



APPLICATION FOR A PLANNING PROPOSAL

AMEND PARRAMATTA LEP 2011 AND PARRAMATTA DCP 2011

168-176 PARRAMATTA ROAD AND 89-90 COWPER STREET | GRANVILLE

PLANNING
I N G E N U I T Y



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CLIENT: BAI LI HOLDINGS P/L

PROJECT REF: 0006/12

DATE: 6 MARCH 2015

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- A Voluntary Planning Agreement – Letter of Offer

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EXECUTIVE SUMMARY

This application for a Planning Proposal has been prepared for Bai Li Holdings P/L. It accompanies a request for a Gateway Determination under the provisions of Section 56 of the Environmental Planning and Assessment (EP&A) Act 1979. This application contains a draft Planning Proposal which seeks to amend the provisions of Parramatta Local Environmental Plan 2011 (PLEP 2011) as they apply to a site with the address of 168-176 Parramatta Road and 89-90 Cowper Street, Granville.

The capacity of the site has been reviewed. Significant potential exists to achieve the highest and best use of the site consistent with the strategic plans for the Parramatta Road Corridor, Westconnex Infrastructure initiatives and other strategies for urban renewal and mixed uses at higher densities on highly accessible sites. Redevelopment of the site with new planning controls will have flow on benefits through additional commercial and residential floor space, a new publicly accessible link for vehicles, pedestrians and cyclists and as a catalyst for urban renewal throughout the locality.

This application is supported by an Urban Design Analysis (UDA) prepared by Architectus Pty Limited and is submitted separately. The UDA demonstrates the suitability of the site to accommodate new development in a manner which distributes building mass and land uses to:

- Optimise efficient use of the site to accommodate new commercial floor space and high density mixed uses consistent with a mixed use zoning and the context of the site;
- Provide an appropriate separation between noise sources and residential apartments;
- Use of roof tops, podiums and the area of the site adjacent to the western railway corridor for open space and landscaping;
- Create a new route for vehicle movement which will make a positive change to local traffic circulation;
- Create new public links for cyclists and pedestrians to enhance the existing network;
- Provide active frontages to all publicly accessible spaces; and
- Achieve high density redevelopment which supports the role of the Parramatta Road Corridor and boosts the vibrancy and activity of Granville Town Centre.

In order to facilitate redevelopment of the site, this draft Planning Proposal seeks to change the planning provisions of PLEP 2011 specifically to:

- Change the zoning of part of the site from Zone B6 – Enterprise Zone to Zone B4 – Mixed Use;
- Increase the height of buildings control to 110m (35 storeys); and
- Increase the floor space ratio control to 6:1.

The UDA shows a possible future redevelopment concept for the site to deliver a high quality urban form which responds to the existing and likely future site setting. The UDA demonstrates a built form that could be anticipated from application of the proposed planning controls and objectives to create a development with high density residential and commercial floor space with a shared basement car park and roof top open space. The UDA also includes a two-way public road along the eastern boundary of the site linking Parramatta Road with Cowper Street. The concept plans for the site include opportunities for pedestrian movement paths, streetscape improvements and active frontages. The UDA provides sufficient detail for incorporation in site-specific provisions of a

Development Control Plan and is intended to become a reference document for a Design Excellence competition.

The draft Planning Proposal and revised UDA have incorporated outcomes from discussions with Council staff, an indicative site layout prepared by Council's Urban Design team and the comments contained in Council Agenda Item 9.8 of the Ordinary Meeting of 8 September 2014. This application is consistent with the Local and State Government Planning Strategies to invigorate Parramatta Road and redevelopment in the locality, deliver efficient use of established infrastructure and improve environmental, social and economic impacts through higher density redevelopment and improvements in the public domain. This draft Planning Proposal has been prepared in accordance with Section 55 of the Environmental Planning and Assessment Act, 1979 as well as the NSW Department of Planning and Infrastructure publications "*A Guide to Preparing Planning Proposals*" and "*A Guide to Preparing Local Environmental Plans*". As outlined in "*A Guide to Preparing Planning Proposals*" this draft Planning Proposal will evolve throughout the course of its preparation and consideration as relevant sections will be updated and revised in response to the outcomes of further technical investigations and consultation.

1 BACKGROUND

This application for a Planning Proposal follows the directions and conclusions from Council's Agenda Item 9.8 from the Ordinary Meeting Agenda of 8 September 2014 and Council's Resolution 15038. This application has been prepared in response to the 'Conclusions and Next Steps' in the Agenda Item 9.8 which included:

- Support for the proposal to "*lead urban renewal along Parramatta Road*";
- A revised Urban Design Analysis (UDA) including draft DCP controls;
- Justification for residential uses in close proximity to the rail line and Parramatta Road in terms of strategic land use displacement, noise, vibration, air quality and social and community impacts;
- A Traffic and Parking Study;
- A preliminary Site Contamination Assessment;
- Exploration of public benefit opportunities through a Voluntary Planning Agreement.

