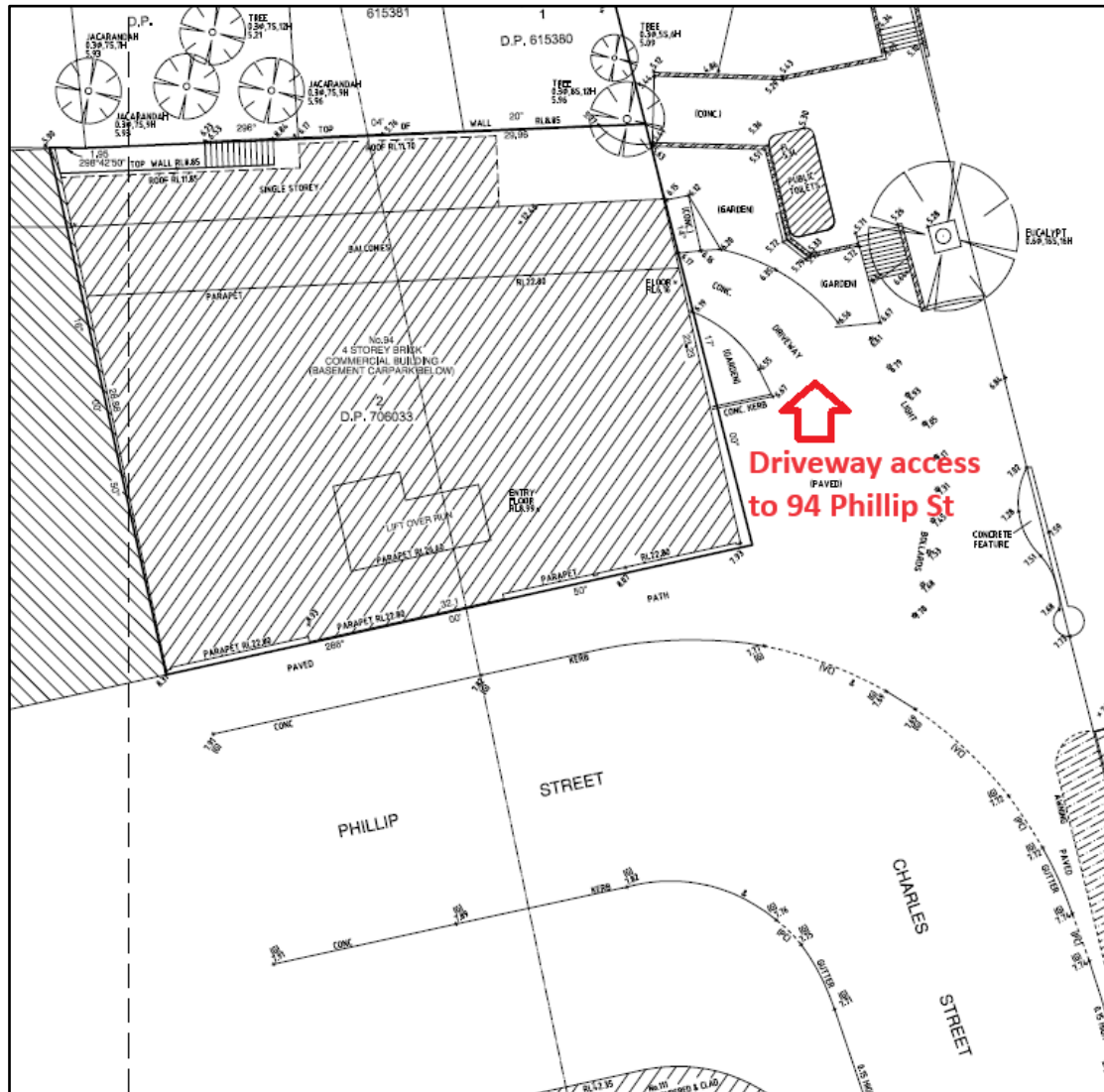


Figure 2: Extract from site survey indicating location of current driveway access to 94 Phillip St over unmaded portion of Charles Street (Source Applicant’s site survey – Norton Survey Partners)

BACKGROUND

6. In October 2018, the applicant (at that time, Hamptons Property Services, now Think Planners) lodged a Planning Proposal with the City of Parramatta Council for land at 90 to 94 Phillip Street, Parramatta seeking to increase the density of development permitted within the MU1 Mixed Use zoning of the site. The Planning Proposal sought to increase the floor space ratio (FSR) from 6:1 to 21:1 (including the 15% design excellence bonus). It also sought to increase the height control from 80 metres (92 metres including 15% Design Excellence bonus) to 210 metres (including 15% Design Excellence Bonus).
7. Initial assessment by Council Officers raised concerns regarding the density and scale of the proposal considering the prominence of the site on the Parramatta River adjoining Charles Street Square, and its high visibility from the ferry approach to the CBD. The applicant’s Planning Proposal submitted that it was consistent with the draft Parramatta CBD Planning Proposal on the basis that it

reflected the draft planning controls at that time including unlimited commercial floor space. The applicant also argued that the site was subject to the draft Opportunity Site provisions. The Opportunity Site provisions provided for a bonus FSR of 3:1 for certain sites that were considered of sufficient size and location to accommodate higher densities with minimal impacts on surrounding development. However, it is noted that the subject site did not meet the relevant site depth requirement to use this draft provision.

8. Several revised reference designs were submitted by the applicant in 2019, which proposed a total FSR of 21:1. Noting the significance of the site on the river foreshore addressing Charles Street Square and a site-specific Planning Proposal for 66 Phillip Street within the same street block, Council staff conducted urban design analysis of these two sites in context of the broader street block. This preliminary urban design work identified potential unsatisfactory outcomes from such building heights along the river and the report to Council dated 15 June 2021 relating to the post-exhibition of the CBD Planning Proposal recommended that this area be removed from the proposed amendment to allow further analysis. Notwithstanding, at the 15 June 2021 meeting Council resolved to proceed with the draft controls for the Phillip Street block under the Parramatta CBD Planning Proposal including incentive building heights and FSR, minimum commercial provisions and the Opportunity Site bonus.
9. The Parramatta CBD Planning Proposal was implemented by Parramatta Local Environmental Plan 2011 (Amendment 56) which was notified on 6 May 2022 and took effect on 14 October 2022. The then DPE finalisation report recommended that the Phillip Street Block not progress as part of the CBD PP and that the block retain its current controls. The DPE's finalisation report was informed by the Department's built form modelling and the findings of an Independent Rapid Assessment of the Parramatta CBD Planning Proposal. The Independent Rapid Assessment was prepared by Bennett and Trimble on behalf of the then DPE and is discussed below under the heading of Urban Design. Based on these considerations, the then DPE excluded the Phillip Street block from the new controls and the existing density controls remained for the site at a FSR of 6:1 and HOB of 80 metres.
10. The, then DPE made further changes to the Parramatta CBD planning controls through State Environmental Planning Policy Amendment (Parramatta CBD) (no. 2) on 16 December 2022. This introduced controls to facilitate growth in employment uses within certain B3 Commercial Core and B4 Mixed Use zone sites within the Parramatta CBD as well as uplift for the Phillip Street Block, subject to certain provisions being met. In this regard, Clause 7.28A permits development in the Phillip Street block (including the subject site) to exceed the floor space ratio limit by 2.5:1 subject to conditions.
11. The density bonuses now applicable to the site under Clause 7.28A provide the site with the potential for a total FSR of 9.7:1 which is less than that sought by the applicant's Planning Proposal.

CURRENT PLANNING CONTROLS

12. Under the provisions of the Parramatta LEP 2023, as introduced by SEPP 2, the following planning controls apply to the subject site:

- a. Land Use zoning: MU1 Mixed Use.
 - b. Maximum Height of Buildings across the majority of the site: 80 metres (105 metres including 15% Design Excellence bonus and 13 metre bonus under Clause 7.28A).
 - c. Maximum floor space ratio (FSR) of 6:1 mapped (9.7:1 including 15% Design Excellence bonus and 2.5:1 bonus under Clause 7.28A).
 - d. Maximum tower width of 35 metres when viewed from the Parramatta River in order to use the 2.5:1 bonus FSR.
 - e. Local Road Widening Reservation under the Land Reservation Acquisition Map. This applies to a narrow strip of land approximately 2 metres wide on part of the Phillip Street frontage of 90 Phillip Street.
13. The site is not heritage listed. However, there are several items within proximity to the site that are identified as items of local heritage significance under Parramatta LEP 2023 (Refer to **Figure 3** below). Approximately 40 metres to the north-east of the site is “Charles Street Weir”. Approximately 70 metres to the west of the site is the “Convict Drain”, further to the west is “Barnaby’s Restaurant and potential archaeological site” at 70 Phillip Street and there is the item named “Office and potential archaeological site” at 66 Phillip Street.

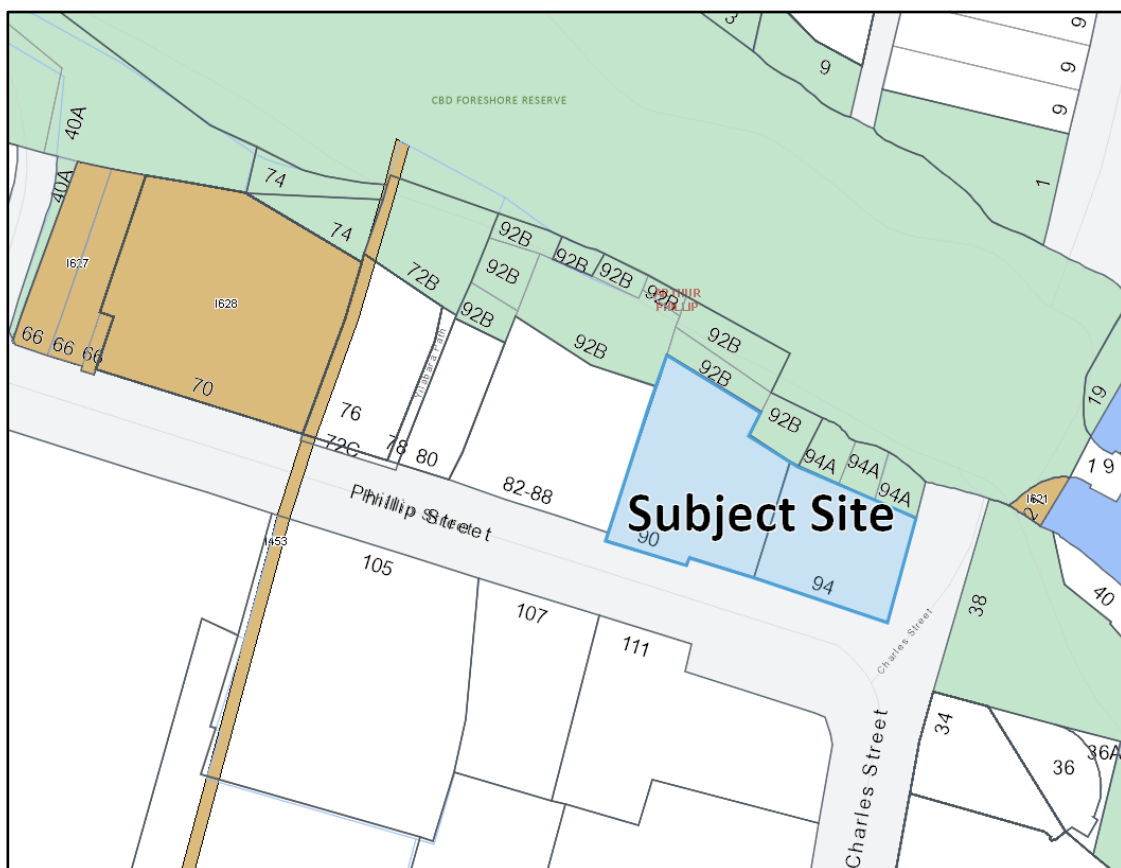


Figure 3: Heritage items within proximity of the subject site (shown in brown shading)

14. The site is also subject to the Parramatta Development Control Plan (DCP) 2023, specifically, Section 9.5.1.2 which contains controls relating to the City East Block. The City East Block includes the subject site and is bound by Wilde Avenue, Phillip Street, Charles Street Square and the north bank river foreshore open space (see **Figure 4** below). The reference scheme submitted with the Planning Proposal does not comply fully with the DCP controls and an

assessment against the DCP controls and discussion regarding appropriate DCP amendments is discussed further below.

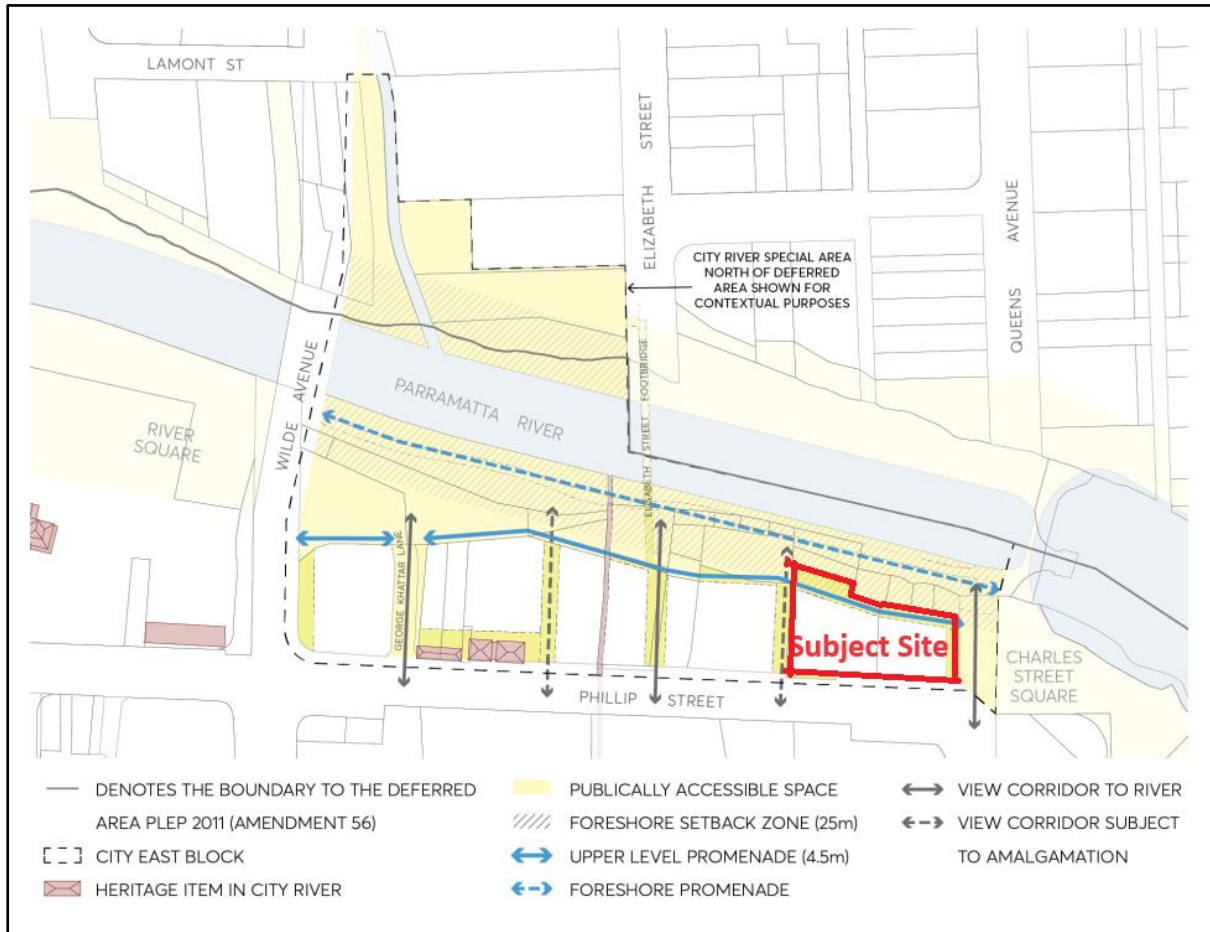


Figure 4: Extract from Parramatta DCP 2023 - City East Block Framework

DESCRIPTION OF PLANNING PROPOSAL

15. The Planning Proposal seeks to amend Parramatta Local Environmental Plan 2023 (Parramatta LEP 2023) as shown in **Table 2** below:

Table 2: Existing and proposed controls

Control	Current control	Proposed control
Height of Buildings (Mapped)	80m	133m
Height of Buildings (Total including 15% Design Excellence bonus)	105m* (31 storeys mixed use)	153m (47 mixed use storeys)
Floor Space Ratio (Mapped)	6:1	12.8:1
Floor Space Ratio (Total including 15% Design Excellence bonus and 5% High Performing Buildings bonus)	9.7:1*	15.36:1
Clause 7.28A	2.5:1 FSR bonus and 13m height bonus subject to conditions	Amendment of clause to remove its application to 90-94 Phillip Street.

	including maximum tower width of 35m.	
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* The current height and FSR controls are also subject to a 13 metres and a 2.5:1 site-specific bonus under the controls introduced by SEPP 2 these are included in the total figures for these controls.

16. The change to Clause 7.28A referred to in Table 2 above is proposed as the site will no longer require the currently available site-specific FSR bonus of 2.5:1 and height bonus of 13 metres. Development of the site can achieve the full FSR and height included in the Planning Proposal using the mapped controls plus bonuses applicable under other provisions within the Parramatta LEP 2023.
17. **Table 3** below provides the floor areas and indicative dwelling count outlined in the Reference Scheme under the proposed height control included in the Planning Proposal. The actual quantum of development provided will be subject to a design excellence competition and assessment at the DA stage.

Table 3: Floor Area and Dwelling Count Comparison Between Existing and Proposed Controls

Controls	Floor Area	Mix	FSR
Existing controls	21,262sqm*	280 dwellings 4,577 sqm commercial	9.7:1
Planning Proposal Reference Scheme	33,669 sqm*	405 dwellings 4,577 sqm commercial	15.33:1

*Subject to a design excellence competition and assessment at DA stage

18. The Planning Proposal is accompanied by a draft Planning Agreement Letter of Offer seeking to secure:
- 5 x affordable housing units (a mixture of four (4) x one bedroom apartments and one (1) x two bedroom apartment);
 - Dedication of road widening within Phillip Street;
 - Forego their historic legal right to utilise the Charles Street Reserve for access purposes;
 - Upgrade of the public domain within Charles Street reserve to the existing Charles Street Square;
 - Incorporation of an upper-level promenade fronting the river foreshore; and
 - Development of a 6 metre setback from the Charles Street Square to strengthen and activate the square.
19. The Planning Proposal is accompanied by the following supporting documentation submitted by the applicant:
- Planning Proposal document prepared by Think Planners (see **Attachment 1**).
 - Reference Design prepared by PTI Architecture for a mixed use scheme (see **Attachment 3**).
 - Urban Design Report prepared by AE Design Partnership (**Attachment 4**).
 - Flooding Report prepared by Water Technology (**Attachment 5**).

- e. Traffic and Parking Assessment Report prepared by CJP Consulting Engineers (**Attachment 6**).

PLANNING PROPOSAL ASSESSMENT

20. The NSW Government Local Environmental Plan Making Guideline 2022 provides that for a Planning Proposal to proceed through Gateway determination, the Minister (or their delegate) must be satisfied that the proposal has strategic and site-specific merit and that identified potential impacts can be readily addressed during the subsequent plan making stages.
21. Recently, the Minister for Planning has written to all councils and planning panels (see **Attachment 7**) asking them to *'prioritise the delivery of housing when assessing development applications and rezoning schemes, so that the entire planning system is geared to addressing the housing shortfall'*. The Minister further asks that *'...council teams prioritise the opportunity to deliver homes as part of merit considerations where, on balance, dwelling numbers may warrant a scale or built form that is different to or greater than the outcome originally anticipated'*.
22. The Minister also advises in his letter that updated region and cities plans are being prepared by the Greater Cities Commission, and that in the meantime a strategic merit assessment should be applied to Planning Proposals which will be used to confirm if the proposal can satisfy relevant regional, district, and local strategies.
23. The Planning Proposal presents the opportunity to accommodate more housing growth in an already identified Growth Precinct in accordance with Council's Local Strategic Planning Statement (LSPS) and Local Housing Strategy (LHS). The outcome will generate greater public benefits than the existing development controls for the site and provide an opportunity to improve the relationship of the site to the public domain of Charles Street Square and the Parramatta River Foreshore. A summary of how the subject Planning Proposal is consistent with all relevant policies is provided in the Planning Proposal at **Attachment 1**.
24. The following sections detail Council Officer assessment of the Planning Proposal based on strategic merit and site-specific planning issues.

Strategic Merit

25. Council Officers consider that the Planning Proposal is aligned with key state policies including the Greater Sydney Region Plan, the Central City District Plan and key local policies including the Local Strategic Planning Statement and Local Housing Strategy. This alignment is discussed below.
26. The Planning Proposal detailed in **Attachment 1** provides a full assessment of the Proposal's consistency against relevant State Planning Policies and Ministerial Directions under Clause 9.1 of the Environmental Planning and Assessment Act 1979. Ministerial Direction 4.1 Flooding is of specific relevance to the site and is discussed below.

Greater Sydney Region Plan and Central City District Plan

27. The Greater Sydney Region Plan: A Metropolis of Three Cities outlines the 10 Directions established with an aim of delivering a sustainable city supported by adequate and well-developed infrastructure. The Planning Proposal is aligned with the four key directions - Infrastructure and collaboration: Liveability, Productivity and Sustainability. The subject site being located within the Parramatta CBD facilitates access to an array of public transport options, including trains, buses, and ferries, with the added benefit of an upcoming metro line and light rail service. Anticipating a 30-minute connection to the Sydney CBD via the prospective metro line, this integration fits with the existing infrastructure.
28. Under Direction 2 – Liveability, Objectives 3, 4 and 5, this Planning Proposal aims to increase walkability by concentrating population around the metropolitan centre, while also meeting housing targets. It promotes accessibility to amenities and open spaces through active transport modes, enhancing equity and infrastructure efficiency. The proposal also provides the opportunity for public domain upgrades, especially along the Parramatta River foreshore, improving the city's appeal and functionality for residents and visitors.
29. The Central City District Plan (CCDP) identifies the importance of growth within the strategic centres in terms of housing and employment opportunities. Emphasising economic outcomes, the scheme assists by incorporating street level employment spaces, promoting a live-work environment with a potential for individuals to reside and work in the same place. Further, the scheme also helps address the current housing crisis, by offering new housing in a highly liveable location offering a diverse range of housing options.

Local Strategies

30. The Local Strategic Planning Statement (LSPS) and the Local Housing Strategy (LHS) provide a strategic direction for shaping the City's future planning controls identifying Parramatta CBD as a Metropolitan Centre, a growing district with an increasing range of jobs and services. The LSPS and LHS anticipate an additional 7,180 dwellings and 34,500 jobs by 2036 in the precinct. The Planning Proposal would contribute towards meeting these targets through the provision of modern employment floorspace, and additional dwellings.
31. The Parramatta Community Strategic Plan is a 25-year plan with strategic objectives for the local government area. It seeks to formalise ideas that will shape and transform the area by 2038 and provide a pathway to manage growth and liveability, whilst providing additional jobs for residents. The Planning Proposal is consistent with this, facilitating jobs through commercial floorspace and an activated street frontage. The mixed use scheme is consistent with the Plan as it would result in jobs and housing concentrated in an area close to public transport infrastructure.

Parramatta River Strategy

32. The Parramatta CBD River Strategy, endorsed by Council in 2015, outlines a comprehensive vision for revitalising the riverfront areas. The proposed

development at the corner of Phillip Street and Charles Street Square aligns with this strategy, aiming to create a positive interface with the public domain consistent with the urban design principles it sets forth. The inclusion of commercial spaces on the ground floor, facing the river, Phillip Street, and Charles Street Square, reflects the strategy's goal of fostering an active and inviting pedestrian environment along the riverfront.

33. A key feature of the CBD River Strategy is a proposed upper level promenade. Under the Strategy, the upper level promenade and south bank terraces would mediate between the level of the river and the city to create new spaces for both daily and event use. The upper level promenade will provide:
- a. A new pedestrian pathway with opportunities for retail/commercial tenancies and building addresses along the river;
 - b. A continuous upper level public walkway which connects Charles Street Square to the Wilde Avenue Bridge;
 - c. Accessible and safe egress from the river corridor during flood events; and
 - d. Level access and continuity between Phillip Street and the River Foreshore.
34. **Figure 5** below shows the proposed upper level promenade and its relationship with the river, the flood planning level and the foreshore.

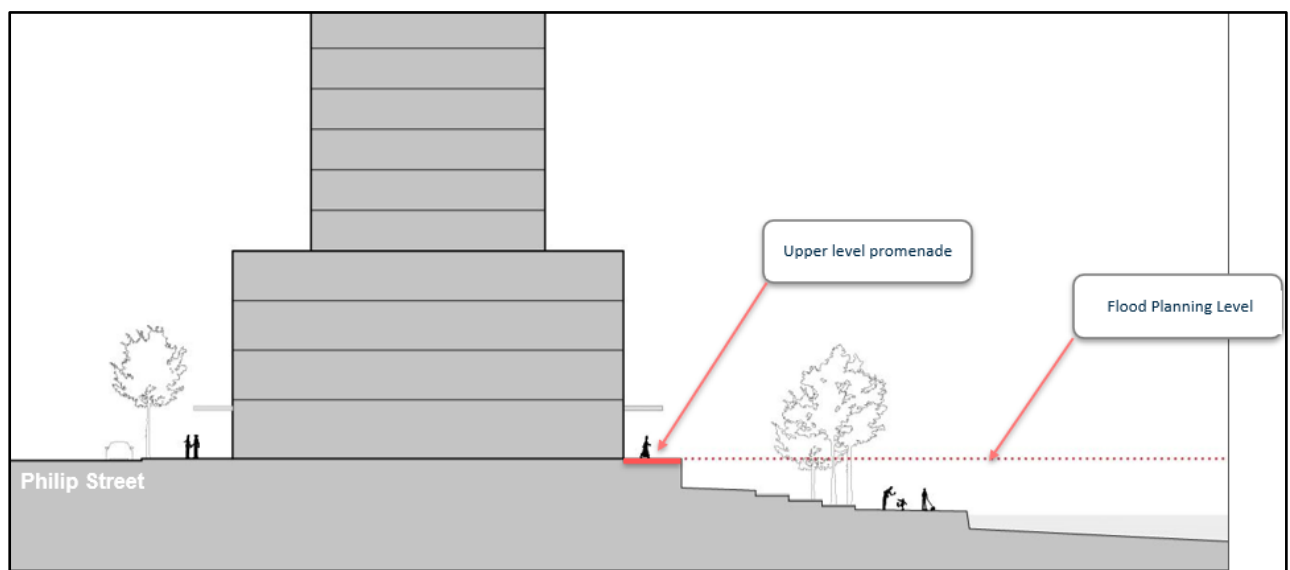


Figure 5: Relationship of proposed Upper Level Promenade with Parramatta River and the flood planning level. (Source: City of Parramatta)

Site-specific Merit

Urban Design

Urban Design Principles

35. The site has been subject to previous urban design analysis and built form testing by DPHI and Council Officers. The testing was done as part of the preparation and finalisation of the Parramatta CBD Planning Proposal and focussed on the entire street block bounded by Wilde Avenue, Phillip Street, Charles Street

Square and the north bank river foreshore open space. A chronology of the urban design analysis is outlined below:

36. November 2020:-
Council Officers analysis of the Phillip Street River Block informed Council Officer recommendations on the finalisation of the Parramatta CBD Planning Proposal.
37. March 2022:-
The DPHI prepared an “Independent Rapid Assessment of the Parramatta CBD Planning Proposal” to determine whether the proposed controls in the Parramatta CBD Planning Proposal result in appropriate built form outcomes and should proceed to finalisation. This work informed the DPHI’s finalisation of the Parramatta CBD Planning Proposal and subsequently Parramatta LEP 2011 (Amendment 56).
38. December 2022:-
The DPHI prepared the “Parramatta CBD Transition Area Review” which resulted in the DPHI making further changes to the Parramatta CBD planning controls through State Environmental Planning Policy Amendment (Parramatta CBD) (No. 2) which was notified on 16 December 2022. The State Environmental Planning Policy Amendment (SEPP Amendment) introduced controls to facilitate growth in employment uses within certain B3 Commercial Core and B4 Mixed Use zoned sites within the Parramatta CBD as well as uplift for the Phillip Street Block, subject to certain provisions being met. In this regard, Clause 7.28A permits development in the Phillip Street block (including the subject site) to exceed the floor space ratio limit by 2.5:1 and height by 13 metres subject to conditions. A key condition for the use of this bonus FSR and height is a maximum tower width of 35 metres when viewed from the Parramatta River.
39. A detailed description of the urban design analysis studies outlined above is provided in **Attachment 8**. In summary, the primary urban design principles identified for the Phillip Street block in the above studies which are relevant to the subject site include:
 - a. *Delivery of Upper Level Promenade:-*
Redevelopment of the site provides an opportunity to provide an upper-level promenade and provide new and enhanced views towards the river from the city centre. Noting that DPHI acknowledge that additional FSR is required to encourage redevelopment.
 - b. *Enhancement of relationship of city with Parramatta River:-*
Redevelopment of the site must be balanced with the need to protect and enhance the relationship of the city with the Parramatta River and the scale of redevelopment should have parity with the scale of the River. Towers should help define the river as a key public space and not dominate the riverfront.
 - c. *Enhancement of views of Parramatta River:-*
The amendments under SEPP 2 have sought to strike a balance by providing additional bonus FSR subject to conditions including a maximum tower width of 35m when viewed from the river. This aims to contribute towards maintaining and enhancing views of the river from the

City Centre, and new ground floor pedestrian laneways will open the physical relationship with the river.

d. Reinforcement of commercial core to the south:-

Buildings on the southern river foreshore should have heights that step down from the building heights in the core of the Parramatta CBD to reinforce the commercial core of the City and to avoid visually dominating the river corridor.

Analysis of implications of SEPP 2 controls

40. Council Officers have conducted an analysis of the controls currently permitted for the site as introduced by SEPP 2. The analysis sought to identify risks embedded in the SEPP 2 controls to delivering Council's vision for the Phillip Street block. It also sought to identify differences between the SEPP 2 controls and the nature of development reflected in the current Parramatta DCP 2023 controls.
41. The analysis found that the controls will achieve generously distributed space between towers, will provide for a skyline which steps down towards the river and the 0-metre height limit along the perimeter of the site will help rationalise the foreshore alignment.
42. However, the current controls provide little incentive for the site to deliver the upper-level promenade. In this regard, including bonuses, the site can achieve a height of 105 metres but can only achieve a FSR of approximately 7:1 (mixed use) within the current height control due to the tower width control, which results in a tower floorplate of 536sqm Gross Building Area (GBA). Further, the description of tower maximum width control of 35 metres within Parramatta LEP 2023 Clause 7.28A "as seen from the river" is ambiguous wording which is open to interpretation. The control itself also appears to have been developed with building separation objectives as the primary goal without consideration of workable floorplates or achievable floor space area.
43. Should Council resolve to support the Planning Proposal, the tower maximum width control of 35 metres within Parramatta LEP 2023 Clause 7.28A would not need to be utilised by the site to achieve the new density control. As such, the tower width of 35m would not apply and the clause would become redundant. It is therefore recommended that the parts of Clause 7.28A that apply to the subject site be removed.

Implications for wider Phillip Street block

44. Clause 7.28A allows for bonus FSR (subject to conditions) for the other remaining sites within the Phillip Street block. **Figure 6** below shows the sites affected by the clause and the relevant maximum tower widths.

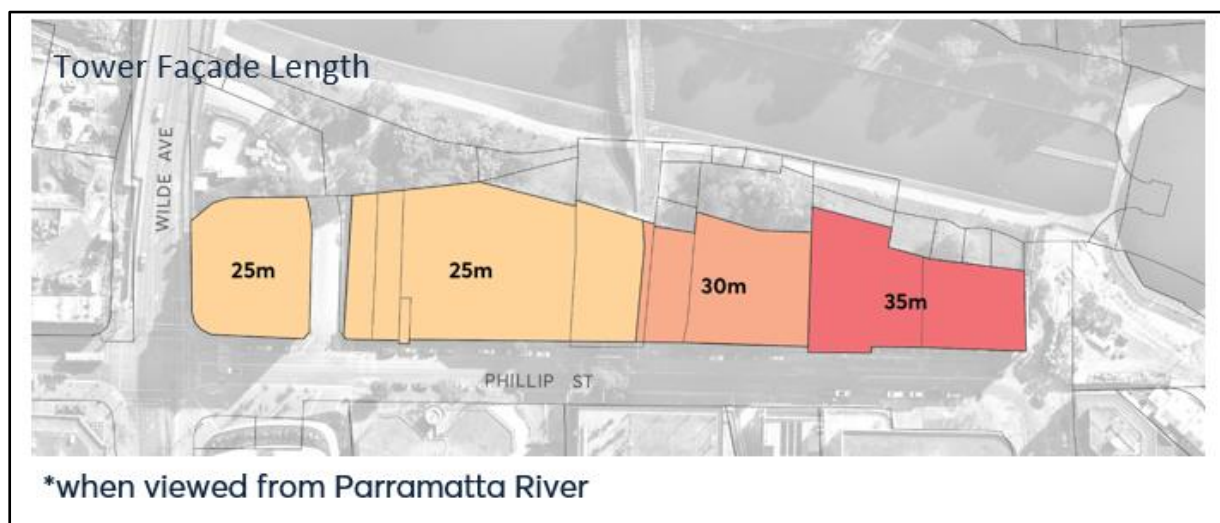


Figure 6: Sites affected by Clause 7.28A and the maximum tower widths applicable under the clause. Subject site is the eastern most site.

45. The Planning Proposal raises the issue of these remaining sites within the Phillip Street block and whether it is appropriate to consider similar amendments to the controls to ensure cohesive development along the foreshore and delivery of the upper-level promenade.
46. Council has recently appointed a consultant to consider the realisation of the future upper-level promenade at the interface of the Parramatta River foreshore and the future built form edge in the Phillip Street block between Charles Street Square and Wilde Avenue. A flood consultant has also been engaged to provide advice and inform the development of a reference design. This work will evaluate the impacts of the promenade alignment (within or adjacent a site) on individual property area and built form outcomes. Any recommendations arising from this work will be considered in a future report to Council and may result in a need to revisit the planning controls on the remaining sites in a similar manner to facilitate the delivery of the public domain outcomes.
47. In the meantime, for the subject site, the applicant has indicated an intention to move forward with development of the site. This would provide a catalyst for the redevelopment of the remaining sites within the Phillip Street block and delivery of the adjoining sections of the upper-level promenade. As such it is important that Council consider the subject planning proposal in the context of the work already carried out on enabling the development of the subject site, and in doing so examine if the proposal can facilitate the delivery of the public domain improvements being sought in a suitable manner. Clause 7.28A will continue to apply to the other sites within the Phillip Street block as shown in **Figure 6**.

Assessment of Reference Design

48. The reference design submitted by the applicant (see **Attachment 3**) supporting the Planning Proposal has been reviewed by Council Officers. The assessment has considered the Urban Design Principles summarised above and the controls

for the broader street block within the Parramatta DCP 2023 noting the constraints of the site.

49. **Figure 7** below shows the built form massing of an indicative mixed use building that could be achieved under the proposed controls in context of surrounding development. The subject site is shown in blue and the grey buildings are existing or approved. The orange, yellow and light blue buildings indicate a hypothetical built form under existing controls for the remainder of the Phillip Street block which reflects a total height of 105 metres.

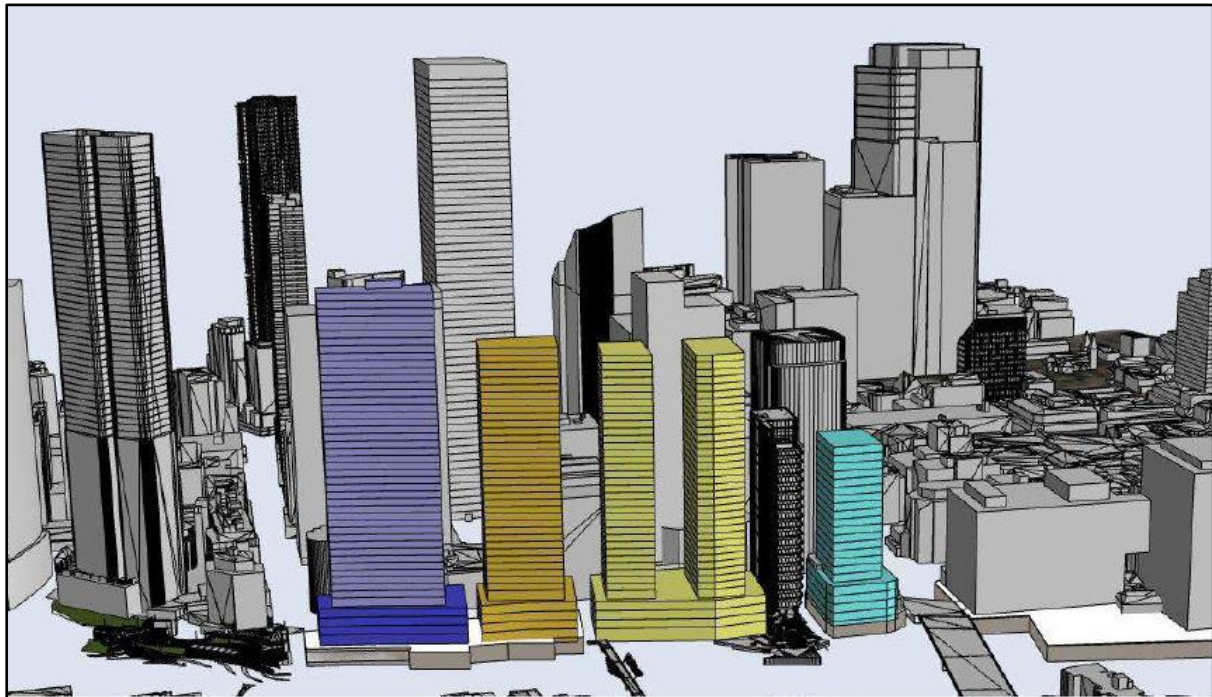


Figure 7: Proposed Building Massing for 90-94 Phillip Street – subject site shown in blue. (Source: Applicant's Urban Design Report – AE Design Partnership)

50. The following comments are made in relation to the Urban Design Principles for the Phillip Street block described above:

a. Delivery of Upper-Level Promenade

The increase in overall density is significant compared with that permissible at present. A move away from the maximum tower width control of 35 metres has also provided for a larger tower floorplate of approximately 900 sqm in gross building area compared with a tower floorplate of approximately 536 sqm which would be permissible under the current tower width control. The Planning Proposal provides greater incentive for the redevelopment of the site and as such an opportunity for the delivery of the upper-level promenade.

b. Enhancement of relationship of city with Parramatta River

Figure 8 below is extracted from Part 9.5.1.2 (City East Block) within Parramatta DCP 2023 and demonstrates Council's intention for the public domain and river foreshore in this locality. The reference scheme is able to facilitate the required ground floor setbacks and upper level promenade.

This Part within the Parramatta DCP 2023 provides for a 6 metre podium setback from the boundary on the eastern side of the site to extend the public domain of Charles Street Square and align the visual connections north-south down Charles Street. This setback area is to be a publicly accessible space. This part of the site is currently built up with part of the existing commercial building, and the site achieves vehicular access over Council owned land within the unmade section of Charles Street immediately to the east. The reference scheme indicates that the driveway location will be relinquished and the area integrated with Charles Street Square. As such, redevelopment of the site will facilitate the expansion of the area of Charles Street Square and an improvement in the relationship of the site with the public domain as envisioned within the Parramatta DCP 2023.

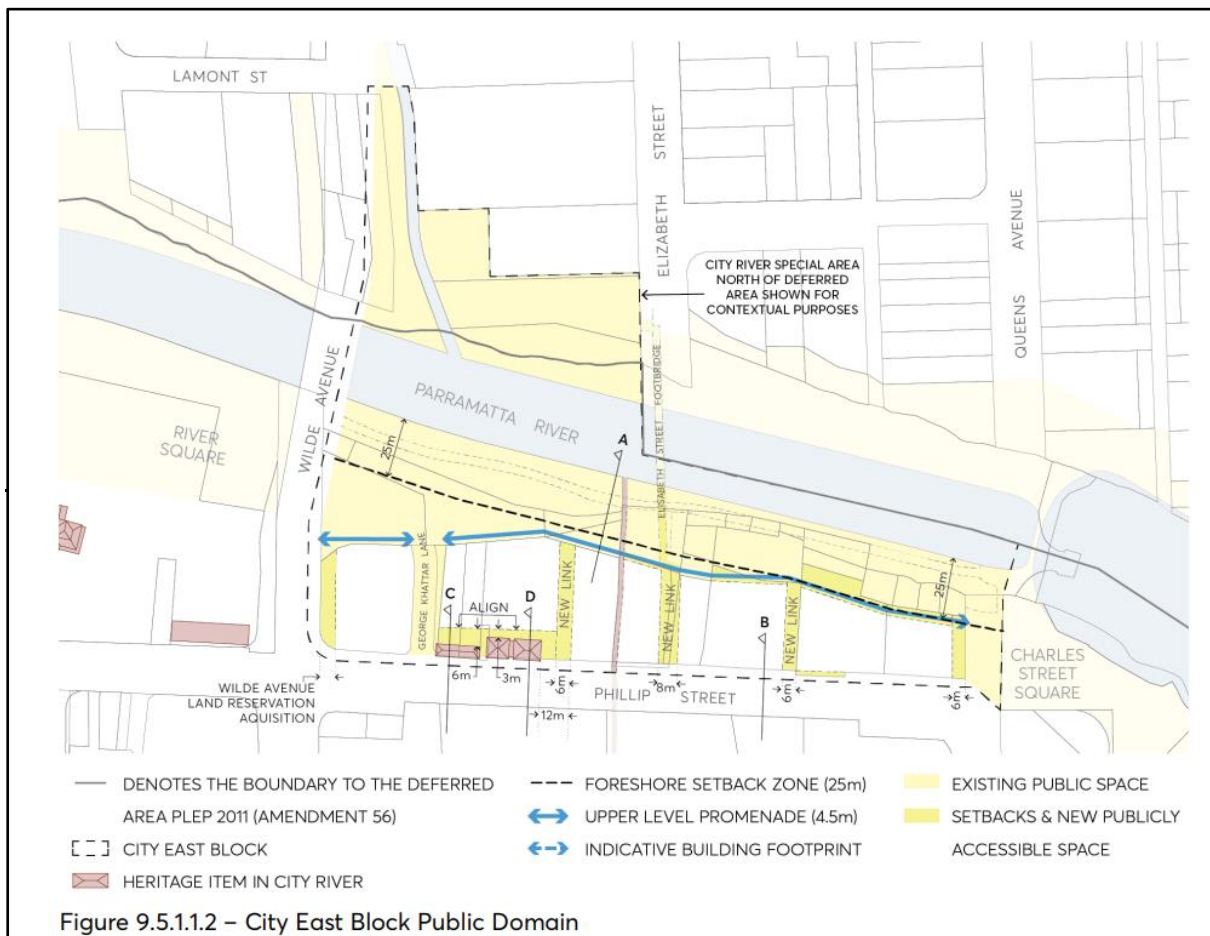


Figure 8: Public Domain framework extracted from Parramatta DCP 2023

c. Enhancement of views of Parramatta River

The reference scheme indicates a western tower setback of 9 metres which will provide separation from any future tower on the site to the west and improve views to the river. The proposed eastern upper-level tower setback of 6 metres from the podium (12 metres from the eastern boundary) is in excess of the minimum tower setback of 3 metres prescribed under the Parramatta DCP 2023. This increase in tower setback is proposed for this site in order to mitigate the increased height, bulk, scale and wind impacts to and from the public domain from the increased height of the building and will also help increase views of the river.

Part 9.3.3.3 (Tower Slenderness) of the Parramatta DCP 2023 applies to the Parramatta City Centre generally and prescribes a maximum tower floorplate length of 45 metres for buildings in the MU1 zone. The reference scheme includes a tower floorplate length of 47.4 metres and is therefore marginally in excess of the control. A variation of this nature is appropriate for consideration in the assessment of a development application for the site.

d. Reinforcement of commercial core to the south

The proposed height of 133 metres (15 metres including Design Excellence bonus) complies with the principle of providing a stepping down of the height from the commercial core of the city towards the river. **Figure 9** below demonstrates a built form diagram of the stepping down in height controls based on existing and approved developments. Immediately to the south-east of the subject site at 180 George Street is a recently developed tower at a total height of 210 metres. While this is 57 metres greater than the height being sought by the Planning Proposal, the circumstances of this site are different in that it benefits from a large site area as such, the floor space ratio achieved on this site was lower at 11.49:1. Other circumstances that differ from the subject site are the context of the site which is setback further from the river particularly when viewed from the ferry approach to the ferry wharf. As such, it is appropriate for the subject site to step down in height from the existing building at 180 George Street which the Planning Proposal achieves.

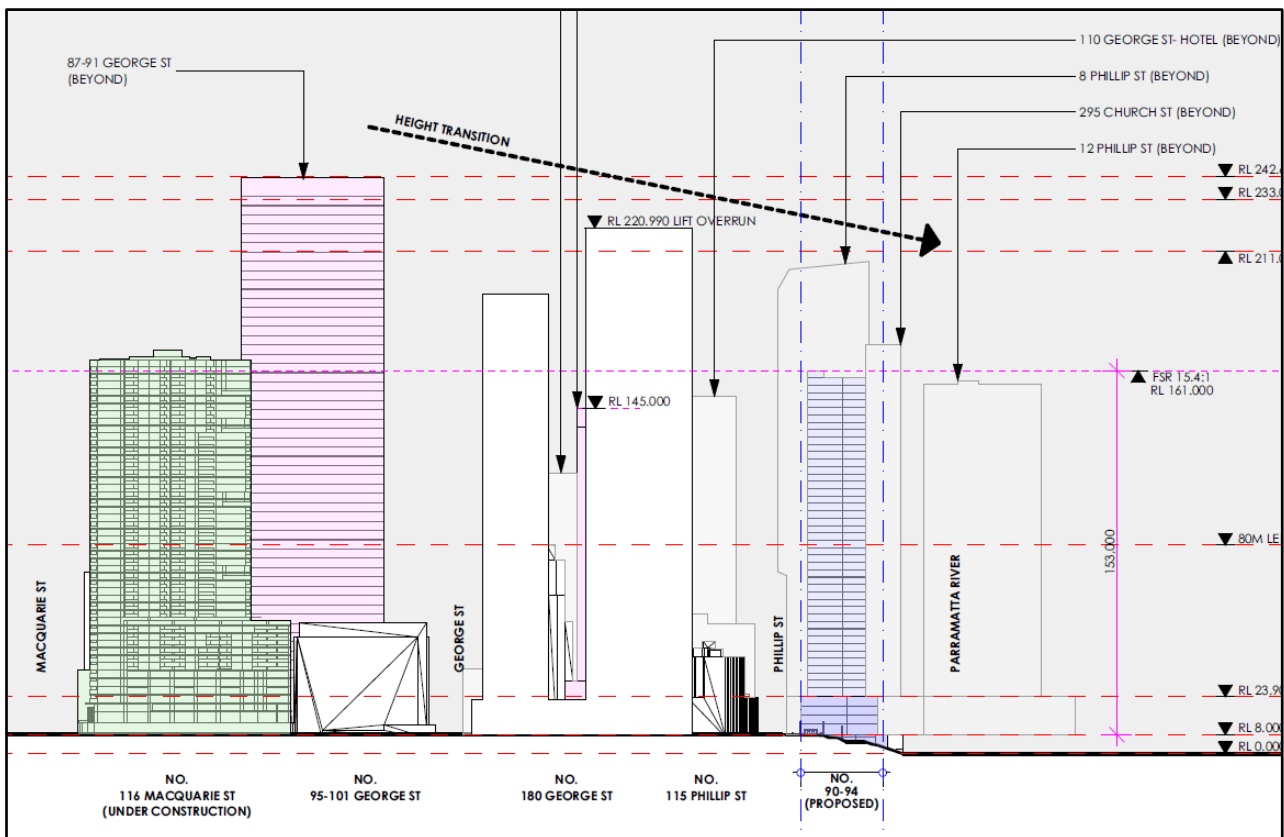


Figure 9: Built form diagram showing stepping down in height reflecting existing and approved developments. Subject site shown in blue (Source: Applicant’s Reference Scheme – PTI Architecture)

d. Reinforcement of commercial core to the south (continued...)

Future development will likely further reinforce this pattern due to the height control currently applicable to the south of the site. **Figure 10** below shows an extract from the Parramatta LEP 2023 Height of Buildings map demonstrating the existing height controls in the proximity of the subject site. The area immediately to the south is subject to a Reduced Level (RL) height control of 211 metres (243m RL including Design Excellence bonus). This RL height control translates to various heights in metres above ground level. The parcels immediately to the south of the subject site would equate to a height control in metres above ground of approximately 235 metres. As such, the proposed height control for the subject site is approximately 82 metres less than the control applicable to sites to the south, providing a significant step down in height towards the river foreshore.

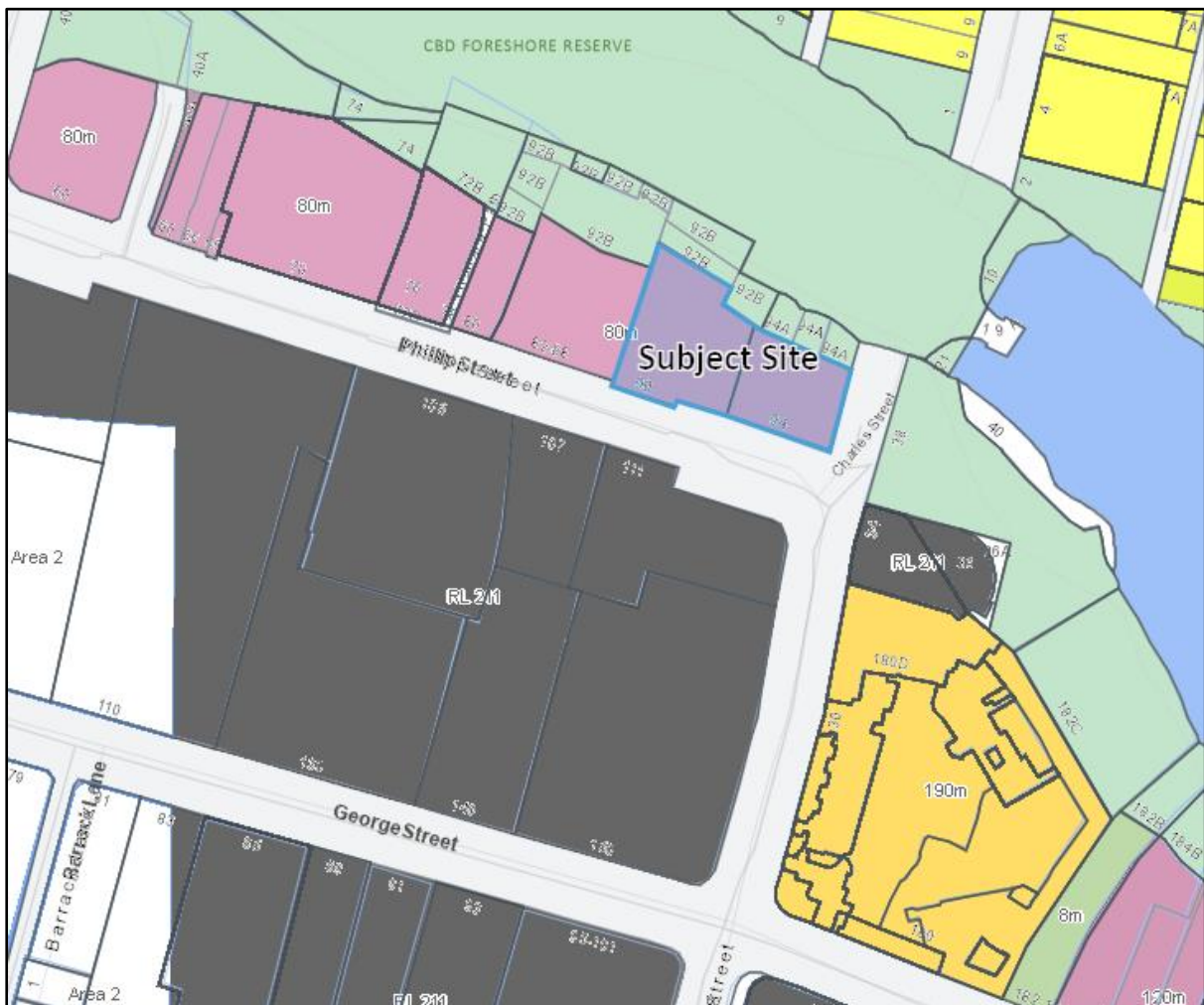


Figure 10: Existing height controls in proximity of subject site under Parramatta LEP 2023 (Source: City of Parramatta GIS)

Assessment of Overshadowing

51. The applicant’s reference scheme (see **Attachment 3**) includes shadow diagrams indicating the overshadowing caused by the proposed building height at hourly intervals from 9.00am to 3.00pm on 21 June. The diagrams indicate no overshadowing of Robin Thomas Reserve before 3.00pm (refer to **Figure 11** below). The diagrams indicate a small portion of Robin Thomas Reserve being overshadowed at 3.00pm, however, this overshadowing is within the shadows

cast currently by existing development. The overshadowing from existing development is indicated in grey shading.



Figure 11: Extract from shadow diagrams showing shadows cast at 3.00pm on 21 June (Source: Applicant's Reference Scheme – PTI Architecture). Shadow from subject site is shown in dark blue. Shadows from currently permissible development shown in grey shading.

52. The shadow diagrams indicate overshadowing of the heritage item known as "Perth House" at 10.00am (see **Figure 12** below). "Perth House" is an item of State heritage significance under the Parramatta LEP 2023 and is listed on the State Heritage Register. However, this overshadowing is within the shadows cast currently by existing development.

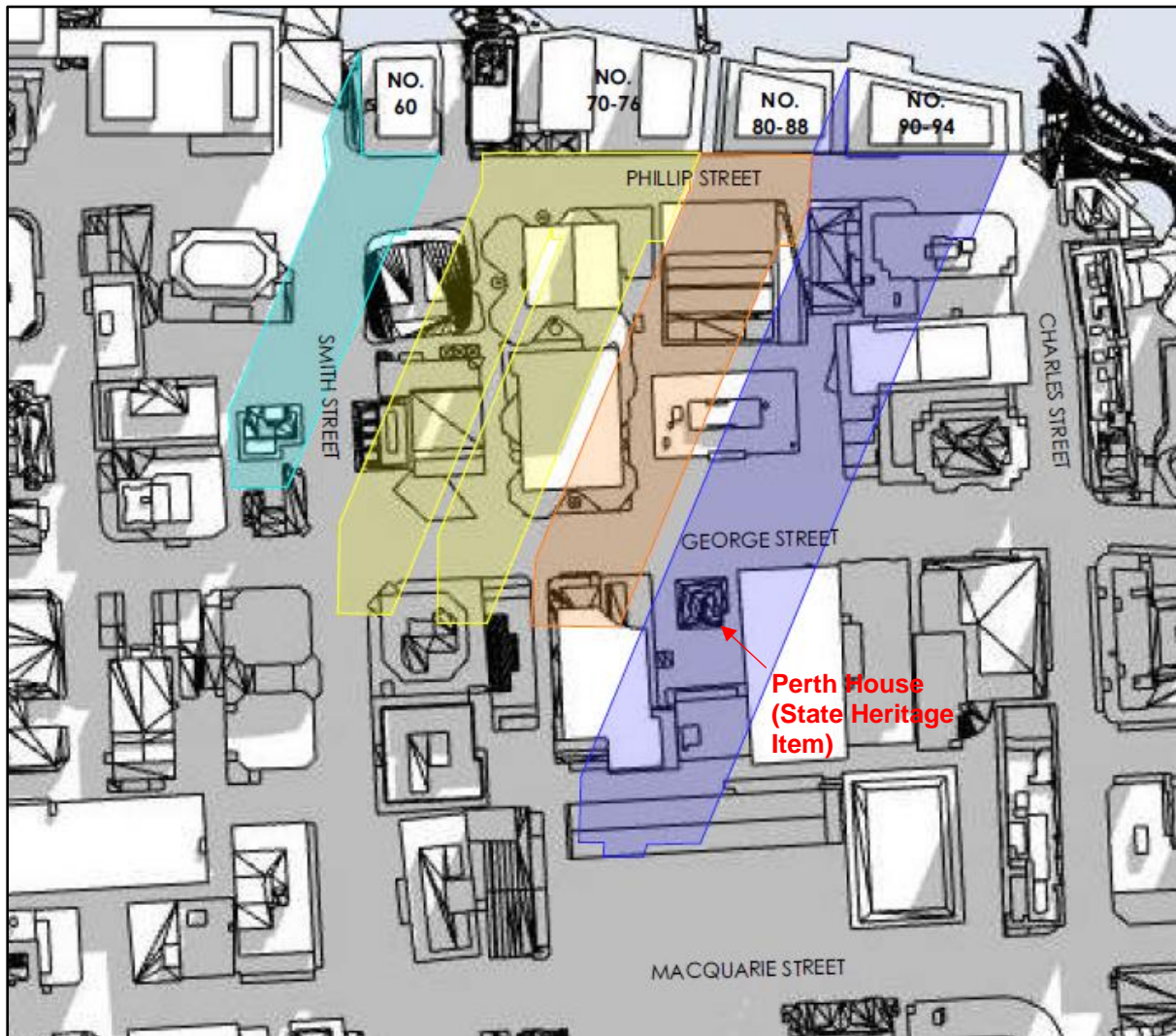


Figure 12: Extract from shadow diagrams showing shadows cast at 10.00am on 21 June (Source: Applicant's Reference Scheme – PTI Architecture). Shadow from subject site is shown in dark blue. Shadows from currently permissible development shown in grey shading.

Summary

53. In summary, the reference scheme is considered to represent a significant increase in density for the site and an improvement in the viability of the tower floorplate. This will assist in encouraging redevelopment of the site and will stimulate the commencement of the delivery of the upper-level promenade and an improved relationship with the public domain of Charles Street Square and the Parramatta River foreshore. The Planning Proposal has been considered in relation to the urban design principles identified for the Phillip Street block which are based on the analysis of various studies carried out earlier and will provide for buildings that allow for a transition in height from the core of the city centre to the river and will enhance opportunities for views of the river. Impacts from the increase in tower height are managed through an increase in the eastern setback which will help to mitigate the bulk and scale while reducing wind impacts on the public domain.

Flooding

54. The site is located on the southern foreshore of the Parramatta River and as such, is subject to riverine flooding and overland flows. The applicant has

submitted a Flood Report prepared by Water Technology (see **Attachment 5**). The Report sets out preliminary findings of how flooding may dictate building design features. The Report notes that the advice is broad in nature and specific advice cannot be provided until Council adopts the draft Parramatta River Flood Study 2023 at which time precise flood levels will become available.

55. In summary, the report advises that based on the current published flood data, a mixed use development on the site would be compatible with flood risks. The flood planning level for the site would be identified based on the 1% Annual Exceedance Probability (AEP) plus a 500mm freeboard. On this basis, the flood planning level for this site is likely to be between 5.5 metres and 6 metres AHD. The Report demonstrates that the site can accommodate a building footprint at the current flood planning level. **Figure 13** below shows a hypothetical building footprint can be accommodated assuming the current worst case scenario of a flood planning level at 6 metres.

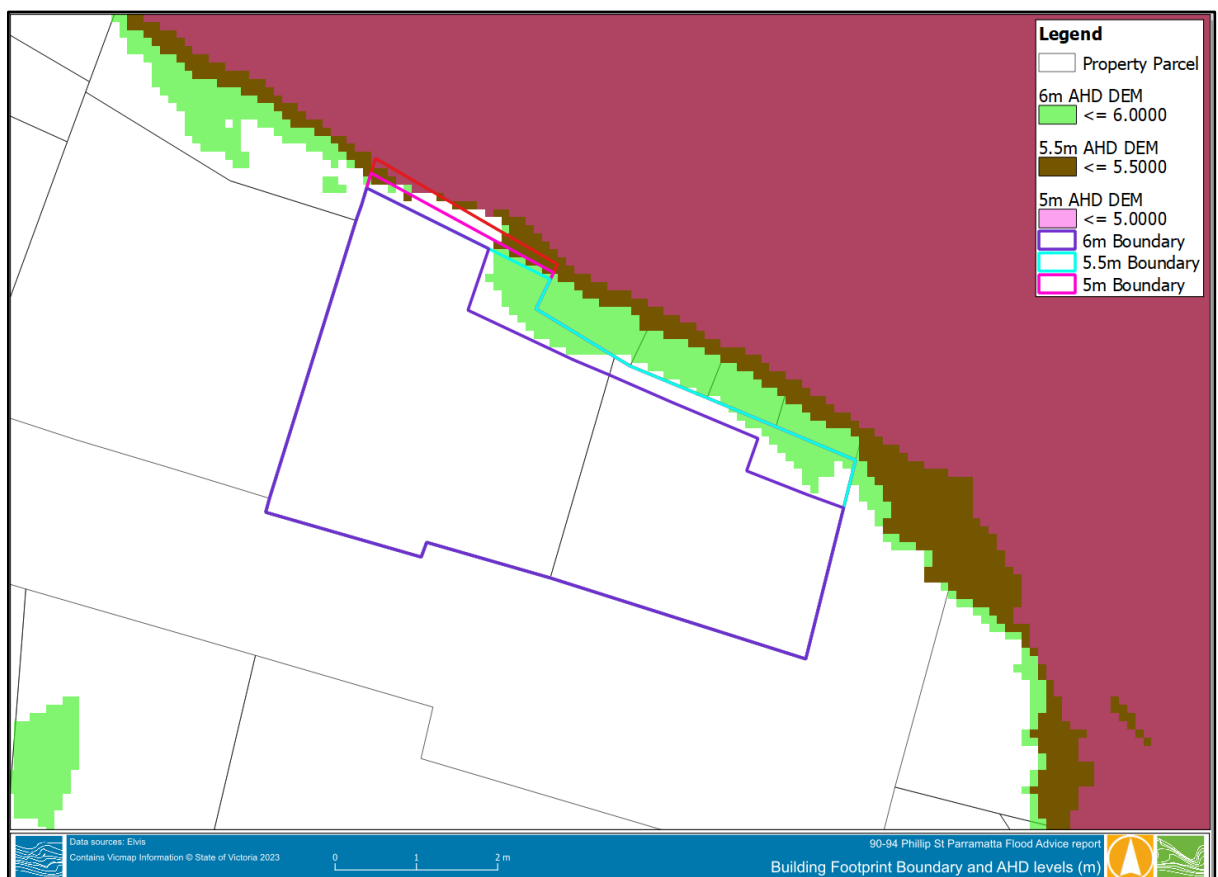


Figure 13: Indicative building footprint clear of an assumed Flood Planning Level of 6 metres AHD (Source: Water Technology)

56. Once the draft Parramatta River Flood Study 2023 is adopted by Council (see later in this report for timing of adoption), the new flood planning level will need to be considered and it would also need to be demonstrated through flood modelling that redevelopment of the site would not increase flooding on neighbouring properties. The applicant's Flood Report advises that, providing the building has no larger footprint than the existing building this should be able to be demonstrated.
57. Council's Senior Catchment and Development Engineer has reviewed the Flood Report and concurs with its recommendations subject to the inclusion of specific reference to Local Planning Direction 4.1 Flooding issued by the Minister for

Planning under section 9.1(2) of the Environmental Planning and Assessment Act 1979.

58. The reference design submitted by the applicant demonstrates compliance with Local Planning Direction 4.1 (Flooding), however this is in relation to the flood levels identified under the Upper Parramatta River Flood Study 2005. Council will consider adoption of the draft Parramatta River Flood Study 2023 at its meeting on 11 June 2024. Subsequent to Council's upcoming consideration of the draft Parramatta River Flood Study 2023, the applicant's Flood Report should be revised and updated to reflect any change in the identified flood planning level.
59. Should Council resolve to submit the Planning Proposal to the DPHI to seek a Gateway determination, any submission should occur after the Applicant's Flood Report has been updated to reflect the Parramatta River Flood Study 2024 and the corresponding revision of the Applicant's Flood Report and reference scheme if required to take account of the Study. Any such revision is also required to address Local Planning Direction 4.1 Flooding issued by the Minister for Planning under section 9.1(2) of the Environmental Planning and Assessment Act 1979.

Traffic and Transport

60. The applicant has included a Traffic Report (see **Attachment 6**) to support the Planning Proposal. The Traffic Report concludes that the Planning Proposal will not result in any unacceptable traffic, parking, access, transport or servicing implications. Specifically, it states:

"It is pertinent to note in this regard that the proposed amendments to the PLEP 2023, and in turn, the indicative yields, are consistent with the original draft Parramatta CBD PP endorsed by Council in June 2021. As part of the CBD PP, AECOM prepared a Strategic Transport Study (STS), which ultimately supported the uplift densities proposed in the draft CBD PP. This was on the basis of off-street parking being provided in accordance with City of Sydney's CBD rates compared to the City of Parramatta's CBD rates."

61. The traffic modelling prepared by AECOM which underpinned the CBD Strategic Transport Study, was predicated on the assumption of an FSR of 10:1 across the Parramatta CBD with some small increases on individual sites depending on individual site characteristics.
62. As the increase in floorspace permitted by the subject proposal would potentially generate a need for approximately 70 more carparking spaces at the site, it is considered that the incremental impact of the traffic that would be generated by the use of these additional carparking spaces on traffic movements in the CBD would be acceptable, noting also that in the case of the subject site the Parramatta CBD Planning Proposal endorsed by Council also took into account the potential development of the subject site for unlimited commercial floorspace to a potential density of commercial development at an FSR of 21:1.

Heritage

63. As discussed above, the site is not heritage listed or within a Heritage Conservation Area. There are several items within proximity to the site that are identified as items of local heritage significance under Parramatta LEP 2023.

(Refer to **Figure 3** above). Approximately 40 metres towards the north-east of the corner of the site is the “Charles Street Weir”. Approximately 70 metres to the west of the western edge of the site is the “Convict Drain” and further to the west is “Barnaby’s Restaurant and potential archaeological site” at 70 Phillip Street and “Office and potential archaeological site at 66 Phillip Street.”

64. The applicant’s Planning Proposal has noted the heritage listing on the Charles Street Weir and considers it to be sufficiently separated from the subject site to conclude that there will be minimal impacts on the heritage significance of the weir.
65. Council’s Senior Heritage Specialist has raised no objection to the Planning Proposal and agrees that the site is sufficiently separated from the item and there are likely to be no heritage impacts resulting from the proposal. Further, assessment of a future development application will require due diligence reports that address the impacts on built heritage and archaeology including the imposition of appropriate conditions of consent relating to unexpected findings and specific protocols to be followed in the event any archaeological items are found during the demolition and excavation.
66. Further, any development application for redevelopment of the site will be assessed having regard to the heritage provisions within Clause 5.10 of Parramatta LEP 2023 and Part 9.6 of the Parramatta DCP 2023.
67. At the time of the preparation of this report, the matter was scheduled to be considered by Council’s Heritage Advisory Committee on 13 June 2024. The advice of the Committee will be noted and considered when the matter is reported to Council, which is anticipated to occur in July 2024.

Infrastructure, Social and Economic Impacts

68. The delivery of the Planning Proposal within the Parramatta CBD will achieve a positive social outcome, being well serviced by existing infrastructure. Residents and workers will be able access necessary transport, education services, open space, health services, community services, employment, and recreation facilities.
69. As discussed above in the strategic merit section, the Proposal will also facilitate development that will assist in the emergence of Parramatta as Sydney’s Central City which will in turn contribute to continued economic growth.
70. The associated draft Planning Agreement will facilitate the delivery of infrastructure as follows:
 - a. 5 x affordable housing units (a mixture of four (4) x one bedroom apartments and one (1) x two bedroom apartment);
 - b. Dedication of road widening within Phillip Street;
 - c. Forego their historic legal right to utilise the Charles Street Reserve for access purposes;
 - d. Upgrade of the public domain within Charles Street reserve to the existing Charles Street Square;
 - e. Incorporation of an upper-level promenade fronting the river foreshore; and
 - f. Development of a 6 metre setback from the Charles Street Square to strengthen and activate the square.

71. Any development application will also require the developer to make a monetary contribution as a condition of consent in accordance with the Parramatta City Centre Local Infrastructure Contributions Plan 2022 (Amendment 2). This will ensure the development contributes towards the provision of funding for additional infrastructure required to support the increase in population.

Environment

72. The site does not contain any habitat and therefore there is little likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats could be adversely affected by the Planning Proposal.
73. Other environmental impacts, including sustainability, will be addressed as part of any future development proposal, including a design excellence competition.

Parramatta Development Control Plan 2023 – Draft Amendment

74. The site is subject to the Parramatta Development Control Plan (DCP) 2023, specifically, Part 9.5.1.2 which contains controls relating to the City East Block. The City East Block includes the subject site and is bound by Wilde Avenue, Phillip Street, Charles Street Square and the north bank river foreshore open space. Part 9.5.1.2 requires towers to be set back 6 metres from the street wall. A concession is given to the subject site under the existing DCP controls which provide that:

“At 90-96 Phillip Street, noting the lot configuration and land commitments for public purposes, development must provide a minimum 3 metre tower setback along the Phillip Street, Charles Street and River foreshore frontage that addresses wind, solar access and design objectives.”

75. As discussed above, the applicant’s reference scheme proposes an eastern tower setback of 6 metres from the podium (12 metres from the eastern boundary) which is in excess of the minimum tower setback of 3 metres prescribed under the Parramatta DCP 2023. This increase in tower setback is proposed for this site in order to mitigate the increased height, bulk, scale and wind impacts from the increased height of the building.
76. Should Council support the Planning Proposal, it is considered appropriate that Council prepare a draft amendment to the Parramatta DCP 2023 to increase the tower setback from 3 metres to 6 metres on the Charles Street side. Such draft amendment should be publicly exhibited concurrently with the Planning Proposal.

Draft Planning Agreement

77. The Planning Proposal is accompanied by a draft Planning Agreement Letter of Offer submitted to Council by the applicant under Section 7.4 of the Environmental Planning and Assessment Act 1979 (refer to **Attachment 2**). The Letter of Offer provides for the following:
 - a. 5 x affordable housing units (a mixture of four (4) x one bedroom apartments and one (1) x two bedroom apartment);

- b. Dedication of road widening within Phillip Street;
 - c. Forego their historic legal right to utilise the Charles Street Reserve for access purposes;
 - d. Upgrade of the public domain within Charles Street reserve to the existing Charles Street Square;
 - e. Incorporation of an upper-level promenade fronting the river foreshore; and
 - f. Development of a 6 metre setback from the Charles Street Square to strengthen and activate the square.
78. Council officers support the provision and dedication of the proposed ARH dwellings which is in accordance with the requirements of Council's Affordable Housing Action Plan and draft Affordable Rental Housing Policy. The monetary contribution towards Parramatta River foreshore works is also supported.
79. The provision of the area set aside for the upper level promenade is supported as a key element of Council's Parramatta CBD River Strategy endorsed by Council in 2015. The benefits of the promenade are discussed above under the heading "Parramatta River Strategy".
80. The future development application for redevelopment of the site will also be subject to Section 7.12 development contributions in accordance with the Parramatta City Centre Local Infrastructure Contributions Plan 2022 (Amendment 2). This contribution is in addition to the draft Planning Agreement.
81. It is proposed that a draft Planning Agreement be prepared based on the applicant's Letter of Offer and exhibited concurrently with the Planning Proposal and draft DCP amendment.

PLAN MAKING DELEGATIONS

82. Should Council resolve to endorse the Planning Proposal to proceed, it is recommended that Council request that it exercise its plan-making delegations. This means that once the Planning Proposal has been to Gateway, undergone public exhibition and been adopted by Council, Council officers will deal directly with the Parliamentary Counsel Office on the legal drafting and mapping of the amendment. The LEP amendment is then signed by the CEO before being notified on the NSW Legislation website.

FINANCIAL IMPLICATIONS FOR COUNCIL

83. Should Council resolve to proceed with the Planning Proposal and amendment to the DCP, the costs incurred in conducting the public exhibition will be covered by the fees associated with the submission of the Planning Proposal.

CONCLUSION AND NEXT STEPS









84. Council officers have assessed the Planning Proposal and consider that the Planning Proposal has strategic and site specific merit and should proceed to a Gateway determination.
85. It is recommended the Parramatta Local Planning Panel support the Council Officer recommendation that the Planning Proposal (**Attachment 1**) be supported for the purposes of seeking a Gateway Determination.

86. Following the Parramatta Local Planning Panel's consideration of the recommendations of this report, the matter will be reported to an upcoming Council meeting along with the Panel's advice.

David Birds
Group Manager, Major Projects and Precincts

Jennifer Concato
Executive Director City Planning and Design

ATTACHMENTS:

1 	Applicant's Planning Proposal document	83 Pages
2 	Planning Agreement Letter of Offer	3 Pages
3 	Applicant's Reference Design	16 Pages
4 	Applicant's Urban Design Report	21 Pages
5 	Applicant's Flooding Report	19 Pages
6 	Applicant's Traffic and Parking Assessment Report	14 Pages
7 	Letter from Minister for Planning and Public Spaces	2 Pages
8 	Previous Urban Design Analysis	8 Pages

REFERENCE MATERIAL



Planning Proposal to amend Parramatta Local Environmental Plan 2023

90-94 PHILLIP STREET
PARRAMATTA

28 MAY 2024





QUALITY ASSURANCE	
Project:	Planning Proposal
Address:	90-94 Phillip Street, Parramatta
Council:	City of Parramatta Council
Author:	Think Planners Pty Ltd
Template	Local Environmental Plan Making Guideline (August 2023)

Date	Purpose of Issue	Rev	Author	Authorised
21 March 2024	Pre Lodgement	A	EJ/AB	AB
March 2024	Lodgement #1	B	EJ	AB
15 May 2024	Lodgement #2	C	EJ	AB
17 May 2024	Lodgement #3	D	EJ	AB
28 May 2024	Final	E	EJ	AB



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INTRODUCTION

This Planning Proposal aims to explain the intended effect and justify a proposed amendment to the Parramatta Local Environmental Plan 2023 (Parramatta LEP 2023) and demonstrate the strategic merit of the amendment proceeding.

This Planning Proposal seeks to amend the Parramatta LEP 2023 to allow for the redevelopment of the site for the purpose of mixed use development by:

- Amending the maximum building height map to permit a maximum building height of 133m.
- Amending the maximum floor space ratio map to permit an FSR of 12.8:1.
- Amending Clause 7.28A for the land situated at 90-94 Phillip Street, Parramatta.

The Planning Proposal relates to 90-94 Phillip Street, Parramatta referred to within this document as the '*subject site*'. The subject site is a highly visible location in the Parramatta City Centre's north eastern part, along the Parramatta River and has key transport connections, including the Parramatta Wharf. The site is located on the corner of Phillip Street and Charles Street and is a landmark site on the highly active Parramatta River foreshore.

The site is located within proximity to employment opportunities, educational establishments, recreational activities and public transportation, including Westfield Parramatta, Arthur Phillip High School, Parramatta Public School, and Macarthur Girls High School, as well as Parramatta Transport Interchange, Parramatta Railway Station, Parramatta Ferry Wharf.

The amendments proposed in this Planning Proposal are specific to the site. They will facilitate a new, high-quality development that will contribute to the vitality and activation of this precinct along with additional housing supply at the edges of the Parramatta City Centre and the river foreshore. The Planning Proposal will contribute to the renewal of the CBD and the character of Parramatta. The proposed amendments are driven by a desire to deliver a better built-form outcome for the site and have been the subject of a design review by PTI Architecture.

The proposed amendments are driven by a desire to deliver a superior urban design outcome for the site, which addresses the Council's vision for height and density within the CBD's centre and delivers development consistent with Parramatta's desired future character. Activation of the Riverfront is a key benefit arising from the proposal.



The proposed amendments to planning controls will facilitate high-quality development, contributing to the much-needed housing supply within this strategic centre.

The Planning Proposal has been prepared under Section 3.33 of the Environmental Planning and Assessment Act 1979 and the Department of Planning and Environment's document Local Environmental Plan Making Guideline (August 2023).

The Planning Proposal is supported by Urban Design Analysis.

This Planning Proposal is submitted to the Council due to site-specific conditions addressed in this Planning Proposal. The subject site has been included in several council and department led urban design reviews, the most recent being the Bennett and Trimble Urban Design Report prepared as part of the CBD Planning Proposal. After a review of these studies, it was determined that the studies did not adequately identify the site's potential, nor contain an accurate analysis of key considerations. Additionally, the assumptions made in the urban design study did not adequately understand the ownership patterns and opportunities available for alternative design outcomes over the subject site.

This Planning Proposal proposes site-specific provisions over 90-94 Phillip Street, which seeks to ensure the scale of development protects the Parramatta River's natural, historic and cultural features. This Planning Proposal puts forward maximum building height and floor space ratio controls that will permit the delivery of a development that can address the Council's vision for the built form for Parramatta CBD.

Support for the Planning Proposal is sought, and the subsequent referral to the Department of Planning and Environment for Gateway determination and public exhibition.



PLANNING PROPOSAL MERITS, INFRASTRUCTURE AND COMMUNITY BENEFITS

The Planning Proposal seeks to deliver the following key benefits:

- The proposed building envelopes by PTI Architecture demonstrate that a **high standard of design and amenity** can be achieved on the site. The scheme demonstrates Parramatta DCP compliance separation of 18m between towers. The scheme has been informed by several years of urban design advice from the City of Parramatta and is aligned with the Charles Street Square Strategy.
- The proposal will enhance the Parramatta River Frontage through an active street facade and will enable the delivery of an iconic building on a Landmark site.
- The proposal will improve the public domain and complement the work completed by City of Parramatta Council on the Charles Street Square, Parramatta Ferry Warf complex.
- The proposal will ensure the delivery of new pedestrian links along all street frontages and river frontages to **enhance the pedestrian environment**, including the safety of people accessing the site and surrounding land.
- The proposal will maintain and enhance commercial floor space within the ground floor and podium, providing activation within the Charles Street Square precinct.
- The proposal delivers a **variety of housing opportunities** within Parramatta CBD, facilitating a genuine 30-minute city where housing is well connected to public transport, health services, education services, employment, and recreational facilities.
- The proposal comprises **new housing supply, choice, affordability**, access to jobs, services and public transport.
- The proposal **supports the eat street and entertainment precinct** within the Parramatta City Centre by providing more homes within walking distance.
- The proposal will remove the easement located on the western boundary of Charles Street Square which increases the pedestrianised public space.

The subject land parcel is ideal for accommodating the proposed development as it is located within an accessible area and is consistent with the evolving character of developments within Parramatta. Furthermore, the development proposes to provide the opportunity to deliver a mixed-use development in a location experiencing an intensification in terms of development and considering the site's proximity to educational establishments, employment opportunities and recreational activities.



BACKGROUND

The following represents the relevant background leading up to the Planning Proposal:

Late 2016	<ul style="list-style-type: none"> - A meeting was held between the landlords of 90-92 and 94-96 Phillip Street, Parramatta and City of Parramatta Council to discuss the importance of the subject site along with the Charles Street Square Strategy and identified the following issues; <ul style="list-style-type: none"> o The access right of way in which 94 Phillip Street is in benefit would need to be relinquished; o The two above-mentioned properties would need to be amalgamated; and o Access would be from 90 Phillip Street. - In addition to the above the landowners were informed that council welcomes the lodgement of a Planning Proposal to increase the setbacks to the River Foreshore, Charles Street Square and Phillip Street. - Direct advice was received by council that the loss of <u>GFA as a result of the proposed setbacks is to be placed on top of the building form.</u>
6 July, 2017	<ul style="list-style-type: none"> - The land owners of the site recognised the importance of the Charles Street Strategy and demonstrated a willingness to comply including; <ul style="list-style-type: none"> o Agreement to relinquish the right of way enjoyed by 94-96 Phillip Street to enable the reconfiguration of the Charles Street Square Strategy. o Provide a front linkage which connects to and from the new Charles Street Square Strategy area, along the waterfront to provide a continuous high connection. o Facilitating ramp access from the waterfront pathway to the higher path for accessibility o Providing a strong visual connection between Charles Street and Phillip Street to the waterfront.
4 February 2018	<ul style="list-style-type: none"> - The council advised that the site would qualify as a significant site in the draft LEP and therefore could be eligible to have an FSR of 15:1, with bonus provisions for



	additional commercial space with no specified height controls.
	<ul style="list-style-type: none"> - The council has also requested that the following items should be incorporated into the scheme; <ul style="list-style-type: none"> o Upper walkway link that is included within the site; o Considerable setback taken by Council on the River Foreshore, especially at 90-92 Phillip Street, Parramatta. o Relinquishing the right of way enjoyed by 94-96 Phillip Street; and o More open ground and first floor areas to provide better viewing of the waterfront for the public from Philip Street.
27 September 2018	<ul style="list-style-type: none"> - Planning proposal was submitted to council (Application No. RZ/12/2018) <ul style="list-style-type: none"> o The site qualifies as an opportunity site, as agreed with the council. o The site complies with the key principles of the Charles Street Strategy and provisions of 'Design Excellence'
7 March 2019	<ul style="list-style-type: none"> - Amendments to Council policy for opportunity sites.
3 December 2019	<ul style="list-style-type: none"> - Updates to the site-specific planning proposal were requested in response to the council meeting. Which were; <ul style="list-style-type: none"> o Delete the hotel component and replace it with commercial office spaces. o Updated their request to be granted opportunity site status.
30 June 2020	<ul style="list-style-type: none"> - Council acknowledged that the site-specific PP is consistent with the Draft CBD PP - Notwithstanding the above, the council have requested a new proposal between an FSR of 12:1 and 21:1.
22 July 2020	<ul style="list-style-type: none"> - View analysis showing massing and views of the proposed development were prepared and submitted to council.



	<ul style="list-style-type: none"> - The resolution of the design issues was a result of the following process <ul style="list-style-type: none"> o The design was made in collaboration with City of Parramatta Council on the back of the Charles Street Square Strategy o Numerous meetings were held with key Council Senior Planning Staff o Input was provided by Council and included as part of the design package. These included the following; <ul style="list-style-type: none"> ▪ Upper walkway being included in the site; ▪ Extent of the setbacks reducing usable areas to 40% of the total site area; and ▪ Relinquishing the right of way access to the carpark at 94 Phillip Street, to reconfigure the Charles Street Square Strategy.
21 September – 2 November 2020	<ul style="list-style-type: none"> - The CBD PP was on public exhibition which noted the following controls <ul style="list-style-type: none"> o Incentive site RL 243m (inclusive of all bonuses) o Incentive FSR of 12:1 (including bonuses) + Opportunity Sites FSR of 3:1 o Unlimited commercial premises FSR
25 November 2020	<ul style="list-style-type: none"> - Council staff advised that they are undertaking a further Urban Design Study on the River Foreshore and could not identify the adequate FSR or Height required for approval of the Planning Proposal.
17 February 2021	<ul style="list-style-type: none"> - Proponents were informed that an FSR of 12:1 and 22:1 was not supported and an FSR of something significantly less was adopted by the Councillors, Granted Gateway and placed on exhibition.
21 May 2021	<ul style="list-style-type: none"> - Think Planners on behalf of the owners of 90-94 Phillip Street submitted a request to not defer the entire Phillip Street block from the CBD Planning Proposal.
15 June 2021	<ul style="list-style-type: none"> - CBD Planning Proposal endorsed by Councillors



17 September 2021	<ul style="list-style-type: none"> - A cover letter and urban design report were submitted to the Department of Planning requesting support.
April 2022	<ul style="list-style-type: none"> - Plan Finalisation report was prepared by the Department of Planning. - The department provided the following analysis. <ul style="list-style-type: none"> o <i>"in consideration of Council officer comments, submissions, the Department's built form modelling and the findings of the independent design study, the Department has recommended that the Phillip Street Block not progress as part of the CBD PP and that the block retains its current controls."</i> - This has resulted in the site keeping its existing controls which are as follows; <ul style="list-style-type: none"> o Maximum Building Height of 80m (92m/100m* with bonuses) o FSR of 6:1 (6.9:1/7.5:1* with bonuses) <p style="margin-left: 40px;">*Note. A 25% bonus would be applicable for a purely commercial development under existing controls.</p>
26 May 2022	<ul style="list-style-type: none"> - Council Planning Proposal CBD was made.
25 July 2022	<ul style="list-style-type: none"> - Council comments on the department's decisions. - The council was still supportive of the rezoning of the Philip Street block for the following reasons; <ul style="list-style-type: none"> o <i>"Significant urban design analysis has already been undertaken in this precinct. This previous study work just needs to be reworked in a form that supports a new SEPP. Based on the previous analysis undertaken, Council officers are comfortable that an FSR greater than the current FSR of 6:1 can be achieved in this precinct, without adversely impacting the river. Given the concerns raised by the Department pursuing the previously endorsed planning controls is unlikely to be successful. In accordance with Key Planning Outcome 2 Council need to make regeneration of these sites feasible if we are going to get a better interface with the river including with active frontages. It is noted that the existing building in this precinct 'turn their backs' to the river and there is a poor interface</i>



currently. Some up-zoning is required to encourage urban regeneration. This will help to facilitate Council's vision for the river as a vibrant and activated public space.

-
- | | |
|------------------|---|
| 14 October 2022 | <ul style="list-style-type: none">- The following PLEP2023 controls were in forced for the subject site.- Building Height 80m- FSR of 6:1- Additional FSR of 2.5:1 and 13m in accordance with clause 7.28A |
| 21 November 2023 | <ul style="list-style-type: none">- A meeting was held with the Director of Parramatta Council regarding the potential opportunities for the subject site for up-zoning potential. |
| 27 November 2023 | <ul style="list-style-type: none">- Charles Street Square officially opened. |
-



DRAFT PARRAMTTA CBD PLANNING PROPOSAL

INITIAL PLANNING CONTROLS

The subject site was included as part of the Draft Parramatta CBD Planning Proposal which was prepared between 2018-2022. The development controls under the draft Planning Proposal were as follows;

Controls	Draft LEP
Zoning	B4 Mixed Use & RE1 Public Recreation
Height	Base Height: 80m Incentive Height: Undefined
Floor Space Ratio	Base FSR: 10:1 Design Excellence: 11.5:1 Height Performance Buildings: 12:1 Opportunity Sites: 15:1
Commercial Floor Space Ratio	1:1 A clause was proposed under the Draft Parramatta CBD LEP, where additional floor space is provided more than the minimum 1:1, this will be exempt from the overall maximum floor space, where community infrastructure is provided.

The client-led, site-specific planning proposal for 90-94 Phillip Street which was submitted concurrently proposed planning controls which were similar to the above, which is noted in the below table.

Controls	Site-specific Planning Proposal
Zoning	B4 Mixed Use & RE1 Public Recreation
Height	210m
Floor Space Ratio	14:1
Commercial Floor Space Ratio	6.6:1

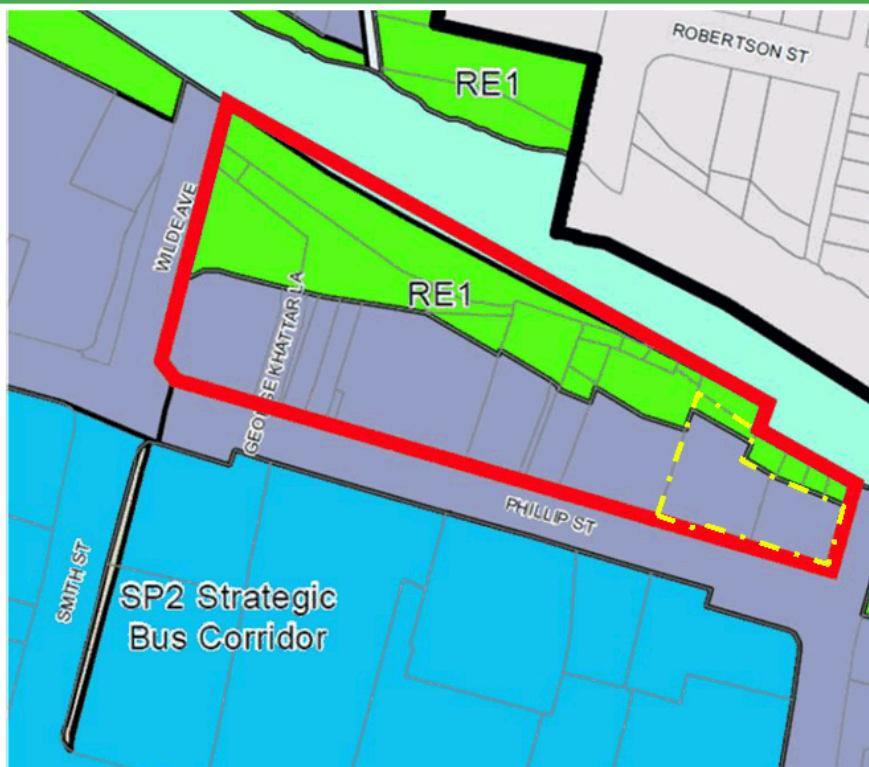


DRAFT CBD PLANNING PROPOSAL AMENDMENTS POST GATEWAY

As mentioned above through the finalisation stage, the Department of Planning removed all the proposed controls for the Phillip Street block.

The Phillip Street block consisted of land parcels located between the southern foreshore of the Paramatta River and Phillip Street, bounded by Wilda Avenue Charles Street, including the subject site. The below image indicates the Phillip Street Block and the subject site.

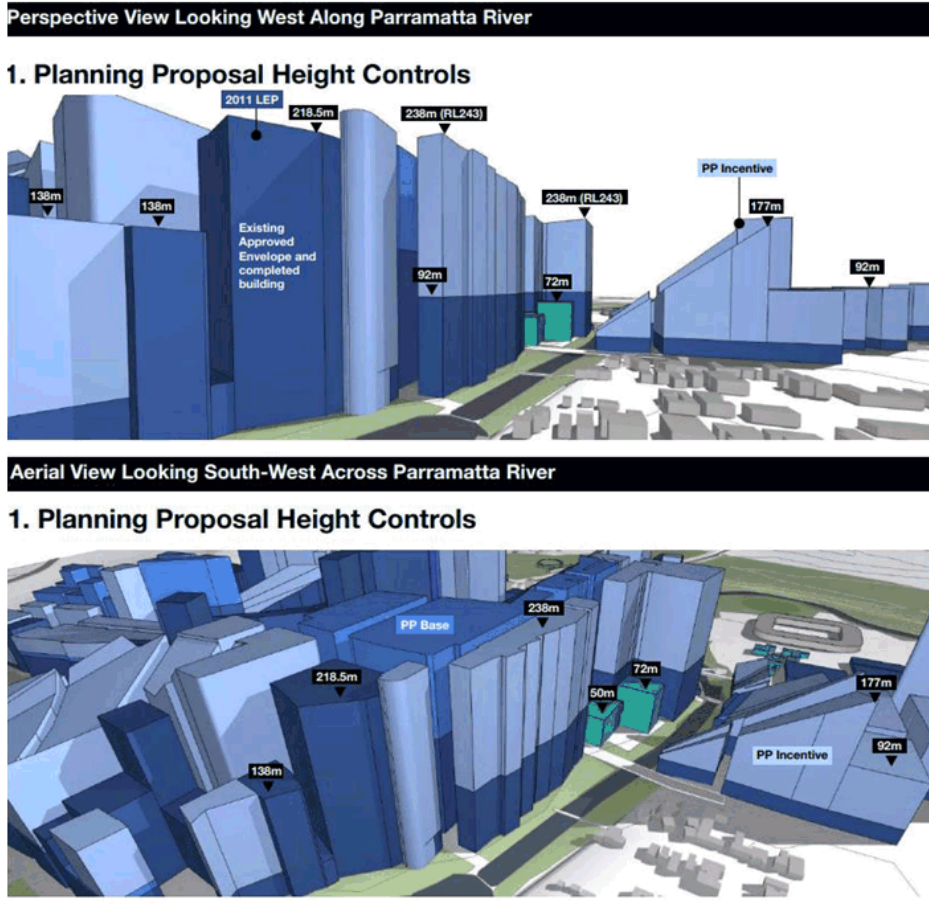
Figure 1: Extent of the Phillip Street Block and subject site. (Spatial Viewer)



Through the finalisation process of the CBD PP, the Department of Planning responded to the submission of the National Trust of Australia raising concerns about the proposed controls in relation to the river regarding its cultural and historical significance of the landscape. As part of the finalisation report, an urban design report was prepared by Bennett & Trimble which provided built-form analysis of the street block in relation to the river as seen in the image below;



Figure 2: Perspective and Aerial View of proposed Height controls (Bennett & Trimble)



The report outlined that proposed height and FSR controls under the draft CBD PP will jeopardise the relationship of the river foreshore. Noting as follows;

“This report found that Parramatta has a unique relationship with its river and the CBD PP risks jeopardising this relationship for future generations. The report also notes recent development along the river appears to commercialise the foreshore and visually dominates the river corridor. This type of development is similar to Barangaroo in Sydney, but the river is substantially different in scale and aspect to Sydney Harbour. The resulting massing controls could result in built form that detracts from the character of the river and could adversely impact Parramatta’s identity and its desirability as a place to live and work.”

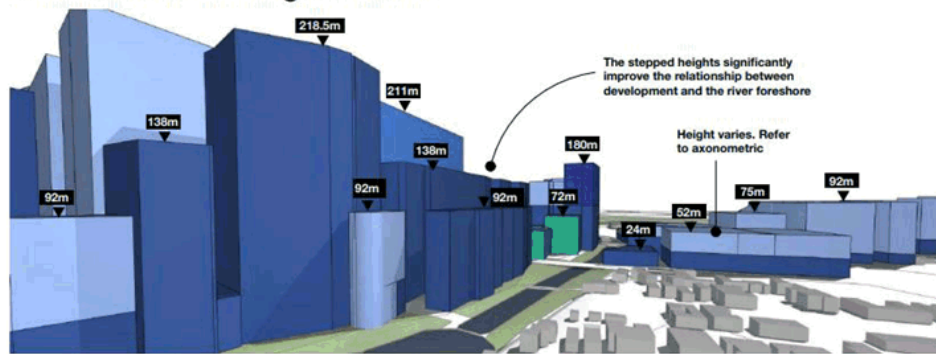


The Department of Planning adopted the recommendation by the independent design study and removed the Phillip Street block as part of the CBD PP and retained its current controls as seen in the below figures.

Figure 3: Perspective and Aerial View of recommended Height controls (Bennett & Trimble)

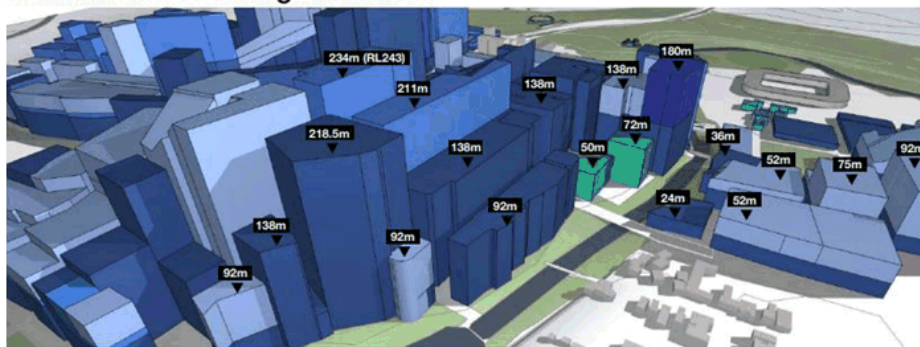
Perspective View Looking West Along Parramatta River

3. Recommended Height Controls



Aerial View Looking South-West Across Parramatta River

3. Recommended Height Controls

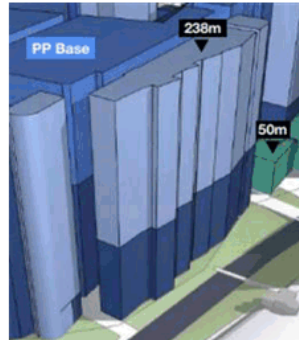


It is submitted that the Bennet & Trimble report prepared for the Department of Planning during the finalisation of the CBD Planning Proposal contains a number of significant shortcomings in terms of the analysis undertaken and the conclusions reached.

Firstly, as seen in the extract from the Bennett & Trimble urban design analysis below, the block modelling is exaggerated and misleading as it illustrates a non sensical extruded form, of the entire street block. Property boundaries are ignored. Land ownership patterns are ignored. Planning Controls such as the ADG that require separation between towers are ignored. By comparison other land parcels in proximity



to the site are recognised as individual tower sites. To illustrate the Phillip Street block in the following manner is not a realistic, logical representation, and fails to appropriately illustrate in any meaningful way the outcome of the then draft controls –

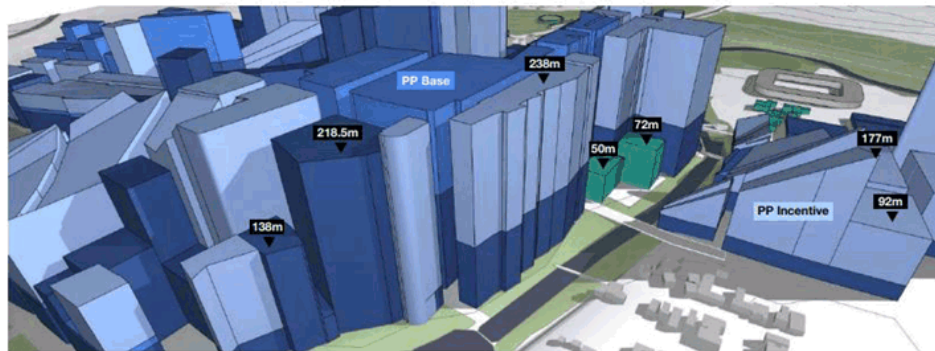


The above extract from the report shows a 200m long tower of 238m in height. An outcome that the controls did not propose, nor would ever be contemplated by a proponent, nor approved by an authority. Such urban design analysis fails to illustrate the then draft planning controls and is misleading as a depiction of an outcome.