This application to a Planning Proposal includes a revised UDA (submitted separately), an analysis of land use compatibility, a Traffic and Parking Study (submitted separately with the application) and a preliminary Site Contamination Assessment (submitted separately with the application). A letter of offer to enter into negotiations for a Voluntary Planning Agreement (VPA) has been submitted to Council for consideration and a copy of this letter is included in Annexure A.

2 LOCALITY AND SITE ANALYSIS

2.1 Site Identification and Description

The site is located on the southern side of Parramatta Road and the rear boundary adjoins the western rail line. The site consists of five (5) allotments being legally described as:

- Lots 1, 2 and 3 in Deposited Plan 229399;
- Lot 91 in Deposited Plan 128588; and
- Lot 1 in Deposited Plan 529674.

These properties are herein referred to as "the site" and are shown outlined in red in Figures 1 and 2.

The primary frontage to Parramatta Road is 60.91m in length. There is vehicle access to the site from Cowper Street near the south-east corner of the site. The site is irregular in shape with a total area of approximately 4,888m² (refer Figure 1). Located on the site's south-western boundary is the main western railway line.

The site contains numerous buildings used for a variety of industrial and commercial activities, which primarily related to automotive sales, repair and servicing. The site is covered entirely in hard surface with the exception of some small trees that are located between buildings or on property boundaries (refer Figure 2).

There is a water main through the site and close to the eastern boundary which is to be

accommodated within the proposed new public road reserve. There are easements for utilities close to the southern boundary running east-west through the site from Cowper Street. All standard utilities and services are connected to the site. Figures 3 and 4 are photographs of the site.