Figure 4: Aerial view of the proposed Height controls (Bennett & Trimble)

Aerial View Looking South-West Across Parramatta River

1. Planning Proposal Height Controls

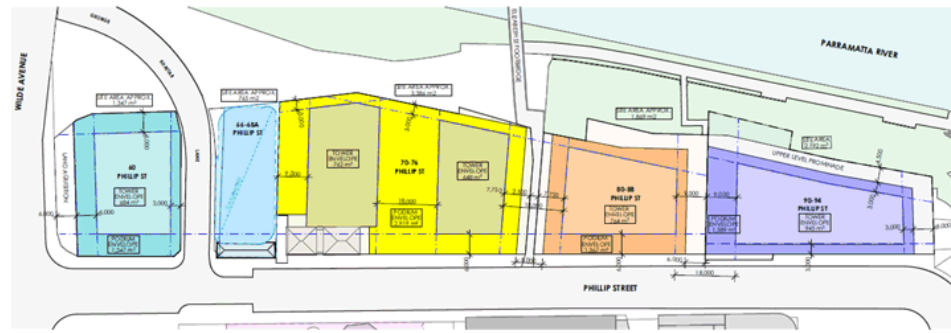


It is also noted that the most simple analysis of identifying the ownership patterns across the street block, along with a simple analysis of the way in which tower forms could be located across the street block was completely absent from the Bennett and Trimble report. This routine analysis is not only simple, it is fundamentally important in arriving at an understanding of how the then draft planning controls would likely be applied in the street block.



The below figure from PTI Architects simply illustrates these relevant relationships and the impact on the future form.

Figure 5 : Site plan and land ownership patterns (PTI Architecture)



As seen in the above indicative building footprint the site will never be developed as an entire street block. Additionally, each building will have to conform to the ADG and to Parramatta Council's DCP requirements, setting out the need for form comprising a podium and separated slender towers above.

It is clear that the built form analysis prepared by Bennette & Trimble is a misrepresentation of the future built outcome for the river and therefore further building height and Floor Space Ratio can be sought for the subject site.

It is submitted that the fundamental flaws in the analysis contained within the Bennett Trimble "extruded built form analysis" is misleading and should be set aside.

COUNCIL ENDORSEMENT

In addition to the above, as part of the report to the Council prepared by City of Parramatta Council for the Ordinary Council Meeting on 25 July 2022 under the subject of "Response to the finalisation of the Parramatta CBD Planning Proposal and changes made by the Department of Planning and Environment (Deferred item)" the council provided a recommendation to seek additional floor spaces for the Phillip Street Block as follows.

"That Council write to the Minister for Planning and the Department seeking:

(2) That the Department prepare a separate SEPP as shown in Figure 2 for certain land zoned B4 Mixed Use and B3 Commercial Core (not covered by the SEPP referred to in (c)(1) above), to introduce additional floor space that allows for commercial uses consistent with Council's resolution of 15 June 2021, that is informed by a study prepared in consultation with Council and addresses the concerns raised by the



Department in its 'Plan Finalisation Report' dated April 2022 when the CBD PP was finalised, and that this SEPP become effective by December 2022, with periodic updates for the community provided during its preparation."

(4) Confirmation from the Department that existing and any new Site Specific Planning Proposals ('SSPPs') may continue to be assessed by Council, after the preparation of the relevant SEPP."

This Site Specific Planning Proposal is made consistent with the prevailing view of the Council that the Phillip Street block can accommodate a greater height and FSR than that made in the CBD PP and that this can be sought via a Site Specific Planning Proposal.





HOUSING CRISIS

Since the Parramatta CBD was made and came into force, NSW is experiencing a well-documented housing crisis, where people are finding it extremely difficult to find places to live. The housing crisis is thought to be caused by both availability of housing and affordability of housing. Sydney is experiencing sustained population growth and the supply of housing is falling short behind this exponential growth. In addition to this due to a lack of housing supply and increased demand, the rental accommodation and housing prices are increasing in strategic locations, pushing many individuals out of the housing market.

The housing crisis is apparent with the current government's strong commitment to delivery of housing and housing affordability. This is evident in the recent planning reforms in increasing housing supply within areas close to public transport, strategic centres and infrastructure. The notable recent planning reforms include:

- In-fill affordable housing (Amendments to the Housing SEPP)
 - o Providing 20%-30% bonus incentives to Height and FSR for development providing at least 10-15% of GFA as affordable Housing.
- Transport Oriented Development SEPP
 - o RFB to be permitted in all residential zones within 400m of identified stations
 - o RFB and shop top housing in E1 and E2 within 400m of identified stations
 - o Creating capacity for an additional 138,00 new homes over the next 15 years.
- Low and Mid Rise Reforms
 - o Dual occupancy is permitted in all R2 zones across all of NSW
 - o Terraces, townhouses and 2 storey apartment blocks permitted near train stations and key town centres in R2
 - o Mid-rise apartment blocks permitted in areas near train stations and key town centres in R3 zones
- Church Street North precinct (State-led rezoning)
 - o Providing an extra 1,800 homes within proximity to Light Rail Stations



- Relocation plans for Rosehill Race Course
 - o To build more than 25,000 homes.
- Macquarie Park Precinct rezoning
 - o For increased density and additional residential zones instead of commercial floor space.

The subject site at 90-94 Phillip Street is within walking distance to a number of public transport nodes including Ferry, heavy rail, bus services, the new light rail and the new Metro. The site is within Parramatta CBD and the proposal will allow for increased housing within the strategic centre. Therefore, the planning proposal is consistent with the current governments commitment to the delivery of additional housing within proximity to public infrastructure and strategic centres.





SITE AND LOCALITY DESCRIPTION

LEGAL DESCRIPTION

The site is located at 90-96 Phillip Street, Parramatta. The site is legally described as Lot 2 of DP706033 and Lot 10 of DP773452. The site has an area of approximately 2,192m² and boundary dimensions as follows:

Boundary	Distance (m)
North	69
South	52.24
East	23.23
West	44.69

Both sites at 90 and 94 Phillip Street contain four storey commercial buildings with basement car parking. Both of the commercial buildings are currently being tenanted out. The vehicular access to the site is provided from Phillip Street.

The site adjoined at the western boundary contains a 6 storey commercial building with vehicular access provided from Phillip Street.

The following photographs overleaf and within the following pages provide a visual understanding of the site and its relationship to the street.



Figure 6: view from the corner of Phillip and Charles Street. (Google maps)



Figure 7: Photograph 2: view of the site from Parramatta River. (Google maps)

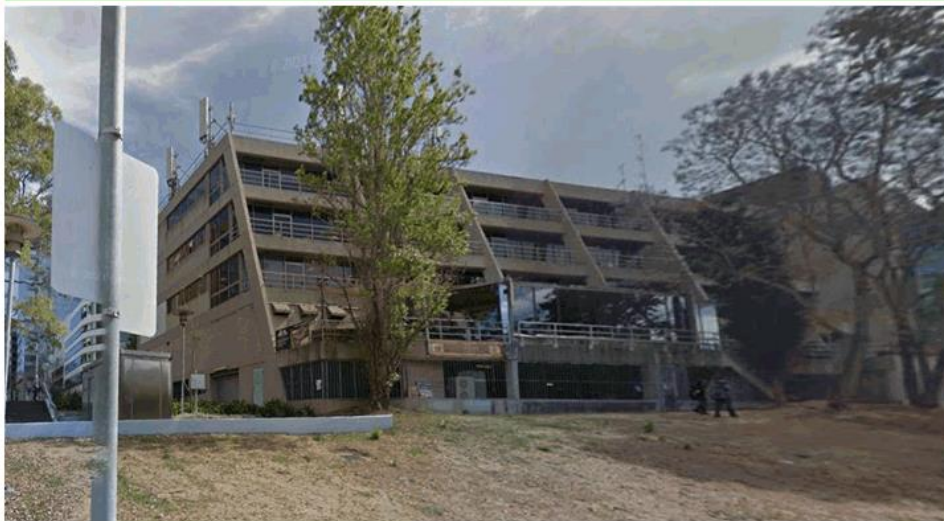




Figure 8: View of adjoining Building at 88 Phillip Street from Phillip Street looking north. (Google maps)



Figure 9: View of the site from Charles Street looking north. (Google maps)





EASEMENTS OR RESTRICTIONS

The eastern part of the subject site on Charles Street Square frontage experiences a right of way driveway easement by 94-96 Phillip Street.

TOPOGRAPHY AND VEGETATION

There are approximately 7 trees on the site. The most significant corridor of trees is located along the River frontage.

The subject site is best described as land with a mild slope from the north to the west, with the site's lowest point being within the northeastern corner.

EXISTING VEHICULAR ACCESS

The existing vehicle access is provided to the site from Phillip Street and the eastern portion of the site on Charles Street Square.

As part of this planning proposal, the current right-of way driveway easement on the eastern side of the subject site will be relinquished, reducing the number of vehicular accesses.

ABORIGINAL HERITAGE

The development site is not identified as containing Aboriginal Heritage under the Parramatta LEP heritage map.

EUROPEAN HERITAGE

The subject is not identified as containing European Heritage under the Parramatta LEP heritage map.

To the site's northeast is the Charles Street Weir at Parramatta River adjacent to Charles Street.

This site is listed under Schedule 5 of Parramatta LEP 2023 as a local heritage item. The NSW State Heritage Inventory described the item as follows;

“Charles Street Weir forms the first downstream tidal barrier in Parramatta. It was built across the river as Charles Street and Queens Avenue, immediately west of the Parramatta Wharf. This wharf is the last turning point for ferries approaching from Sydney. A narrow foreshore reserve extends westwards from the weir along both sides of the river. This open space with its pathways, lawns, gardens and scattered tree is used for recreational purpose. The Charles Street Weir is a concrete structure measuring 22.1 meters in length by 1.5 meters in width. Its height over the weir to the west is 2 meters. Today, the



water contained in the dam lies 0.85 metres below the surface of the weir. On the east side, the water lies 1.45 meters below the weir surface, a level difference of 0.6 meters. Given that the eastern side of the weir is used as a turning circle for ferried, the weir wall is likely to extend several metres below the water level to the riverbed. The weir itself is a straight structure located between curved symmetrical concrete embankment walls. Generally the concrete is relatively smooth and shows the imprints of timber formwork used at the time of construction. Trolley tracks, now mostly covered with concrete, extending across the top of the Charles Street Weir are regarded as integral part of the heritage listed item and should be protected"

The site is sufficiently separated from the item and as such, there are no anticipated heritage impacts resulting from the proposal at 90-94 Phillip Street.

ARCHAEOLOGY

There are no known Items of Aboriginal Heritage located on the site. Due to the site's development history, the land has been excavated for various previous developments. It thus is highly altered from its natural condition.

Opportunities to salvage archaeological items unearthed during demolition works are to be considered. If any items are found during the demolition and excavation, in the first instance, opportunities to salvage and reuse the items are to be incorporated. When this is not practical or possible, an interpretation strategy will be prepared.

ECOLOGY

The subject site is predominantly clear of vegetation.

DRAINAGE AND FLOODING

Due to the proximity of the site to the Parramatta River on the northern boundary, the site is identified as being flood prone. The site to its northern boundary is within the 1 in 100-year Average Recurrence Interval but within the Probable Maximum Flood (PMF) area. Flooding comments have been provided by Water Technology Requirements arising from the PMF affectation are discussed in the next section of the Brief.

ACID SULFATE SOILS

The site is identified in Parramatta LEP 2023 as containing Class 4 Acid Sulfate Soils. A preliminary site and soil assessment will be conducted during the preparation of a future development application.



VOLUNTARY PLANNING AGREEMENT

As part of a future Voluntary Planning Agreement, the proposal seeks to relinquish the right of way easement currently optimised by 94-96 Phillip Street on the eastern side of the subject site. This will assist in increasing the public domain and will be consistent with the Charles Street Square Planning Strategy. Further discussion and a letter of intent will be prepared through the assessment process of the planning proposal.

SITE CONTEXT AND SITE ANALYSIS

The subject site is a highly visible location in the Parramatta CBD's northern part. The site is on the river foreshore and has key transport connections, including Parramatta Wharf, heavy rail, bus services and soon operating light rail services and the future metro.

A four storey commercial development currently occupies the site. This precinct has an emerging character of new mixed-use development, complemented by small-scale ground-floor retail and commercial uses.

The site, being centrally located, has excellent connectivity to all forms of transport. Heavy rail services are about 1km from the site, connecting to the T1, T2 and T5 train lines. The new Metro is also proposed to connect to Parramatta Station, which will be closer to the site. The site has good access to various bus routes and the Parramatta Light Rail.

The site is proximate to numerous cultural and recreational facilities and opportunities, such as Parramatta River, Parramatta Wharf, Robin Thomas Reserve and Charles Street Square. The following figures assist with site context and site analysis.

The site's location is south of the Parramatta River and towards the Parramatta CBD's north-eastern end.

The site is in an ideal and scenic position along the bank of the river and will enjoy fantastic new connections along the Civic Link to Parramatta Square, which is to be the new heart of Parramatta.

The site is predominantly surrounded by medium to high-density residential development.

The site is located east of the Museum of Applied Arts, currently under construction. Wilde Avenue, which is directly to the east, provides several local and regional bus connections to the site. There is also the Parramatta Ferry Wharf, which the site directly adjoins to the east (Figure 10). The subject site is also within walking distance of the new Parramatta Light Rail.



Figure 10: Site Context (PTI Architecture)

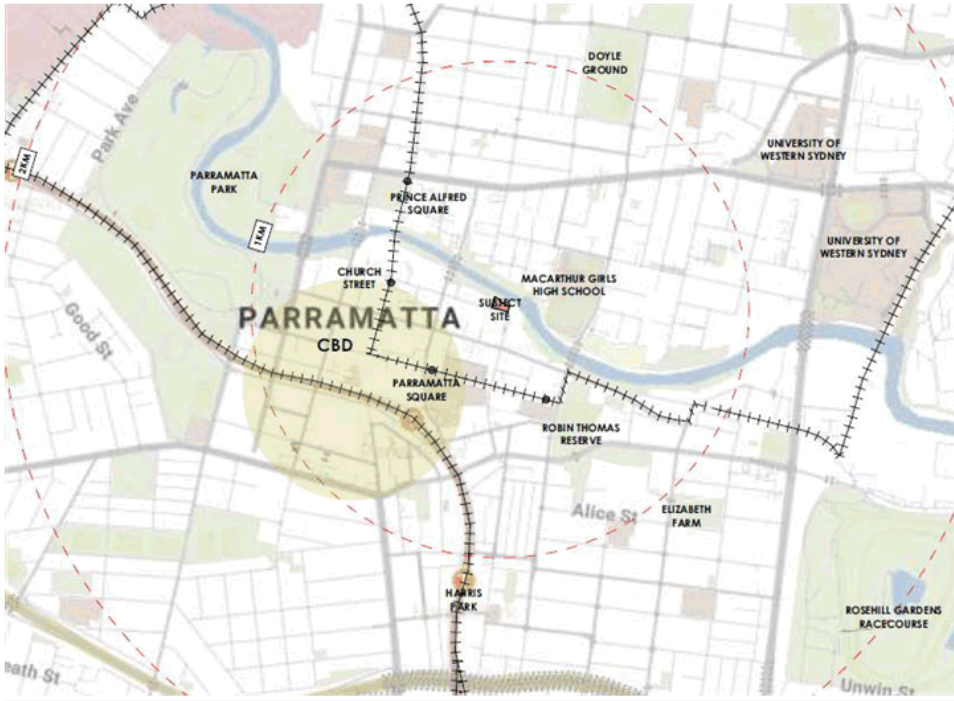
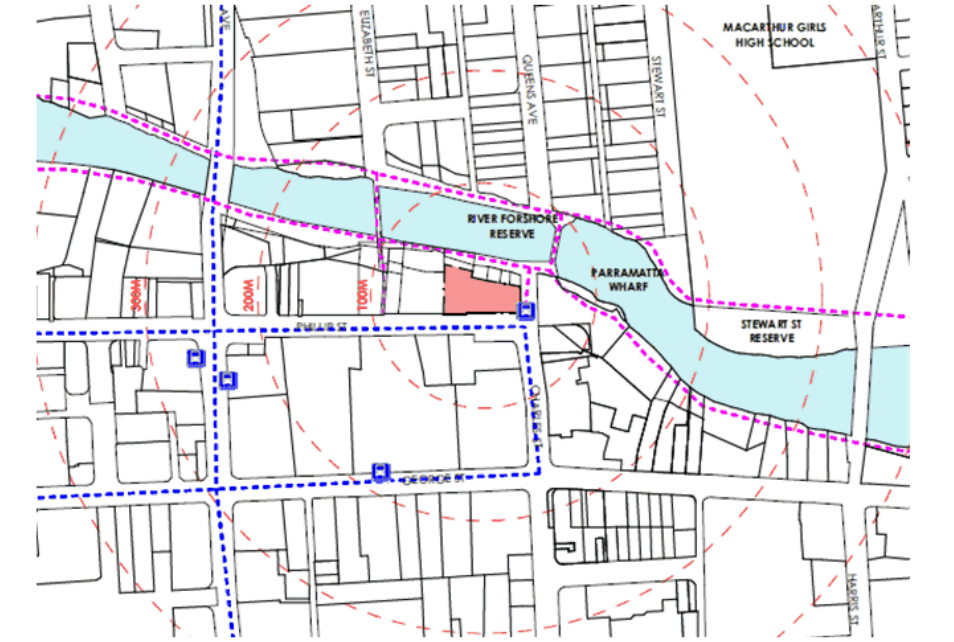


Figure 11: Broader Context (PTI Architecture)



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90-94 Phillip Street Parramatta
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CONTEXT IMAGES

As per the photographs below and subsequent pages, the following provides images of the site's existing development.

Figure 12: Shows the existing commercial building across Phillip Street. (Google maps)





Figure 13: Shows the surrounding character of Phillip Street.(Google maps)



Figure 14: Lodged Development Application at 66 Phillips Street, Parramatta (Smith & Tzannes)





SCOPING REPORT

The Local Environmental Plan Making Guideline (August 2023), prepared by the Department of Planning and Environment, recommends that a proponent submit a scoping proposal to the council and request a pre-lodgement meeting.

As this is a planning proposal which was submitted in 2018 and has never been withdrawn and continued engagement has been conducted with the proponent and City of Parramatta Council, there is no trigger or requirement for a scoping report for this update being made to the submitted current planning proposal.





LOCAL PLANNING FRAMEWORK

PARRAMATTA LOCAL ENVIRONMENTAL PLAN 2023

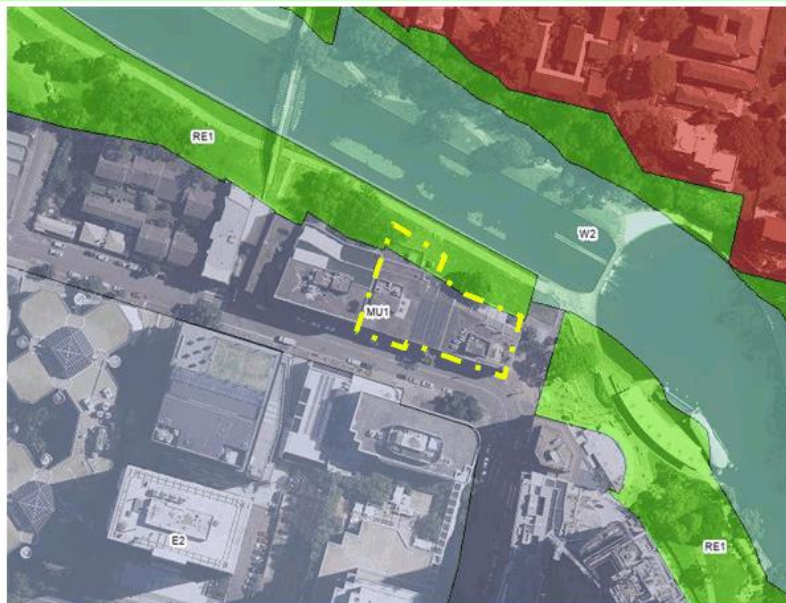
Parramatta LEP 2023 is the principal Environmental Planning Instrument that applies across the City of Parramatta council local government area. Amongst other matters, it controls the land use arrangements over the land (zoning), along with other relevant considerations to this planning proposal including building height and floor space ratio. For completeness, this planning proposal also considered local heritage, which is also addressed in Parramatta LEP 2023

The key planning provisions that currently apply to the subject site are identified below.

ZONING

The subject site is currently zoned MU1 and RE1 under *Parramatta Local Environmental Plan 2023 (Parramatta LEP 2023)*. Figure 15 is an extract from the land zoning map for Parramatta LEP 2023

Figure 15: Extract from Parramatta LEP 2023 Land Zoning Map (Spatial Viewer)





EXISTING BUILDING HEIGHT

The Height of Buildings Map for the Parramatta LEP 2023 indicates that the maximum building height permitted on the subject site is 80m. Figure 16 below displays the existing maximum building height over the subject site and surrounds under Parramatta LEP 2023.

Figure 16: Extract from Parramatta LEP 2023 Height of Buildings Map (Spatial Viewer)

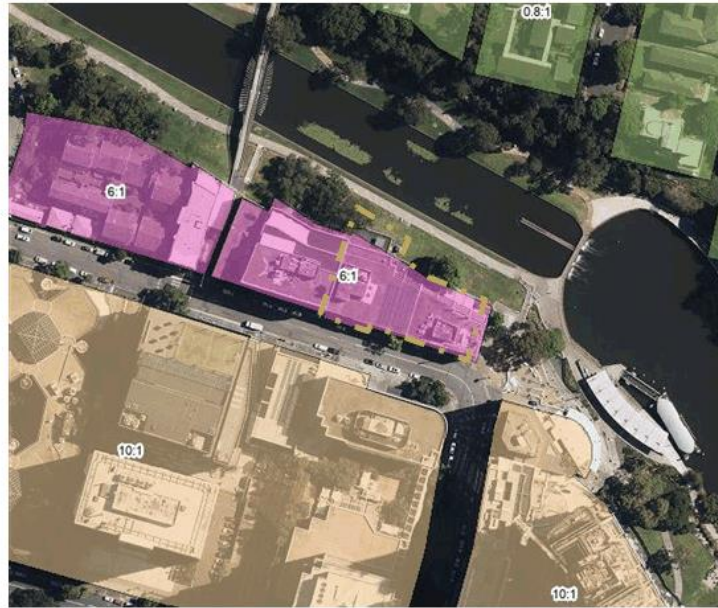




EXISTING FLOOR SPACE RATIO

The Parramatta LEP 2023 Floor Space Ratio Map shows that a portion of the subject site has a maximum FSR of 6:1. This is aligned with the portion of the site currently zoned MU1.

Figure 17: Extract from Parramatta LEP 2023 Floor Space Ratio Map (Spatial Viewer)





HERITAGE

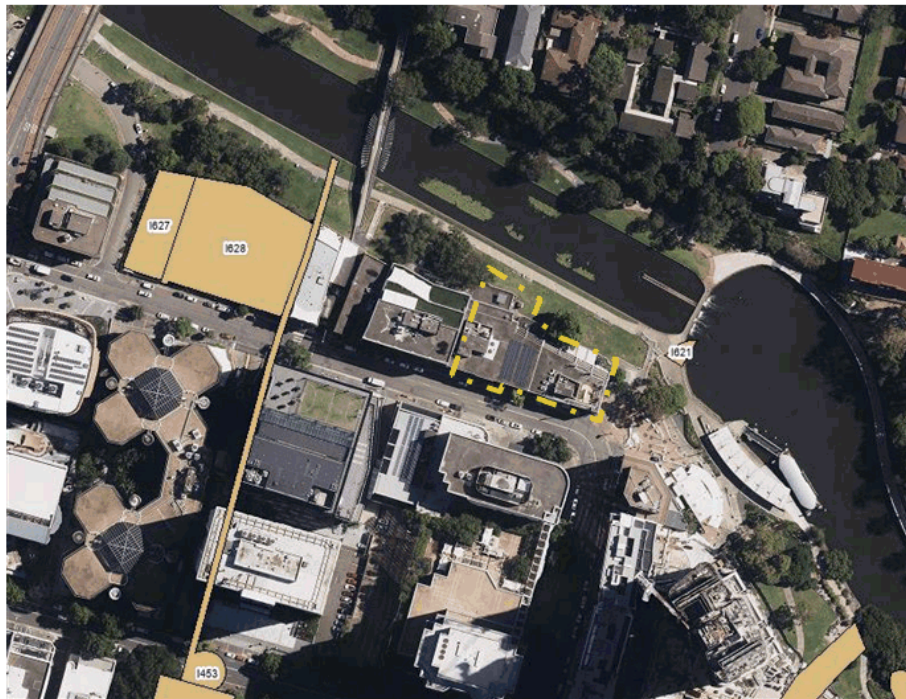
The site is not identified as a heritage item and is not located within a heritage conservation area. Given the location of the site and its context, the proposal will not have any impact on items of heritage value. Accordingly, no further discussion of heritage is necessary.

The subject site does not contain a heritage item listed under Parramatta LEP 2023. However, the site is near the following heritage items:

- Item number 621, Charles Street Weir at Parramatta River adjacent to Charles Street. This item is of local significance.
- Item number 453, Convict Drain at 1, 1A and 3 Barrack Lane, 174 Church Street, 71, 83, 85 and 126–130 George Street, 72, 74, 119 and 119A Macquarie Street, 72B, 72C, 76 and 80A Phillip Street and 18 and 25 Smith Street. This item is of local significance.
- Item number 627, Barnaby's Restaurant and potential archaeological site at 64 and 66 Phillip Street. This item is of local significance.
- Item number 628, Office and potential archaeological site at 68A and 70 Phillip Street. This item is of local significance.

The subject site is located near heritage sites and has no known heritage features.

Figure 18: Heritage Map Extract from Parramatta LEP 2023 (Spatial Viewer)



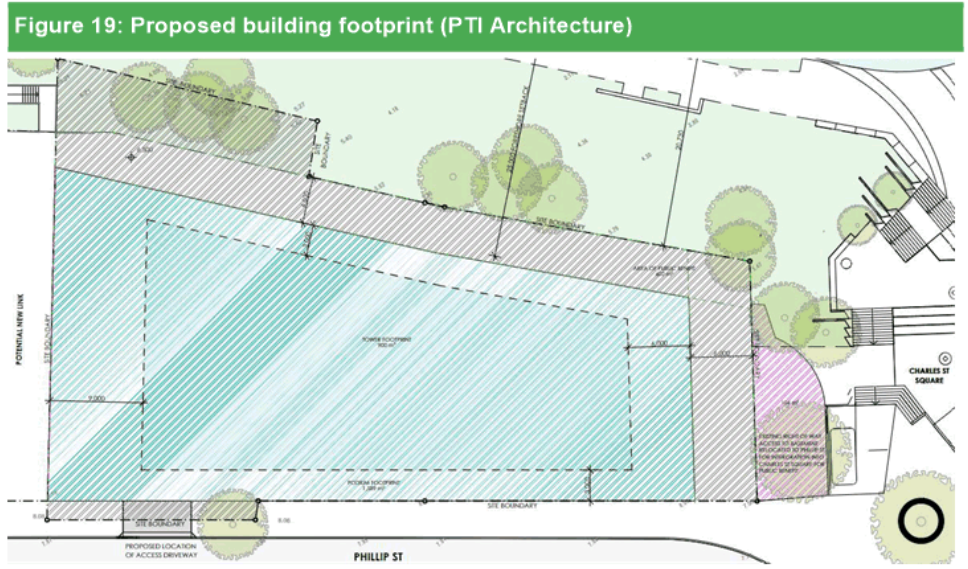


THE CONCEPT

PTI Architecture has prepared an urban design strategy, including built-form testing over the subject site. The urban design strategy is fully discussed within Part 3, Section C (9) of this Planning Proposal, with a summary of the place context provided below.

The urban design strategy confirms that the planning proposal contextually provides an appropriate marker building that successfully manages the transition from the City Centre into Parramatta River frontage whilst balancing the transition to and from the Parramatta River and its surrounds.

The Planning Proposal builds on options proposed by Council to facilitate a design competition over the subject site



Site Context



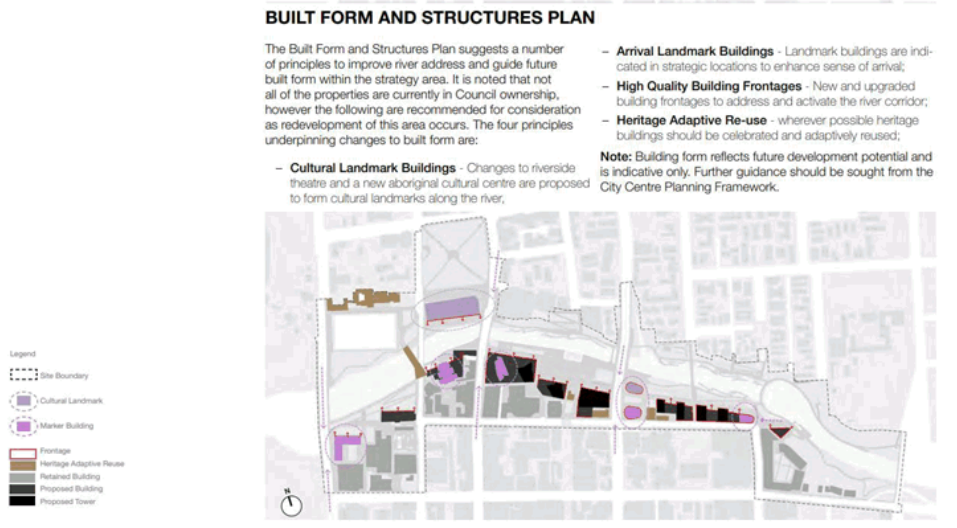
The merit of the proposed additional building height and density in this planning proposal must be seen in the context of the surrounding development and the site being a Landmark site. The reference design provided with this submission comprises a 4 level podium with a 62-storey tower, reflecting its landmark location, context within the Parramatta River and Parramatta City Centre, proximity to open spaces, and active and public transport opportunities.

The context of the site and appropriateness of the proposed height and FSR are shown in Figures 21 and 22.

Established Scale and Site Context

The proposal also seeks to align with the urban design principle initially considered as part of the drafting of the CBD Panning proposal, having a landmark site on the corner of Phillip Street and Charles Street Square informed by the River City Strategy prepared by McGregor Coxall Architects as seen in the below figure.

Figure 20: River City Strategy Landmark Sites (Mcgregor Coxall Architects)



The proposed building scale is consistent with this strategy and the sought FSR and Building Heights will enable the delivery of a landmark site within a prominent location across the Parramatta Riverbank.

Refer to Part 3 of this Planning Proposal for a complete analysis of the Urban Design Strategy for the subject site.



Figure 21: Existing, proposed, and perceived building form (PTI Architecture)

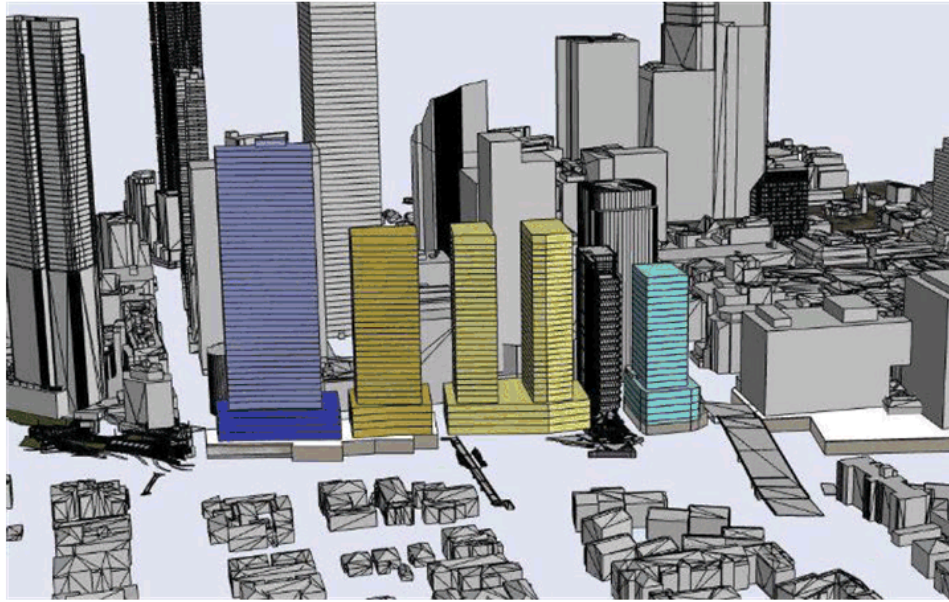
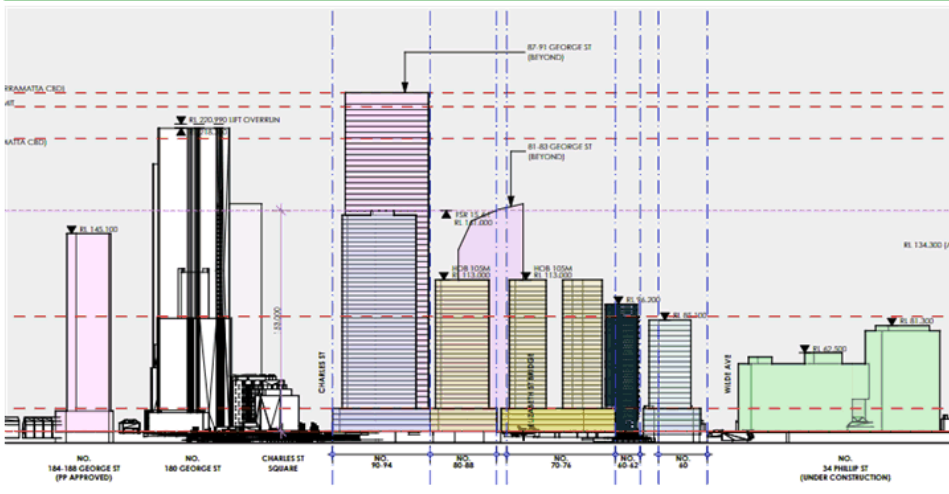


Figure 22: Existing, proposed, and perceived building form, river front elevation (PTI Architecture)





Traffic and Parking

The subject land achieves optimal access to pedestrian pathways, cycleways, and rail and ferry transport. The Parramatta Light Rail, the Western Line, the future Metro, and new bus and cycleways will deliver city-shaping infrastructure that will powerfully change how people live within Parramatta and commute to Parramatta. This will result in a significantly lower reliance on private vehicle trips.

In addition, the draft Bike Plan also supports the City of Parramatta's vision to be a sustainable, liveable, and productive City. The plan seeks to bring forward the planned and coordinated delivery of cycleway infrastructure to promote multi-modal transport options throughout the locality. Further details relating to the traffic and parking assessment will subsequently be provided, following a Gateway Determination and when agency requirements are known (if any).





PLANNING PROPOSAL

The required content of a planning proposal is set out in Section 3.33 of The Environmental Planning and Assessment Act 1979. To assist with the preparation of a planning proposal, the DPE have published the Local Environmental Plan Making Guideline (August 2023) which sets out the form and content that is required within the six parts identified below:

- **Part 1 – Objectives and intended outcomes -**
a statement of the objectives of the proposed instrument
- **Part 2 –Explanation of provisions –**
an explanation of the provisions that are to be included in the proposed instrument
- **Part 3 – Justification of strategic and site specific merit –**
justification of strategic and potential site-specific merit, outcomes, and the process for implementation
- **Part 4 - Maps –**
existing and proposed maps, where relevant, to identify the effect of the planning proposal and the area to which it applies
- **Part 5 – Community consultation –**
details of consultation undertaken with Government agencies, council or other authorities, and community consultation that is to be undertaken on the planning proposal post Gateway and during exhibition
- **Part 6 – Project timeline –**
Project timeline to detail the anticipated timeframe for the LEP making process in accordance with the benchmarks in this guideline.

This Planning Proposal has been prepared in a manner consistent with the LEP Plan Making Guidelines, including the specific matters required to be addressed and also the anticipated timeframe.



PART 1 – OBJECTIVES AND INTENDED OUTCOMES

The objective of the Planning Proposal is to amend Parramatta LEP 2023 to:

To provide suitable building height and floor space ratio, which facilitate the urban renewal of the subject site and provide high-density development commensurate with State Government planning strategies. The Planning Proposal seeks to provide a diversity of new housing within an ideal strategic location.

The intended outcome of the planning proposal is to:

- Contribute to the site's role within Parramatta CBD as a strategic centre that provides housing, jobs and services.
- Contribute to increasing housing within proximity to public transport and key amenities including the river foreshore and public reserves.
- Contribute to the rejuvenation of the Southern Foreshore Precinct by encouraging supporting development activity within a mixed-use scenario that is afforded the scenic surrounds of the Parramatta River.
- Contribute to housing diversity and choice within the City of Parramatta
- Deliver quality housing within the City of Parramatta that is sustainable, and with high amenity values.





PART 2 – EXPLANATION OF PROVISIONS

Part 2 of the Planning Proposal provides an explanation of the provisions that are to be included within the Planning Proposal. It includes a written explanation that is supported by mapping where relevant.

The stated objectives and intended outcomes at the subject site, the following maps and clause of Parramatta LEP 2023 will be amended:

- Amending the Floor Space Ratio Map for Parramatta LEP 2023 to permit a maximum FSR of 12.8.
- Amending the Height of Buildings Map to apply a maximum building height of 133m.
- Amending Clause 7.28A for the land situated at 90-94 Phillip Street, Parramatta.

PTI architects have undertaken detailed urban design analysis and architectural concept testing for the subject site. This submission supports proposed changes to the planning controls for the subject site located at 90-94 Phillip Street.

Recommended uplift and new planning controls for this site would facilitate opportunities for high quality urban design outcomes and orderly and economic development to support the 30-minute city and local housing demand.

The redevelopment of the site can be directed by the preparation of a master plan and site-specific DCP in due course as the proposed LEP changes are progressed through Gateway and towards finalisation.

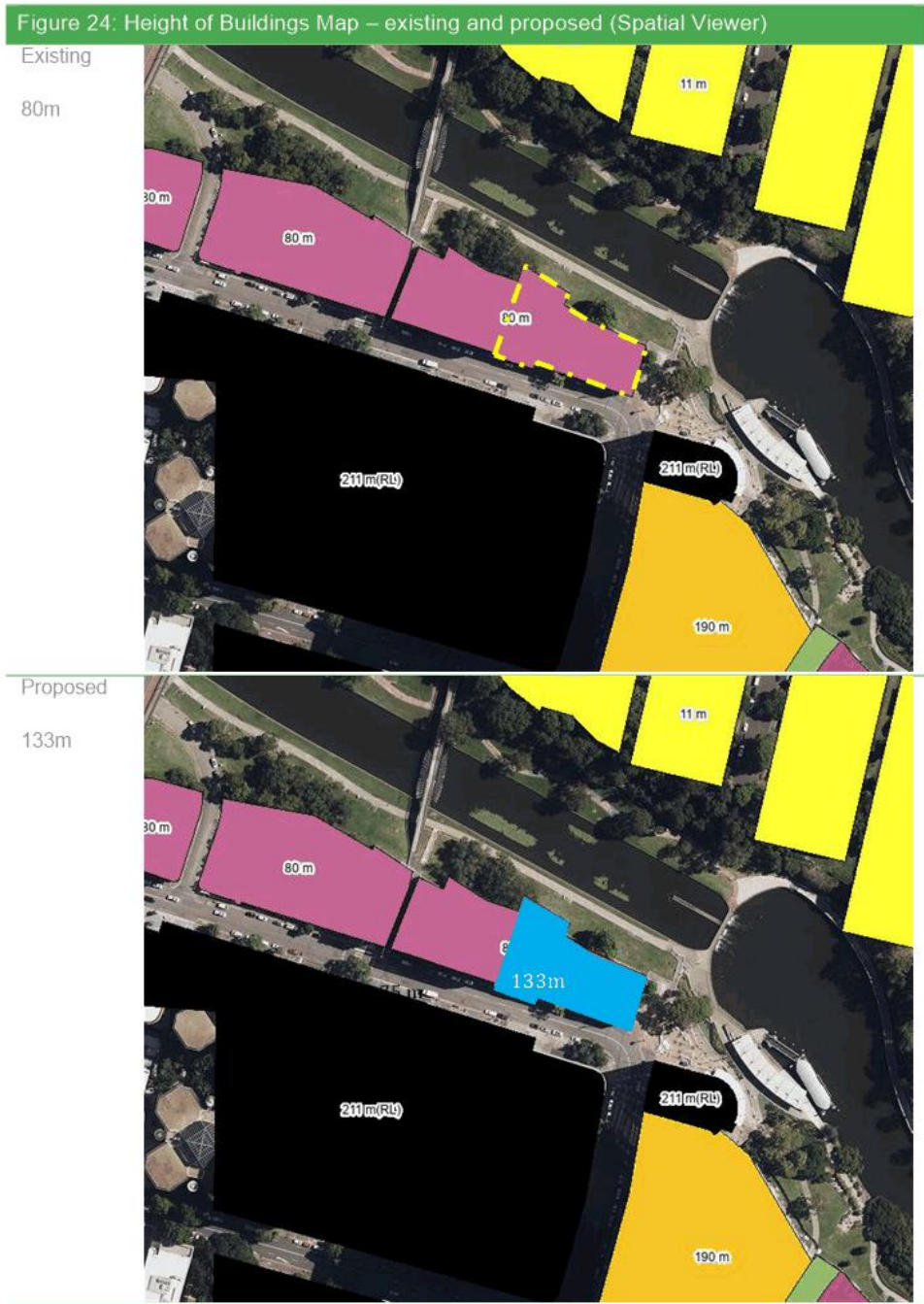
This report sets out some basic urban design strategies and principles to direct future residential development.



Maps

Figure 23: Floor Space Ratio Map – existing and proposed (Spatial Viewer)





Clause 7.28





We anticipate the following amendments will be made to Clause 7.28A of the Parramatta LEP 2023 to facilitate the required outcome. The amendment to Clause 7.28A will ensure that it no longer provides a site-specific FSR and height bonus on the subject site. Please refer to Table 1 below, with the proposed amendments in red strikethrough text.

Table 1: Example of the amended Clause 7.28A

7.28A Additional floor space ratio for “Area 2” and “Area 4”

(1) *This clause applies to development that—*

- (a) is on land identified as “Area 2” or “Area 4” on the Additional Local Provisions Map, and*
- (b) involves the erection of a building, and*
- (c) has a site area of at least 1,300m².*

(2) A building resulting from development to which this clause applies on land in “Area 2” may exceed the applicable FSR for the building by 3.5:1 if the building is no more than 25m wide when viewed from Parramatta River.

(3) A building resulting from development to which this clause applies on land in “Area 4” may exceed the applicable FSR for the building by 2.5:1 if the building, when viewed from Parramatta River, is no more than—

- (a) 25m wide, or*
- (b) if the development site includes land at 78–82 Phillip Street—30m wide, or*
- ~~*(c) if the development site includes land at 90–94 Phillip Street—35m wide.*~~

(4) If a building resulting from development to which this clause applies uses the additional floor space ratio permitted under subclause (2) or (3), the height of the building may exceed the maximum permissible HOB by 13m, in addition to the additional height permitted under clause 7.15.

(5) Development consent must not be granted to development to which this clause applies unless—



(a) the building uses the additional floor space ratio and height permitted under clause 7.15, and

(b) the building uses the additional floor space ratio permitted under clause 7.25, and

(c) a development control plan, which provides for the following, has been prepared for the land—

(i) pedestrian and through site links,

(ii) setbacks from Parramatta River and adjoining sites,

(iii) building pedestal controls,

(iv) car parking design requirements,

(v) building envelope and built form controls,

(vi) servicing arrangements,

(d) the consent authority is satisfied the building will transition in bulk and scale to neighbouring heritage items and heritage conservation areas.





PART 3 – JUSTIFICATION OF STRATEGIC AND SITE-SPECIFIC MERIT

The strategic merit test is demonstrated through a series of established questions set out in turn below.

SECTION A – NEED FOR THE PLANNING PROPOSAL

1. Is the planning proposal a result of an endorsed LSPS, strategic study or report?

YES.

The City of Parramatta Council has previously prepared a draft LEP which included similar controls to that proposed within this Planning Proposal. This Planning proposal is supported by a site specific urban design study prepared by PTI Architecture.

The Urban Design Study is discussed further in this Planning Proposal and is also attached for reference. Importantly, the concept design within the UDS by PTI Architecture is based on extensive consultation with the council over the years. The concept has been refined by PTI Architecture to ensure that neighbouring and surrounding developments retain amenity values in terms of solar access and ventilation.

Refer to Part 3 of this document for further information on the UDS and concept plan.

Parramatta Local Strategic Planning Statement

The Parramatta Local Strategic Planning Statement came into effect on 31 March 2020 and this document sets out the 20-year vision for land use planning for the City of Parramatta.

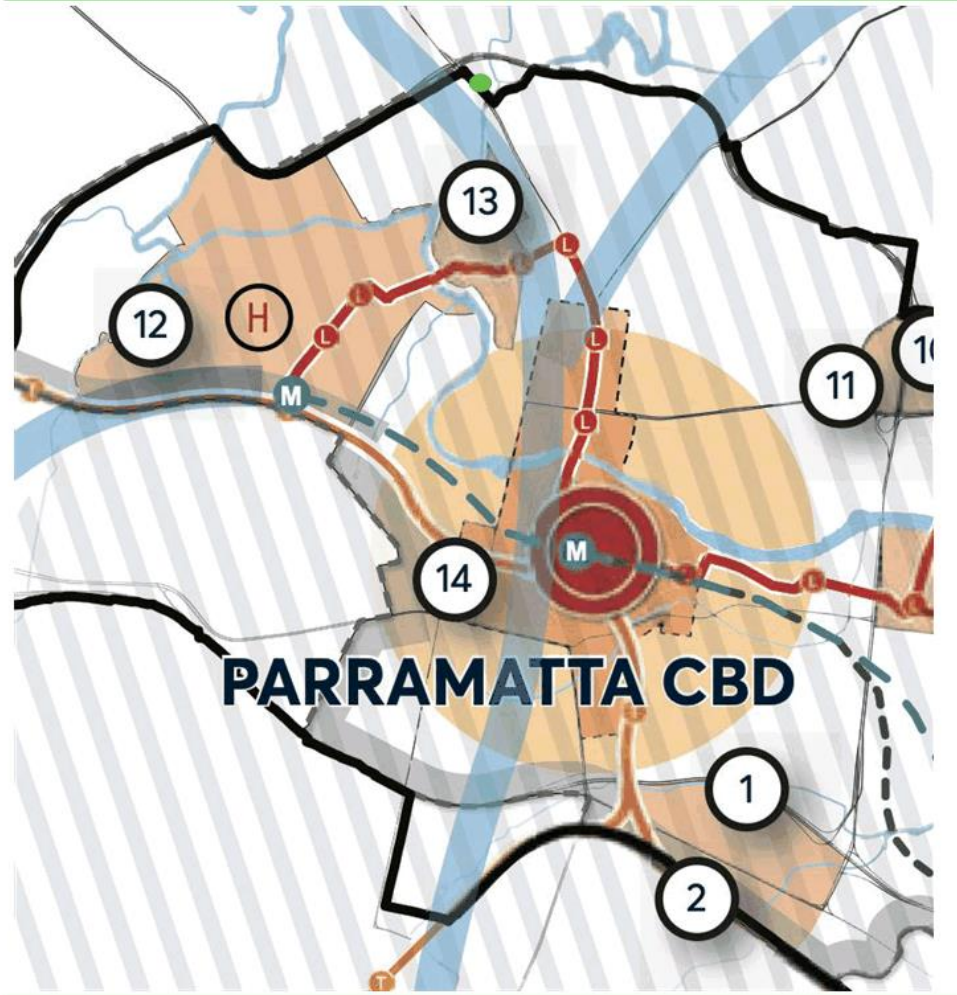
The LSPS contains 16 planning priorities under 4 key themes which are:

- Local planning priorities.
- Livability planning priorities.
- Productivity planning priorities.
- Sustainability planning priorities

As illustrated in the extract from the LSPS below, the subject site is nominated as being within a "Growth Precinct".



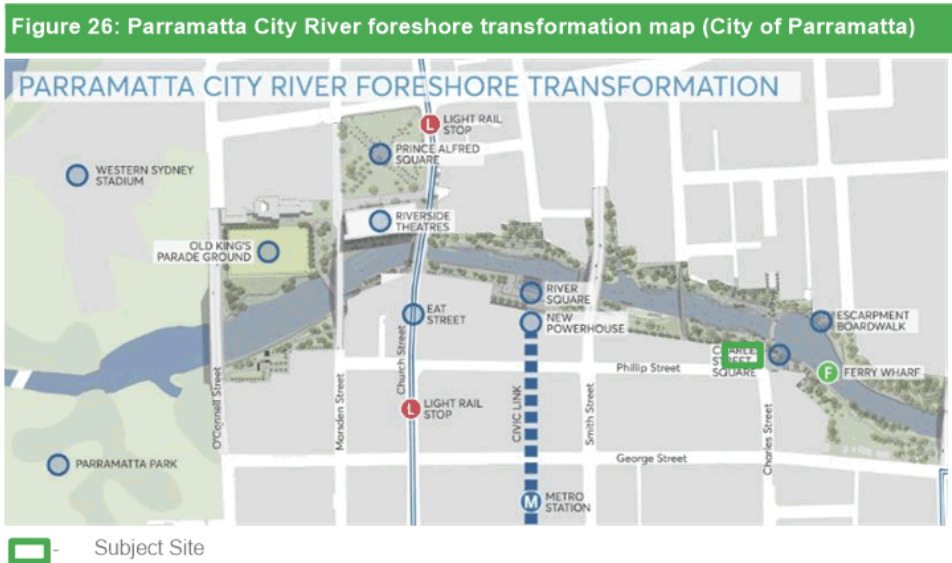
Figure 25: Growth precinct map (City of Parramatta 2020)



Relevant principles are discussed under Section B, Question 3.

Parramatta City River Strategy

The parramatta CBD River strategy endorsed by council in 2015 provides a comprehensive plan for transforming the river frontage within Parramatta CBD. The strategy provides a framework to make the City into a vibrant and attractive public space. Charles Street Square and the river frontage on the subject site is identified as being part of the Parramatta CBD River Strategy as seen in the figure provided overleaf



The proposal is aligned with the urban design principle outlined in the strategy, having a landmark site on the corner of Phillip Street and Charles Street Square. The proposed building scale is consistent with this strategy and the sought FSR and Building Heights will enable the delivery of a landmark site within a prominent location across the Parramatta river bank.

In line with the strategy the proposed development will provide an active frontage to the planned pedestrian walkway along the river frontage through the allocation of commercial floor spaces on ground floor levels, looking towards the river as well as Phillip Street and Charles Street Square.

Charles Street Square Strategy

Charles Street Square Strategy was endorsed by the council in 2017 with public domain upgrade works completed in November 2023. Future detailed design of the proposed development will complement the existing public domain and will enhance Charles Street Square.

2. Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

YES

It is considered that the Planning Proposal is the best means of achieving the stated objective of urban revitalisation of this land.



The Planning Proposal is undoubtedly the most efficient mechanism available for stimulating urban renewal and accelerating the delivery of high-density housing in a manner consistent with the strategic directions established in the documents, including A Metropolis of Three Cities – Greater Sydney Region Plan, the Central City District Plan, the Greater Parramatta and Olympic Peninsular Plan, the CBD Planning Proposal and the Parramatta CBD Strategy.

Other options considered include:

- a) Formal submission to a principal LEP

Parramatta LEP 2023 is a recently made principal LEP, with its review at least five years away. This pathway is, accordingly, not open.

- b) Submission on a Council Planning Proposal for Phillip Street Block

The Council is not preparing a planning proposal for the Phillip Street Block noting that the DPE deferred the controls already proposed by the Council. This pathway is accordingly not open

- c) Cl.4.6 Variation

The additional height and FSR proposed are not due to the proposal being unable to comply due to site constraints.

This site-specific planning proposal allows the proponent to provide detailed urban design and site-specific investigations to support the requested changes in height and FSR. It will allow for the site to be contemplated in detail, particularly regarding its urban form, response to constraints like flooding, and integration with broader State and local strategic plans and priorities. Accordingly, the planning proposal is the most suitable means of achieving the objectives and intended outcomes for the site.

The Planning Proposal is the most efficient mechanism for stimulating urban renewal and accelerating the delivery of high-density housing.

SECTION B – RELATIONSHIP TO THE STRATEGIC PLANNING FRAMEWORK

3. Will the planning proposal give effect to the objectives and actions of the applicable regional or district plan or strategy (including any exhibited draft plans or strategies)?

YES

The relevant strategic plans for consideration include the Six Cities Discussion Paper, Metropolis of Three Cities – Greater Sydney Region Plan 2018 and the Central City District Plan 2018.



Six Cities Discussion Paper

Greater Sydney has been divided up into six city regions that together form one city.

In theory, the long term aim is for people and freight to be moved to any part of the region within 90 minutes, therein providing significant lifestyles and economic benefits. Like the Greater Sydney Region Plan, each of the six cities imagines residents accessing jobs within 30 minutes by public transport and more vibrant local centres and neighbourhoods within a 15-minute walk of home. This aims to improve the vibrancy of local areas where all daily needs can be met near home.

Housing theme

A key theme within the discussion paper is the desire for housing to be more affordable and accessible, ideally leveraging transport and social infrastructure. The Discussion Paper notes a lack of housing diversity, which has led to a mismatch between supply and demand for different housing types. A key method to resolve this, highlighted in the discussion paper, is to include a full range of homes from single dwellings, granny flats, dual occupancies and townhouses, low rise through to high rise and larger mixed use developments.

To improve housing diversity, the following actions are relevant to a future planning proposal over the subject site:

- *Increasing the proportion of multi-unit and higher density housing in accessible locations that are supported by infrastructure*
- *ensuring existing and new freestanding homes and medium density housing are connected to quality amenity, essential services and transport infrastructure*

The proposal is consistent with this action and will facilitate more homes that are within a highly accessible location, along with good amenities and supporting services essential for everyday living. It is further noted that future City Plans may require areas within 800m of a transport hub to have a minimum 25% proportion of the LGA housing target delivered through a mix of higher density housing types. This Planning Proposal will assist the City of Parramatta in achieving this objective.

Inclusive places linked to infrastructure

This draft action essentially seeks to ensure that people can 'live local', with one of the methods being to link higher density housing around transport nodes where there are better active transport opportunities, along with the possibility for people to access services and amenities without leaving the area.



The proposal offers the City of Parramatta the opportunity to be consistent with this theme and realise the benefits offered for future residents.

The DPE Gateway determination report makes the following commentary under the heading "Strategic Merit Test," and it is particularly noted that the comment is about all land under consideration

The site is within the Central City District and the former Greater Sydney Commission (GSC) released the Central City District Plan on 18 March 2018.

The District Plan commits to additional housing supply with access to jobs and services (Planning Priority C5) through a 21,650 five-year housing supply target for the Parramatta LGA, but this housing growth is intended to be supported by liveability, productivity and sustainability outcomes. The structure plan for the Central City District demonstrates that Greater Parramatta is the metropolitan centre of the Central City District.

The planning proposal seeks to deliver the vision of the Central River City through additional jobs and dwellings. The draft LEP seeks to balance this growth with the liveability and other priorities within the Plan.

The Department is satisfied that the draft LEP gives effect to the District Plan in accordance with section 3.8 of the EPA Act.

Metropolis of Three Cities

The Planning Proposal is aligned with these key themes, directions, metrics and objectives:

1. **Infrastructure and collaboration.** The subject land is located within Parramatta CBD. The site has easy access to existing health services infrastructure and schools. The Parramatta CBD benefits from existing heavy rail and bus transport services. Parramatta Light Rail (expected to start operation Mid 2024), and the Metro Rail is currently under construction.
2. **Liveability.** The architectural concepts provided with this Planning Proposal and the relevant urban design analysis show that liveability for future residents is a primary consideration. Proximity to Parramatta River, employment, transport, and retail are significant features of the site. Additional considerations contributing to liveability, such as views, are implicit in the proposal.
3. **Productivity.** The proposal capitalises on the existing Parramatta CBD and will provide a part in contributing to sustainable future growth.



- 4. **Sustainability.** The Planning Proposal facilitates building capacity based on existing and committed infrastructure. This seeks to shape a strong and connected community.

The table below provides a summary of relevant priorities.

DIRECTION	STRATEGIC ALIGNMENT
Infrastructure and collaboration	
1. A city supported by infrastructure	<p>The subject site is located within the Parramatta City Centre. The city Centre has a myriad of social and public transport infrastructure including heavy rail and bus services, with a metro and light rail also under construction. Likewise, the site benefits from access to ferry services. Along with great active transport links for pedestrians and cyclists alike, the subject site is highly accessible and supports the 15 minute city and 30 minute city ideals.</p> <p>Consolidating a population around an existing Metropolitan Centre supports the existing infrastructure within these areas, including its efficient use, leading to more sustainable and better functioning cities and places.</p>
2. A collaborative city	
Liveability	
3. A city for people	<p>An indicator of the success of this direction is whether there has been an increase in the number of people who can walk to local centres. The Planning Proposal achieves consistency with this direction by increasing the population within close proximity to the Parramatta metropolitan centre, including the community, social, and employment benefits it offers.</p>
4. Housing the city	<p>The planning proposal will assist the City of Parramatta in achieving its housing targets, in addition to providing living opportunities close to employment, public transport, active transport opportunities and other services that are essential for socially vibrant and cohesive communities.</p>
5. A city of great places	<p>The planning proposal will enhance accessibility to local open space and other areas by active transport modes. This makes efficient use of infrastructure and improves the equitability of the city. The proposal will also ensure public domain upgrades especially to the Parramatta River foreshore frontage, improving the use of public assets.</p>
Productivity	
6. A well connected city	<p>A well connected city seeks to ensure that homes are within 30 minutes by public transport to a metropolitan centre or strategic centre. The subject site is highly accessible to a diverse range of centres, including the Parramatta City Centre. With the introduction</p>



DIRECTION	STRATEGIC ALIGNMENT
7. Jobs and skills for the city	<p>of the metro, the subject site will be within 30 minutes of the Sydney CBD.</p> <p>The planning proposal therefore is consistent with this direction.</p>
Sustainability	
8. A city in its landscape	<p>Future development of the site can make a positive contribution to urban greening, including the enhancement of local canopy cover. This will provide local cooling benefits, in addition to supporting local biodiversity values. Together, this results in a much more liveable community, with exceptional amenity values.</p>
9. An efficient city	<p>The site is within walking distance of bus, ferry and train services. Likewise, it is within walking distance of the soon to commence light rail and the metro which is currently under construction. This accessibility to transport, jobs and services means that efficiency is increased. Furthermore, as investment in public transport infrastructure continues, public transport use is expected to grow which reduces reliance on private vehicles.</p> <p>Likewise, the proximity to the Parramatta City Centre ensures that people do not need to drive, which contributes to a reduction in greenhouse gases.</p>
10. A resilient City	

Central City District Plan

The Central City District Plan sets out the priorities and actions for this District, structured around the same key themes as presented in the Greater Sydney Region Plan. As relevant to the subject site, the District Plan continually emphasises the importance of growth within strategic centres regarding jobs and housing. The Planning Proposal seeks to deliver additional housing and jobs within a 30-minute city scenario.

The Planning Proposal seeks to deliver housing and employment to the market quickly and in a highly liveable and accessible and central location.

The table below addresses relevant priorities of the District Plan.

PLANNING PRIORITY	STRATEGIC ALIGNMENT
Infrastructure and collaboration	



PLANNING PRIORITY	STRATEGIC ALIGNMENT
1. Planning for a city supported by infrastructure 2. Working through collaboration	<p>This priority area seeks to ensure that the city maximises its efficient use of existing and planned infrastructure. In doing so, it aims to ensure that residents have the facilities and services to lead productive and healthy lives. Importantly, this includes being within 30 minutes of the nearest strategic centre by public transport.</p> <p>The Planning Proposal facilitates this priority by consolidating growth within the Parramatta Metropolitan Centre. This ensures that all residents, regardless of age or ability can access services within the City Centre, open spaces and public transport comfortably.</p>
<p>Liveability</p>	
3. Providing services and social infrastructure to meet people's changing needs	<p>The planning proposal facilitates this priority by providing housing within an area that is well suited for expanded social infrastructure. Furthermore, the site is located within the Parramatta City Centre, ensuring that people regardless of age or ability can access the necessary services efficiently, thereby contributing to improved liveability.</p>
4. Fostering healthy, creative, culturally rich and socially connected communities	<p>The proposal seeks to increase the density of housing within the Parramatta City Centre. This expands the range of housing choices, opening up greater opportunities for a greater diversity of people to live within the City of Parramatta. Likewise, being located within walking distance to a diversity of public transport services ensures that future residents are connected to other destinations, ensuring that social connectivity outside of the local area is achieved.</p>
5. Providing housing supply, choice and affordability with access to jobs, services and public transport	<p>The proposal increases housing supply in the Parramatta City Centre providing local jobs, services and entertainment offerings. In addition, the proposal also enhances public transport use through providing more people within a highly accessible location. It is noted that the subject site has bus, ferries and train services to key destinations including the Sydney CBD, Castle Hill, Rouse Hill, Blacktown, Epping and more. Accessibility will be further enhanced with the operation of the light rail, in addition to the metro which is currently under construction.</p>
6. Creating and renewing great places and local centres, and respecting the District's heritage	<p>The proposal contributes to the renewal of the South of Parramatta River foreshore area, within a location more related to the CBD. As shown within the attached urban design study, the proposal has applied a place making approach and respects heritage values.</p>
<p>Productivity</p>	
7. Growing a stronger and more competitive	<p>This priority is more focused on economic outcomes. The proposal however assist in facilitating its implementation by providing active employment uses at the street level, in addition to increasing the possibility of people to live and work within the same area. The</p>



PLANNING PRIORITY	STRATEGIC ALIGNMENT
Greater Parramatta	proposal will include additional employment spaces of 1:1 of the site area and will contribute towards growing a stronger economic centre.
8. Delivering a more connected and competitive GOP Economic Corridor	
9. Delivering integrated land use and transport planning and a 30-minute city	The Planning Proposal facilitates this priority by consolidating growth on land within the Parramatta City Centre.
10. Growing investment, business opportunities and jobs in strategic centres	The planning proposal increases the population within close proximity to the Parramatta Metropolitan Centre. This contributes to activity within the centre and therefore supports its ongoing and long term viability. A ground level active frontage is provided which facilitates more local business opportunities within the City Centre.
11. Maximising opportunities to attract advanced manufacturing and innovation in industrial and urban services land	
12. Support growth of targeted industry sectors	
Sustainability	
13. Protecting and improving the health and enjoyment of the District's waterways	Future development of the site will include necessary measures to ensure that the water is appropriately treated, including meeting all pollution reduction targets. This will ensure that waterways that are far beyond the site are not impacted by the site's future development.
14. Creating a Parkland City urban structure and identity, with South Creek as defining spatial element	
15. Protecting and enhancing bushland, biodiversity and	



PLANNING PRIORITY	STRATEGIC ALIGNMENT
scenic and cultural landscapes	A future development application will provide additional canopy cover and urban greening. This will enhance cooling of the local environment, in addition to providing valuable habitat which enhances overall biodiversity in the area.
16. Increasing urban tree canopy cover and delivering Green Grid connections	
17. Delivering high quality open space	
18. Better managing rural areas	
19. Reducing Carbon emissions and managing energy, water and waste efficiently	
20. Adapting to the impacts of urban and natural hazards and climate change	

In summary, this Planning Proposal seeks to deliver on the vision set forward in the Central City District Plan by:

1. Increasing diversity of housing choice.
2. Delivering housing to meet strategic housing supply targets.
3. Increasing housing within 30 minutes of both Parramatta CBD and Sydney CBD.
4. Contribution to energy efficiency through aims to deliver a development that meets environmental performance criteria.
5. Reduced emissions through both building environmental performance and reducing reliance on private vehicle travel. Focusing increased housing on the subject site which is highly accessible to local ferries, bus and train services means that future residents are more likely to walk, cycle and use integrated public transport systems.
6. Enhancing the role of Parramatta as the economic anchor with the vision to deliver both jobs and housing.



The objectives of the Planning Proposal are incontestably aligned with the documented priorities for the Central City District.

- 4. Is the planning proposal consistent with a council LSPS that has been endorsed by the Planning Secretary or GCC, or another endorsed local strategy or strategic plan?

Parramatta Local Strategic Planning Statement

The Parramatta Local Strategic Planning Statement came into effect on 31 March 2020 and this document sets out the 20-year vision for land use planning for the City of Parramatta. The LSPS contains 16 planning priorities under 4 key themes which are:

- Local planning priorities.
- Liveability planning priorities.
- Productivity planning priorities.
- Sustainability planning priorities

The planning principles relevant to the proposal are addressed below.

LOCAL STRATEIC PLANNING STATEMENT	
VISION	STRATEGIC ALIGNMENT
<i>In 20 years Parramatta will be a bustling, cosmopolitan and vibrant metropolis, the Central City for Greater Sydney. It will be a Smart City that is well connected to the region, surrounded by high quality and diverse residential neighbourhoods with lots of parks and green spaces. It will be innovative and creative and be well supported by strong, productive and competitive employment precincts. It will be a place that people will want to be a part of.</i>	The subject site is within Parramatta CBD with access to numerous public transport modes including, ferry, heavy rail, bus services and the near completed light rail as well as the new Metro line currently under construction. The development will provide additional retail floor space within the ground floor to contribute to the vibrancy of Parramatta CBD. Additionally, the proposal will enable additional people to reside within walking distance to several parks. The proposed development will assist in creating a well-supported, competitive employment precinct, especially given its location and will be a place where people would want to be part of.
LOCAL PLANNING PRIORITIES	
PLANNING PRIORITY	STRATEGIC ALIGNMENT
Local	



1. Expand Parramatta's economic role as the Central City of Greater Sydney	The subject site is within the Parramatta City Centre. It will provide additional housing and employment floor space at street level. This will contribute to the strengthening of the Parramatta City Centre by providing jobs and also housing within a highly accessible area.
2. Grow Parramatta as a Smart City	A future development application can incorporate smart technology to improve liveability and sustainability.
3. Advocate for improved public transport connectivity to Parramatta CBD from the surrounding district	The site is close to significant public transport infrastructure including bus, ferry and train services. Likewise, the light rail which will commence in 2024 is within walking distance, as is the Metro which is currently under construction. This high level of public transport accessibility provides future residents and workers with exceptional transport opportunities and connections.
4. Focus housing and employment growth in the GOPP and Strategic Centres; as well as stage housing release consistent with the Parramatta Local Housing Strategy	The subject site is a Phase 1 area of the GOPP.
5. Support and enhance the low- scale character and identity of suburban Parramatta outside of the GOPP area and Epping Strategic Centre	The subject site is a Phase 1 area of the GOPP.
6. Provide for community infrastructure and recreation opportunities	The proposal provides the opportunity for new pedestrian connections and accessible open space areas for residents and the general community alike.
Livability	
7. Provide for a diversity of housing types and sizes to meet community needs into the future	The proposal will result in about 500 dwellings, with a mix of studio, 1, 2 and 3 bedroom apartments. This will contribute to the diversity of housing available in the LGA.
8. Incentivise affordable rental housing delivery and provide for permanent affordable housing	The proposal includes a diverse mix of units that can contribute to the range of housing available, therefore increasing affordable options.
9. Enhance Parramatta's heritage and cultural	The subject site is visually separated from heritage items. All items have been sufficiently separated by Streets, built forms and the river



assets to maintain our authentic identity and deliver infrastructure to meet community needs	foreshore; as such, there are no anticipated heritage impacts resulting from the proposal at 90-94 Phillips Street, Parramatta.
10. Improve active walking and cycling infrastructure and access to public and shared transport	The subject site is close to bus, ferry and train services that are accessible by walking. Likewise, the site is within walking distance to the Parramatta Light Rail and future metro. The proposal shows that a through site link is possible which expands the local active transport network. In addition, the site is very close to the existing active transport network in Parramatta, including cycleways.
Productivity	
11. Build the capacity of the Parramatta CBD, Strategic Centres, and Employment Lands to be strong, competitive and productive	The subject site is within the Parramatta City Centre. It will provide additional housing and employment floor space at street level. This will contribute to the strengthening of the Parramatta City Centre by providing jobs and also housing within a highly accessible area.
12. Retain and enhance Local Urban Service Hubs for small industries, local services and last-mile freight and logistics	Not relevant
Sustainability	
13. Protect and improve the health and swimmability of the Parramatta River, its waterways and catchment	The concept plan includes generous areas of deep soil and landscaping. This along with future water treatment measures will enhance the water quality of the Parramatta River and its catchment more broadly.
14. Protect and enhance our trees and green infrastructure to improve liveability and ecological health	The concept plan includes generous areas of deep soil and landscaping.
15. Reduce emissions and manage energy, water, and waste efficiently to create better buildings and precincts and solve city planning challenges	This can be actioned in a future development application.
16. Increase resilience of people and infrastructure against	This can be addressed in a future development application. More sustainably designed buildings will provide protection against climatic extremes.



natural and urban hazards

Parramatta Local Housing Strategy

The Local Housing Strategy provides guidance regarding future housing growth in the Parramatta LGA. It supports the LSPS and other priorities in the Greater Sydney Region Plan and the Central City District Plan.

As per the findings of the Parramatta Local Housing Strategy, by 2036, the population of the City of Parramatta LGA is anticipated by over 175,000 people to a total of over 416,000 people and is expected to need an additional 77,000 dwellings to accommodate this population growth.

The LHS notes that the investigation outcomes indicate that the population is likely to increase even more substantially. Furthermore, seniors and elderly are expected to grow by 34,317 or 64%. As a result, the LHS identified that the future housing supply will need to accommodate older and less able residents such as seniors and elderly residents.

The subject site is closer to the Parramatta CBD and is well separated from heritage values further to the north, where there are relatively intact heritage conservation areas. The relationship with the CBD, in addition to the surrounding context more broadly is suitable for uplift as shown in the attached urban design concept plans. It is noted that these controls are substantially the same as those put forward by the City of Parramatta in their planning proposal that included the subject site.

OBJECTIVES	JUSTIFICATION
Liveability	
1. Community infrastructure is adequately funded and delivered in alignment with homes	This planning proposal assists the City of Parramatta in achieving its modal shift from private vehicles to public and active transport modes.
2. Housing delivery is aligned and sequenced with existing transport and capacity improvements	This planning proposal assists the City of Parramatta in achieving the majority of new housing within walking catchments of public and active transport modes.
3. Funding is secured through State and robust local contributions frameworks	A future development application will make appropriate development contributions.



OBJECTIVES	JUSTIFICATION
<p>4. Growth precincts innovate excellence in placed-based outcomes with diverse and affordable housing to suit residents' needs</p> <p>5. Parramatta's low density residential neighbourhoods to retain local character, provide housing diversity and preserve future housing opportunity</p>	<p>The proposal will provide for a diversity of housing that meets the needs of people, regardless of age or ability. It will provide an appropriate mix of dwellings, including adaptable housing. Furthermore, the yield and mix of dwellings can assist affordability by providing a range of homes at various price points.</p> <p>The urban design study submitted within this Planning Proposal confirms that there is no impact on surrounding areas.</p>
<p>Productivity</p>	
<p>1. Housing delivery complements, not compromises, the economic significance of both the Central City and the City of Parramatta</p> <p>2. Additional housing is focused on growth precincts, aligned with transport infrastructure delivery to facilitate residents' access to facilities, services, social connections and jobs</p> <p>3. Housing delivery is efficiently sequenced to best use State and local resources and investments</p>	<p>The planning proposal provides ground level employment as originally envisioned by Council.</p> <p>This planning proposal assists the City of Parramatta in achieving the majority of new housing within walking catchments of public and active transport modes.</p> <p>The planning proposal supports this objective.</p>



OBJECTIVES	JUSTIFICATION
4. Commercial opportunities are enhanced in conjunction with growth precinct delivery	The planning proposal supports ground level employment to activate the public domain.
5. Housing supports the key essential services in the City of Parramatta through striving for housing affordability	The planning proposal facilitates additional housing supply which supports the services offered in the Parramatta City Centre, in addition to providing a diversity of housing for different price points in the market. Additional supply may also contribute to meeting market demand for housing, thereby potentially contributing to improved affordability.
Sustainability	
1. Advocating for the wholesale improvement of residential built form performance improvement through State frameworks and utilities provision	Future development can comply with relevant sustainability initiatives in the Sustainable Buildings SEPP 2022.
2. Pioneering local mechanisms to improve built form environmental performance and reduce urban heat impacts	Future development can comply with relevant sustainability initiatives in the Sustainable Buildings SEPP 2022.
3. Protect the local character of low density residential neighbourhoods and optimise their environmental performance to benefit the whole of City of Parramatta	The urban design study submitted within this Planning Proposal confirms that there is no impact on surrounding areas.

5. Is the planning proposal consistent with any other applicable State and regional studies or strategies?



YES

The investment in new infrastructure is exceptional in Parramatta CBD with the construction of Parramatta Light Rail, the construction commencing on Sydney Metro, and the attention to pedestrian and cycling facilities, routes, and experiences in the CBD.

Parramatta CBD is also undergoing a radical change in the intensity of employment and housing within the CBD, as facilitated and encouraged by State and Local planning initiatives.

The Planning Proposal is consistent with the changing planning circumstances and elevation of Parramatta CBD within the Sydney metropolitan area, and the resulting change in planning controls within the city centre. In addition to the above, the proposal is also consistent with the strategies identified below.

Document	Discussion
<p>Future Transport Strategy 2056</p>	<p>The Future Transport Strategy sets the direction of the NSW Government to improve the transport system across the State. It intends to make decisions by putting people and places at the centre to ensure that customers, the community and the economy experience maximum benefits.</p> <p>The planning proposal over the subject site is consistent with key strategic directions within the strategy, including:</p> <ul style="list-style-type: none"> - C1.1 Enhance 30-minute metropolitan cities - C2.1 Support car-free, active, sustainable transport options - C3.1 Provide transport choices for people no matter where they live - P1.2 Support growth around public transport - P2.1 Support thriving and healthy 15-minute neighbourhoods
<p>Staying Ahead: State Infrastructure Strategy 2022 – 2042</p>	<p>The State Infrastructure Strategy provides a 20-year plan for the NSW Government for strategic investment decisions. The strategy aims to provide recommendations that aid the growth and productivity of the State to improve living standards for the community.</p> <p>Chapter 4 Service Growing Communities, is relevant to this Planning Proposal. Key Strategic directions include:</p> <ul style="list-style-type: none"> - <i>Deliver housing in great neighbourhoods for all parts of the community</i>



Document	Discussion
	<ul style="list-style-type: none"> – Improve access to efficient, quality services through better use of assets and a better mix of physical infrastructure and technology-enabled solutions <p>The proposal satisfies the above strategic directions by providing housing within a highly accessible location, within Parramatta CBD, and within a location previously identified by Council as suitable for higher-density housing.</p>
Housing Strategy 2041	<p>This strategy establishes the 20 year housing vision for NSW and aims to provide the framework for greater housing supply, improved affordability of housing, along with housing diversity and resilience. There are four pillars of housing supply in the strategy, with the diagram reproduced below:</p> <div style="text-align: center;"> <p>The diagram consists of four colored boxes arranged in a 2x2 grid, each with an icon and a title. <ul style="list-style-type: none"> SUPPLY (blue box, bar chart icon): Includes the amount, location and timing of the supply of new housing. Planning for the supply of new housing should respond to environmental, employment and investment considerations, and population dynamics. DIVERSITY (purple box, branching arrows icon): Considers different types of housing and looks at how a diverse choice of housing can reflect the needs and preferences of households. AFFORDABILITY (green box, hands icon): Recognises people live in diverse tenures based on their income and circumstances, and that housing should be affordable, stable and supportive of their aspirations and wellbeing. RESILIENCE (orange box, brain icon): Includes matching housing to community and environmental issues, so people, communities and their homes are safe, comfortable and resilient. </p> </div> <p>The Planning Proposal is consistent with these pillars.</p>
Net Zero Plan	<p>The Net Zero Plan outlines the NSW Government's plan to grow the economy, creating jobs and reducing emissions over the next decade.</p> <p>A future Development Application will be subject to the provisions within the Sustainable Buildings SEPP 2022, which comes into effect on 1 October 2023. This SEPP will ensure that development over the subject site is sustainable and resilient, making a valuable contribution to NSW being a net zero emitter.</p>



6. Is the planning proposal consistent with applicable SEPPs?

The following table briefly assesses consistency against each State Environmental Planning Policy (SEPP) relevant to the planning proposal.

Consideration of relevant SEPPs	Comment
State Environmental Planning Policy (Biodiversity and Conservation) 2021	Consistent. The site is not identified as a Koala habitat and contains no significant vegetation.
State Environmental Planning Policy (Sustainable Buildings) 2022	The planning proposal is consistent with the aims or provisions of this SEPP. Future development will be subject to the provisions of this SEPP.
State Environmental Planning Policy (Exempt and Complying Development Codes) 2008	Not applicable
State Environmental Planning Policy (Housing) 2021	The proposal is consistent with the intent of the Housing SEPP. Future development under the SEPP remains permissible, though rezoning of the site may expand opportunities for a greater diversity and type of housing. An urban design study submitted with this planning proposal includes an indicative development concept. This concept shows that the site can be developed consistent with the ADG requirements.
State Environmental Planning Policy (Industry and Employment) 2021	Not applicable
State Environmental Planning Policy (Planning Systems) 2021	Not applicable
State Environmental Planning Policy (Precincts—Central River City) 2021	Not applicable
State Environmental Planning Policy (Precincts—Eastern Harbour City) 2021	Not applicable



State Environmental Planning Policy (Precincts—Regional) 2021	Not applicable
State Environmental Planning Policy (Precincts—Western Parkland City) 2021	Not applicable
State Environmental Planning Policy (Primary Production) 2021	Not applicable
SEPP (Resilience and Hazards) 2021	<p>Consistent with the existing uses of the site include residential development which are unlikely to result in contamination of the land. The planning proposal is consistent with the aims and provisions of this SEPP.</p> <ul style="list-style-type: none"> - In any case, future redevelopment of the site will need to address the requirements of the SEPP. The proposal is consistent with the provision of this SEPP. - This is being addressed through the current development application process over the subject site, noting that this proposal only relates to <i>increasing</i> the height and FSR, and including an additional permitted use on site.
State Environmental Planning Policy (Resources and Energy) 2021	Not applicable
SEPP (Transport and Infrastructure) 2021	<p>Consistent</p> <p>Future development may constitute traffic-generating development and trigger an assessment under this SEPP.</p>

7. Is the planning proposal consistent with applicable Ministerial Directions (section 9.1 Directions) or key government priority?

The following table provides a brief assessment of consistency against each s.9.1 directions that are relevant to the Planning Proposal.

Ministerial Directions	Consistency	Comments
Focus Area 1: Planning Systems		
1.1 Implementation of Regional Plans	Yes	This proposal is consistent with the objectives and strategies of A Metropolis of Three Cities as outlined in the Planning Proposal report. Refer to Part 3 – Justification of



Ministerial Directions	Consistency	Comments
		<p>this report, Section B – Relationship to Strategic Planning Framework of the Planning Proposal for an explanation of the consistency of the Planning Proposal.</p> <p>The planning proposal achieves the overall intent of the Plan and seeks to implement the achievement of its vision, land use strategy, policies, outcomes or actions.</p> <p>This planning proposal seeks to facilitate the development of these key parcels of land within the Parramatta CBD which will encourage economic investment in this strategic centre and employment.</p>
1.2 Development of Aboriginal Land Council Land	N/A	Aboriginal and archaeological investigations will be completed as part of the future detailed design and development application documentation.
1.3 Approval and Referral Requirements	N/A	The Planning Proposal does not introduce any provisions that require any additional concurrence, consultation or referral.
1.4 Site Specific Provisions	Yes	The planning proposal relates to building height and floor space ratio provisions. This planning proposal does not impose any development standards or requirements in addition to those already contained in the principal environmental planning instrument being amended.
1.4A Exclusion of Development Standards from Variation		This planning proposal does not exclude any development standards under Clause 4.6.
Focus Area 1: Planning Systems – Place-based		
1.5 Parramatta Road Corridor Urban Transformation Strategy	N/A	Not relevant to the subject planning proposal.
1.6 Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan	N/A	Not relevant to the subject planning proposal.
1.7 Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan		Not relevant to the subject planning proposal.




Ministerial Directions	Consistency	Comments
1.8 Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan		Not relevant to the subject planning proposal.
1.9 Implementation of Glenfield to Macarthur Urban Renewal Corridor .		Not relevant to the subject planning proposal.
1.10 Implementation of the Western Sydney Aerotropolis Plan		Not relevant to the subject planning proposal.
1.11 Implementation of Bayside West Precincts 2036 Plan		Not relevant to the subject planning proposal.
1.12 Implementation of Planning Principles for the Cooks Cove Precinct		Not relevant to the subject planning proposal.
1.13 Implementation of St Leonards and Crows Nest 2036 Plan		Not relevant to the subject planning proposal.
1.14 Implementation of Greater Macarthur 2040		Not relevant to the subject planning proposal.
1.15 Implementation of the Pymont Peninsula Place Strategy		Not relevant to the subject planning proposal.
1.16 North West Rail Link Corridor Strategy		Not relevant to the subject planning proposal.
1.17 Implementation of the Bays West Place Strategy		Not relevant to the subject planning proposal.
1.18 Implementation of the Macquarie Park Innovation Precinct		Not relevant to the subject planning proposal.
1.19 Implementation of the Westmead Place Strategy		Not relevant to the subject planning proposal.



Ministerial Directions	Consistency	Comments
1.20 Implementation of the Camellia-Rosehill Place Strategy		Not relevant to the subject planning proposal.
1.21 Implementation of South West Growth Area Structure Plan		Not relevant to the subject planning proposal.
1.22 Implementation of the Cherrybrook Station Place Strategy		Not relevant to the subject planning proposal.
Focus Area 2: Design and Place	N/A	Directions not made
Focus Area 3: Biodiversity and Conservation		
3.1 Conservation Zones	N/A	Not relevant to the subject planning proposal.
3.2 Heritage Conservation	Consistent	There are no items, areas, objects and places of environmental heritage significance and indigenous heritage significance, on the subject site. Accordingly, there is no impact on any areas requiring heritage conservation.
3.3 Sydney Drinking Water Catchments		
3.4 Application of C2 and C3 Zones and Environmental Overlays in Far North Coast LEPs	N/A	Not relevant to the subject planning proposal.
3.5 Recreational Vehicle Areas	N/A	Not relevant to the subject planning proposal.
3.6 Strategic Conservation Planning	N/A	Not relevant to the subject planning proposal.
3.7 Public Bushland	Consistent	There are no areas of public bushland on the subject site
3.8 Willandra Lakes Region	N/A	Not relevant to the subject planning proposal.
3.9 Sydney Harbour Foreshores and Waterways	Consistent	A future development application can provide the necessary measures to manage water quality.



Ministerial Directions	Consistency	Comments
3.10 Water Catchment Protection	Consistent	The subject site is within an existing urban area and a future development application can provide the necessary measures to manage water quality.
Focus Area 4: Resilience and Hazards		
4.1 Flooding	Justifiably Consistent	<p>The site is not within the adopted 1 in 100 year flood event, however, it is within the Probable Maximum Flood (PMF) area.</p> <p>The City of Parramatta currently has a draft flood study. This draft study identifies that the site is partially impacted by the 1 in 100 year flood event.</p>  <p>Similar to other properties in the Parramatta City Centre with a similar flood designation, the subject site can be developed to comply with relevant flood planning requirements. This can be confirmed at the development application stage where detailed flood engineering and design measures are implemented to mitigate flood risk.</p> <p>Any potential impacts because of development on the site, such as stormwater runoff, will be considered and addressed appropriately at relevant DA stages.</p> <p>This will also include any design detail required to ensure compliance with Council's water management controls within the Parramatta DCP.</p>
4.2 Costal Management	N/A	Not relevant to the subject planning proposal.
4.3 Planning for Bushfire Protection	Consistent	The site is not impacted by a Bushfire Map, nor is it bushfire prone.
4.4 Remediation of Contaminated Land	Consistent	The existing uses of the site include residential and commercial development which are unlikely to result in contamination of the land.



Ministerial Directions	Consistency	Comments
		<p>The planning proposal is consistent with the aims and provisions of this SEPP.</p> <p>In any case, future redevelopment of the site will need to address the requirements of the SEPP. The proposal is consistent with the provision of this SEPP.</p>
4.5 Acid Sulfate Soils	Consistent	The site is identified as Class 5 on the Acid Sulfate Soils Map in Parramatta Local Environmental Plan 2011. This will be addressed further at the development application stages.
4.6 Mine Subsidence and Unstable Land	N/A	Not relevant to the subject planning proposal.
Focus Area 5: Transport and Infrastructure		
5.1 Integrating Land Use and Transport	Consistent	<p>The Planning Proposal is consistent with this direction, in that it:</p> <ul style="list-style-type: none"> - will provide new dwellings near existing and proposed public transport links - will enable residents to walk or cycle to work if employed in the Parramatta City Centre or utilise train and ferry services. - will maintain and provide additional commercial premises in proximity to existing transport links - makes more efficient use of space and infrastructure by increasing densities on an underutilised site.
5.2 Reserving Land for Public Purposes	N/A	The planning proposal does not seek to change the current zoning provisions and therefore does not impact on land reserved for public purposes
5.3 Development Near Regulated Airports and Defence Airfields	N/A	The land is not within the vicinity of an aerodrome.
5.4 Shooting Ranges	N/A	The land is not within the vicinity of a shooting range.
Focus Area 6: Housing		
6.1 Residential Zones	Consistent	<p>Not relevant as the proposal is within a MU1 zone and not a residential zone. Regardless, the Planning Proposal is consistent with this direction, in that it:</p> <ul style="list-style-type: none"> - facilitates additional housing in the Parramatta CBD - provides residential development in an existing urban area that will be fully serviced by existing infrastructure - does not reduce the permissible residential density of land.



Ministerial Directions	Consistency	Comments
6.2 Caravan Parks and Manufactured Home Estates		The planning proposal does not seek to amend the current prohibition of caravan parks on this site
Focus Area 7: Industry and Employment		
7.1 Employment zones	N/A	The planning proposal does not seek to amend the existing zoning of the site.
7.2 Reduction in non-hosted short-term rental accommodation period	N/A	Not relevant to the subject planning proposal.
7.3 Commercial and Retail Development along the Pacific Highway, North Coast	N/A	Not relevant to the subject planning proposal.
Focus Area 8: Resources and Energy		
8.1 Mining, Petroleum Production and Extractive Industries	N/A	Not relevant to the subject planning proposal.
Focus Area 9: Primary Production		
9.1 Rural Zones	N/A	Not relevant to the subject planning proposal.
9.2 Rural Lands	N/A	Not relevant to the subject planning proposal.
9.3 Oyster Aquaculture		Not relevant to the subject planning proposal.
9.4 Farmland of State and Regional Significance on the NSW Far North Coast		Not relevant to the subject planning proposal.

SECTION C – ENVIRONMENTAL, SOCIAL AND ECONOMIC IMPACT

8. 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 subject site does not contain habitat of any description. There is no likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the planning proposal. No further assessment is considered necessary at this stage of the planning proposal.

9. Are there any other likely environmental effects of the planning proposal and how are they proposed to be managed?

The Planning Proposal seeks to revise the maximum permitted building height and floor space ratio controls contained within Parramatta LEP 2023 to facilitate the redevelopment of the subject site for high-density mixed-use development. The anticipated environmental effects associated with the higher-density development that the amendment will permit are discussed below.

Urban Design

The Planning proposal builds on the initially considered planning controls under the Parramatta CBD PP and with earlier consultation with council. The proposed building footprint and scale is provided below for context.

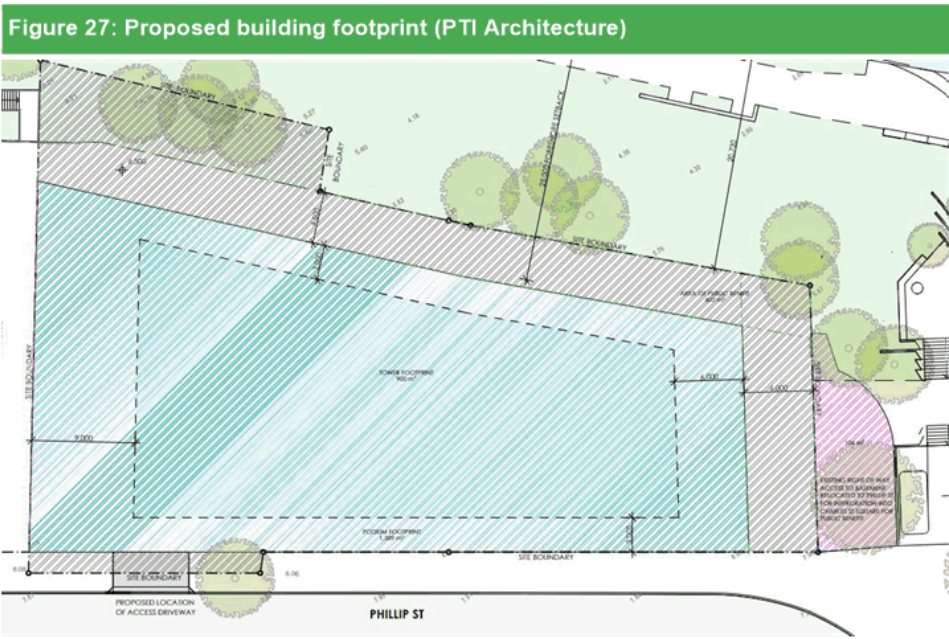
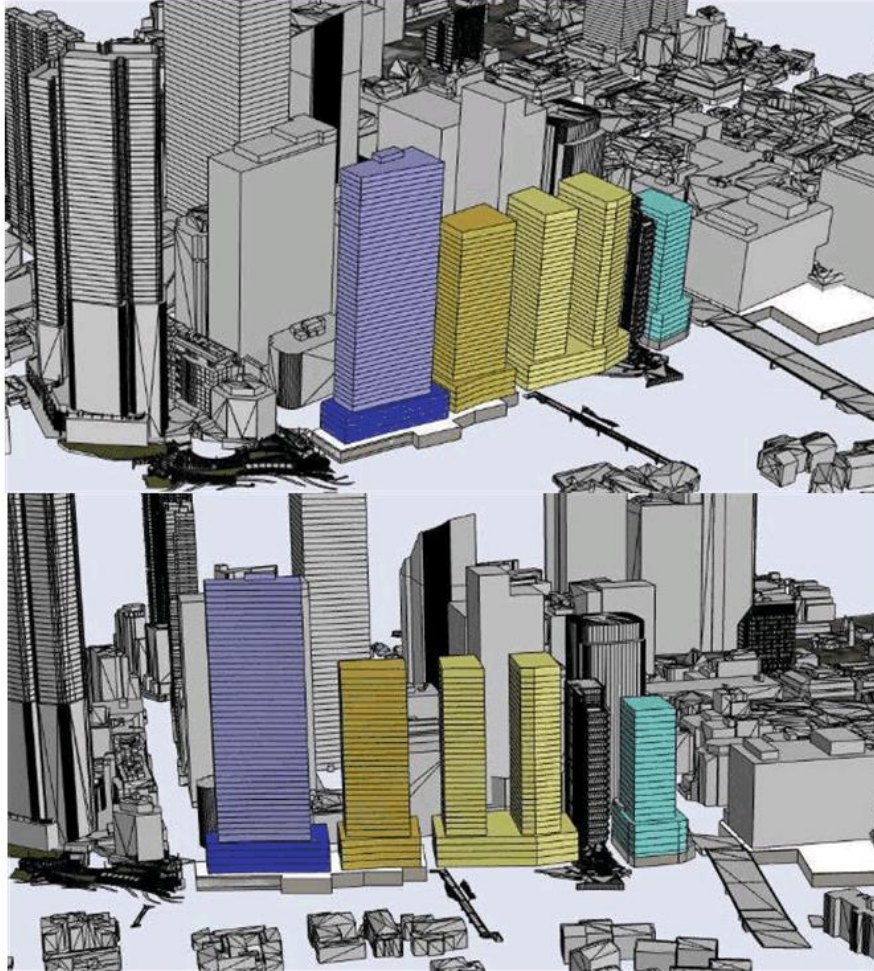




Figure 28: Proposed built envelope (PTI Architecture)



An urban design study supports the Planning Proposal. Please see attached report for further details.

Flooding

Due to the proximity of the site to the Parramatta River on the northern boundary, the site is identified as being flood prone. The site to its northern boundary is within the 1 in 100-year Average Recurrence Interval but within the Probable Maximum Flood (PMF) area.

An initial flood advice has been prepared by Water Technology which concludes that the proposed mix-use development on the site would be compatible with the flood risks.



The reports noted that the flood planning level for the site is below the Phillip Street level and no further flooding will be caused on neighbouring property. Please see the attached advice for further details.

10. Has the planning proposal adequately addressed any social and economic effects?

The social and economic effects of the Planning Proposal are most appropriately described in the context of the challenges associated with a growing population as described in the State Government document *The Metropolis of Three Cities*. Among other things, the Plan explains that to meet a larger population's needs and maintain economic growth, urban renewal in combination with infrastructure delivery must occur in strategic urban centres. The subject site is also located within close proximity to the Parramatta River foreshore area and eat street within the Parramatta City Centre, providing a population within walking distance of this important precinct. This accordingly supports the economic activity and long term viability of the river foreshore area and eat street and consolidating the entertainment precinct.

As previously described, the objective of the Planning Proposal aligns closely with the strategic direction identified in the *Metropolis of Three Cities*. The delivery of high-density housing in a location that is well serviced by infrastructure and where there are minimal existing environmental site constraints is considered to represent a positive social outcome.

The Planning Proposal will facilitate future development, resulting in higher population densities in Parramatta. In this regard, the Planning Proposal will support the emergence of Parramatta as Sydney's Central City, contributing to continued economic growth.

A key component of the preferred future development option for the subject site incorporates an area of public open space. The public open space will have excellent connectivity to public transport and will serve to promote healthy lifestyles and social interaction.

SECTION D – INFRASTRUCTURE (LOCAL, STATE AND COMMONWEALTH)

11. Is there adequate public infrastructure for the planning proposal?

The site is suitable for high density residential development due to its superior access to transport and employment opportunities in the Parramatta CBD. The site is located within the Parramatta CBD and on the Parramatta River foreshore.



Given the proximity of the subject site to public transport services including ferries, trains and bus services, and the new light rail and Metro services it is anticipated that a significant proportion of new residents would opt to use public transport rather than private vehicles.

The subject site is within the Parramatta CBD which has a variety of health, education and emergency services. In a broader context, the subject site is proximate to Westmead Hospital and the Western Sydney University which are regional institutions.

In June 2023 the Parramatta City Centre Local Infrastructure Contributions Plan 2022 was adopted by Council. This plan applies to the subject site, with future development making the necessary contributions under this plan.

SECTION E – STATE AND COMMONWEALTH INTERESTS

12. What are the views of state and federal public authorities and government agencies consulted in order to inform the Gateway determination?

The Planning Proposal has not yet received Gateway determination and consultation with the public authorities has not yet commenced.

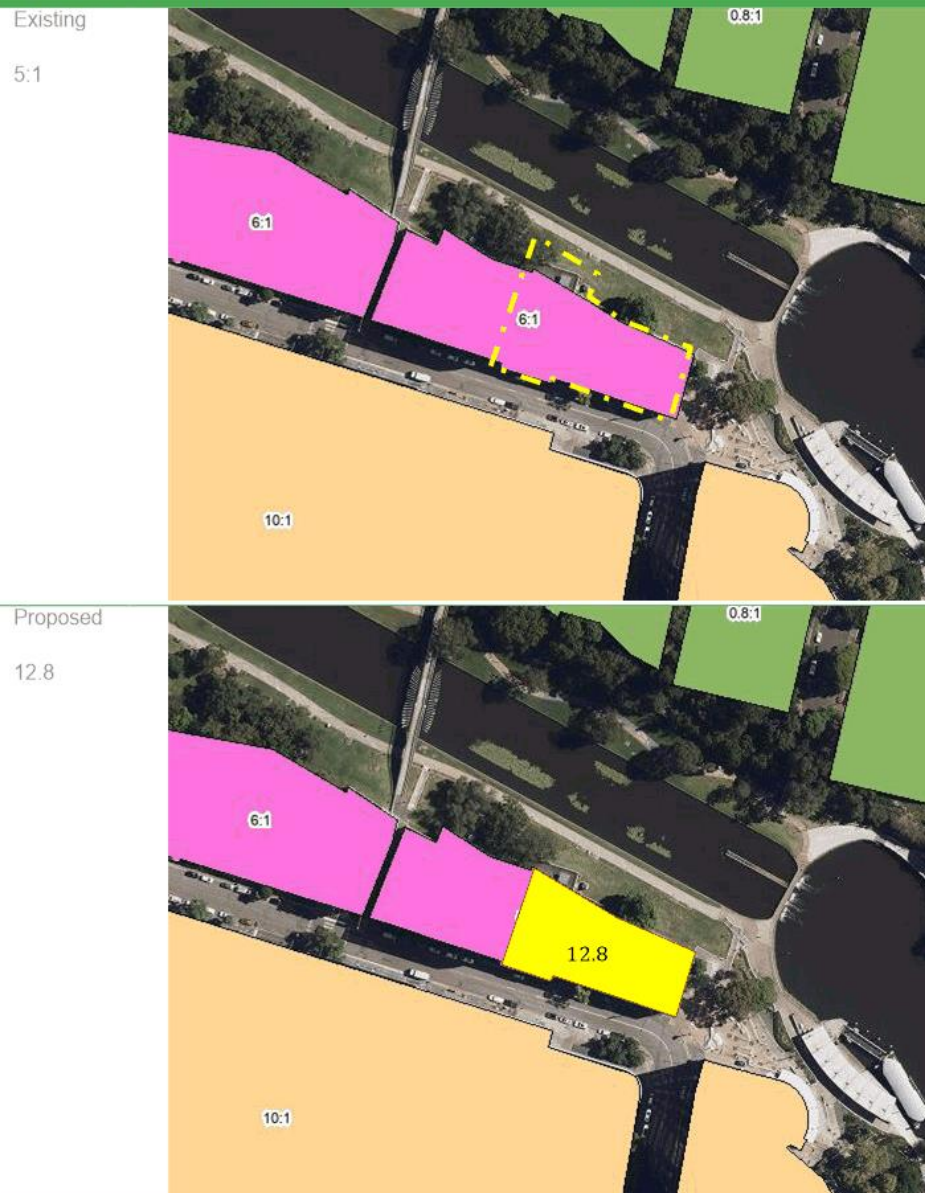




PART 4 – MAPS

It is understood that the City of Parramatta Council will prepare mapping to accord with the standard instrument mapping layouts before the Planning Proposal being reported to the Council for consideration. The planning proposal seeks amendments to the Sun Access Plane Map and Floor Space Ratio Map.

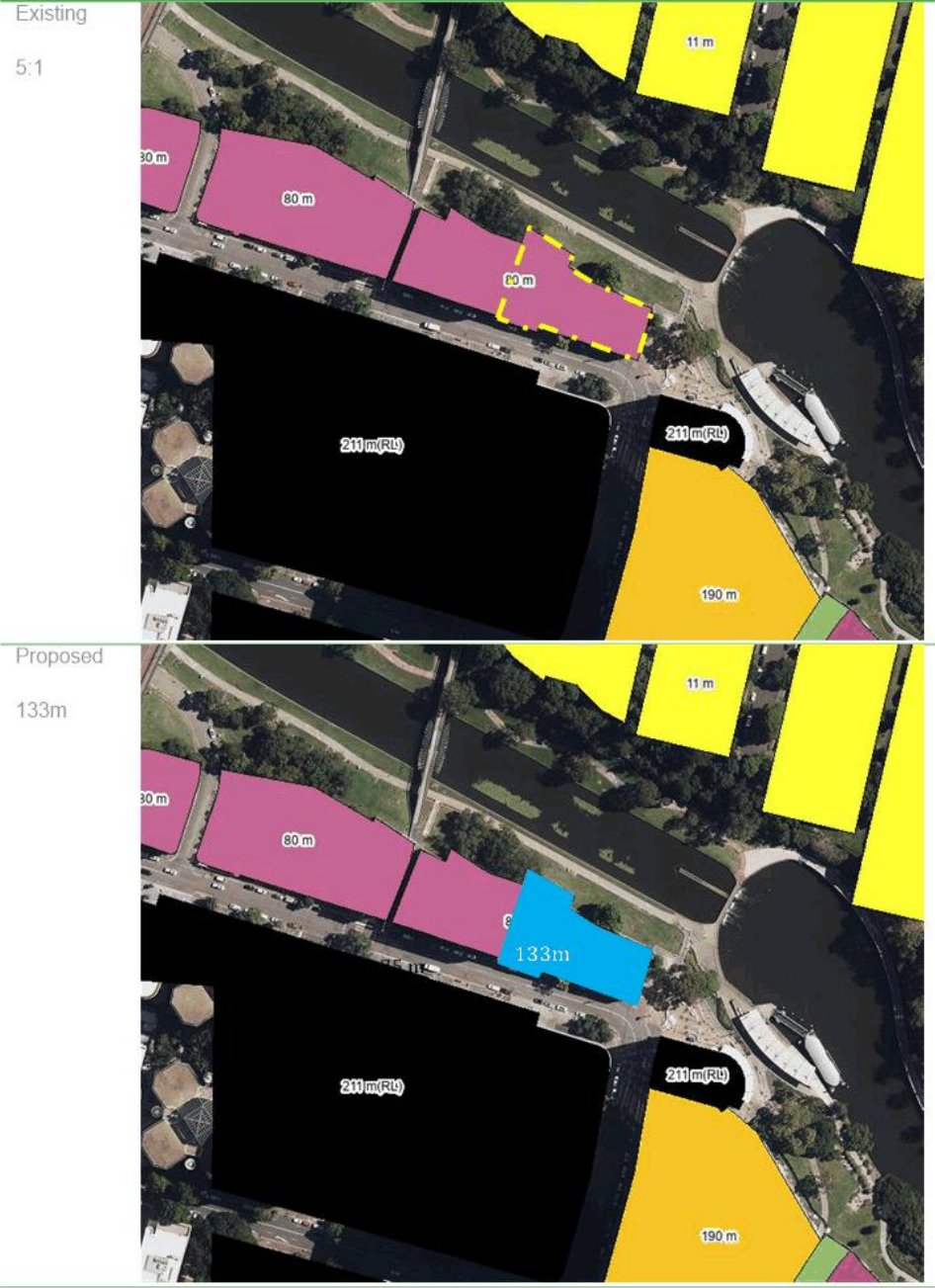
Figure 29: Floor Space Ratio Map – existing and proposed (Spatial Viewer)



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90-94 Phillip Street Parramatta
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Figure 30. Height of Buildings Map – existing and proposed (Spatial Viewer)





PART 5 – COMMUNITY CONSULTATION

Community consultation will be undertaken in accordance with the requirements prescribed by the Gateway determination.

PART 6 – PROJECT TIMELINE

A project timeline is yet to be determined however will be formulated following discussions with the City of Parramatta Council and confirmation of any additional information required to allow consideration of the Planning Proposal.

An indicative timeline for the planning proposal includes:

Milestone	Timeframe
Consideration by Council	April 2024
Council decision	April 2024
Gateway determination	June 2024
Pre-exhibition	June 2024
Commencement and completion of public exhibition period	July 2024
Consideration of submissions	August 2024
Post-exhibition review	August 2024
Submission to the Department for finalisation (where applicable)	September 2024
Gazettal of LEP amendment	October 2024



CONCLUSION

This Planning Proposal explains the intended effect of and provides a justification for a proposed amendment to the Parramatta Local Environmental Plan 2023 (Parramatta LEP 2023). The Planning Proposal has been prepared in accordance with Section 3.33 of the *Environmental Planning and Assessment Act 1979* and the Department of Planning and Environment's document *Local Environmental Plan Making Guideline* (August 2023).

The Planning Proposal describes how the intended outcome of the proposed LEP amendments aligns closely with the strategic directions established in State Government documents including the Six cities Discussion paper, A Metropolis of Three Cities – Greater Sydney Region Plan, the Central City District Plan, the Greater Parramatta and Olympic Peninsular Plan, the CBD Planning Proposal, and the Parramatta CBD Strategy.

It is considered that the LEP amendments sought by the planning proposal will allow for the accelerated delivery of both mixed use and high-density residential development in an area that is well serviced by public transport and infrastructure and has been identified as a key urban renewal precinct. The planning proposal is considered to have strong merit based on a sound analysis of relevant planning considerations and is submitted to Parramatta City Council for consideration.

90-96 Phillip Street, Parramatta NSW 2150

27.05.24

The General Manager
 City of Parramatta Council
 PO Box 32
 Parramatta NSW 2124

Dear Sir/Madam

Planning Agreement Offer

90-94 Phillip Street, Parramatta NSW 2150 offers to enter into a Planning Agreement with Council under section 7.4 of the *Environmental Planning and Assessment Act 1979* in connection with the site-specific planning proposal at the afore-mentioned property for the provision of public benefit.

The owners at 90-94 Phillip Street, Parramatta NSW 2150 accepts the terms as generally set out in the Council's Planning Agreement template and in the following table:

Item	Terms
Parties	City of Parramatta Council BuildUp Phillip Pty Limited Academy Parramatta Pty Limited
Land	Lot 10/ DP 773452 – 90-92 Phillip St, Parramatta NSW 2150 Lot 2/ DP 706033 – 94-96 Phillip St, Parramatta NSW 2150
Planning Proposal / Development Application	Planning Proposal to amend the Parramatta LEP 2023 to increase the maximum building height and floor space ratio development standards to allow for a mixed use and high density development, as followed; <ul style="list-style-type: none"> - Amending the maximum height of buildings map to 133m (not inclusive of the 15% Design Excellence Bonus totalling 152.95m). - Amending the maximum floor space ratio map to permit 12.8:1 (not inclusive of the 15% Design Excellence Bonus and 5% High Performing Bonus Buildings Bonus, totalling 15.36:1).
Monetary Contribution	Not Applicable.

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Item	Terms
Works	<p>The Developer will, without charge to the council and without offset from Developer Contributions dedicate the following number of units as affordable housing.</p> <ul style="list-style-type: none"> - 4 x 1-bedroom units - 1 x 2-bedroom units
Dedication of Land	The Developer will dedicate road widening within Phillip Street.
Other Public Benefits	<p>The Developer will, without charge to the Council and without offset from Developer Contributions</p> <ol style="list-style-type: none"> 1. Forego their historic legal right to utilise the Charles Street Reserve for access purposes. 2. Upgrade the public domain within the Charles Street reserve to the existing Charles Street Square. 3. Incorporate an upper-level promenade fronting the river foreshore. 4. Develop a 6m setback from the Charles Street Square to strengthen and activate the square.
Application of section 7.11, 7.12 and 7.24	This agreement does not exclude the application of section 7.11, 7.12 and 7.24 of the Act to the Development.
Registration	TBA
Dispute Resolution	This will be addressed in the subsequent Draft Agreement, but generally align with the template provision.
Security	Not applicable, noting restrictions on issue of certificates.
Restrictions on Issue of Certificates	The Developer agrees that the VPA will restrict the issue of relevant Occupation Certificates to ensure the public benefits are delivered as per the agreed timings.
Other Terms	Not Applicable.
Costs	The Owners at 90-94 Phillip Street, Parramatta NSW 2150 agrees to pay Council's reasonable costs of and incidental to the negotiation, preparation and entering into the agreement, as well as administration and enforcement of the planning agreement in accordance with the terms set out in the template planning agreement.

Yours faithfully

Charbel Obeid

Charbel Obeid
Anchor Estate Group

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DRAWING LIST

01	COVER SHEET
02	LOCAL CHARACTER AND CONTEXT - THE STREET SCALE
03	EXTENDED SITE PLAN
04	CONCEPT RIVER FRONT ELEVATION
05	CONCEPT SECTION- CHARLES ST
06	CHARLES STREET SQUARE STRATEGY CONCEPT MASTERPLAN
07	CONCEPT PUBLIC BENEFIT PLAN
08	CONCEPT GROUND FLOOR PLAN
09	CONCEPT GROUND FLOOR CROSS SECTION
10	CONCEPT PERSPECTIVE
11	CONCEPT PERSPECTIVE
12	GFA & FSR CALCULATIONS- FSR 15.4:1, HOB 153M
13	SHADOW DIAGRAMS 9AM & 10AM
14	SHADOW DIAGRAMS 11AM & 12PM
15	SHADOW DIAGRAMS 1PM & 2PM
16	SHADOW DIAGRAMS 3PM



PLANNING PROPOSAL

90-94 PHILLIP ST, PARRAMATTA

PREPARED FOR

BUILDUP PHILLIP PTY LTD





1 LOCAL CHARACTER AND CONTEXT - THE STREET SCALE (1)
1:2000

pti ARCHITECTURE
Tourism + Residential

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Registered Architect and Draftsman (NSW) | Lic No 10017002

REV	DESCRIPTION	BY	DATE
P1	PRELIMINARY W/P	VO	14.08.24
P2	PRELIMINARY W/P	VO	15.08.24
P3	PRELIMINARY W/P	VO	20.08.24
P4	DRAFT FOR COUNCIL REVIEW	VO	22.08.24
P5	DRAFT FOR COUNCIL REVIEW FOR I&E	VO	17.04.24
P6	PLANNING PROPOSAL FOR I&E - FOR TERM	VO	17.08.24

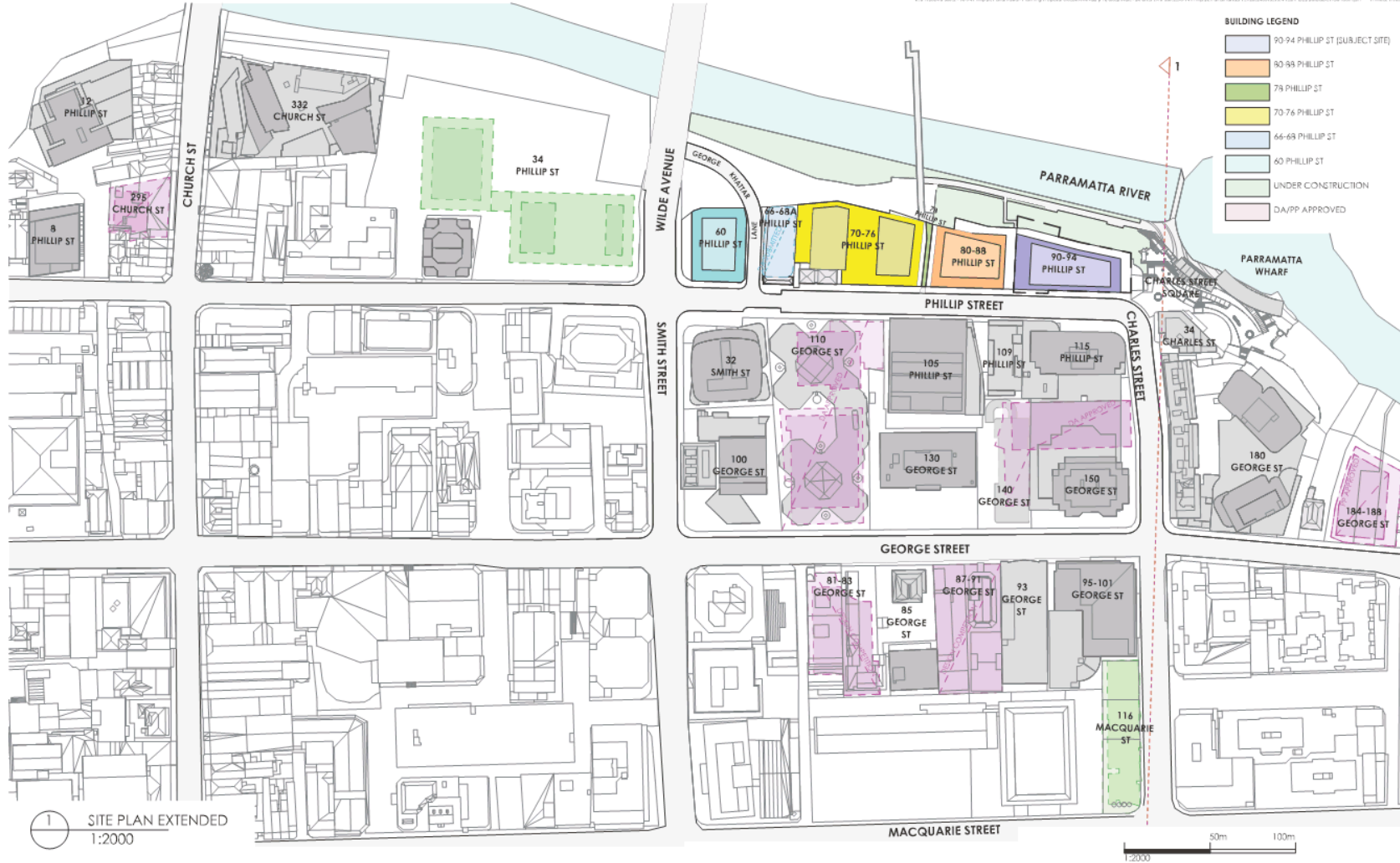
CLIENT
BUILDUP PHILLIP PTY LTD

PROJECT NO
PLANNING PROPOSAL
90-94 PHILLIP ST, PARRAMATTA

DRAWING TITLE
LOCAL CHARACTER AND CONTEXT -
THE STREET SCALE

DESIGNED BY	CHECKED BY	SCALE	PROJECT NO	PP	02	P6
JR, LL & VO	P1	1:2000 AT A3	P399	PP	02	P6





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 GBR 68 6007102

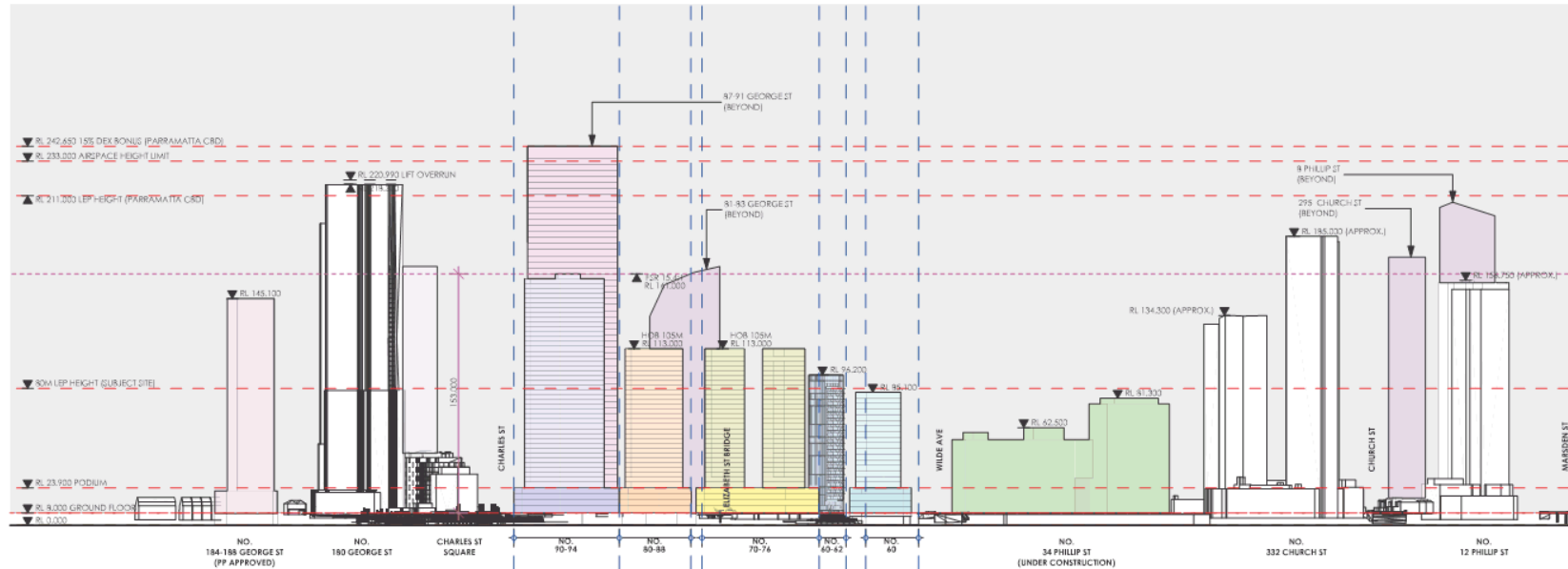
REV	DESCRIPTION	BY	DATE	CHKD
P1	PRELIMINARY-WIP		14.05.24	
P2	PRELIMINARY-WIP		15.05.24	
P3	PRELIMINARY-WIP		20.05.24	
M4	DRAFT FOR COUNCIL REVIEW		22.05.24	
M5	DRAFT FOR COUNCIL REVIEW-FOR I&T		17.06.24	
P6	PLANNING PROPOSAL FOR I&T-FOR I&T		17.06.24	

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PROJECT TITLE
 PLANNING PROPOSAL
 90-94 PHILLIP ST, PARRAMATTA
 DRAWING NO.
 EXTENDED SITE PLAN

WORKSHEET	DRAWN BY	JR, LL & VD
	CHECKED BY	PI
	SCALE	1:2000, 1:100 AT A3
	PROJECT NO.	P399
PP	03	P6
PROP.	PROP.	NO.001

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1 RIVER FRONT ELEVATION
1:2500



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Nationally registered architect Peter Brook (p3696584)
GSA 18 0007102

REV	DESCRIPTION	BY	DATE	CHECKED
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P6	PLANNING PROPOSAL FOR IS&T-FOR 183M	VD	17.05.24	

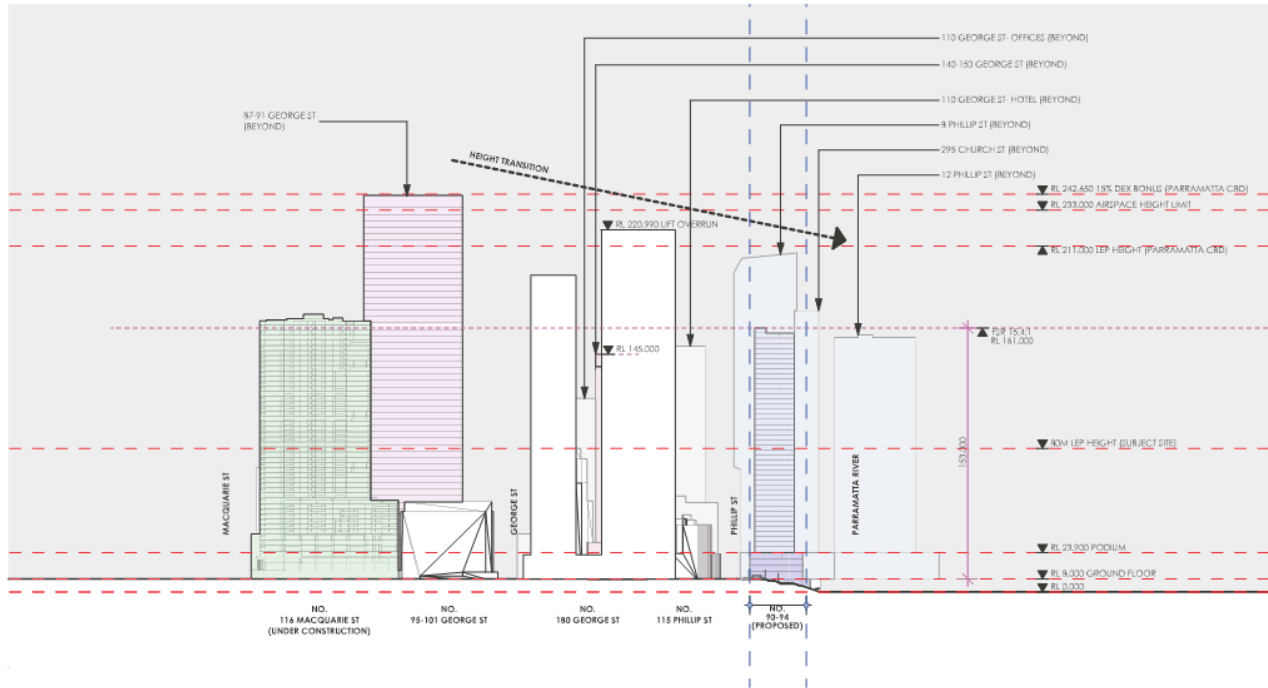
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PROJECT TITLE
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90-94 PHILLIP ST, PARRAMATTA
DRAWING TITLE
CONCEPT RIVER FRONT ELEVATION

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ORGN.	Proj No.	10-000

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- BUILDING LEGEND**
- 90-94 PHILLIP ST (SUBJECT SITE)
 - 80-88 PHILLIP ST
 - 78 PHILLIP ST
 - 70-76 PHILLIP ST
 - 64-68 PHILLIP ST
 - 60 PHILLIP ST
 - UNDER CONSTRUCTION
 - DA/PP APPROVED



1 SECTION 1 - CHARLES ST
1:2500



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GWA No 60071022

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P4	DRAFT FOR COUNCIL REVIEW	VD	22.05.24
P6	DRAFT FOR COUNCIL REVIEW-FOR I&E1	VD	17.04.24
P6	PLANNING PROPOSAL FOR I&E1-FOR I&E1M	VD	17.05.24

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PROJECT TITLE
PLANNING PROPOSAL
90-94 PHILLIP ST, PARRAMATTA
DRAWING TITLE
CONCEPT SECTION- CHARLES ST

WORK NUMBER

DESIGNER: JR, LL & VD
CHECKED BY: PJ
SCALE: 1:2500, 1:100 AT A3
PROJECT NO: P399
PP 05 P6
ISSUE: 05



1 CHARLES STREET SQUARE STRATEGY CONCEPT MASTERPLAN 1:300



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094 94 8007102

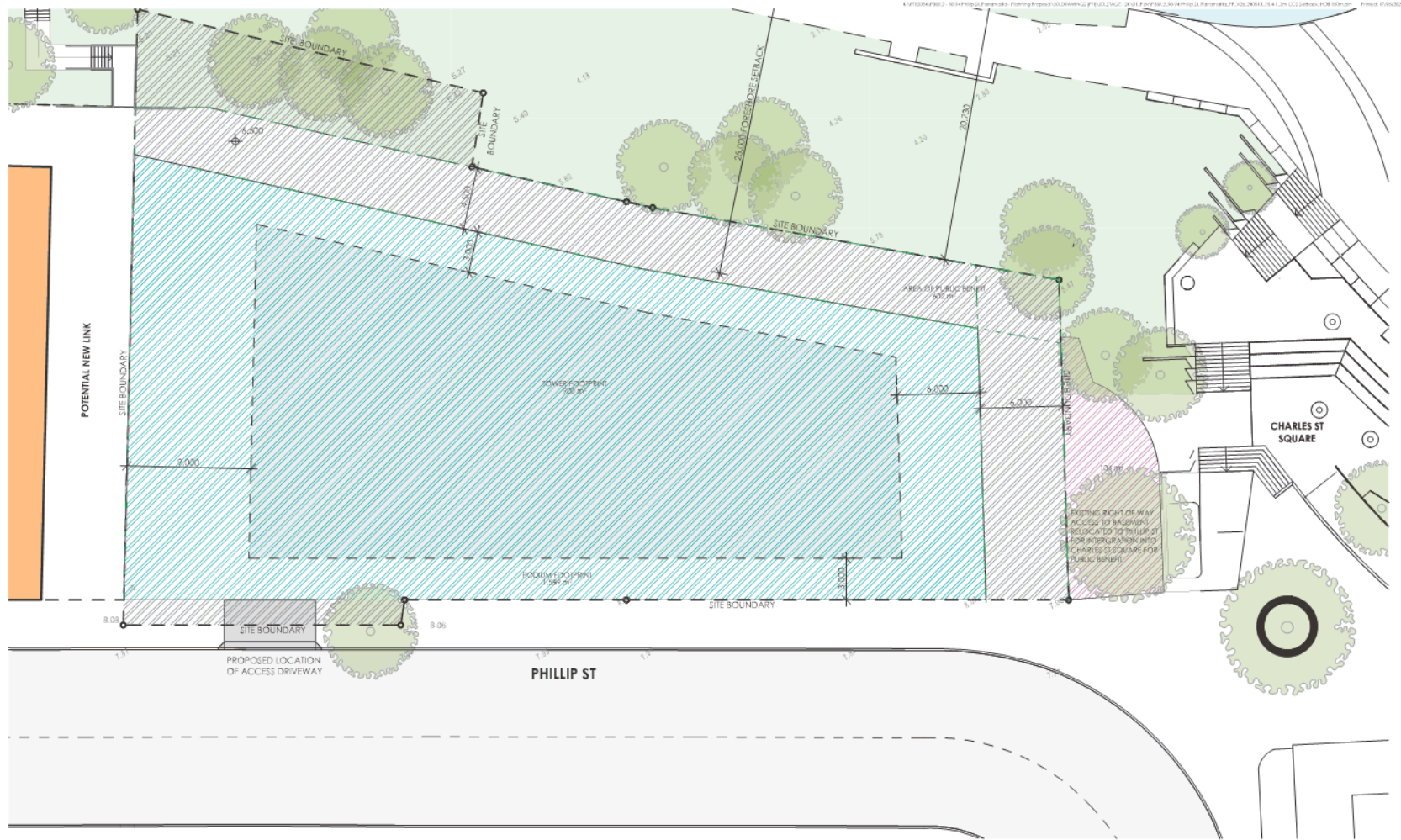
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P4	DRAFT FOR COUNCIL REVIEW	VD	22.05.24
P5	DRAFT FOR COUNCIL REVIEW-FOR I&T	VD	17.06.24
P6	PLANNING PROPOSAL FOR I&T-FOR I&M	VD	17.05.24

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PROJECT TITLE
PLANNING PROPOSAL
90-94 PHILLIP ST, PARRAMATTA

DRAWING TITLE
CHARLES STREET SQUARE STRATEGY
CONCEPT MASTERPLAN

WORK ITEM	DESIGNER	JR, LL & VD
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SCALE	1:300 AT A3	
PROJECT NO	P399	
PP	06	P6
DATE	14.05.24	14.05.24



1 CONCEPT PUBLIC BENEFIT PLAN
1:250



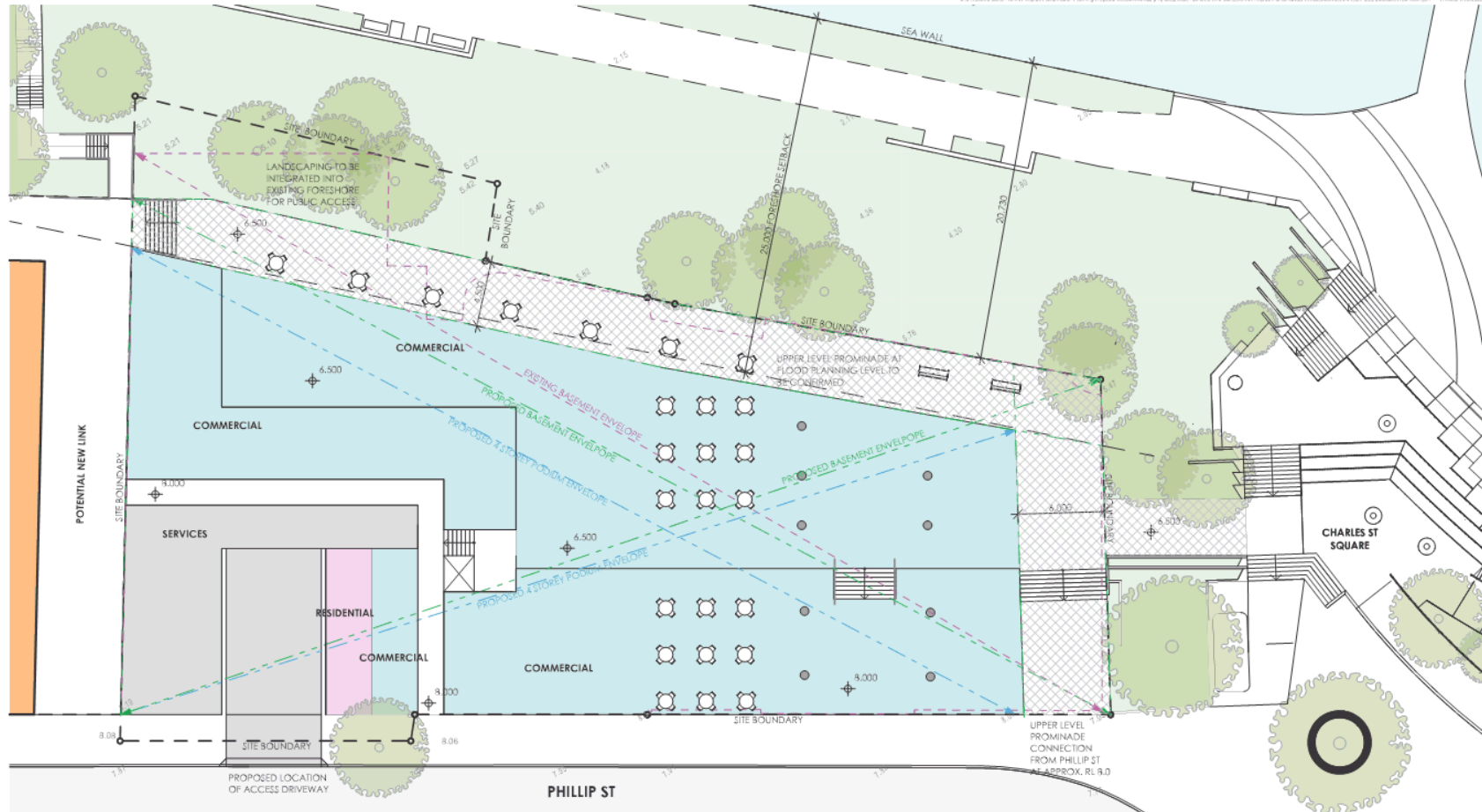
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Newly registered Architect Peter Brock (p3995884)
ORA 18 00071022

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P3	PRELIMINARY-WIP	VD	20.05.24
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P5	DRAFT FOR COUNCIL REVIEW-PPR (N1)	VD	17.04.24
P6	PLANNING PROPOSAL FOR IS-41, FOR 183M	VD	17.05.24

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PROJECT NO: PLANNING PROPOSAL
90-94 PHILLIP ST, PARRAMATTA
DRAWING NO: CONCEPT PUBLIC BENEFIT PLAN

WORK ITEM	DESIGNER	JR, LL & VD
CHECKED BY	PI	
SCALE	AT A3	
PROJECT NO	P399	
PP	07	P6
DATE	14.05.24	17.05.24



1 CONCEPT GROUND FLOOR PLAN
1:250



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098 68 6007002

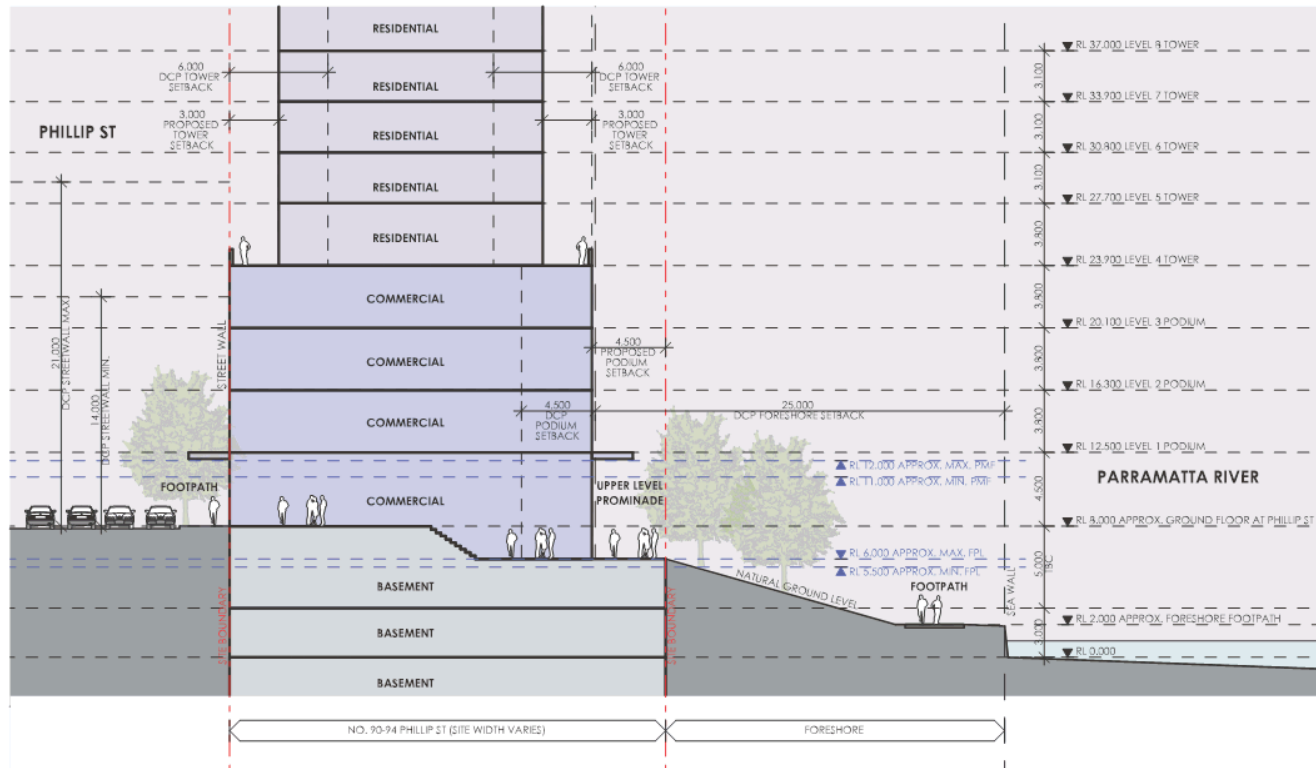
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BUILDUP PHILLIP PTY LTD

PROJECT NO: PLANNING PROPOSAL
90-94 PHILLIP ST, PARRAMATTA
DRAWING NO: CONCEPT GROUND FLOOR PLAN

WORK ITEM	DESIGNER	JR, LL & VD
CHECKED BY	PI	
SCALE	AT A3	
PROJECT NO	P397	
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1 CONCEPT CROSS SECTION
1:250



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P5	DRAFT FOR COUNCIL REVIEW-FOR I&T	VD	17.04.24
P6	PLANNING PROPOSAL FOR I&T-FOR I&M	VD	17.05.24

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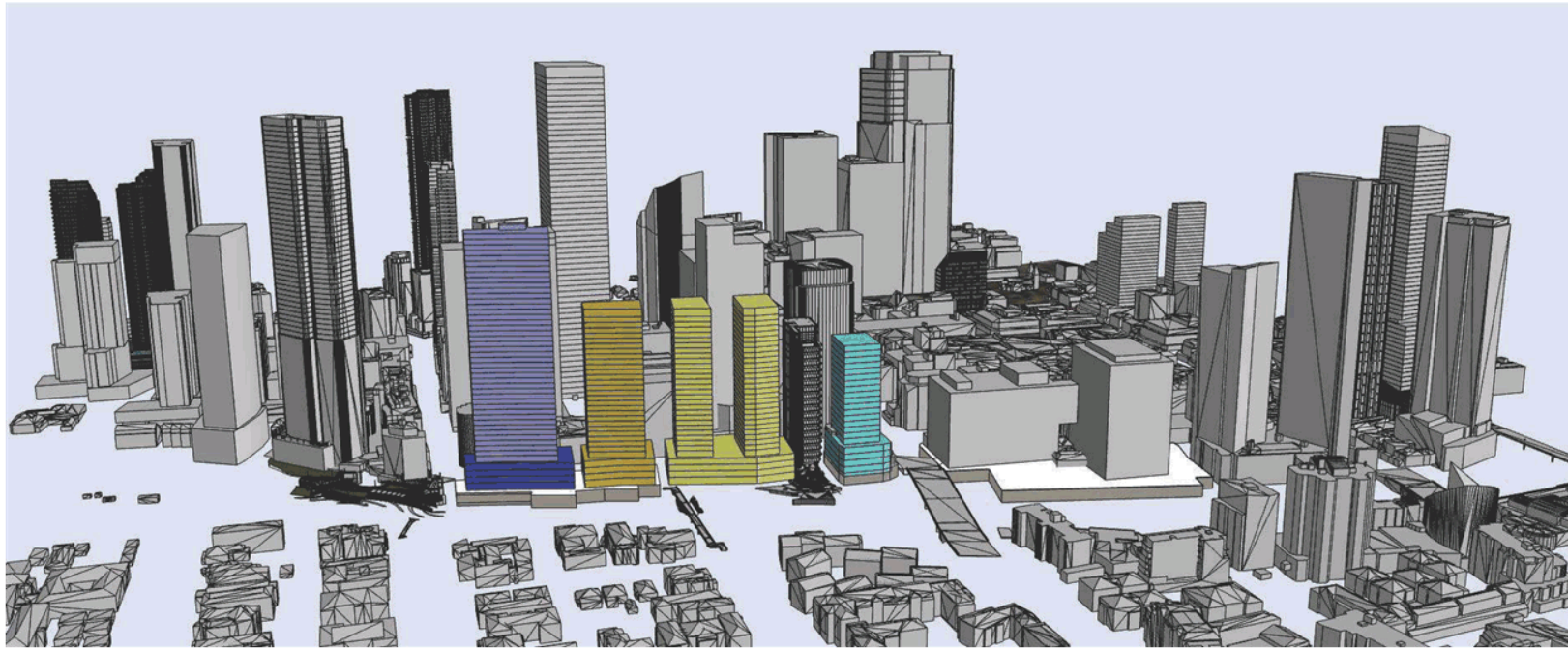
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PLANNING PROPOSAL
90-94 PHILLIP ST, PARRAMATTA

DRAWING TITLE
CONCEPT GROUND FLOOR CROSS SECTION

WORK NUMBER

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CHECKED BY: PJ
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PROJECT NO: P397
PP 09 P6
DATE: 17/05/24

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1 AERIAL LOOKING SOUTH



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P4	DRAFT FOR COUNCIL REVIEW	VD	22.05.24
P5	DRAFT FOR COUNCIL REVIEW - FOR I&T	VD	17.04.24
P6	PLANNING PROPOSAL FOR I&T - FOR I&T	VD	17.05.24

BUILDUP PHILLIP PTY LTD

PROJECT NO: PLANNING PROPOSAL
 90-94 PHILLIP ST, PARRAMATTA
 DRAWING NO: CONCEPT PERSPECTIVE

WORK ITEM	DESIGNER	JR, LL & VD
CHECKED BY	PJ	
SCALE	1:1000 AT A3	
PROJECT NO	P399	
PP	11	P6
ISSUE	REV 01	NO. 001

FEASIBILITY STUDY FSR 15.4:1 (AM TOWER SETBACK TO EAST)
 PROJECT NO.: P389.2
 ADDRESS: 90-94 PHILLIP ST, PARRAMATTA
 REVISION DATE: 13.05.24

EFFICIENCY ESTIMATE	
COMMERCIAL- GROUND FLOOR	87%
COMMERCIAL	87%
RESIDENTIAL	75%

BUILDING ENVELOPE & GFA CALCULATION						
FLOOR LEVEL	USE	BUILDING ENVELOPE AREA (sqm)	RESIDENTIAL EFFICIENCY (%)	RESIDENTIAL GFA (sqm)	COMMERCIAL GFA (sqm)	TOTAL GFA (sqm)
GF	COMMERCIAL	1,897	0%	-	379	524
L1	COMMERCIAL	1,897	0%	-	855	1,381
L2	COMMERCIAL	1,897	0%	-	855	1,381
L3	COMMERCIAL	1,897	0%	-	855	1,381
L4	RESIDENTIAL	900	75%	675	0%	675
L5	RESIDENTIAL	900	75%	675	0%	675
L6	RESIDENTIAL	900	75%	675	0%	675
L7	RESIDENTIAL	900	75%	675	0%	675
L8	RESIDENTIAL	900	75%	675	0%	675
L9	RESIDENTIAL	900	75%	675	0%	675
L10	RESIDENTIAL	900	75%	675	0%	675
L11	RESIDENTIAL	900	75%	675	0%	675
L12	RESIDENTIAL	900	75%	675	0%	675
L13	RESIDENTIAL	900	75%	675	0%	675
L14	RESIDENTIAL	900	75%	675	0%	675
L15	RESIDENTIAL	900	75%	675	0%	675
L16	RESIDENTIAL	900	75%	675	0%	675
L17	RESIDENTIAL	900	75%	675	0%	675
L18	RESIDENTIAL	900	75%	675	0%	675
L19	RESIDENTIAL	900	75%	675	0%	675
L20	RESIDENTIAL	900	75%	675	0%	675
L21	RESIDENTIAL	900	75%	675	0%	675
L22	RESIDENTIAL	900	75%	675	0%	675
L23	RESIDENTIAL	900	75%	675	0%	675
L24	RESIDENTIAL	900	75%	675	0%	675
L25	RESIDENTIAL	900	75%	675	0%	675
L26	RESIDENTIAL	900	75%	675	0%	675
L27	RESIDENTIAL	900	75%	675	0%	675
L28	RESIDENTIAL	900	75%	675	0%	675
L29	RESIDENTIAL	900	75%	675	0%	675
L30	RESIDENTIAL	900	75%	675	0%	675
L31	RESIDENTIAL	900	75%	675	0%	675
L32	RESIDENTIAL	900	75%	675	0%	675
L33	RESIDENTIAL	900	75%	675	0%	675
L34	RESIDENTIAL	900	75%	675	0%	675
L35	RESIDENTIAL	900	75%	675	0%	675
L36	RESIDENTIAL	900	75%	675	0%	675
L37	RESIDENTIAL	900	75%	675	0%	675
L38	RESIDENTIAL	900	75%	675	0%	675
L39	RESIDENTIAL	900	75%	675	0%	675
L40	RESIDENTIAL	900	75%	675	0%	675
L41	RESIDENTIAL	900	75%	675	0%	675
L42	RESIDENTIAL	900	75%	675	0%	675
L43	RESIDENTIAL	900	75%	675	0%	675
L44	RESIDENTIAL	900	75%	675	0%	675
L45	RESIDENTIAL	900	75%	675	0%	675
L46	RESIDENTIAL	900	75%	675	0%	675
LIFT OVER RUN	-	-	0%	-	0%	-
TOTAL (sqm)		45,056		29,025	4,476	33,601
USE MIX (%)				65%	10%	25%

APPROXIMATE APARTMENT YIELD				
UNIT TYPE	AVERAGE APARTMENT SIZE (sqm)	APARTMENT MIX (%)	RESIDENTIAL GFA (sqm)	TOTAL UNITS (pts)
STUDIO	40	7%	-	-
1 BED	55	30%	18,300	158
2 BED	80	45%	17,415	218
3 BED	100	18%	2,300	23
TOTAL (pts)		100%	29,025	401

HEIGHT OF BUILDINGS				
FLOOR NO.	REQUIRED FLOOR (m)	PLANNING CONTROL CALCULATION	BONUS (%)	(m) X (1/5) (sqm/5)
4.50	8.00	SEE AREA		
3.88	9.28	MAX SITE AREA (sqm)	LEP	2.00
3.85	16.28	SUBJECT SITE AREA (sqm)		2.192
3.83	23.90	HEIGHT OF BUILDINGS		
3.10	27.25	APPROXIMATE HEIGHT LIMIT (m)		230.00
3.10	30.98	FCO HEIGHT LIMIT (m)		211.00
3.10	33.98	LEP HEIGHT LIMIT (m)		80.00
3.10	37.00	PROPOSED HOB (m)		141.00
3.10	40.10	PROPOSED HOB (m)		153.00
3.10	43.20			
3.10	46.30			
3.10	49.40	MAX. FSR INCLUSIVE OF BONUSES (X:1)		15.40
3.10	52.50	MAX. COMMERCIAL GFA INCLUSIVE OF BONUS (sqm)		1.25
3.10	55.60	PROPOSED FSR (X:1)		15.25
3.10	58.70			
3.10	61.80	GROSS FLOOR AREA		
3.10	64.90	MAX. GFA INCLUSIVE OF BONUSES (sqm)		33.750
3.10	68.00	MAX. COMMERCIAL GFA INCLUSIVE OF BONUS (sqm)		2.780
3.10	71.10	PROPOSED GFA (sqm)		33.601
3.10	74.20			
3.10	77.30			
3.10	80.40			
3.10	83.50			
3.10	86.60			
3.10	89.70			
3.10	92.80			
3.10	95.90			
3.10	99.00			
3.10	102.10			
3.10	105.20			
3.10	108.30			
3.10	111.40			
3.10	114.50			
3.10	117.60			
3.10	120.70			
3.10	123.80			
3.10	126.90			
3.10	130.00			
3.10	133.10			
3.10	136.20			
3.10	139.30			
3.10	142.40			
3.10	145.50			
3.10	148.60			
3.10	151.70			
3.10	154.80			
3.10	157.90			



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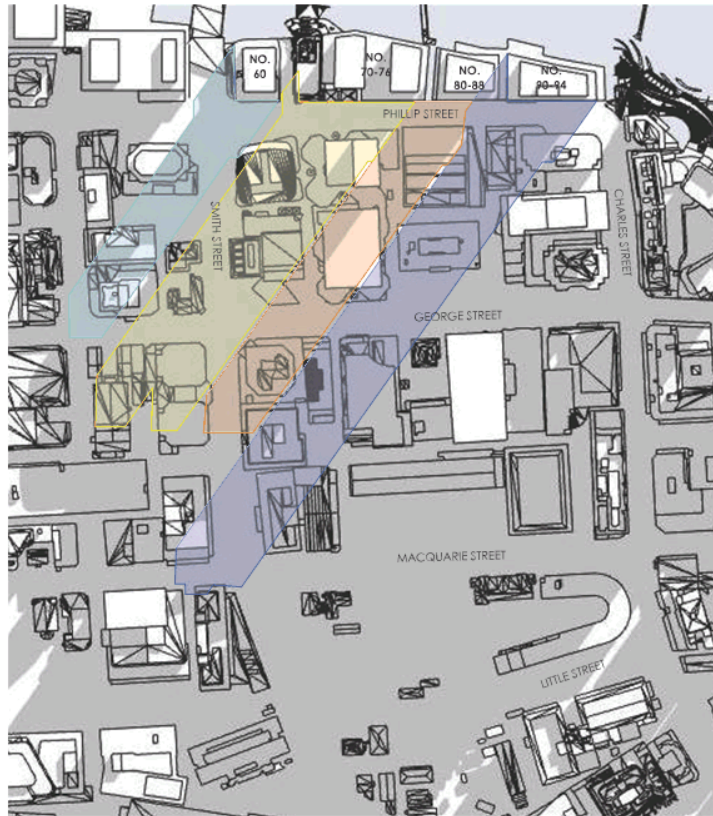
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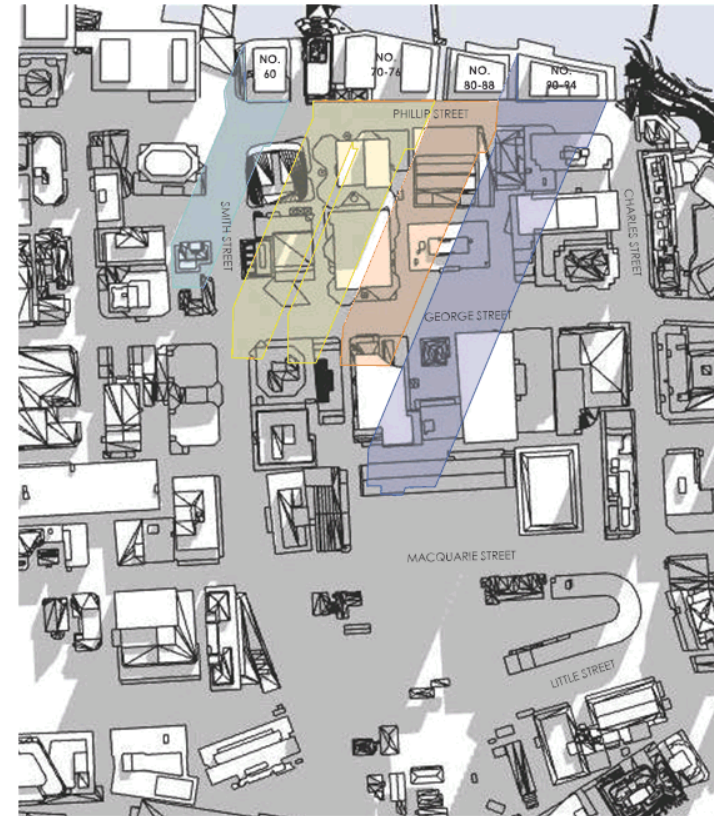
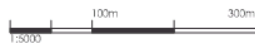
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 90-94 PHILLIP ST, PARRAMATTA

DRAWING TITLE
 GFA & FSR CALCULATIONS- FSR 15.4:1,
 HOB 153M

WORKSHEET	DESIGNER	JR, LL & VD
CHECKED BY	PP	
SCALE	AT A3	
PROJECT NO.	P399	
PP	12	P6
DATE	13/05/24	13/05/24



1 JUNE 21 9AM
1:5000



2 JUNE 21 10AM
1:5000

SHADOW IMPACT LEGEND

- EXISTING SHADOWS
- EXTENT OF SHADOW CAST BY PROPOSED BUILDING NO.70-74
- EXTENT OF SHADOW CAST BY POTENTIAL BUILDING NO.90-94
- EXTENT OF SHADOW CAST BY POTENTIAL BUILDING NO.70-76
- EXTENT OF SHADOW CAST BY POTENTIAL BUILDING NO.60



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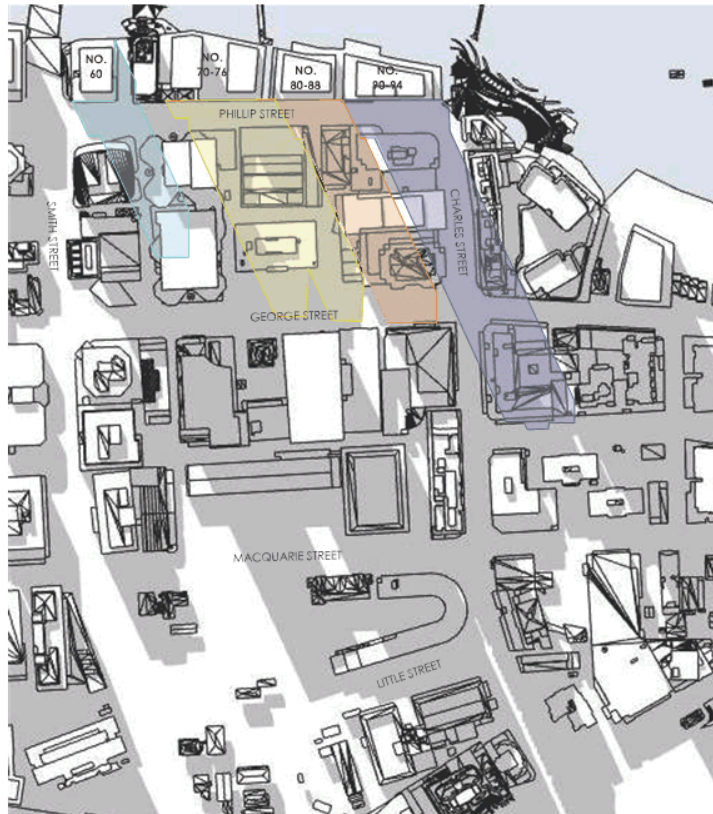
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P6	PLANNING PROPOSAL FOR I&T-FOR I&T	VD	17.05.24

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BUILDUP PHILLIP PTY LTD

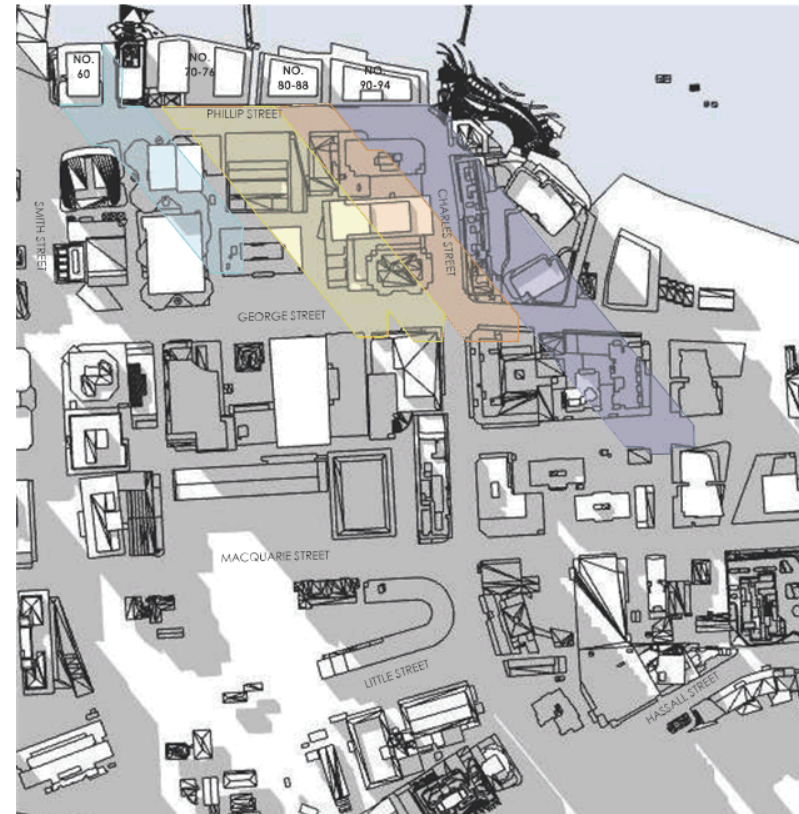
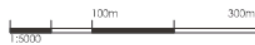
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PLANNING PROPOSAL
90-94 PHILLIP ST, PARRAMATTA
DRAWING TITLE
SHADOW DIAGRAMS 9AM & 10AM

WORK ITEM	DESIGNED BY	JR, LL & VD
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SCALE	1:5000 AT A3	
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DATE	14.05.24	17.05.24

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1 JUNE 21 1PM
1:5000



2 JUNE 21 2PM
1:5000

SHADOW IMPACT LEGEND

- EXISTING SHADOWS
- EXTENT OF SHADOW CAST BY PROPOSED BUILDING NO.70-74
- EXTENT OF SHADOW CAST BY POTENTIAL BUILDING NO.80-88
- EXTENT OF SHADOW CAST BY POTENTIAL BUILDING NO.70-74
- EXTENT OF SHADOW CAST BY POTENTIAL BUILDING NO.60



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P5	DRAFT FOR COUNCIL REVIEW-PPR (N1)	VD	17.04.24
P6	PLANNING PROPOSAL FOR IS&T - FOR 15M	VD	17.05.24

CLIENT
BUILDUP PHILLIP PTY LTD

PROJECT TITLE
PLANNING PROPOSAL
90-94 PHILLIP ST, PARRAMATTA
DRAWING TITLE
SHADOW DIAGRAMS 1PM & 2PM

WORK ITEM	DESIGNER	DATE
DRAMA	JR, LL & VD	
CHECKED BY	PI	
SCALE	1:5000 AT A3	
PROJECT NO	P399	
PP	15	P6
ORIG	PROP	NO.001





90-94 Philip Street. Parramatta

Urban Design Report

Prepared For:
ANCHORESTATE
MAY 2024

90-94 Philip Street, Parramatta



1



Acknowledgment of Country

We respectfully acknowledge the traditional custodians of the land on which we work and live, the Dharug people. We pay our respects to their elders past, present, and emerging. We recognize the enduring strength, resilience, and rich cultural heritage of the Dharug nation. We honor the Dharug people's deep connection to Country and their ongoing stewardship of the land, waterways, and natural resources.



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		5.2 Public Domain	20
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1. Introduction

1.1 Purpose

AE Design Partnership have been engaged by AnchorEstate to provide urban design advice to assist with the development application on the property at 90-94 Phillip Street, Parramatta (the site), otherwise legally known as:

- Lot 2 in DP706033
- Lot 10 in DP773452

The purpose of this report is to:

Undertake critical analysis of the site and surrounding locality to inform an appropriate urban design response that will assist with the redevelopment of the site.

This report is to be read in conjunction with:

- Architectural Concept drawings prepared by PTI Architects dated 23/03/2024
- Planning Proposal Documentation prepared by Think planners.

1.2 Objectives

The objectives of this urban design report are to:

- Conduct a site analysis and identify opportunities in Strategic and Local Context.
- Establish a Desired Future Character of the area.

1.3 Site Description

The subject site is located within the Parramatta City Centre (defined by the Parramatta City Centre LEP 2023 boundary). It has:

- Rectangular shape with site area 2,192m²
- Primary frontage to the northern side of Phillip Street (approximately 67 metres);
- Secondary frontage to the eastern side of Charles Street square (approximately 25 metres); and
- Rear frontage to land zoned RE1 Public Recreation, forming part of the Parramatta River Foreshore.
- It is located in the MU1 Mixed Use zone pursuant to the Parramatta Local Environmental Plan (2023) and with a height limit of 80m.



LEGEND

- Subject Site

Figure 1: Aerial Map of Parramatta CBD and Surroundings

2.0 Context

2.1 LOCALITY

The land uses within Parramatta City Centre are:

- The Commercial Core (land zoned E2 Commercial Core).
- The Mixed Use Urban Frame (land zoned MU1 Mixed Use) providing land use transition between the Commercial Core and;
- Land uses north, east and west of the City Centre (to which the Parramatta LEP 2023 applies); and
- Parramatta Park in the western portion of the City Centre.
- The Parramatta River and Foreshore with an approximately east-west alignment north of the Commercial Core.

The MixedUse Urban Frame includes a greater variety of uses including government offices, courts, retail and residential dwellings.

The subject site is located within the Mixed Use Urban Frame: Northern side of Phillip Street (Commercial Core at southern side of Phillip Street).

- Proximity to strong public transport links:
 - 10 meters from Parramatta Ferry Wharf; and
 - 550 metres from Parramatta Railway Station and Bus Interchange.
 - 500m from Proposed Metro Station
 - 600 m from Light rail stop at Church Street.
- Proximity to retail and commercial hubs:
 - 500 meters from Church Street (Parramatta's "eat street"); and
 - 900 meters from Westfield Parramatta.
- Adjoins southern bank of Parramatta River Foreshore, linking to Parramatta Park 800 metres to the west which includes the World Heritage listed Old Government House.

LEGEND

	Subject Site		R4 Residential
	MU1 Mixed Use		RE1 Public Recreation
	E2 Commercial Core		Education
	Education		Sydney Metro



Figure 2: Land Use Zoning of Subject Site and adjoining areas (Source Parramatta LEP 2023)



2.2 Public Realm

Key public domain elements within the locality are:

- The southern bank of the Parramatta River Foreshore, between Lennox Bridge and the Charles Street Weir;
- Phillip Street, between Church Street and Charles Street;
- Smith Street, between George Street and the Parramatta River; and
- Parcels of public open space:
 - Associated with existing development; or
 - Within Council-owned land (e.g. parcel at western end of Phillip Street).

Key Public Domain Projects within the locality:

- Parramatta City River Strategy Design and Activation
- Horwood Civic Link
- Charles Street Square
- Philip Street (Public Domain Activation)

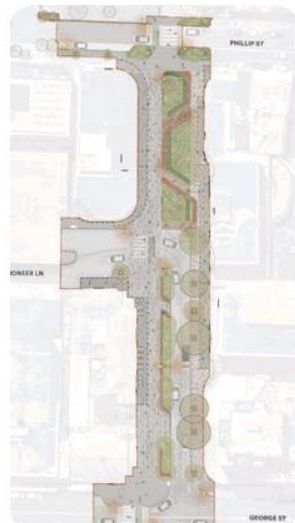


Figure 4: Horwood Civic Link (Source - City of Parramatta)



Figure 3: Open Space Map



Figure 5: Parramatta City River Strategy (Source - City of Parramatta)



2.3 Urban Structure

Pre European History

Aboriginal History

For at least 40,000 years, the Burrumatta (loosely translated as “the place where eels lie down”) people, a local Indigenous clan of the Darug Nation, lived on Parramatta River’s banks, feasting on oysters, yams, mullet and eels. Right near Parramatta Wharf, fresh water, flowing downstream, meets salt water, creating a perfect place for eels to breed and thereby making them easy targets for hunters. The foreshore was of immense significance to the local Darug People as it was the meeting place of the salt water from Sydney Harbour and the fresh water from the Parramatta River. The tides and extremes in climate meant that this section of river could range from being virtually empty of water to a raging torrent. (Source: City of Parramatta-Parramatta History and Heritage)

European History

The Parramatta River played a pivotal role in the European history of Parramatta, serving as a key transportation route for settlers and fostering the city’s initial growth. Anchored by the wharf and Government House, Parramatta emerged as a significant administrative and commercial center within New South Wales. During the industrial revolution, Parramatta underwent transformative changes. The rise of industries like manufacturing and agriculture spurred urbanization, leading to the development of infrastructure away from the river. Improved transportation networks, including railways and roads, facilitated the movement of goods and people, diminishing the river’s prominence in the city’s expansion. While the Parramatta River retained importance for shipping, its role as the primary hub of economic and urban growth waned as Parramatta diversified and expanded inland. This historical evolution reflects the dynamic interplay between urbanization, industrialization, and transportation that shaped Parramatta’s development.

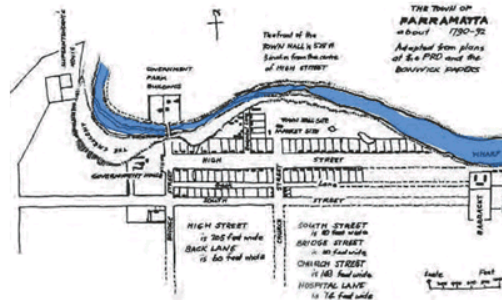


Figure 6: Plan of Parramatta 1790-1792 (Source - City of Parramatta)



Figure 7: Plan of Parramatta-1804 (Source - City of Parramatta)

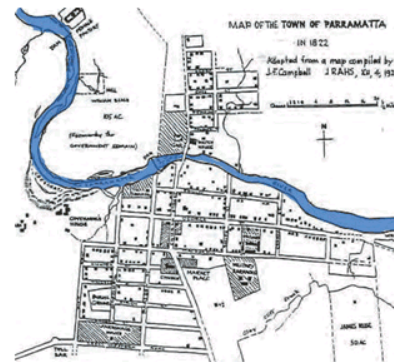


Figure 8: Plan of Parramatta-1822 (Source - City of Parramatta)

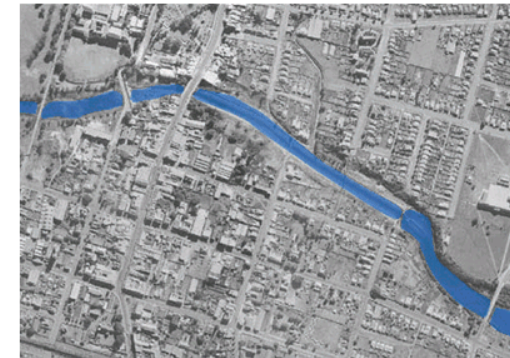


Figure 9: Plan of Parramatta-1943 (Source - City of Parramatta)



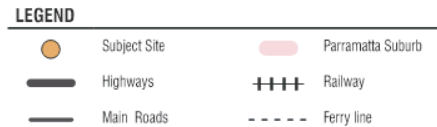
2.3 Urban Structure

2.3.1 Access

The site's strategic location offers excellent accessibility. It benefits from close proximity to major roads, rail networks, and ferry terminals. Furthermore, the site serves as a central point to the city's key growth areas, including Church Street, Parramatta Square, Parramatta Park, and educational institutions like Western Sydney University to the east.



Figure 10: Access



2.3.2 Nodes

The site is surrounded by various nodes that are important to the city thus serving as entry/exit point. It has the potential to create a distinct identity for itself solidifying its role as a gateway. Being among the vicinity of various public spaces around the site, also attracts visitors and has the potential to create a vibrant place.

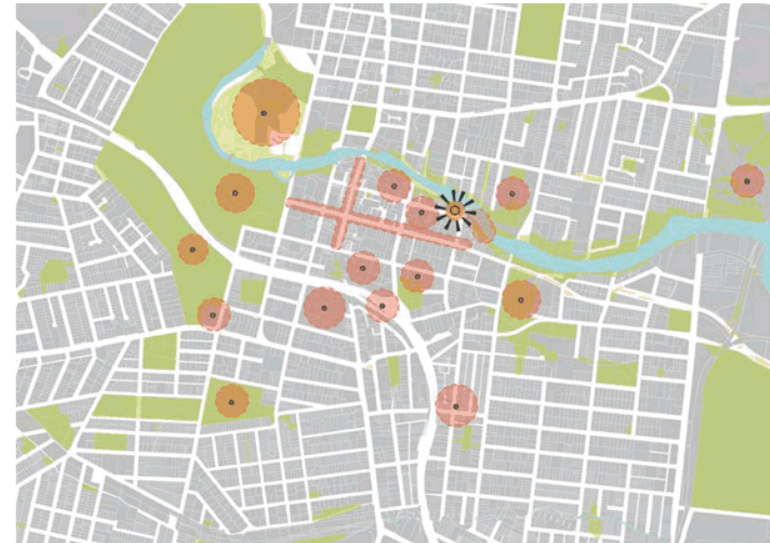
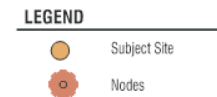


Figure 11: Nodes





2.3.3 Edges

The site faces the Parramatta river and is in proximity to the Parramatta Railway Station. Both of these sites have seen developments around/along its edges as the city has evolved. Thus the site can leverage its proximity to both the Parramatta River and the Railway Station, transforming it into a truly remarkable gateway for Parramatta.



Figure 12: Edges



90-94 Philip Street, Parramatta

2.3.4 Pedestrian Connectivity

The site's direct access to the river and proximity to the ferry terminal generate pedestrian activity. Recent developments like the Escarpment Broadwalk and Charles Street Square further amplify this foot traffic, creating a vibrant pedestrian hub. Public realm projects underway, including the Philip Street revitalization, Powerhouse Museum expansion, and Lenox Bridge portals, promise to attract even more people, solidifying this area as a major pedestrian destination.



Figure 13: Pedestrian Connections



9



2.4 Heritage

As seen in Figure 14, Parramatta CBD has Heritage listed items within the CBD. The site is in proximity to Heritage listed items given the inception of the city CBD beginning from the River. It also shows that majority of the heritage items can be seen towards the east and South.

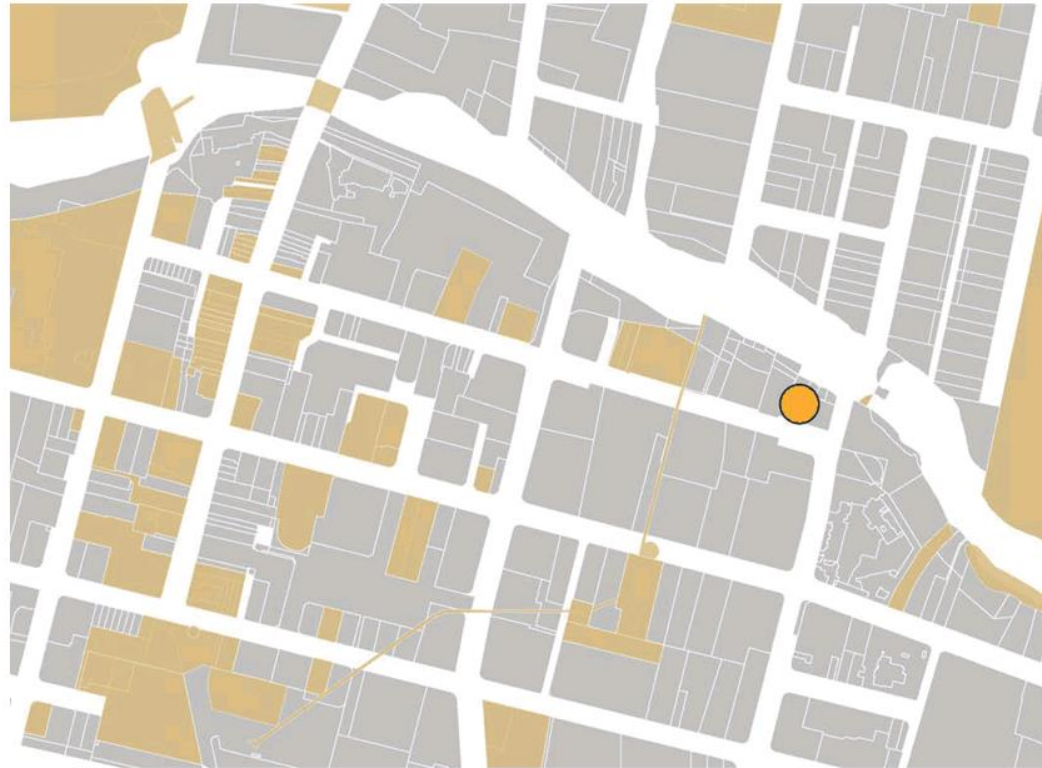


Figure 14: Heritage Map (Source: Parramatta LEP 2023)



2.6 Height

As seen in figure 15, the current Urban form between the Parramatta River and the railway station in Parramatta CBD has buildings that are 2-4 Storeys, 5-10 Storeys, 15-20 Storeys, 25-45 Storeys, and has buildings more than 50 Storeys.

The current built form in the city has high scale buildings towards the east and West while it has a low scale in the centre between the Parramatta Square and the Proposed Power house museum site.

The site being in the East has major recent developments that are tall and create an important node within the city.

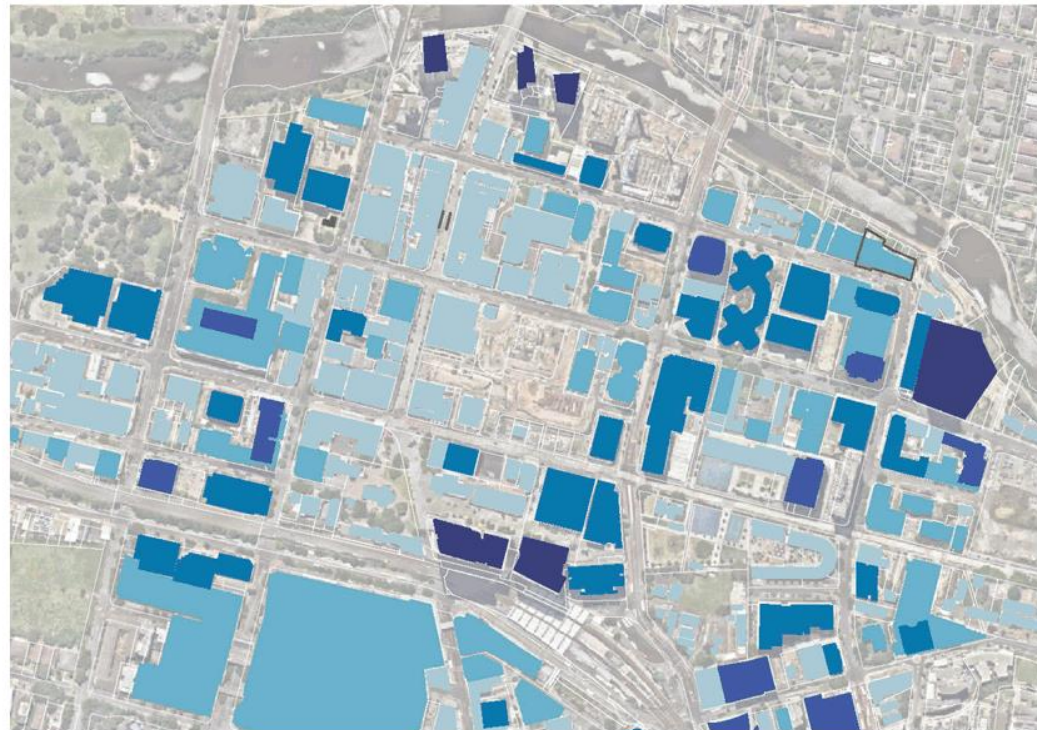


Figure 15: Existing Heights map(Source Parramatta LEP 2023)

LEGEND			
	Subject Site		15-20 Storeys
	50+ Storeys		5-10 Storeys
	25-45 Storeys		2-4 Storeys



2.5.1 Recent Developments

In the last 10 years, Parramatta CBD has seen major developments around the river and in proximity to the Railway Station.

The figure shows

- Recently Built,
- Under Construction
- Approved
- Under Assessment

LEGEND

	FSR	Height	Use	
Subject Site				
Recently Built				
1	180 George Street	10:1	213m	Mixed Use
2	105 Philip Street	-	48m	Government
3	93 Philip Street	11.41:1	112m	Commercial
4	330 Church Street	8.60:1	180m	Mixed Use
5	335 Church Street	12:1	156m	Residential
6	87 Macquarie Street	6.3:1	54m	Mixed Use
7	6-8 Parramatta Square	13.76:1	154m	Commercial
8	4-6 Parramatta Square		164m	Mixed Use
9	169 Macquarie Street	6.56:1	65m	Mixed Use
Under Construction				
10	116 Macquarie Street	21.85:1	156m	Mixed Use
11	37 Smith Street	7.21:1	45m	Mixed Use
12	10 Philip Street		115m	Mixed Use
Approved DA				
13	34 Hassall Street		157m	Mixed Use
Under Assessment DA				
14	66 Philip Street	21.85:1	96m	Mixed Use
15	99 Philip Street		145m	Mixed Use



Figure 16: Recent Developments map



2.6 Key Views

The proposed development will not impact key views and view corridors:

- As seen in Figure 9.4.7.1 of Section 9 of the Parramatta DCP (p9-58), depicted in Figure 17, the subject site is not within any key view corridors.
- The subject site is not within the Highly Sensitive Area surrounding Old Government House in Parramatta Park. The impacts of a proposed development on views from Old Government House need not be considered where the development is to occur outside of the Highly Sensitive Area.

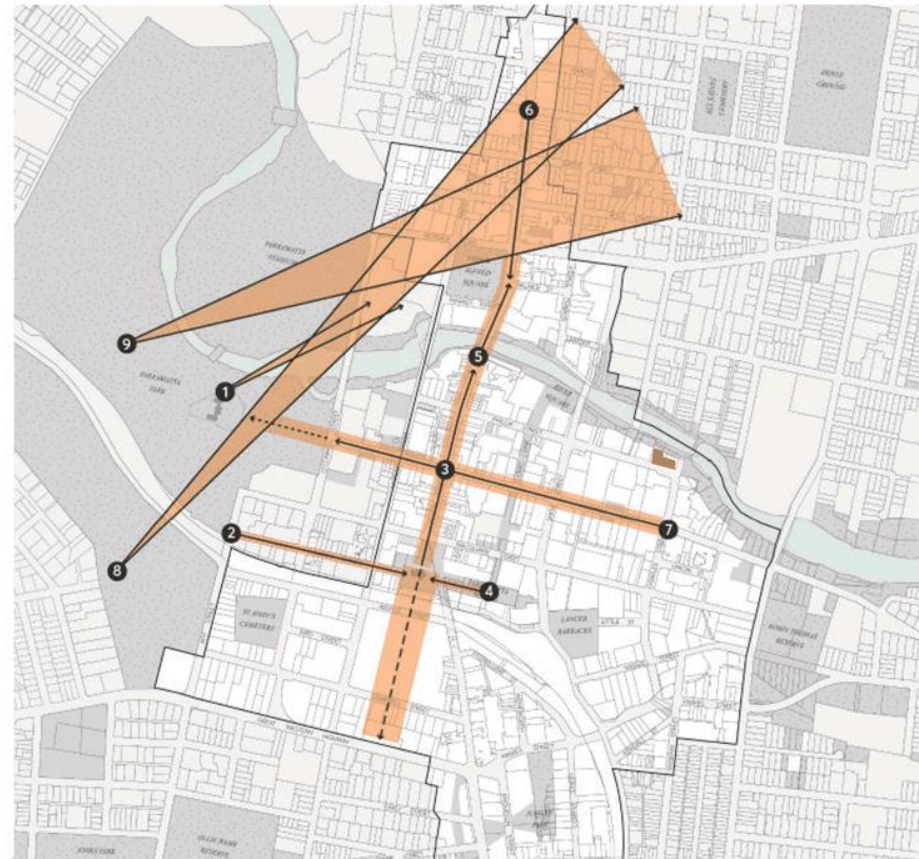


Figure 17: Key Views- (Source Parramatta DCP 2023 Chapter 9)



3.0 Desired Future Character

The Desired future character of the Parramatta CBD is evolving with its recognition as the second CBD and has as a pattern of growth that is creating different nodal points. These nodes are defined through developments along the Parramatta river edge of the CBD and the railway station/ Metro as secondary nodes. The developments have taken prominence over the east and west with High density tall slender tower buildings and the central area as the civic link that connects the metro, Parramatta Square and the Power House Museum to the river.

The proposed site thus has the opportunity to contribute to this pattern with a defined tall tower that represents as a gateway marker site (Parramatta River Strategy 2015)

It also identifies as an important site when arriving from the Ferry into the city.

LEGEND

1	Developments on Western edge of the Parramatta Riverfront accompanied by high activity through Eat street - Church Street and Light rail.
2	Developments facing the Railway Station - Parramatta Square and Proposed metro
3	Developments on Eastern edge of the River - Tall towers, Commercial activity, Public domain activation through Ferry, Broadwalk Escarpment and Charles Street square
4	Proposed Power House Museum and River square activation to be used for major events
5	Horwood Civic Link- Connecting Parramatta Square to the river edge via Sydney Metro site, and Power House museum

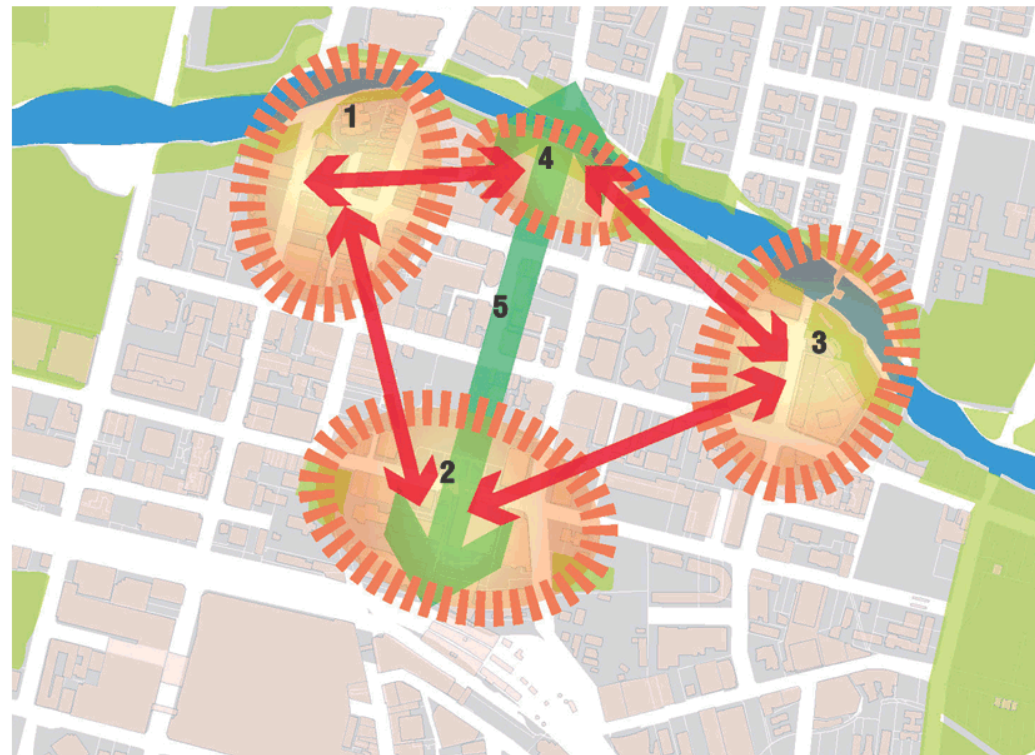


Figure 18: Parramatta CBD Built form Study



The Scale of Developments within the Riverfront and the Railway Station establishes a built form pattern that is shown in the figure 19.

The eastern and western edge of the river front has tall slender towers that define the rivers edges. This pattern of high rise buildings is seen to drop in the central area with the proposed PowerHouse Museum.

The developments in the central region are seen to undergo a transition of height from the Parramatta square Buildings maintaining a low scale development till the PowerHouse Museum.

The site being in the eastern edge of the riverfront has the potential to accommodate a tall development that can serve as a landmark building further defining this pattern.

LEGEND

1	Developments facing the river shows a Height pattern with increasing heights on the edges(East and West) and a dip in the central area with the proposed PowerHouse Museum
2	Public Domain: River Square is anticipated to have an Urban character that activates the riverfront through everyday uses and major events.
3	North south developments in the Central area shows a dramatic decrease in height from the Parramatta Square till the PowerHouse Museum
4	Major Street activation such as Philip Street, George Street and Macquarie Street,
5	Horwood Civic Link- Connecting Parramatta Square to the river edge via Sydney Metro site, and Power House museum
6	East- West Pedestrian link that connects through Upper level Promenade for flood free pedestrian movement.



Figure 19: Character Analysis

4. Proposal

The Proposed Building at 90-94 Philip is designed by PTI Architects has

- Basement Car Parking
- Upper level Promenade link to the Riverfront for flood free Pedestrian link
- 4 Level Podium with Commercial uses
- 46 Storey Tower with Residential apartments
- Overall Height of 153m with FSR of 15:4:1
- Clear Pedestrian Access from Charles Street to the River and Charles street Square by moving Vehicular access on Philip Street
- Overall Tower Envelope -900m²
- Podium Envelope 1589 m²

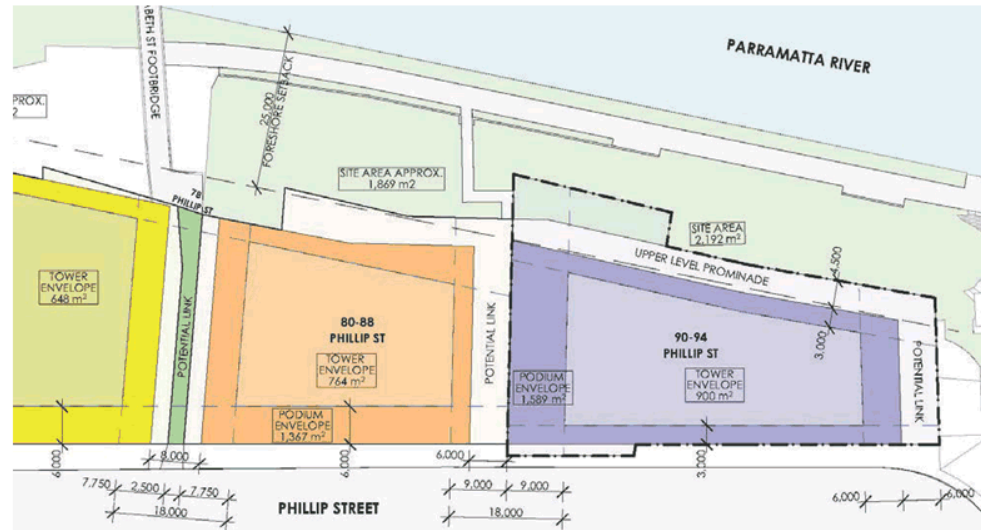


Figure 20: Proposed Development Site Plan (Source: PTI Architects)

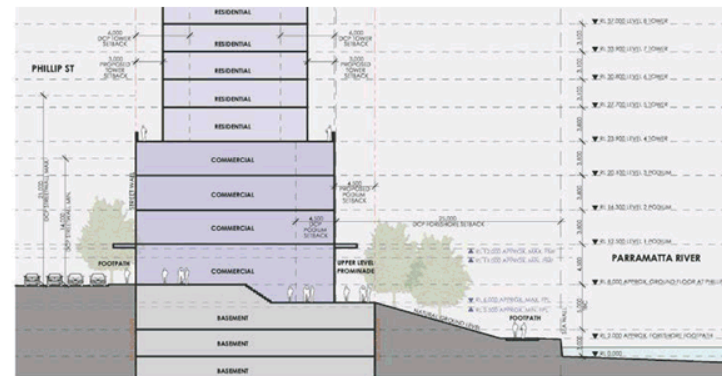


Figure 21: Concept Cross Section (Source: PTI Architects)

5. Assessment



5.1 Built Form

The Proposed building form and massing responds to the anticipated large scale developments on the river front and the eastern edge of the river as shown in figure 18.

The proposed development steps down from the maximum heights of the Parramatta CBD towards the Parramatta river and lower density development across the river in the north.

Provision of upper level setbacks above the street wall height to create a 'stepped' building form that modulates bulk and scale designed to be visually appealing along the foreshore and public spaces and to minimize its impact along foreshore and public spaces and surrounding streetscape.

The built form also incorporates rational development of the Philip Street block with upper level prominence that connects to the rest of the Philip Street block facing the riverfront.

The Proposal ensures that the size, configuration and orientation of the proposed envelope delivers workable floorplates that provided a high level of amenity for future residents.

The proposed built form does not impact to human scale along philip street and river front through sufficient setbacks provided on Podium and tower levels thus providing a clear podium and tower typology. The height of the proposal is further justified through the increased tower setback of 6m that ensures a clear definition of podium and tower.

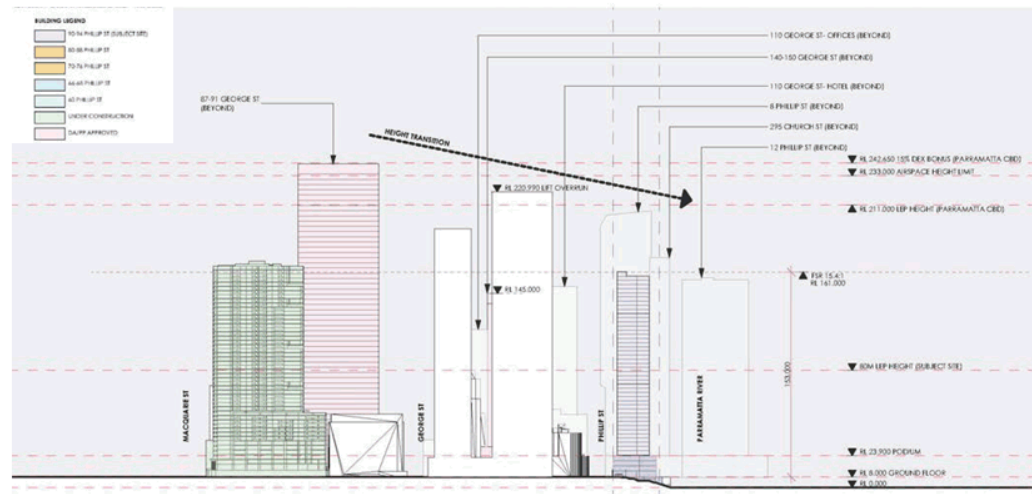


Figure 22: Concept Cross Section (Source: PTI Architects)



5.1.2 Setbacks

The Proposed building complies with PDCP 2023 with the following tower setbacks:

- Minimum 3m tower setback for Philip Street
- Additional 3m tower side setback on Charles street square(6m total)
- Minimum 3m tower setback on river foreshore setbacks.

The Proposal also provides 9m tower side setback on Philip Street adjacent to 80-88 Philip Street block providing separation distance of 18m between the towers. It allows for wider floorplates facing north towards the river improving solar access and view for residents.

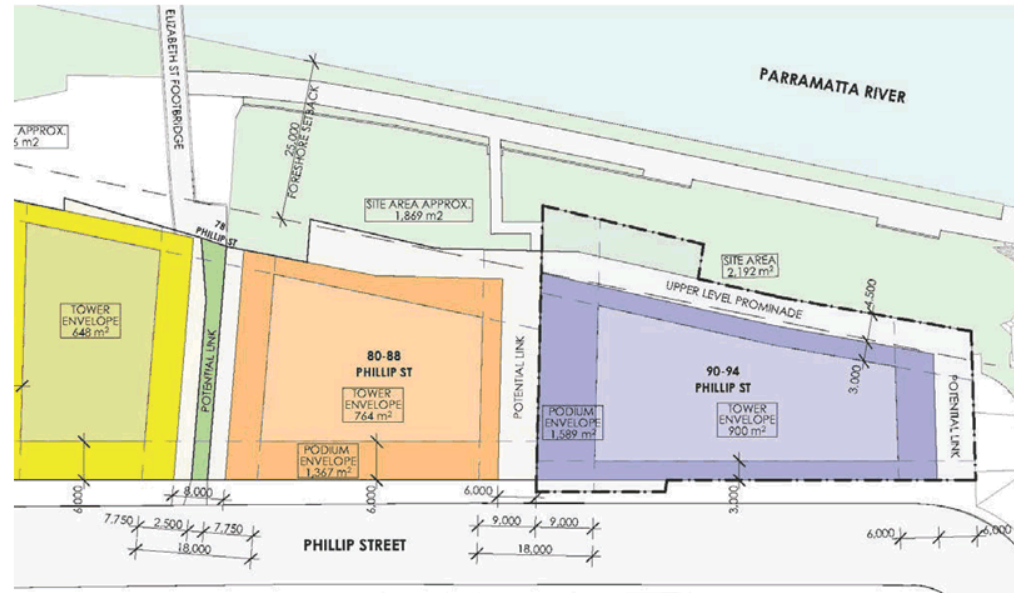


Figure 23: Proposed Site Plan (Source: PTI Architects)



5.1.3 Heights

The Proposed building has an overall height of 153m. It establishes a height datum for the Philip street block that is proportionate to the Parramatta river as the Charles Street square establishes further width to the river that allows for the proposed building height to still appear proportionate to the river.

The proposed height encourages rational redevelopment of the Philip Street block as it has proportionate height compared to 66 Philip Street and neighbouring blocks including north of the river. It provides a logical height strategy from the CBD towards the river that reflects a mixed use typology.

The 18m separation reinforces Philip street block identity as part of the CBD. The resulting separation distances as per the tower and Podium envelope has proportionate width compared to the envelopes on the block.

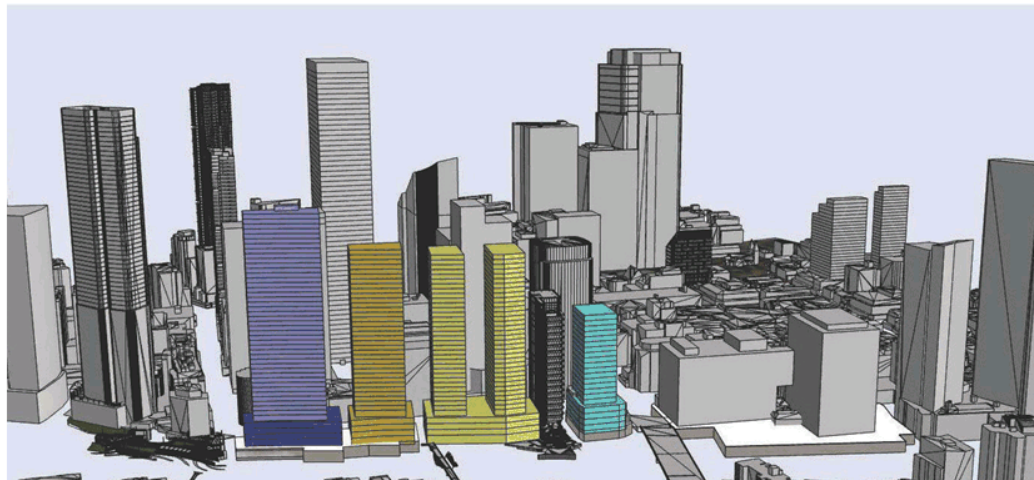


Figure 24: Generic Perspective looking South (Source: PTI Architects)

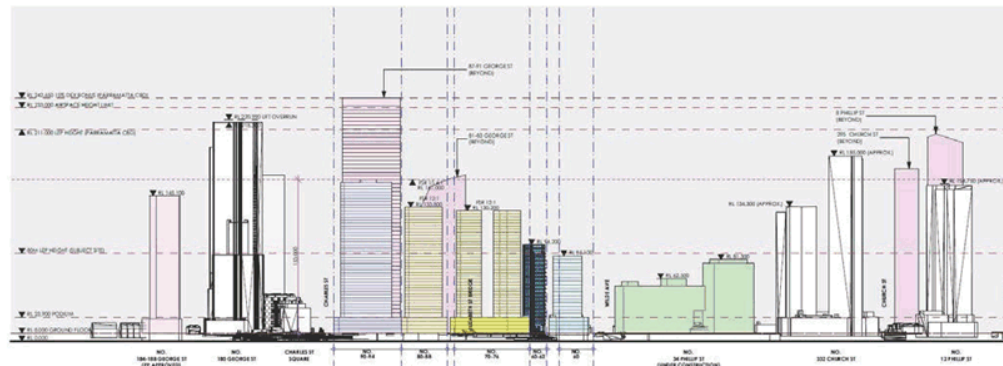


Figure 25: Concept Cross Section (Source: PTI Architects)



5.2 Public Domain

The vehicular access of the Proposed development now addresses from Philip Street rather than from Charles street as per the existing building layout, this allows for better integration with Charles street square.

The upper level foreshore promenade connection from Philip Street has been integrated within the development where the space between the promenade is used for seating and has landscape features that integrates with the context as well.

The proposed development addresses the riverfront with the upper level promenade and significantly improves the public domain interface as users can transition from the Riverfront to Philip Street.

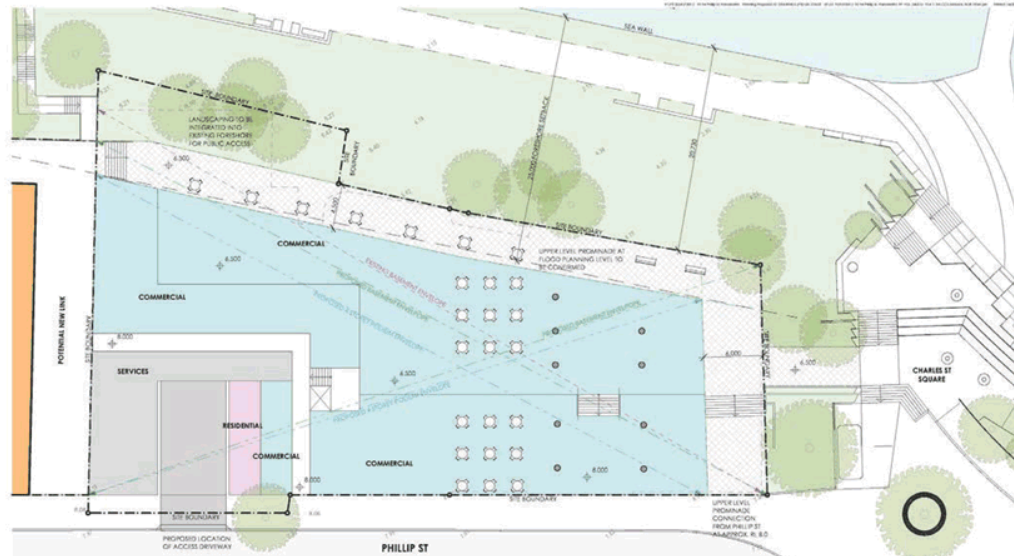


Figure 26. Proposed Ground Floor Plan (Source: PTI Architects)

6. Conclusion



The Parramatta city center is experiencing rapid growth as a bustling commercial hub, boasting a diverse array of businesses, offices, residential spaces, and services. In response to this burgeoning demand for high-quality developments, a proposed high-rise mixed-use development stands poised to meet the evolving needs of the area.

The Proposal aligns seamlessly with the site's characteristics and promises to enhance the CBD through the following:

Transportation:

Benefitting from outstanding transport connections, including a major train station, light rail, ferry services, and the forthcoming Metro, the development ensures convenient accessibility for both commuters and visitors.

River Activation:

The proposed development places a strong emphasis on public space utilization, integrating seamlessly with the East-West pedestrian connection that links to the proposed Powerhouse Museum. Additionally, it features an upper-level promenade, providing a flood-proof pedestrian pathway—a vital addition to the area's infrastructure.

Street Activation and Charles Street Square Integration:

Addressing the current built environment, the design strategically relocates the vehicular entry to Philip Street. This adjustment fosters easy access for visitors and residents to Charles Street Square and the riverfront, enhancing the vibrancy of the area.

Node Identity:

Situated within the recognized North-East corner node of the CBD, the site enjoys prominent visibility, positioning it as a gateway site and a pivotal arrival point. The proposed design not only reflects the desired future character of the area but also harmonizes with the existing scale of developments in its vicinity.

By encompassing these elements, the proposed high-rise mixed-use development is poised to elevate the Parramatta city center, catering to its growing demands while contributing to its distinctive identity and vitality.



REPORT

To Anchor Estate
From Water Technology
Date 13 March 2024
Subject 90-94, Phillip Street Parramatta Flood Advice
Our ref 24060144_R01V01

Dear Charbel,

24050144 90-94 Phillip Street, Parramatta Flood Advice

This report sets out our preliminary findings regarding how flooding may dictate building design features such as building footprints, minimum floor levels, basement entries and other design features of development at 90-94 Phillip Street, Parramatta (Figure 1). The advice provided in this report is broad but cannot be accurate without the precise flood levels which will only become available once Council adopts the new flood model. This is currently anticipated to be in May 2024.

The following preliminary flood advice has been prepared with reference to the following documents:

- Parramatta Local Environmental Plan (LEP) 2023
- Parramatta Development Control Plan (DCP) 2023
- Draft Parramatta River Flood Study (2023).

1 CONTEXT

Anchor Estate owns the site 90-94 Phillip Street Parramatta NSW (Figure 1). The site is currently occupied by 2 existing buildings that are used for commercial purposes. Anchor Estate intends to demolish and develop the site into a multi storeyed building for commercial/residential purposes. While the existing zoning permits such a use, Anchor Estate intends to submit a planning proposal to Council to obtain permission to increase the building height and floor space ratios on the site.

The site is subject to riverine flooding of the Parramatta River in large events and to overland flows. Parramatta Council's adopted flood levels for the site are based on a one-dimensional MIKE11 flood model which was developed in the 1990s. Council recently completed a two-dimensional flood model for the whole of the Parramatta River catchment within the LGA. This is detailed in the Parramatta River Flood Study (Stantec, 2023), and is currently in draft form. The study was placed on public exhibition from 18 September to 30 October 2023 and is yet to be finalised and adopted by Council.

The final results of this model will be applicable to any future planning proposal or development proposal for the subject site. At this stage our understanding is that Council intends to adopt this model in May 2024.

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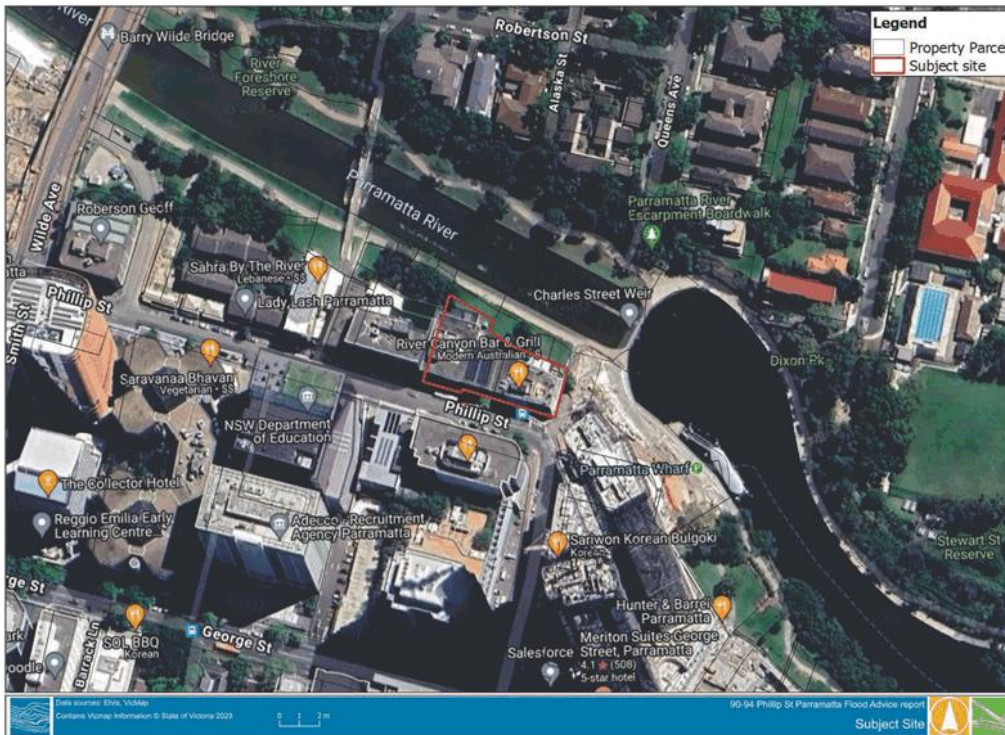


Figure 1 90-94 Phillip Street, Parramatta (Subject Site)

The resolution of the maps which accompanied the exhibited draft study is poor with flood contours intervals shown at 1 m. Within the CBD the contours are not labelled (Figure 2 and Figure 3).

Figure 4 is a flood map produced with outputs from the currently adopted one dimensional flood model. While this provides more precise flood levels at various cross sections in the river and surrounding streets, we don't have levels for a cross section at the subject site and these levels will be soon superseded. In fact, Council is currently delaying assessing development applications which rely on these levels.

This flood advice uses both sets of available flood data to inform the range of possible flood levels on the site and their implications for future development.

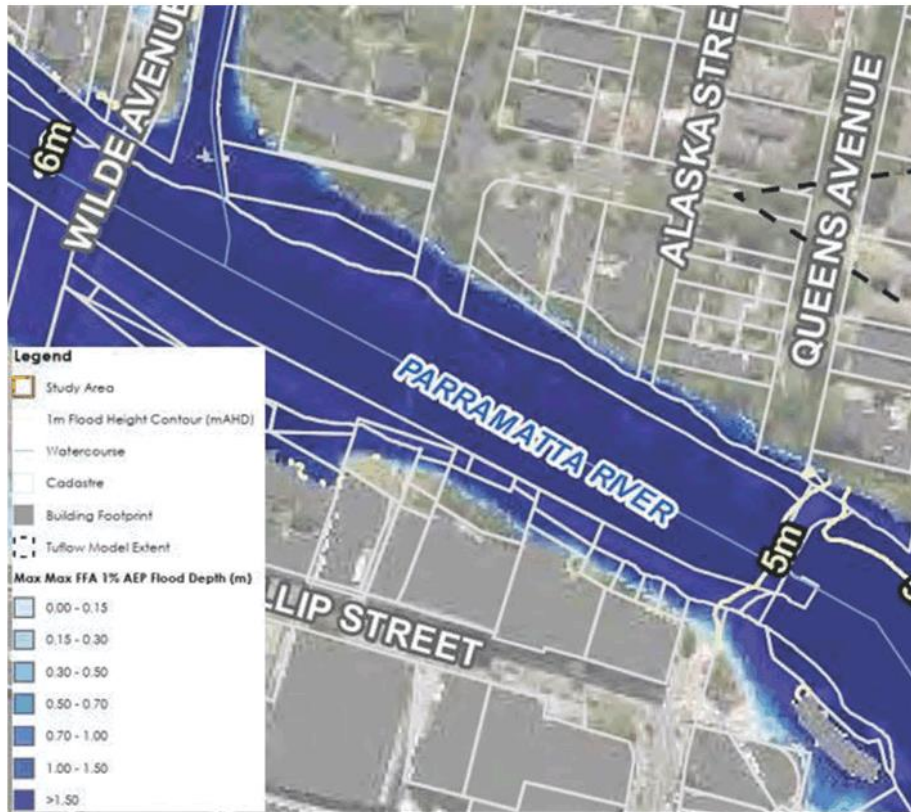


Figure 2 Flood levels (m AHD) in 1% AEP event (Stantec Draft Flood Study (2023))

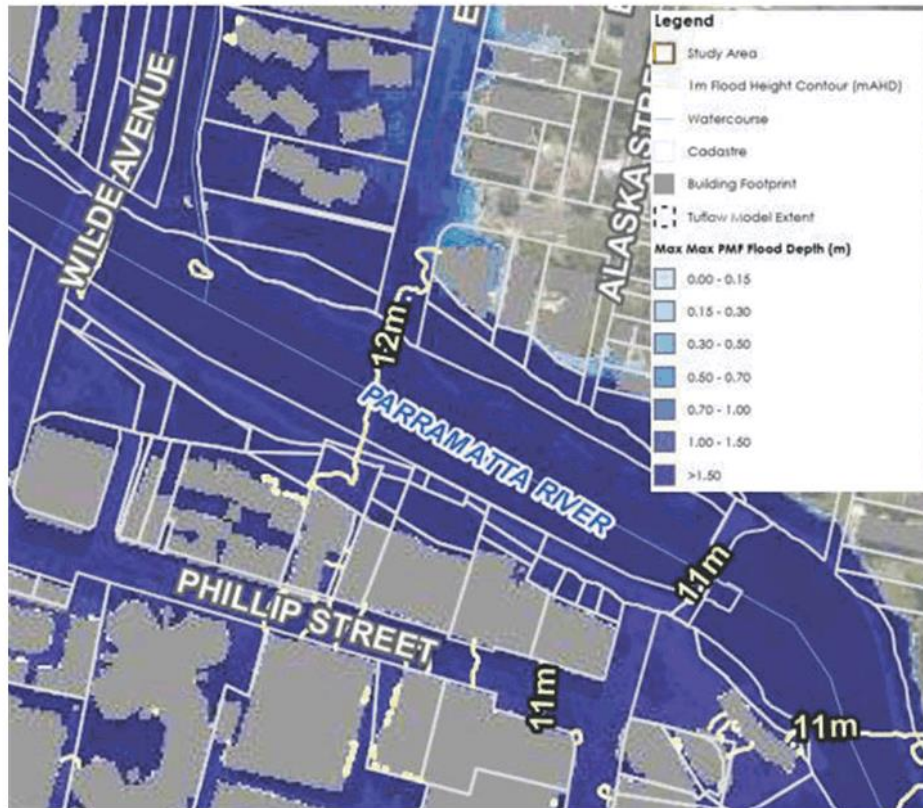


Figure 3 Flood levels (m AHD) in PMF event (Stantec Draft Flood Study (2023))

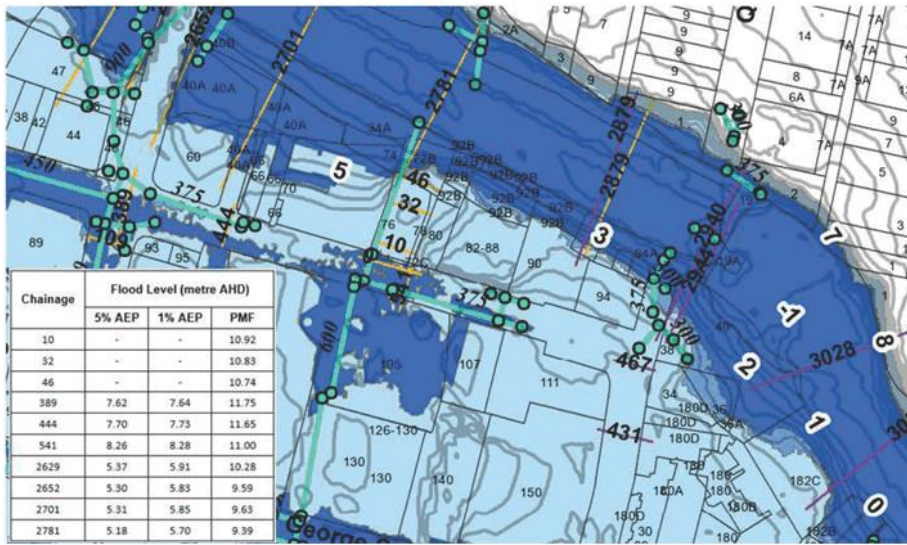


Figure 4 Flood Levels for Parramatta River (MIKE 11 model results)



2 DEVELOPMENT FOOTPRINT

Flood levels of both the Council adopted MIKE11 flood model and the recently developed Stantec Draft Flood Study were used to determine the range of flood levels that may need to be considered at the subject site.

The extract from the MIKE model does not provide flood levels for the cross section at chainage 2879 that is immediately to the north of the subject site. The closest flood information available from Figure 4 is chainage 2781 150m upstream to the subject site. Based on this model, chainage 2781 for the Annual Exceedance Probability (AEP) events are found to be as follows:

- 5% (1 in 20) AEP: 5.18 m AHD
- 1% (1 in 100) AEP: 5.7 m AHD
- Probable Maximum Flood (PMF): 9.39 m AHD in the Parramatta River and 11.65 m AHD in Phillip Street

The reason that the PMF flood level is shown as being higher in Phillip Street than in the Parramatta River is because in the model the river breaks out upstream of Marsden Street Weir and runs along Phillip, George and Macquarie Streets parallel to the river. The river drops over the weir and the water level in the river is much lower than those streets. Therefore, the flood level in the streets is metres higher than the level in the river and it flows from the streets back into the river along streets heading north or through the gaps between buildings.

The Stantec Draft Flood Study (2023) published flood level contours at 1m intervals. This gives a range between 5m AHD to 6m AHD at 1% Annual Exceedance Probability (AEP) along the northern boundary of the site (Figure 4). It indicates that the Phillip Street adjacent to the site is flood-free in the 1% AEP event.

In the PMF, the flood level is approximately 11m AHD at the eastern end of the site in the river and on Phillip Street south of the site. The level rises to 12m AHD in the river upstream of the site, but it is not clear what the levels are moving west along Phillip Street. It would appear PMF levels around the site are roughly between 11 and 12 m AHD.

As explained in Section 3 and Section 4 of this report, any development on the site must not create adverse flood impacts on neighbouring properties, Council is not in favour of buildings which have an undercroft area to accommodate flooding in events up to and including the 1% AEP flood nor extensive cut and fill within the flood planning area.

Satisfying these requirements at the subject site could be achieved by ensuring that the building footprint does not extend into the area below the 1% AEP flood level. Given that the flood levels are estimated to be somewhere between 5m to 6m AHD in the 1% AEP event, consideration is given to the limitations that three different 1% AEP flood levels would place on the approximate building footprint (Figure 5). This analysis may not be accurate as the flood levels are not available and it is indicative only to provide an idea of the implications depending on what final 1% AEP flood level is adopted. The ground levels of the site were extracted from Geoscience Australia's ELVIS ground elevation database which, in Parramatta, has a 1m grid size and a 10cm vertical resolution.

Scenarios considered for this assessment are illustrated in Figure 5 and were as follows:

- At a flood level of 5m AHD, the 1% AEP event would impact the north-western corner of 90 Phillip Street only. A building footprint which is entirely above this level would cover an area of approximately 2,192 m².
- At a flood level of 5.5m AHD a 1% AEP event would encroach on most of the northern most boundary of 90 Phillip Street. To accommodate this scenario the building footprint was reduced to 2,156 m².
- At a flood level of 6m AHD a 1% AEP event would encroach on the northern boundary of both 90 and 94 Phillip Street. A building footprint of about 1,953 m² could be built above this level.



Table 2 summarises the reduction in building footprint in each of the scenarios.

Table 1 Different scenarios and Area reduction in %

Scenario at 1% AEP	Actual Site Area	Development footprint within 1% AEP flood extent	Percentage reduction in area
5m AHD flood level	2,213 m ²	2,192 m ²	0.9%
5.5m AHD flood level		2,156 m ²	2.6%
6m AHD flood level		1,938 m ²	13%

The footprints provided in Figure 5 are an approximate extent but can be altered noting the following:

- Council will not countenance an under-croft area under the building to accommodate flooding, i.e., the building cannot cantilever over the 1% flood area.
- The northern boundaries drawn have minimum extents based on a straight northern façade. Further encroachment north may be possible with a stepped or curved façade or with compensatory cut and fill to even out the 1% AEP flood extent.
- These extents reflect a footprint matching the 1% AEP flood level however, PCDDP 2023 Control C04 suggests that Council will not accept filling below the Flood Planning Level, therefore the areas for any given flood level in Table 2 may actually correspond to the areas for the level 0.5m higher. This is elaborated upon in Section 4.

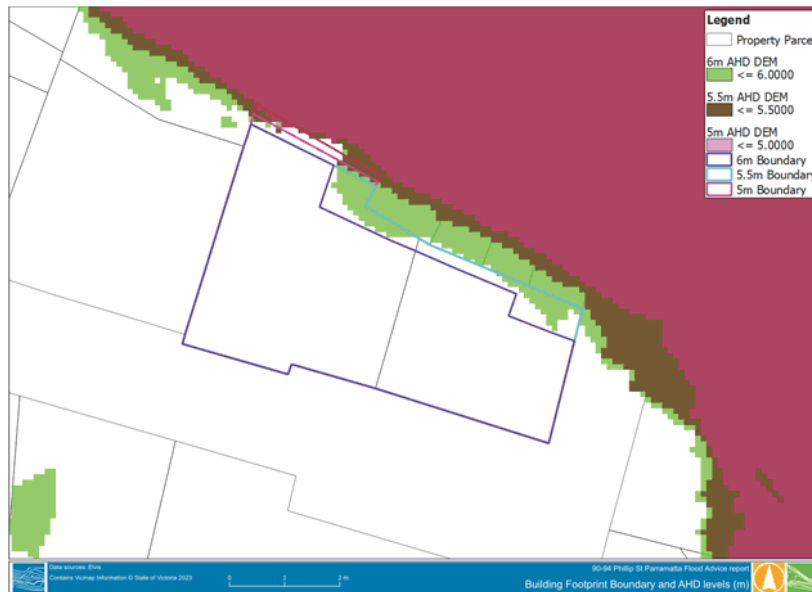


Figure 5 Proposed Indicative development footprint



3 LOCAL ENVIRONMENTAL PLAN PROVISIONS

This section discusses the Local Environmental Plan provisions that currently apply to this site including:

- Parramatta Local Environmental Plan (PLEP) 2023 Section 5.21
- PLEP 2023 Section 7.11

3.1 PLEP 2023 Section 5.21

Clause 1 of Section 5.21: Flood planning. sets out the following objectives:

- (1) *The objectives of this clause are as follows—*
- (a) *to minimise the flood risk to life and property associated with the use of land,*
 - (b) *to allow development on land that is compatible with the flood function and behaviour on the land, taking into account projected changes as a result of climate change,*
 - (c) *to avoid adverse or cumulative impacts on flood behaviour and the environment*

Clauses 2 and 3 of Section 5.21 set out the provisions which must be satisfied to meet the objectives in Clause 1. Table 3 sets out how these will need to be addressed by development at 90-94 Phillip Street.

Table 3: Development requirements to satisfy the Parramatta LEP 2011 Section 5.21 clauses.

Clause	Recommendations
<p>(2) <i>Development consent must not be granted to development on land the consent authority considers to be within the flood planning area unless the consent authority is satisfied the development—</i></p> <p>(a) <i>is compatible with the flood function and behaviour on the land, and</i></p>	<p>The flood planning area (FPL) is defined as the 1% AEP flood level plus 0.5m freeboard. According to the mapping in the Draft Parramatta Flood Study (Stantec, 2023), overland flooding does not enter the site as the site adjacent Phillip Street is not flooded at 1% AEP and so development on the site would be compatible with the overland flow function.</p> <p>The northern boundary of the site would be marginally impacted by the 1% AEP riverine flooding with incremental affectation in larger floods. The entire site would be affected to a depth of more than 2m in the PMF (Figure 4 and 5). It is anticipated that when floodwater enters the site it functions as a floodway given its proximity to the river.</p> <p>The proposed development must demonstrate that it is compatible with the nature of flooding on the land through compliance with the specific requirements from the Paramatta DCP 2023, as outlined in Sections 4 of this report. The DCP indicates that Council considers mixed use developments to be compatible with the flood function of land between the 1% AEP and PMF levels provided development incorporates specific measures to manage flood risks.</p>



Clause	Recommendations
<p><i>(b) will not adversely affect flood behaviour in a way that results in detrimental increases in the potential flood affectation of other development or properties, and</i></p>	<p>Flood modelling has not been conducted to determine the impact of site development on flood behaviour. However, the site is not subject to flooding in the 1% AEP overland event based on the draft flood study and therefore the proposed development will not impact floodwaters in overland events up to and including the 1% AEP event. Anchor Estate must produce a flood engineer's report demonstrating that a proposed development will not increase flood affectation elsewhere. Council will expect that Council's new flood model will be used for this purpose.</p> <p>Given that the site likely functions as a floodway in large floods, any structures on the site have the potential to divert floodwaters onto neighbouring properties. By keeping the building envelop above the 1% AEP flood level, development on the site would have no impact on flood behaviour up to and including this event.</p> <p>While a building on the site would divert floodwaters in larger events, the fact that the site is already fully developed means that replacing these buildings with a building of a similar footprint is unlikely to have an incremental impact and therefore these provisions would be satisfied.</p>
<p><i>(c) will not adversely affect the safe occupation and efficient evacuation of people or exceed the capacity of existing evacuation routes for the surrounding area in the event of a flood, and</i></p>	<p>This is a standard clause in all LEPs in NSW.</p> <p>It has been demonstrated that vehicular or pedestrian evacuation from Parramatta CBD in extreme floods is neither practical nor safe because there is insufficient road capacity, the river and its tributaries can rise quickly and cut routes and there is nowhere for an evacuation centre in the CBD which could accommodate the number of people and vehicles which would need to evacuate an extreme event.</p> <p>The PLEP 2023 and PDCP 2023 therefore recognise that sheltering in place in buildings in Parramatta CBD is an acceptable emergency response providing those buildings have appropriate provisions to do so.</p> <p>Therefore, any development of this site will not exceed the evacuation capacity of existing evacuation routes.</p> <p>There are controls in PDCP 2023 which establish what council considers to be acceptable means of ensuring the safe occupation of a development and its efficient evacuation in the event of a flood.</p> <p>For example, pedestrian vertical evacuation is accepted as an evacuation strategy provided that adequately sized, functional, safe areas of refuge are available and accessible above the PMF level.</p>



Clause	Recommendations
<i>(d) incorporates appropriate measures to manage risk to life in the event of a flood, and</i>	<p>Again PDCP 2023 details what measures council considers as acceptable means of meeting this requirement.</p> <p>In addition to providing safe refuge above the PMF, basement levels, if any must be protected from the entry of (e.g. driveway crests) and must be protected up to the PMF by either passive or active measures (e.g. gates).The development must have a Flood Emergency Response Flood Plan prepared for the site to ensure flood risk is managed appropriately.</p>
<i>(e) will not adversely affect the environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses.</i>	<p>There is no riparian vegetation in the vicinity of the site. Any development would need demonstrate that it would not adversely impact on the stability of the riverbanks or create an area where sediment would accumulate.</p>
<i>(3) In deciding whether to grant development consent on land to which this clause applies, the consent authority must consider the following matters—</i>	
<i>(a) the impact of the development on projected changes to flood behaviour as a result of climate change,</i>	<p>Modelling undertaken for Council and summarised by Taylor Thomson Whitting in a 2016 flood study for the site of the Powerhouse Museum in Parramatta (34-54 and 30B Phillip Street and 338 Church Street, Parramatta) suggests that the riverine 1% AEP flood level would increase by 0.27 m by the year 2100 due to climate change. A similar increment could be expected at the site. Council will expect that the climate change provisions in Council's new flood model will be used for this purpose.</p>
<i>(b) the intended design and scale of buildings resulting from the development,</i>	<p>Development is envisaged to be a mixed-use high-rise building. PDCP 2023 planning controls suggest that Council considers this development type to be appropriate on a site such as this which predominantly sits between the 1% AEP and PMF levels.</p>
<i>(c) whether the development incorporates measures to minimise the risk to life and ensure the safe evacuation of people in the event of a flood,</i>	<p>The measures that PDCP 2023 requires in this regard are:</p> <ul style="list-style-type: none"> ▪ adequately sized, functional, safe areas above the PMF level ▪ basement levels, if any, protected from floodwaters up to the PMF level. ▪ a Flood Emergency Response Plan for the site.
<i>(d) the potential to modify, relocate or remove buildings resulting from development if the surrounding area is impacted by flooding or coastal erosion.</i>	<p>The site is not subject to coastal erosion. It would not be possible to modify, relocate or remove a new building on the site as a flood response measure.</p>



3.2 Parramatta Local Environmental Plan 2023 Section 7.11

PLEP 2023 provisions for Parramatta City Centre apply to this site and address flooding issues in Section 7.11: Floodplain Risk Management:

- (1) *The objective of this clause is to enable occupants of buildings in certain areas subject to floodplain risks to—*
- (a) *shelter in a building above the probable maximum flood level, or*
 - (b) *evacuate safely to land above the probable maximum flood level.*
- (2) *This clause applies to land identified on the Floodplain Risk Management Map.*
- (3) *Development consent must not be granted to the erection of a building on land to which this clause applies unless the consent authority is satisfied the building—*
- (a) *contains an area that is—*
 - (i) *located above the probable maximum flood level, and*
 - (ii) *connected to an emergency electricity and water supply, and*
 - (iii) *of sufficient size to provide refuge for all occupants of the building, including residents, workers and visitors, and*
 - (b) *has an emergency access point to land 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.*
- (4) *Subclause (3)(a) does not apply if there is pedestrian access located between the building and land above the probable maximum flood level.*
- (5) *In this clause—*
- annual exceedance probability** *has the same meaning as in the Floodplain Development Manual.*
 - Floodplain Development Manual** *has the same meaning as in clause 5.21.*
 - Floodplain Risk Management Map** *means the Parramatta Local Environmental Plan 2011 Floodplain Risk Management Map.*
 - probable maximum flood** *has the same meaning as in the Floodplain Development Manual.*

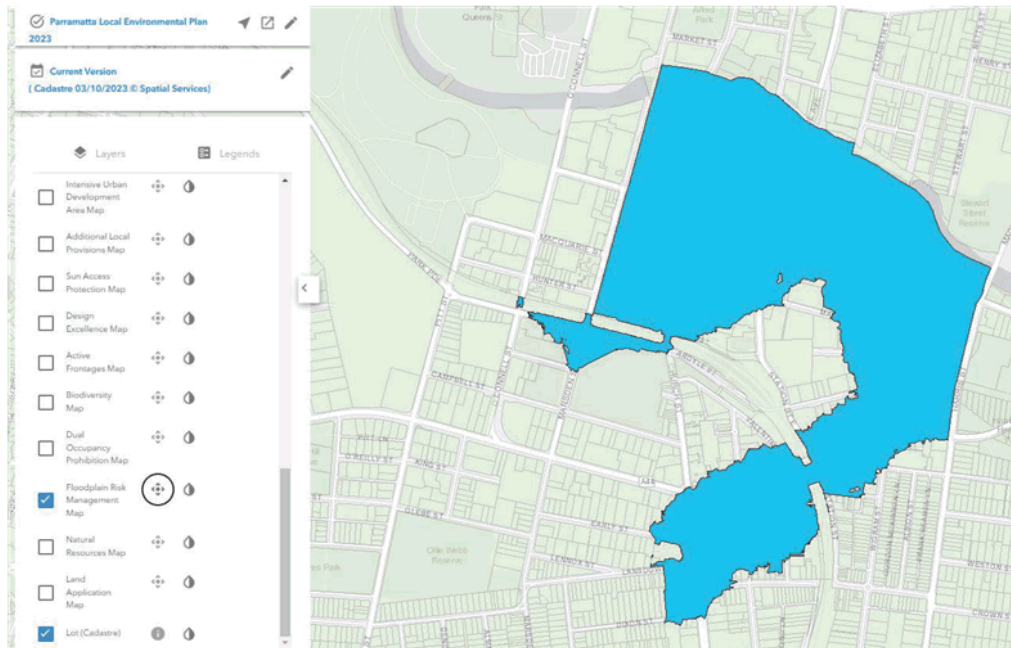


Figure 6 Floodplain Risk Management Map from PLEP website

The site is mapped within the Floodplain Risk Management Area on Council's Floodplain Risk Management Map (Figure 6). Therefore, the above provisions are applicable to the site. The proposed development must have the following:

- An adequate refuge above the PMF with the space and safety provisions to provide for all occupants with an emergency electricity and water supply;
- Have an emergency access point above the 1% AEP flood level; and
- Be able to withstand the forces of the PMF, including floodwaters, debris, and buoyancy.

The PDCP 2023 elaborates on the specific requirements to satisfy the above and these are detailed in Section 4 of this report. However, in relation to the planned development of the site and the sites features, it is noted that:

- the ground level on Phillip Street is above 8m AHD so the first floor of a commercial building on the site would likely be at or above the PMF level if conventional ceiling heights are provided. Therefore, it would not be difficult to provide refuge areas above the PMF level.
- the footpath along the Phillip Street frontage is flood free in the 1% AEP event (Figure 2) so providing an emergency access point above the 1% AEP flood level is achievable.
- a monolithic concrete mixed-use building should be able to be designed to withstand PMF forces although given its proximity to the river these could be significant. A structural engineer will need to sign off on the design and will need to have access to depth and velocity data from Council's flood model.



4 DEVELOPMENT CONTROL PLAN PROVISIONS

Section 5.1.1 Flooding of Parramatta Development Control Plan (PDCP) 2023 sets out 33 controls for flood risk management that apply to this site. It groups these under two headings:

- Floodplain Risk Management
- Flood Warning and Emergency Response Planning

The following sections discuss these in general terms. As there is currently no specific development proposal for the site, the discussion provides guidance on what implications these controls would have for design decisions regarding a future development proposal. Section 6.7 of the DCP 2011 came into effect on 2 December 2022 and identifies the site as part of the Floodplain Risk Management area to which this section applies.

Under the heading of Floodplain Risk Management PDCP 2023 lists 15 objectives and 24 planning controls while there is one objective and 9 controls under Flood Warning and Emergency Response. Many of the latter controls are simply verbatim reiterations of the earlier controls.

With regard to planning control 24 (C24), it sets out a matrix approach to development control and under this provision alone a particular type of development below a particular flood level could have up to 15 specific design or operational controls applying to it. There is some overlap between the development controls called up by C24 and the other controls, so the following discussion groups the controls according to their design implications.

4.1 Land use Categories and Flood Risk Precincts

Regarding the matrix under C24 the applicable development controls within the matrix are based on the Land Use Category Definitions table (Table 5.1.1.1), the envisaged redevelopment with both residential apartments and commercial/retail spaces in the podium level falls under "Commercial or Industrial", which includes retail premises, office premises and mixed-use developments. The same development controls would apply if the development fell under "Residential" land use.

However, were any of the commercial areas of the building proposed to be used for early education and care facilities, hospitals, residential care facilities, educational establishments, or emergency services facilities or if the residential tower were used for seniors housing, then the land use category would be Sensitive Uses and Facilities. According to Table 5.1.1.2 under C24, none of these uses are suitable at a site such as this where it can flood in a PMF, and this is reinforced by C16. Note that the DCP is unable to prohibit these uses (only an LEP can do that) and C17 suggests that in some circumstances centre-based childcare and aged care facilities may be approved. However, one of the requirements is that building occupants would not have to traverse hazardous floodwaters in any flood between the 1% AEP and the PMF. That would not be the case at this site and so it would be extremely difficult to get approval for such uses at the site.

Figure 7 shows that the site is mostly within the Low Flood Risk Precinct with small sections of the northern part of 90 Phillip Street being within the Medium and High Flood Risk precincts. The boundaries of these precincts are likely to be updated when Council adopts the new flood model results. However, if the development footprint is kept above the 1% AEP flood level, then the development should remain within the Low Flood Risk Precinct. The following discussion therefore assumes that the future use of the site would be for Mixed Use development in the Low Flood Risk Precinct and discusses the applicable planning controls from C24 for such development.

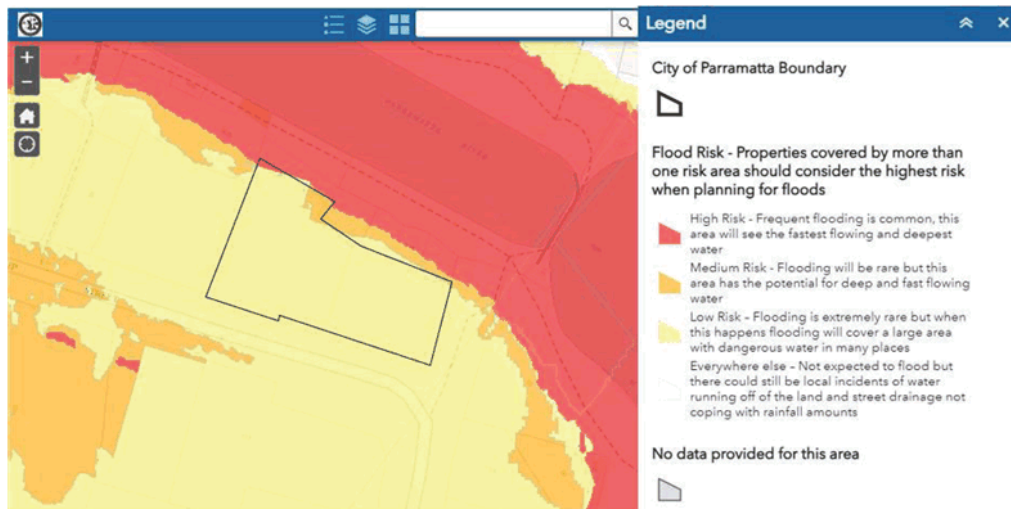


Figure 7 Flood risk precinct for 90-94 Phillip Street, Parramatta (Source: FloodSmart Parramatta)

4.2 Consistency with Other Plans

C01 simply requires that development is compatible with any relevant Floodplain Risk Management Plan. C32 is a repeat of this control as is the evacuation provisions of C24. As the Upper Parramatta River Floodplain Risk Management Plan was updated to accommodate the updates to the Parramatta LEP and DCP, any development which meets the requirements of the LEP and DCP will be compatible with the Upper Parramatta River Floodplain Risk Management Plan.

4.3 Risk to Life Management

C02 requires that risk to life be mitigated to Council's satisfaction and C33 is a repeat of this control. What would satisfy council is indicated by the following conditions:

- C07 – must have reliable access to a flood free location.
- C19 – must use a merit-based flood hazard and flood impact risk assessment that considers risks to occupants.
- C24 – must have reliable access for pedestrians required from the site to an area of refuge (including shelter in place) above the PMF level, on site (e.g. second storey) or off site and must be consistent with any relevant flood emergency response plan, flood risk management plan or similar plan.
- C28 – where shelter on site is required and permissible by C24 occupants must be able to stay there for the duration of the flood and any subsequent disruption.
- C29 - sets out the details of what the shelter must provide.
- C31 – sets out the details of accessibility to the shelter.



Condition C07 and C24 can be satisfied by having access for occupants of the basement and ground floor to the first floor or above and for occupants of the upper floors to remain where they are. This is consistent with the Upper Parramatta River Floodplain Risk Management Plan which supports sheltering in place although not necessarily with the NSW SES Local Flood Plan which advocates off site evacuation as its preferred response strategy. This means that a planning proposal to increase density at the site may be opposed by NSW SES. It is noted that condition C27 states that horizontal evacuation measures are preferred but only where certain conditions can be met. One of those is that there is an exit from the building above the PMF level. That cannot be met at 90-94 Phillip Street.

C29 sets out the following requirements for on-site shelter:

- a) Refuge shelters must be adequate and fit for purpose (size, design, equipment, supplies) and maintained as such in perpetuity.
- b) Unless otherwise advised by Council, facilities must be designed for a refuge stay of at least 72 hours, with longer time periods addressed in design, equipment, and provisioning.
- c) It is recommended, and may in some cases be required, that large and high-rise residential buildings be provided with emergency back-up power, water supply and sewerage for all residential units and common facilities including lifts. This must be provided in the context of an overarching Emergency Response Plan that includes flooding, power outages, extreme weather events and other incidents.
- d) Where the building design and back-up systems enable some residents to safely remain in their own apartments for extended periods during floods, all such residents must still have access to a communal refuge area of adequate size where support from other residents and emergency supplies are available.
- e) The communal safe area of refuge must be permanently provided with as a minimum:
 - emergency electricity supply, and lighting,
 - clean water for drinking, washing and toilet flushing,
 - working bathroom and toilets,
 - suitable food,
 - personal washing facilities,
 - medical equipment including a first aid kit,
 - a battery-powered radio and relevant communications equipment, and
 - a comfortable, safe, indoor, sheltered environment (corridors, lobbies, balconies, alfresco areas, car parks etc are not acceptable).

C30 sets out the following accessibility requirements for all safe areas of refuge (residents own apartment or a communal area):

- a) fail safe access to the safe area of refuge from anywhere in the building including the basement (lift access is not allowed) that is protected from floodwaters up to the PMF by suitable flood doors, flood gates and the like; and
- b) fail safe access to an exit/entry point located above the 1% AEP flood level plus 0.5m freeboard that enables people to exit the building during a fire and/or flood and allows emergency service personnel to enter a building to attend to a medical emergency.



4.4 Building Design Parameters

The Flood Planning level (FPL) must be set at a 1% AEP level at any location plus a 500mm freeboard (C03, C24) unless specified for additional freeboard by Council to manage any exceptional circumstances. It shall be based on the higher of the 1% AEP riverine flood level or the 1% AEP overland flow flood level, as accepted by Council. This means that it will need to be set using Council's new flood model levels when they are adopted. From the available mapping that shows that the site is not affected by 1% AEP overland flooding so the minimum habitable floor levels of the site will be based on the 1% AEP riverine flood level. As the ground level in Phillip Street is above 8m AHD and the riverine flood level might be slightly higher than 5m AHD, it may be possible to have a habitable floor level below the Phillip Street ground level. All building components below the FPL will need to be of flood compatible materials (C24).

Significant filling or excavation below the FPL is generally not permitted (C04) so the footprints marked in Figure 04 should be related to the FPL rather than the 1% AEP flood level. For example, if the 1% AEP flood level is 5m AHD then the FPL would be 5.5m AHD and the 5.5m AHD building footprint would apply. C15 states that, *"In general, Council will not support proposals for flood flow-through or flood storage chambers within or beneath a new building, and alternate design solutions will be required."* Which would make it challenging to get approval at this site for any building which cantilevered beyond the FPL contour. However, C05 does countenance the possibility of raised structures and, if proposed, may require a structural engineer to certify the structure will not be at risk of failure from flood forces.

C12 requires that design responses to mitigate flood impacts should not have significant negative impacts on local amenity such as overshadowing or incompatibility with the streetscape. This should not be an issue for redevelopment of this site.

4.5 Flood Modelling

As redevelopment of the site would involve the construction of a new building, the applicant must make a Flood Information Enquiry to the Council to receive any flood relevant information for the site (C08). Council may require an additional flood study be prepared, which Control 09 states must be prepared using parameters provided by Council and account for climate change. It is likely that Council will require the impacts of proposed development of the site to be modelled using Council's new TUFLOW model. Development must be planned and design to respond to both riverine and overland flooding (c13). Council may also require an overland flood study where it is likely to dominate the riverine flooding (C10). Council's published flood maps suggest there is no overland flooding near the site so this may not be necessary.

The modelling will need to demonstrate that the development will not increase flood affectation elsewhere (C14, C24). This would need to take into consideration:

- (i) loss of flood storage.
- (ii) changes in flood levels, and velocities caused by changes to flood flows; and
- (iii) the cumulate impact of multiple potential developments in the vicinity

The Council adopted model would be adequate for this analysis.

If future development has a similar footprint to the existing development on site then this requirement should be able to be met. If the footprint is to be increased, then compensatory cut may be required but C14 suggests that this should not be "significant" below the FPL.

C06 makes it clear that the impacts of fencing and landscaping must be included in the modelling.



C18 expands on the required flood modelling, specifying that the modelling must include flood hazard modelling.

The modelling must then be used to prepare a merit-based flood hazard and flood impact risk assessment C19.

4.6 Car Parking

C20 states

"Council strongly discourages basement car parks on properties within the floodplain. Where site conditions require a basement car park on a property within the floodplain, development applications must provide a detailed hydraulic flood study and design demonstrating that the proposed basement car park has been protected from all flooding up to and including the PMF event. An adequate emergency response and evacuation plan must also be provided where basement car parks are proposed in the floodplain..."

We recommend not to propose a basement car park as it is strongly discouraged by the Council. If the developer decides to proceed with a basement car park, necessary detailed hydraulic modelling study with mitigation options such as flood gates (up to and including PMF event) must be presented to demonstrate the protection of the car parking area. Phillip street is the only vehicular access to the site and is at an existing level varying from 8m to 8.1m AHD, therefore the driveway ramp crest from Phillip Street must be at least 8.6m (allowing a 0.5m freeboard) and is provided with a flood gate/barrier that goes up for about 2.5m to protect the driveway from flooding at PMF event.

Controls 21, 22 and 23 set out the requirements that basement car parking must satisfy when it is proposed. This includes:

- a driveway to a street which will not have high hazard flooding in a 1% AEP flood. Council's mapping suggests that Phillip Street would meet this requirement.
- protection from the ingress of floodwater by passive measures at least up to the flood planning level. These measures are likely to include provision of a driveway crest at or above the flood planning level with associated wing/or bund walls to this level to prevent floodwaters flowing into the basement. As the FPL is likely to be less than 6m AHD and a driveway entry at Phillip Street (about 8m AHD) would satisfy this requirement
- protection from the ingress of floodwater via the driveway up to the PMF level. These measures are likely to include provision of a self-triggering and self-powered flood gate at or near the driveway crest that reaches the level of the PMF. Such a gate would need to be 3-4 high depending on the driveway crest level and the final PMF level advised by Council.
- protection from the ingress of floodwater via stairwells and other openings up to the Probable Maximum Flood level. These measures are likely to include a combination of a self-closing flood doors, flood gates and bund walls. Flood doors may also be fire doors
- provision of flood-free escape stairs from the basement up to a place of refuge within the building above the PMF level with adequate facilities for users during and after a flood. In other words, a set of fire stairs between the basement and the first floor which has no entry on the ground floor.
- adequate car parking for the disabled and an escape path that can be followed to safety.

The above measures must be supported by a Flood Emergency Response Plan and a Building Management System and Plan which provides for the maintenance, testing and operation of the flood protection measures.



In addition, under C24 car parking and driveway access need to address the controls 1, 3, 5 and 6 within the Table 5.1.1.3 Floodplain Matrix Planning and Development Controls which are:

1, The minimum surface level of unenclosed parking spaces or carports shall be as high as practical, but no lower than 0.1 metres below the 1% AEP (100-year ARI) flood level. In the case of garages and other enclosed parking areas for less than 3 motor vehicles, the minimum surface level shall be as high as practical, but no lower than the 1% AEP (100-year ARI) flood level, plus 0.15 metres freeboard. This provides the option of having unenclosed parking under the building as low as 0.1m below the 1% AEP flood level and may be a way of avoiding the onerous controls on basement parking.

3, Garages, and other enclosed car parking areas, capable of accommodating more than 3 motor vehicles, must be protected from inundation by floods equal to or greater than the 1% AEP (100-year ARI) flood. Ramp levels to be no lower than 0.5m above the 100-year ARI flood level. Where below ground car parking is proposed additional measures must achieve protection up to the PMF. This is covered in detail by C21-23.

5. Unless otherwise approved by Council and provided this does not obstruct or displace floodwaters, the level of the driveway providing access between the road and parking spaces shall be no lower than 0.2 metres below the 1% AEP (100-year ARI) flood level. Phillip Street is above the 1% AEP flood level.

6. Enclosed car parking, and car parking areas accommodating more than 3 motor vehicles, with a floor below the 1% AEP (100-year ARI) flood level, shall have adequate warning systems, signage, exits and evacuation routes. Refer to Flood Warning and emergency Response Planning section for requirements. This is an additional requirement not covered by C21-C23.

4.7 Emergency Planning

C25 states that, "If required by Council all development in the floodplain involving the construction of a new building or significant alterations to an existing building, and or intensification of a use must be supported by a FERP". A FERP is a Flood Emergency Response Plan and according to C26 must include:

- Warning and evacuation measures
- Measures to prevent evacuation from the site by private vehicle.
- The most appropriate emergency response for flood and fire events that occur together.
- A FERP drill which is tested at least annually.

5 CONCLUSION

This letter has set out the flood management considerations for 90-94 Phillip Street based on the current LEPs and DCP applicable to the site. Until Council adopts its new flood model for the Parramatta River it is difficult to be definitive about the flood levels, hazards, and risks at the site. However, based on published draft flood model results it would appear that a mixed-use development on the site would be compatible with the flood risk and is permitted by the LEP and deemed suitable by the DCP.

The flood planning level for the site is likely to lie somewhere between about 5.5m and 6m AHD which is below the Phillip Street level of about 8m AHD. This means that it may be possible to have habitable uses on a floor level below Phillip Street. It also means that if there is parking below Phillip Street but no more than 0.6m below the FPL and it is not enclosed, then it does not need to be protected from the ingress of floodwaters.

Otherwise, enclosed basement carparking may need flood gates up to 4m high on the Phillip Street driveway crest. It would also be necessary to have measures to prevent the ingress of PMF flooding into the enclosed



basement via stairwells, lift wells and other floor penetrations. An emergency access from the basement to the first floor would be required which does not have an exit at ground level.

It would need to be demonstrated through flood modelling, using Council's new flood model, that redevelopment of the site would not increase flooding on neighbouring properties. If the building has no bigger footprint than the existing building this should be able to be demonstrated.

Evacuation of the site in a flood would not be practical but sheltering in place is permitted by the LEP and supported by the DCP. Any mixed-use development on the site will need to have areas of safe refuge above the PMF level which should be able to be provided on the first floor level and above. Some of that space needs to be accessible and usable by occupants of the basement and ground floor. It will be necessary to provide adequate food and first aid to those sheltering in the building and 72 hours of emergency power and water are stipulated by the DCP. A Flood Emergency Response Plan would be required for the building's operation.



14 May 2024
Ref: 24050

The General Manager
Parramatta City Council
PO Box 32
PARRAMATTA NSW 2124

Dear Sir/Madam,

90-94 Phillip Street, Parramatta
Planning Proposal to amend Parramatta Local Environmental Plan 2023
Traffic & Parking Assessment Report

Introduction

This Traffic & Parking Assessment Report (TPAR) has been prepared in support of a Planning Proposal (PP) to Parramatta City Council (Council), involving amending the Parramatta Local Environmental Plan 2023 (PLEP 2023) to allow for the redevelopment of the site for the purposes of a mixed use development, as follows:

- Amending the maximum building height map to permit a maximum building height of 153m, and
- Amending the maximum floor space ratio map to permit an FSR of 15.4:1, inclusive of all bonuses.

In amending the PLEP 2023, the PP envisages the construction of a new 47-storey tower on the site, comprising commercial space within a four-level podium, along with 43 levels of residential apartments on the levels above.

It is pertinent to note in this regard that the proposed amendments to the PLEP 2023, and in turn, the indicative yields, are less than the original draft Parramatta CBD PP endorsed by Council in June 2021. As part of the CBD PP, AECOM prepared a Strategic Transport Study (STS), which ultimately supported the uplift densities proposed in the draft CBD PP. This was on the basis of off-street parking being provided in accordance with City of Sydney's CBD rates compared to the City of Parramatta's CBD rates.

In essence, the traffic impacts of the subject PP have already been assessed and captured as part of a CBD wide mesoscopic model that led to its recommendation of uplift in the CBD. The NSW Department of Planning & Environment ultimately gazetted an uplift well below that identified in the mesoscopic model, such that the subject PP will not result in traffic volumes that Council has not already considered and accepted.

Subject Site

The subject site is located on the northern side of Phillip Street, just to the west of the Parramatta Ferry Wharf, and is situated within the "Parramatta City Centre", as defined under the Parramatta DCP 2023. The site has a street frontage approximately 69m in length to Phillip Street and occupies an area of approximately 2,192m².

The existing site is currently occupied by a multi-storey commercial building with an estimated floor area in the order of 6,200m² and off-street parking for 86 cars. Vehicular access to the site is currently provided via an entry/exit driveway located at the western end of the Phillip Street site frontage, as well as an entry/exit driveway located at the eastern end of the site, accessed via an easement through the Charles Street public domain.

A series of maps and Streetview images of the site and its surroundings are reproduced on the following pages.

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1



Figure 1 – Site location (Source: OpenStreetMap)



Figure 2 – Aerial image of the subject site from March 13, 2024 (Source: Nearmap)

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ABN 68 648 775 722



Figure 3 – Streetview image of the Phillip Street site frontage, looking east (Source: Google Maps)



Figure 4 – Streetview image of the Phillip Street site frontage, looking west (Source: Google Maps)

Existing Planning Controls

The current planning controls which apply to the site are outlined in the Parramatta LEP 2023, as follows:

- Land zoning: MU1 Mixed Use & RE1 Public Recreation
- Floor space ratio (FSR): 6:1
- Height of Building (HOB): 80m

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Figure 5 – Zoning Map (Source: ePlanning Spatial Viewer)

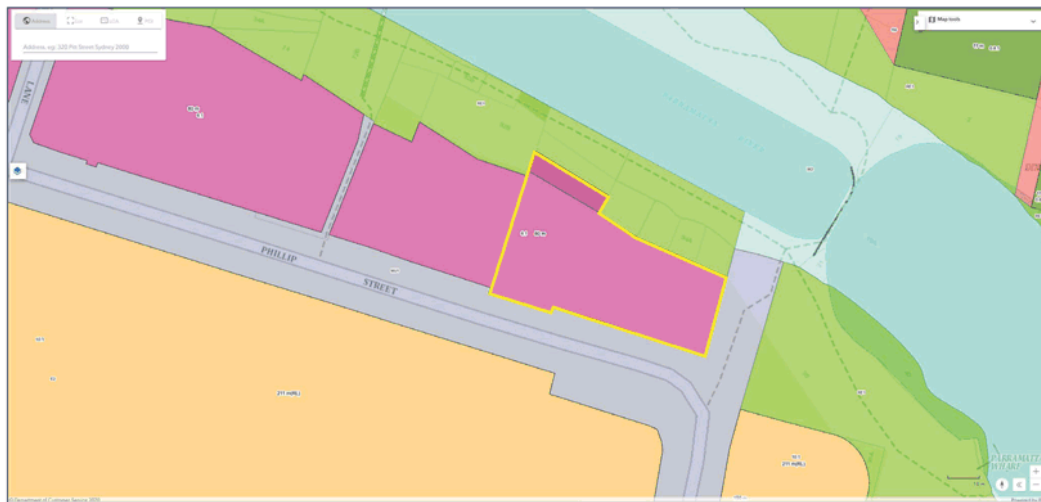


Figure 6 – FSR & Height Control Map (Source: ePlanning Spatial Viewer)

Based on the existing PLEP 2023 controls which apply to the site, a compliant scheme has the potential to achieve a 21-storey tower on the site, comprising commercial space within a four-level podium, along with 17 levels of residential apartments on the levels above.

Table 1 – Hypothetical Scheme under Existing PLEP 2023 FSR & GFA Controls			
Land Use	Yield	FSR	GFA
Residential	61 x 1 bed 84 x 2 bed 11 x 3 bed 156 units	6:1	13,152m ²
Commercial/retail	2,192m ²	1:1	2,192m ²

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Existing Surrounding Traffic Controls

The existing surrounding traffic controls in the vicinity of the site comprise:

- Traffic signals at the intersection of Phillip Street, Wilde Avenue & Smith Street, with opposing right-turn lanes on Wilde Street & Smith Street, turning into Phillip Street
- Traffic signals at the Smith Street & George Street intersection
- Traffic signals at the Charles Street & George Street intersection
- a 40km/h speed limit along Phillip Street, Charles Street and generally, throughout the Parramatta CBD.

Existing Surrounding Parking Restrictions

The existing on-street parking restrictions in the surrounding area comprise:

- a mix of 2P/4P Ticket parking along both sides of Phillip Street and Charles Street
- No Stopping/No Parking restrictions around the bend at the Phillip Street & Charles Street intersection, outside the site
- Loading Zones located at various locations in the vicinity of the site, including directly opposite
- a Bus Zone along the full frontage of the site in Phillip Street.

Planning Proposal

As noted in the foregoing, the Planning Proposal to Parramatta City Council involves amending the Parramatta Local Environmental Plan 2023 (PLEP 2023) as follows:

- Amending the maximum building height map to permit a maximum building height of 153m, and
- Amending the maximum floor space ratio map to permit an FSR of 15.4:1, inclusive of all bonuses.

In amending the PLEP 2023, the PP envisages the construction of a new 47-storey tower on the site, comprising commercial space within a four-level podium, along with 43 levels of residential apartments on the levels above.

Land Use	Yield	FSR	GFA
Residential	158 x 1 bed 218 x 2 bed 29 x 3 bed 405 units	13.2:1	29,025m ²
Commercial	4,576m ²	2.09:1	4,576m ²
Total		15.4:1	33,601m ²

Off-street car parking is proposed to be provided in accordance with the relevant parking rates which are a maximum, given the site's location within the Parramatta CBD. It is envisaged that the parking will be provided within a basement structure beneath the building. Whether the basement will be designed with a traditional ramp system, a semi/fully automated system, or a combination of the two, is not yet known and subject to further investigation and costing.

A dedicated on-site service area will also ultimately be provided for the building. Similarly, it is not yet known whether the service area will be located on the ground floor level of the building or within basement level 1.

Vehicular access to the site will be provided via a driveway located towards the western end of the Phillip Street site frontage, approximately where the existing driveway crossover is located. At this stage it is not yet known whether the design will include separate driveways for the car park and service area or a combined driveway. This will also be further investigated during the development application (DA) stage.

Existing Public Transport Options

Parramatta railway station and bus interchange is located approximately 600m radius of the site, which is lies on the T1 Western Line, T2 Inner West Line and T5 Cumberland Line. Train services operate approximately every 10 minutes during commuter peak periods, as well as regular services during shoulder and off-peak periods.

Parramatta ferry wharf is located immediately to the east of the site which forms part of the F3 Parramatta River ferry service, operating between Parramatta and Circular Quay. Ferry services operate approximately every 60 minutes.

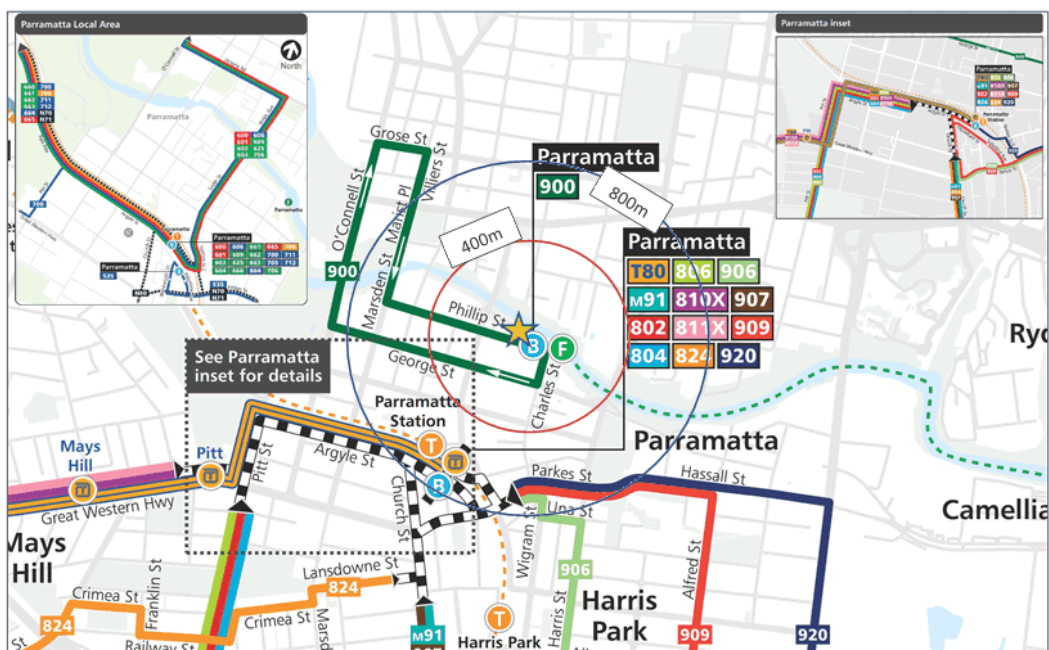


Figure 7 – Existing Public Transport Map (Source: Transport for NSW)

A bus stop is also located directly outside the site, which is serviced by the 900 bus, a free shuttle bus that links key destinations within the Parramatta City Centre. The 90 service operates at 10-minute intervals between 7:00am-6:30pm Monday-Friday and 8:00am-4:00pm on Saturday, Sunday and Public Holidays.

Furthermore, within a short walk, or utilising the free shuttle bus services, there is a significant number of bus services operating in the Parramatta City Centre, including along nearby Smith Street, approximately 250m west of the site. These include:

- M41 (Hurstville to Macquarie Park), M90 (Burwood to Liverpool),
- 407 (Burwood to Strathfield),

- 408 (Rookwood Cemetery to Burwood via Flemington),
- 458 (Ryde to Burwood)
- 461 (Burwood to City Domain)
- 464 (Ashfield to Mortlake)
- 466 (Ashfield to Cabarita Park).

In addition to rail, ferry and bus services, Parramatta Light Rail Stage 1 will connect Westmead to Carlingford via the Parramatta CBD and Camellia, with a two-way track spanning 12km, and is expected to open in mid-2024.

Parramatta Light Rail is one of the NSW Government's largest major infrastructure projects being delivered to serve a growing Sydney. Light rail will create new communities, connect great places and help both locals and visitors move around and explore what the region has to offer.

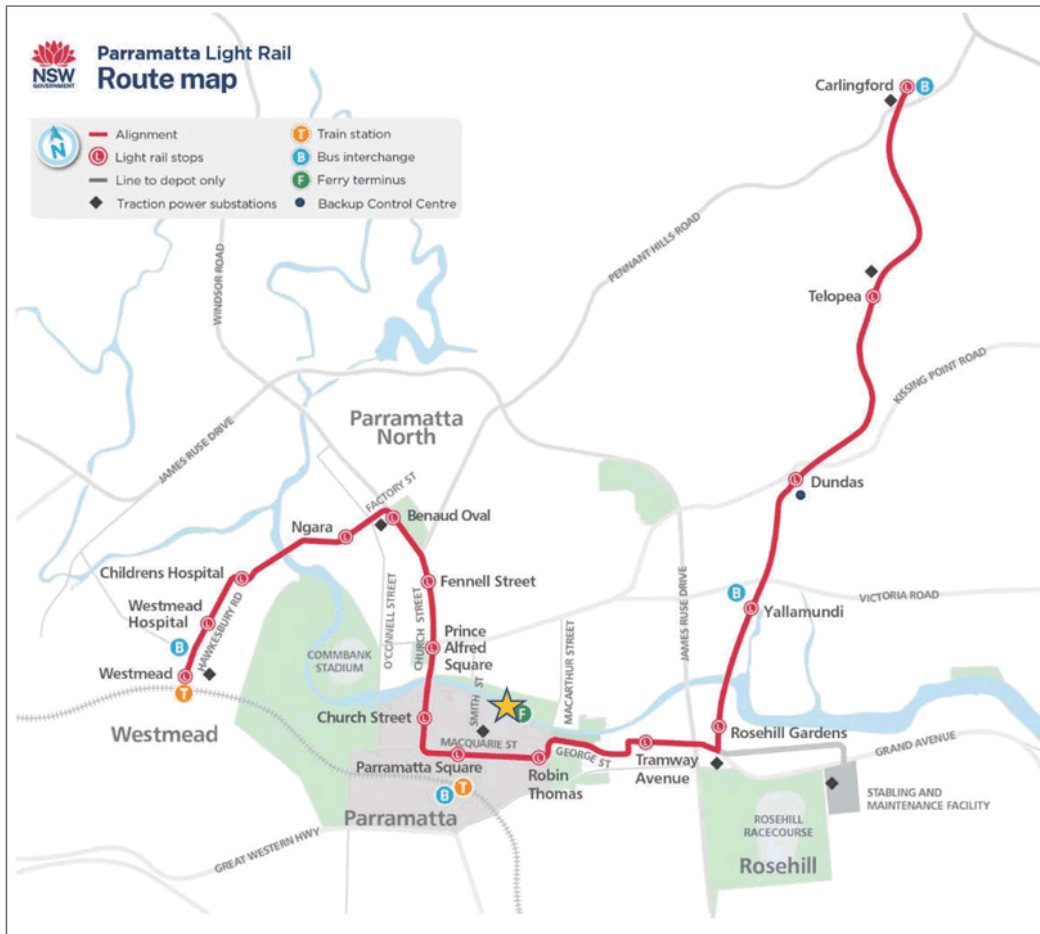


Figure 8 – Parramatta Light Rail Stage 1 Map (Source: Transport for NSW)

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The nearest light rail stations to the site will be located on Macquarie Street, just west of Smith Street and just west of Harris Street, both within approximately 450m radius of the site. The Stage 1 route will link the Westmead Precinct and railway station to Carlingford, via Parramatta North, Parramatta's CBD and train station, Rosehill Gardens, Dundas and Telopea. Key features of the Stage 1 Light Rail are:

- High-frequency 'turn-up-and-go' light rail services seven days a week, departing approximately every 7.5 minutes in peak periods.
- Modern and comfortable air-conditioned vehicles that are driver-operated and Opal card network integrated.
- The Parramatta Light Rail will replace the train line between Camellia and Carlingford. This will provide more frequent services and better connections to town centres, including Parramatta and Sydney CBD.
- A new Active Transport Link (shared walking and bike riding path) between Carlingford and Parramatta.
- The first green track delivered for a light rail project in NSW, totalling 1.3kms. Green track reduces urban heat among other benefits.

NSW planning approval has also been granted for the Parramatta Light Rail Stage 2. The project will be staged, starting with the delivery of a new public and active transport bridge over Parramatta River between Wentworth Point and Melrose Park, including approaches on either side of the river – totalling 1.3km (enabling works).

Parramatta Light Rail Stage 2 will connect local communities in the Greater Parramatta and Olympic Peninsula, and bring the vision of a "30-minute city" closer to reality.

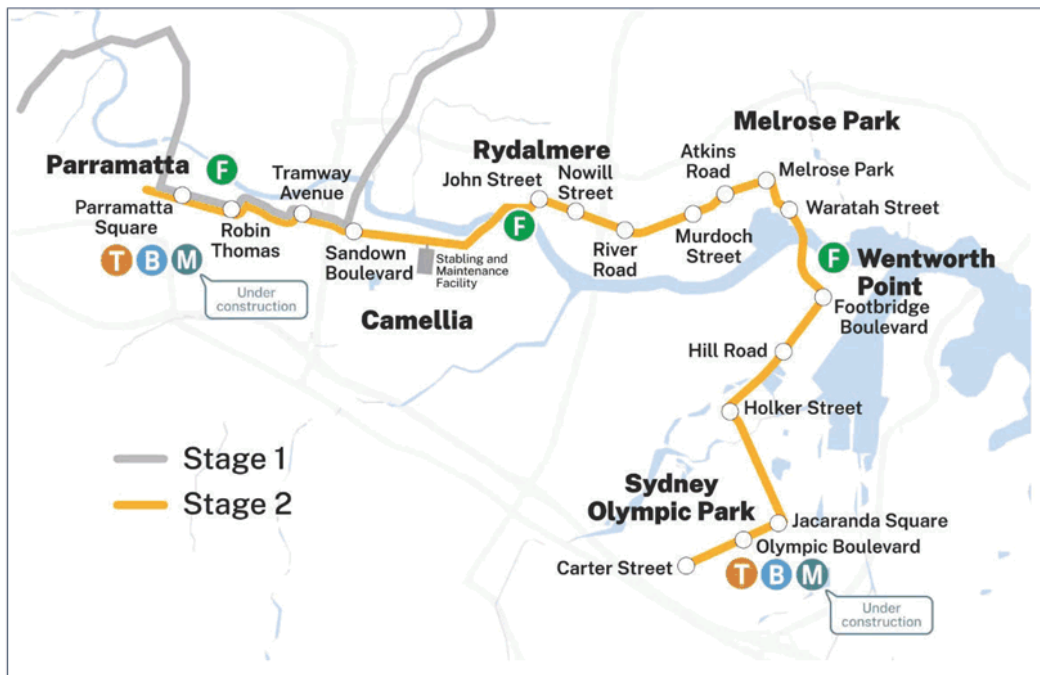


Figure 9 – Parramatta Light Rail Stage 2 Map (Source: Transport for NSW)



Stage 2 will have:

- 14 stops over a 10km two-way track
- travel times of around 31 minutes from Camellia to the Carter Street Precinct via Sydney Olympic Park, and a further 7 minutes to the Parramatta CBD
- high frequency 'turn up and go' services every 7.5 minutes on weekdays between 7am to 7pm, and around every 10-15 minutes outside those times, on weekends and public holidays.

Stage 2 will also connect to the:

- Sydney Metro West (under construction) and heavy rail in Parramatta and Sydney Olympic Park
- ferry services at Rydalmere and Sydney Olympic Park.

Broadly speaking, research suggests that proximity to train and light rail services influence the travel mode choice for areas within 800m (approximately 10 minutes) of a train station or light rail stop. As such, the proposed development has excellent potential for future residents and employees of the development to utilise heavy and light rail for their commute to work and/or social trips.

Research also suggests that proximity to public transport services influence the travel mode choice for areas within 400m walking distance (approximately 5 minutes) of a bus stop. As such, the proposed development also has excellent potential for future residents and employees within the building to utilise bus for their commute to work and/or social trips.

Existing Active Transport Options

There is also a good level of pedestrian connectivity, including safe and convenient footpaths to the abovementioned ferry stop, bus stops, railway station and future light rail stops. All existing footpaths in the surrounding area are of good quality, with appropriate widths and pram ramps provided at most intersections.

The existing bicycle network in the vicinity of the site is reproduced in the figure below, which shows there are a number of formal and informal cycle routes throughout the surrounding area, connecting to the greater cycle network.

The *Planning Guidelines for Walking and Cycling* identifies a number of city-scale design principles that can assist the creation of walkable and cyclable cities and neighbourhoods. These principles emphasise urban renewal and the creation of compact, mixed use, accessible centres around public transport stops. At the neighbourhood scale, design principles can be reinforced through the creation of local and accessible centres and neighbourhoods with connected street patterns and road design which aim to reinforce local walking and cycling networks.

In particular, the *Guidelines* note that increased population density is an important element in creating a walkable and cyclable city. A compact development brings activities close together, making them more accessible by foot or by bicycle, without the need to use a car. Increased population density also enhances the viability of public transport services.

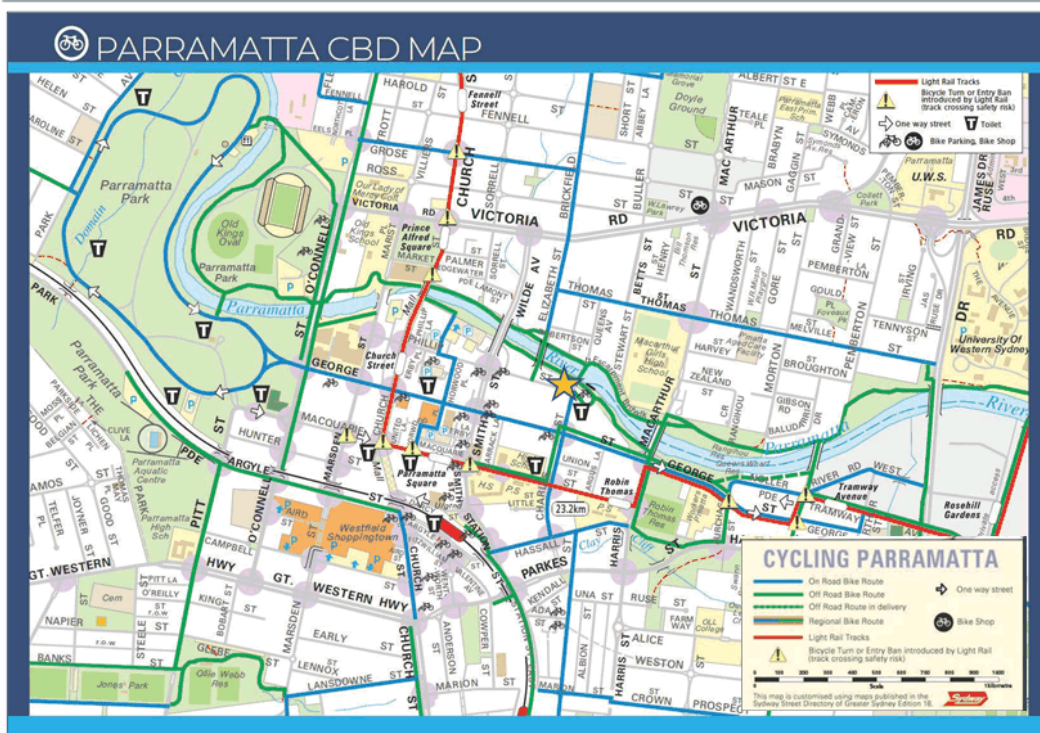


Figure 10 – Parramatta CBD Bike Map (Source: Parramatta Council)

Existing Traffic Conditions

An indication of the existing traffic conditions on the road network in the vicinity of the site is provided by peak period traffic surveys undertaken in 2018 as part of a previous traffic study for the subject site. The traffic surveys were undertaken at the intersections of Phillip Street/Wilde Avenue/Smith Street and also Charles Street/George Street on Tuesday 1st May 2018, between 6:30am-9:30am and 3:30pm-6:30pm. The results of the 2018 traffic surveys are summarised below:

- two-way traffic flows in Phillip Street were in the order of 500-600 vehicles per hour (vph) in the weekday AM and PM peak periods
- two-way traffic flows in Wilde Avenue were in the order of 1,200-1,300 vph in the weekday AM and PM peak periods
- two-way traffic flows in Smith Street were in the order of 700-800 vph in the weekday AM and PM peak periods
- two-way traffic flows in Charles Street were in the order of 400-700 vph in the weekday AM and PM peak periods
- one-way traffic flows in George Street were in the order of 500-800 vph in the weekday AM and PM peak periods.

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Car Parking Assessment

As noted in the foregoing, the Strategic Transport Study (STS) mesoscopic model prepared by AECOM, as part of the draft Parramatta CBD PP and endorsed by Council in June 2021, was on the basis of off-street parking being provided in accordance with City of Sydney's CBD rates compared to the City of Parramatta's CBD rates.

Accordingly, based on the PP's indicative yields and the City of Sydney CBD parking rates, the proposed development requires the maximum provision of 235 car parking spaces, as set out in the table below.

Proposed Land Use	Maximum Car Parking Rates	Quantum	Maximum Requirement
Residential	0.3 spaces/1 bed	158 apartments	47 spaces
	0.7 spaces/2 bed	218 apartments	153 spaces
	1 space/3 bed	29 apartments	29 spaces
<i>Sub-total</i>			<i>229 spaces</i>
Commercial	$M = (G \times A) / (50 \times T)$	4,576m ²	6 spaces
Total maximum provision			235 spaces

Where M = Max parking provision, G = Comm GFA, A = Site area & T = total GFA

Whilst the layout of the vehicular access and car park is not yet known, off-street parking will be capped in accordance with the City of Sydney CBD parking rates, based on the yields provided in any DA scheme at the time of DA lodgement. This in turn supports the city-wide sustainable transport planning objectives.

Bicycle Parking Assessment

In order to encourage the use of alternate forms of transport, Parramatta Council's DCP 2023, Part 6, Section 6.3 Bicycle Parking, requires the following to be provided for the proposed mixed use development:

Table 6.3.1 – Minimum Bicycle Parking Rates

Development type	Minimum number of bicycle parking spaces required
Residential flat buildings and the residential component of Mixed-Use development	1 space per dwelling, plus 1 space per 10 dwellings for visitors.
Commercial premises with a gross floor area of 600m ² or more (including offices, business premises, restaurants, cafes and shops)	1 space per 250m ² of gross floor area for employees, plus 1 space per 500m ² of GFA for visitors.

Figure 11 – Parramatta minimum bicycle parking rates (Source: Parramatta DCP 2023)

Proposed Land Use	Minimum Bicycle Parking Rates	Quantum	Minimum Requirement
Residential	1 space/dwelling	405 units	405 spaces
Residential visitors	1 space/10 dwellings	405 units	41 spaces
Commercial staff	1 space/250m ² GFA	4,576m ² GFA	18 spaces
Commercial visitors	1 space/500m ² GFA	4,576m ² GFA	9 spaces
Total minimum provision			473 spaces



Other key requirements from the PDCP 2023 which relate to bicycle parking, and indeed active transport in general, include:

- Bicycle parking is to be provided in the form of Class B lockers for resident/employees and Class C rails for visitor parking, as specified in Australian Standard AS2890.3 – Bicycle Parking Facilities.
- All bicycle parking should be located in a safe and secure location that is under cover and convenient for users. Resident/staff parking is to be provided within one level of the ground floor to ensure it is convenient and accessible to users.
- End-of-trip facilities must be provided at the following rates to adequately service the number of bicycle parking spaces required in non-residential premises:
 - 1 shower and change facilities per 10 staff/employees, and
 - 1 locker per employee/staff bicycle parking spot provided.
- Visitor parking must be located as close as possible to the main entrance of the building at ground level.
- Bicycle parking facilities should not impede pedestrian or vehicular circulation.
- Bicycle parking should be located in highly visible, illuminated areas to minimise theft and vandalism.
- Bicycle parking facilities are required for all new and redeveloping business + industrial zones.
- If bicycle parking requirement is greater than 30, suitable end of trip facilities must be provided.
- Bicycle parking facilities are to include 10A e-bike charging outlets to 10% of spaces with no space being more than 20 metres away from a charging outlet. Chargers are to be provided by the owner.

Again, whilst the layout of the bicycle parking and end-of-trip facilities are not yet designed, they will ultimately be provided and designed in accordance with the Parramatta DCP 2023 parking rates, based on the yields provided in any DA scheme at the time of DA lodgement. This also in turn also supports the city-wide sustainable transport planning objectives.

Traffic Assessment

The traffic implications of development proposals primarily concern the *nett change* in the traffic generation potential of a site compared to its existing and/or approved uses, and its impact on the operational performance of the surrounding road network, particularly during the weekday morning and afternoon road network peak periods.

An indication of the traffic generation potential of the proposed uses on the site is provided by reference to the following documents:

- RMS Guide to Traffic Generating Developments 2002 (RMS Guide)
- RMS Technical Direction 2013/04a (TDT)

The proposed development on the site is defined by the RMS Guide and TDT as a mixed use development, comprising "commercial" space and a "high density residential flat building".

Based on the RMS trip generation rates, the planning proposal scheme has a traffic generation potential of approximately 39 vehicle trips during the weekday morning peak period and approximately 32 vehicle trips during the weekday afternoon peak period, as set out in the table below (entry & exit, combined).

Table 5 – Planning Proposal Peak Traffic Generation						
Land Use	AM			PM		
	Vehicle Trip Rate	Quantum	Proposed Peak Trips*	Vehicle Trip Rate	Quantum	Proposed Peak Trips*
Residential	0.15 trips/car space	229 car spaces	34	0.12 trips/car space	229 car spaces	28
Commercial	0.83 trips/car space	6 car spaces	5	0.64 trips/car space	6 car spaces	4
Total			39			32

* entry/exit combined

That projected future level of traffic generation potential should, however, be offset or *discounted* by the volume of traffic which could reasonably be expected to be generated by a hypothetical scheme under the current planning controls which apply to the site, in order to determine the *nett increase* in traffic generation potential as a consequence of the planning proposal.

Based on the indicative bedroom mix in Table 1 of this report as well as maximum car parking rates stipulated in Table 3 of this report, a hypothetical scheme which is compliant with the current planning controls which apply to the site, would be permitted to provide a maximum of 90 car parking spaces, comprising 88 residential spaces and 2 commercial spaces.

Based on the RMS trip generation rates, a “compliant” scheme has a traffic generation potential of approximately 15 vehicle trips during the weekday morning peak period and approximately 13 vehicle trips during the weekday afternoon peak period, as set out in the table below (entry & exit, combined).

Table 6 – PLEP 2023 Compliant Scheme Peak Traffic Generation						
Land Use	AM			PM		
	Vehicle Trip Rate	Quantum	Proposed Peak Trips*	Vehicle Trip Rate	Quantum	Proposed Peak Trips*
Residential	0.15 trips/car space	88 car spaces	13	0.12 trips/car space	88 car spaces	11
Commercial	0.83 trips/car space	2 car spaces	2	0.64 trips/car space	2 car spaces	2
Total			15			13

* entry/exit combined

Accordingly, it is likely that the planning proposal will result in a *nett increase* in the traffic generation potential of the site of approximately 24 vph during the AM peak period and 19 vph during the PM peak period, compared to a scheme compliant with current planning controls.

These nett increases in peak period traffic volumes are minimal and represent, on average, 1 additional vehicle trip approximately every 3 minutes during the weekday peak periods. These additional trips fall within typical daily fluctuations of the local road network and will have minimal impacts on the surrounding road network.

Furthermore, and critically, the traffic impacts of the subject PP have already been assessed and captured as part of a CBD wide mesoscopic model that led to its recommendation of uplift in the CBD as part of the Draft Parramatta CBD PP. The NSW Department of Planning & Environment ultimately gazetted an uplift well below that identified in the mesoscopic model, such that the subject PP will not result in traffic volumes that Council has not already considered and accepted.

Accordingly, the planning proposal for the subject site is therefore supportable on traffic grounds and there is nothing to gain by “reinventing the wheel” in terms of traffic modelling.

Loading & Servicing

Loading and servicing for the future mixed use development on the site will be undertaken by a variety of commercial vehicles ranging from courier vans and tradesmen's' utilities, up to and including small and medium rigid waste trucks and removalist trucks.

Parramatta Council's DCP 2023, Part 6, Section 6.4 Loading and Servicing, provides objectives and controls with respect to loading and servicing requirements of new development.

Whilst the layout of the vehicular access and service area is not yet known, sufficient loading facilities will ultimately be provided in any DA scheme at the time of DA lodgement, in accordance with Council's objectives and controls.

As such, the planning proposal is not expected to result in any unacceptable loading or servicing implications.

Conclusion

In summary, this TPAR has been prepared in support of a PP to Council, involving amending the PLEP 2023 to allow for the redevelopment of the site for the purposes of a mixed use development, as follows:

- Amending the maximum building height map to permit a maximum building height of 153m, and
- Amending the maximum floor space ratio map to permit an FSR of 15.4:1, inclusive of all bonuses.

In amending the PLEP 2023, the PP envisages the construction of a new 47-storey tower on the site, comprising commercial space within a four-level podium, along with 43 levels of residential apartments on the levels above.

Based on RMS trip rates, the planning proposal scheme has a traffic generation potential of approximately 39 vehicle trips during the weekday morning peak period and approximately 32 vehicle trips during the weekday afternoon peak period (entry & exit, combined).

When compared to a hypothetical scheme compliant with the current PLEP 2023 planning controls, the planning proposal results in a *nett increase* in the traffic generation potential of just 24 vph during the AM peak period and 19 vph during the PM peak period.

In any event, the traffic impacts of the subject PP have already been assessed and captured as part of a CBD wide mesoscopic model that led to its recommendation of uplift in the CBD. The NSW Department of Planning & Environment ultimately gazetted an uplift well below that identified in the mesoscopic model, such that the subject PP will not result in traffic volumes that Council has not already considered and accepted.

Lastly, whilst the vehicular access, parking and loading arrangements are not yet known, they will ultimately comply with the numerical parking rates, be it maximum for car parking and minimum for bicycle parking, and comply with the relevant requirements of the AS2890 series.

In the circumstances, it is therefore concluded that the planning proposal will not result in any unacceptable traffic, parking, access, transport or servicing implications.

Please do not hesitate to contact me should you have any comments or questions.

Kind regards



Chris Palmer
Director
B.Eng (Civil), MAITPM

The Hon Paul Scully MP
Minister for Planning and Public Spaces



Ref: IRF23/1420

Clr Sameer Pandey
Mayor
City of Parramatta Council
PO Box 32
PARRAMATTA NSW 2124
[Via: council@cityofparramatta.nsw.gov.au](mailto:council@cityofparramatta.nsw.gov.au); lordmayor@cityofparramatta.nsw.gov.au

Dear Clr Pandey, *Sameer*

We have a shared responsibility to address the housing crisis and meet the goals of the National Housing Accord, and I want to thank you for the collaborative effort you have made and continue to make on behalf of the communities you represent.

The urgency is real — as we return to strong population growth in challenging market conditions, we are seeing housing pressures impacting housing supply, diversity and diminishing housing choice.

Delivering a fair distribution of housing, jobs, and social and economic infrastructure for the people of NSW is going to take effort from all levels of government.

Our decisions, whether at state or council level, need to be supported by a planning system that makes decisions based on current needs, circumstances, and priorities.

While governments at all levels have undertaken substantial work to implement strategic plans and deliver housing targets, it's clear to me that past strategic plans didn't anticipate or account for the scale of the housing crisis we now face.

The immediate need is for us to make sure the planning system presents no impediment to dwelling approvals and construction in appropriate locations.

I am asking councils and planning panels to factor this into their decision-making and prioritise the delivery of housing when assessing development applications and rezoning schemes, so that the entire planning system is geared to addressing the housing shortfall.

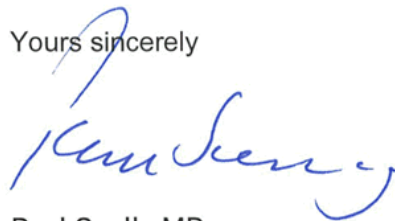
While I await the publication of updated region and cities plans by the Greater Cities Commission, I ask that you and your council teams prioritise the opportunity to deliver homes as part of merit considerations where, on balance, dwelling numbers may warrant a scale or built form that is different to or greater than the outcome originally anticipated.

The [Strategic Merit Test](#) (referenced in the [Local Environmental Plan Making Guideline](#)) exists for such times and provides a framework for responding to a change in circumstances, such as the investment in new infrastructure or changing population and demographic trends.

I do not deny this is a difficult and challenging time, but it is critically important we undertake this shared responsibility and work together to meet that challenge. I look forward to working with each of you to create cities and regions that deliver fair opportunities for all.

Should you have any questions, Malcolm McDonald, Executive Director, Local and Regional Planning, at the Department of Planning and Environment can be contacted on 02 9274 6267.

Yours sincerely



Paul Scully MP

Minister for Planning and Public Spaces

5/8/23

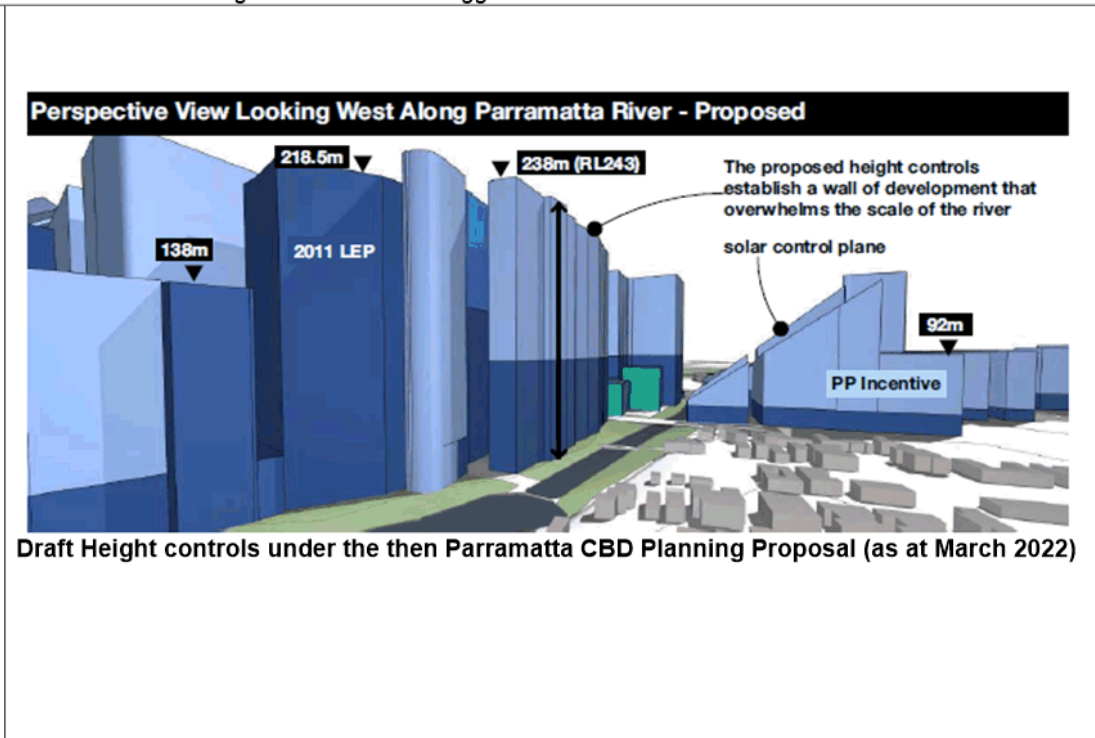
Dept Planning and Environment (now DPHI) analysis –Independent Rapid Assessment of the Parramatta CBD Planning Proposal for DPE (prepared by Bennett and Trimble) March 2022

Summary of Analysis

Purpose: *The review was undertaken as a rapid assessment to determine if the proposed controls:*

- *result in urban design and built form outcomes that will assist in growing a stronger and more competitive Greater Parramatta.*
- *respond to and consider qualities such as open space, public domain, heritage, bulk, scale and transition.*
- *should proceed to finalisation as proposed or with minor changes that would not trigger further exhibition.*

The proposed controls for height incentives, opportunity sites, and the solar access controls for Parramatta Square have loaded height on the southern edge of the Parramatta River foreshore. The resulting massing controls could result in urban form that overwhelms the river that is so central to its landscape and history. It would impact Parramatta’s identity, and its desirability as a place to live and work. The relationships between the recently completed tall buildings and the river is unconvincing. They appear to commercialise the foreshore and visually dominate the river corridor. This type of development is similar to Southbank in Melbourne or Barangaroo in Sydney and may not offer the most sensitive or place-specific response that Parramatta deserves. The relationship between the Sydney CBD and its harbour, and Parramatta and its river, are substantially different in scale, aspect and siting, and yet the proposed controls encourage the same building



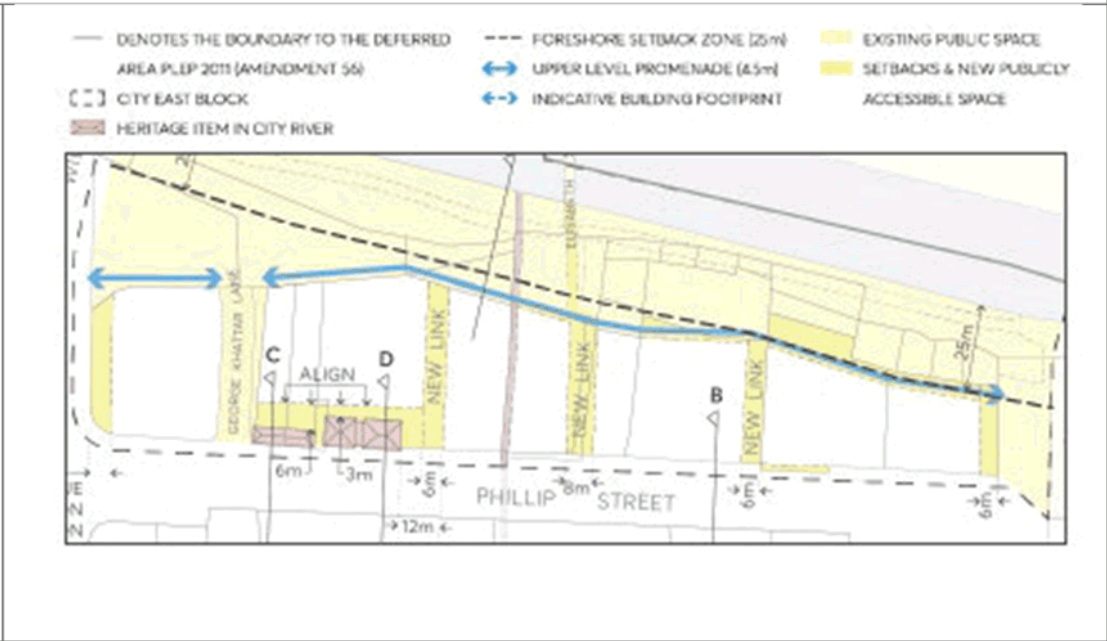
<p>typologies, heights and relationship to the water's edge. The scale of development these controls permit risks overwhelming the scale of this important natural, historical and cultural asset.</p>	
<p>As the metropolitan centre of the Central River City, the relationship between the river and the CBD will be critical to its future cultural identity and its desirability as a place to live and work. Recommendation: Reduce the proposed height incentives for buildings along the Parramatta River foreshore to protect the natural, historic and cultural qualities that are so central to the identity of Parramatta and its place within the Central River City. The permissible building envelopes should be commensurate with the scale of the river rather than a harbour.</p>	<p>Perspective View Looking West Along Parramatta River - Recommended</p> <p>The stepped heights significantly improve the relationship between the CBD and the river foreshore</p> <p>Recommended Height Controls</p>
<p>Outcome</p>	<p>This work informed the DPHI's (then DPE) consideration of the finalisation of the Parramatta CBD Planning Proposal. Parramatta Local Environmental Plan 2011 (Amendment 56) was subsequently notified on 6 May 2022 and took effect on 14 October 2022. The Phillip Street block was excluded from the new controls and the existing density controls remain for the site at an FSR of 6:1 and HOB of 80 metres. The DPHI (then the Department of Planning and Environment) Finalisation report noted that in consideration of Council officer comments and submissions, the Department's built form modelling and the findings of the independent design study, the Department recommended that the Phillip Street Block not progress as part of the CBD PP and that the block retains its current controls.</p>

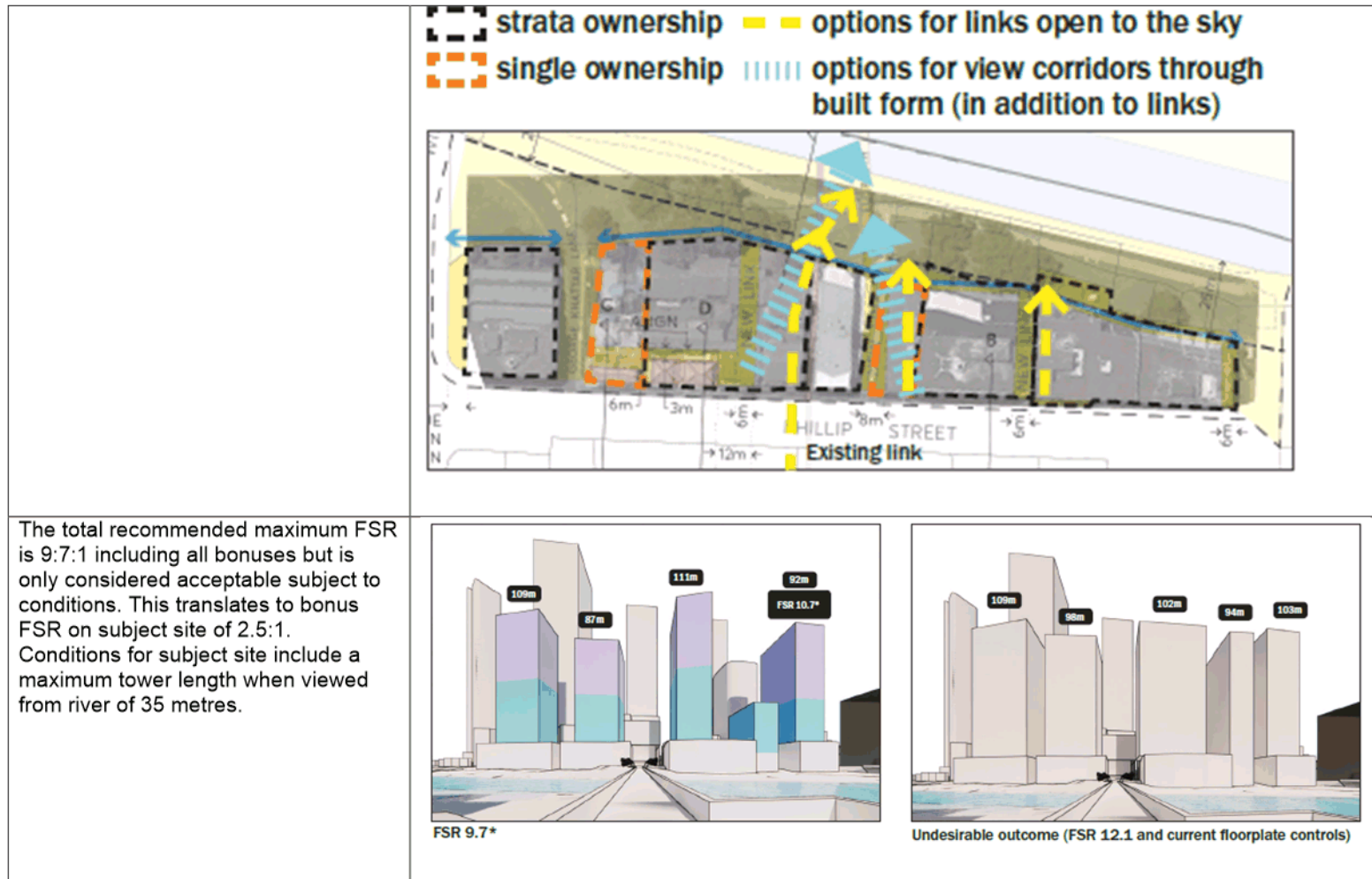
Dept Planning and Environment (now DPHI) analysis –Parramatta CBD Transition Area Review (Hassell) December 2022

Summary of Analysis

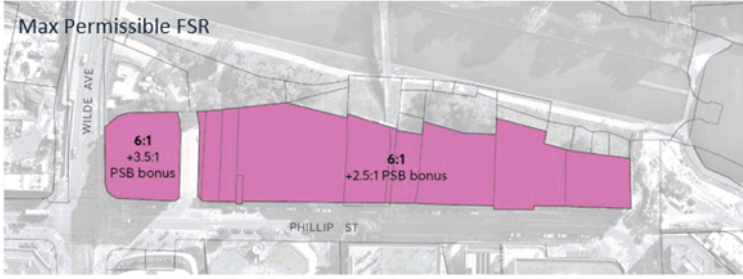

Purpose: Review HOB and FSR for the area excluded from the LEP Amendment no. 56. Encourage redevelopment that responds to the importance of the precinct for the character, amenity and resilience of Parramatta as a whole and to ensure the CBD remains attractive to investment.

Bulky or overscaled buildings facing the river corridor must be avoided and a generous building separation should be sought. Given the sites are highly constrained, additional FSR may result in a significant volume of above ground parking which could undermine all amenity objectives for the riverfront as well as Phillip St. Providing additional links open to the sky and an appropriate ratio of height x separation of buildings facing the river is essential to allow airflow and avoid further urban heat impacts across the whole CBD. Additional FSR and redevelopment provides opportunities.





	<p>Implementation</p> <p>FSR</p> <table border="1"> <tr> <td></td> <td>OVERARCHING BONUS (5% CAP)</td> </tr> <tr> <td></td> <td>+1.5:1 to +2.5:1* PLACE-BASED BONUS</td> </tr> <tr> <td></td> <td>+3:1 to +3.5:1* PLACE-BASED BONUS</td> </tr> </table> <p>ACF (active frontages)</p> <p>HOB</p> <table border="1"> <tr> <td></td> <td>0m</td> </tr> <tr> <td></td> <td>7m</td> </tr> <tr> <td></td> <td>80m</td> </tr> </table> <p>Tower facade length</p> <table border="1"> <tr> <td></td> <td>25m</td> </tr> <tr> <td></td> <td>30m</td> </tr> <tr> <td></td> <td>35m</td> </tr> </table>		OVERARCHING BONUS (5% CAP)		+1.5:1 to +2.5:1* PLACE-BASED BONUS		+3:1 to +3.5:1* PLACE-BASED BONUS		0m		7m		80m		25m		30m		35m
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<p>Outcome</p>	<p>The DPHI made further changes to the Parramatta CBD planning controls through State Environmental Planning Policy Amendment (Parramatta CBD)(no. 2) which was notified on 16 December 2022. The State Environmental Planning Policy Amendment (SEPP Amendment) introduced controls to facilitate growth in employment uses within certain B3 Commercial Core and B4 Mixed Use zone sites within the Parramatta CBD as well as uplift for the Phillip Street Block, subject to certain provisions being met. In this regard, Clause 7.28A permits development in the Phillip St block (including the subject site) to exceed the floor space ratio limit by 2.5:1 and height by 13 metres subject to conditions.</p>																		

Council Officer analysis of implications of SEPP 2 – June 2023	
Summary of Analysis	
<p><i>Purpose:</i></p> <ul style="list-style-type: none"> • Investigate the opportunity for delivery of the upper-level promenade within the planning controls introduced by SEPP 2 • Highlight any observed risks embedded in the SEPP2 for realising Council's vision for the Phillip Street Block • Document the differences between the CBDPP (used to create the City Centre DCP) and SEPP2 	
<p>PLEP 2011 (Amnd 56) gave the site:</p> <ul style="list-style-type: none"> • FSR of 6:1 (7.2:1 incl DEX and HPB bonuses) • HOB of 80m (92m incl DEX) <p>SEPP 2 gave the site:</p> <ul style="list-style-type: none"> • Additional FSR of 2.5:1 and HOB of 13m provided certain conditions are met including max. tower width of 35m (when viewed from River). Provides for maximum FSR of 9.7:1 and HOB of 105m. <p>SEPP 2 inconsistent with PDCP 2023 which provides for maximum tower width of 45m.</p>	<div style="text-align: center; margin-bottom: 10px;">  <p>Max Permissible FSR</p> </div> <ul style="list-style-type: none"> <li style="margin-bottom: 5px;">+15% Design Excellence Bonus <li style="margin-bottom: 5px;">+5% High Performing Buildings (if additional GFA is used for residential) or <li style="margin-bottom: 5px;">+5% Wholly Commercial Buildings (cannot apply HPB) <div style="text-align: center; margin-bottom: 10px;">  <p>Tower Façade Length</p> </div> <p>*when viewed from Parramatta River</p>

<p>Challenges from current controls:</p> <ul style="list-style-type: none"> • No incentive for the site to deliver the upper level promenade. • Site can achieve HOB of 105m, however cannot achieve FSR of 9.7:1. Can only achieve FSR of 7:1 (Mixed Use) under 105m height control due to limitations of tower width. 	<h3 style="text-align: center;">Scenario 1 Amalgamation Pattern (DCP)</h3> <p style="text-align: center;">SEPP2 Height, FSR and Building Frontage + DCP Amalgamation, Setbacks and Promenade Alignment</p> <p style="text-align: center;">NB: floor area noted is tower GBA (not GFA)</p>
	<p>Benefits:</p> <ul style="list-style-type: none"> • The limited tower frontage encourages generously distributed space between towers. • Reduced height limit and FSR (as compared to the CBDPP) results in a skyline which steps down from the commercial core to the River. • 0m height limit assists in rationalising of the foreshore alignment, and 7m height limit reinforces heritage setbacks. <p>Challenges:</p>

	<ul style="list-style-type: none"> • For most of the sites, there is no incentive to deliver the upper-level promenade as the permissible FSR is not achievable or there is no additional space under the height controls • The SEPP control related to maximum tower width “as seen from the river” is ambiguous, and has primarily been derived from separation objectives. • Tower floorplates resulting from tower frontage controls are too large for residential development and only suitable for commercial. (This comment relates to the other sites within the Phillip Street block and does not relate to 90-96 Phillip Street). • If towers are residential, floorplates will need to be reduced to meet ADG and amenity requirements – further impacting ability for development to achieve permitted FSR within the height limit. • Large podiums are only suitable for commercial tenancies or above ground parking, noting that any above ground parking will further diminish the ability to realise the permissible FSR. • Tower width controls will limit the number of units facing the River / north. • There is a conflict between the SEPP2 and City Centre DCP controls, whereby sites are often unable to achieve the permissible FSR within the height limit. This tension could lead to compromised setbacks or separation controls.
<p>Outcome</p>	<p>The analysis identified issues with the current PLEP 2023 controls for the subject site. The Planning Proposal, in seeking to amend the HOB and FSR controls, may also wish to seek to amend Clause 7.28A of the PLEP 2023 relating to the maximum building width for No. 90-94 Phillip Street.</p>