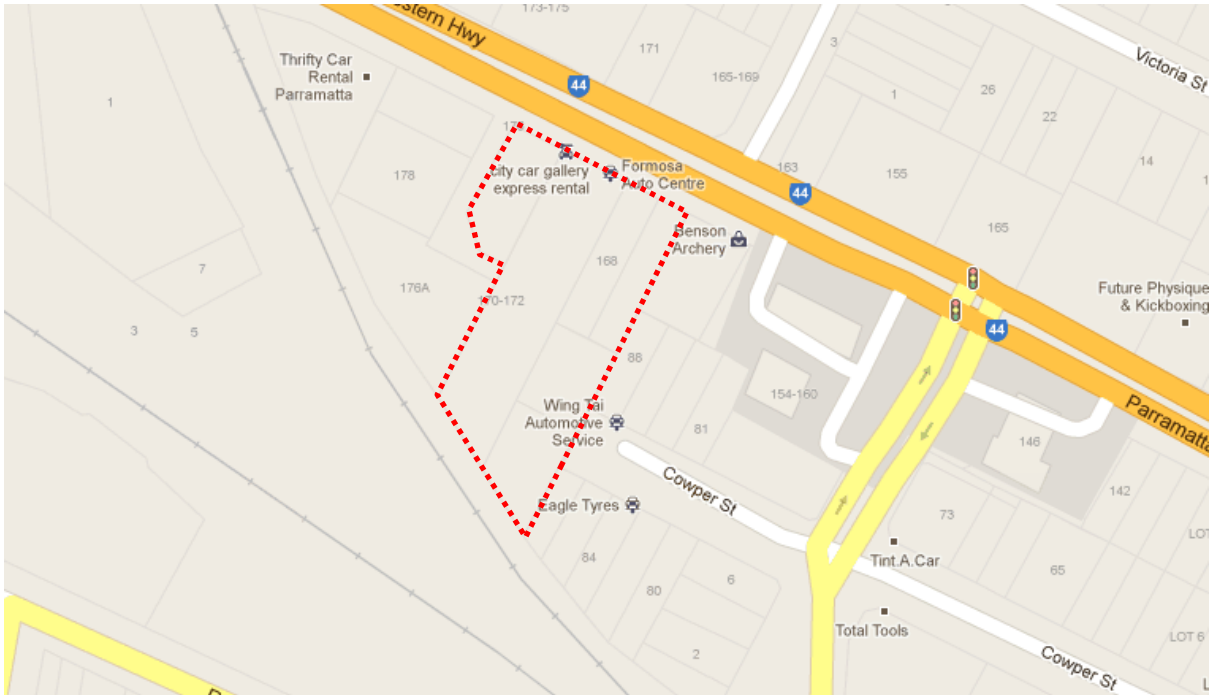


Figure 1: Locality map



Figure 2: Aerial photograph of the site and surrounds

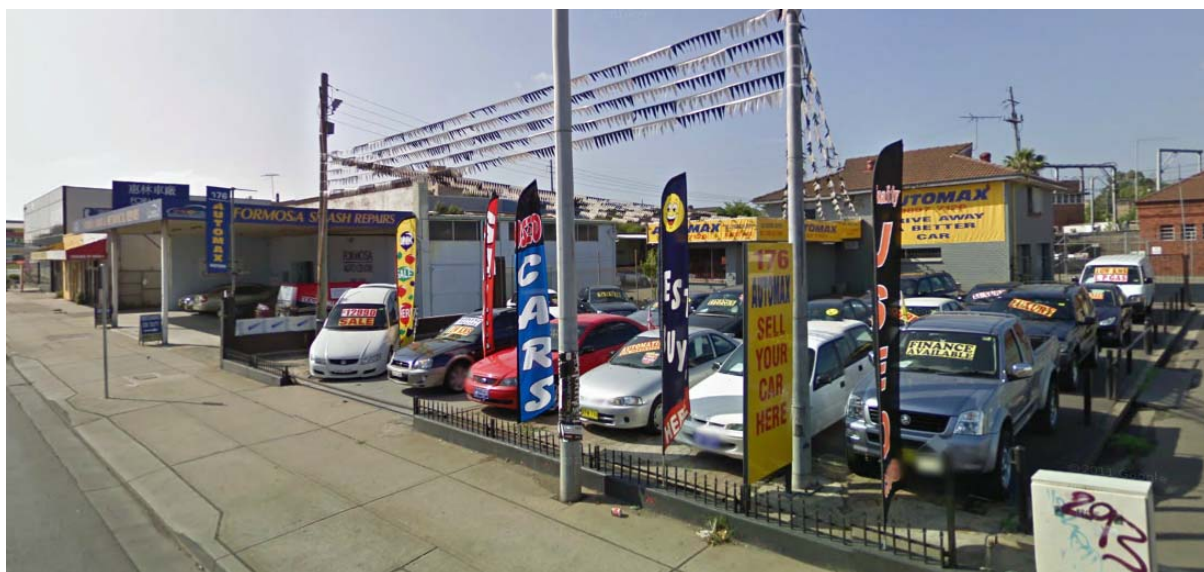


Figure 3: Subject site viewed from Parramatta Road



Figure 4: Subject site viewed from Cowper Street

2.2 Surrounding Development, Context and Setting

To the north of the site is Parramatta Road which is a major transport route identified in the current Metropolitan Strategy as one of nine 'city shapers'. The road is six lanes wide fronting the site and carries Average Daily Traffic Volumes (ADTV) of 51,800 vehicles on weekdays and 43,900 on weekends (recorded in 2012 at Station ID 49025 between Alfred and Kemp Streets by NSW RMS).

No.171-189 Parramatta Road is located to the north of the site on the opposite side of Parramatta Road. This site was the subject of an application for a Planning Proposal reported as Item 9.1 to the Council's Ordinary Meeting Agenda of 9 February 2015. Council resolved at this meeting to endorse the draft Planning Proposal which seeks LEP provisions for a Height of Building control of 105m and a Floor Space Ratio (FSR) control of 6:1. Council resolved to forward the proposal to the Department of Planning and Environment for a Gateway determination. These controls are similar to those sought for the subject site.

The Western Sydney Rail Line adjoins the southern boundary. Granville Station is less than 500m walking distance south-east of the site and is fully accessible. Train services are provided at Granville Station every 5 minutes on weekdays and every 10 to 20 minutes on weekends. The station is connected to the North Shore Line, the Western Line, Inner West and South Line and the

Blue Mountains Line.

Adjoining the site to the west is Heritage Item I158 'Substation No.1'.

Other land uses in the locality are mostly light industries, warehouses and bulky goods showrooms.

Parramatta CBD is located approximately 1.2km north of the site. The existing and proposed cycle network for the locality includes a link shown along the Parramatta Road frontage of the site. There are bus stops in Parramatta Road which provide local and regional services seven days a week. The bus interchange adjacent to Granville Railway Station has services every 10 minutes during weekday peak periods and at least half-hourly outside peak times.

2.3 Matters Specific to Development Capacity of the Subject Site

2.3.1 Heritage and Archaeology

A Statement of Heritage Impact (SHI) with respect to the context and setting of Heritage Item I158 would be required as supporting document to a development application and a Design Excellence Competition. It is premature to prepare a detailed SHI at this stage of the Planning Proposal process. However, the UDA notes that a mixed use redevelopment of the site has the potential to improve the visual setting for the heritage item in comparison to the existing setting which comprises industrial and warehouse buildings.

2.3.2 Site Contamination

A Preliminary Site Contamination Assessment has been conducted and is provided separately with the application. The Assessment concludes that due to the history of use of the site a Phase 2 investigation is required to support any future development application and that it is likely the site can be made suitable for residential use.

2.3.3 Geotechnical

Additional geotechnical studies are not required to support the application for a Planning Proposal. The existing planning controls anticipate a multi-storey built form with the potential for excavation. The UDA demonstrates a multi-storey built form with basement excavation. Therefore no additional geotechnical investigations are warranted.

2.3.4 Traffic and Parking

A Traffic and Parking Review is provided separately with the application in accordance with Council's conclusions in Agenda Item 9.8 to the Ordinary Council Meeting of 8 September 2014. The study is based on a 22 storey residential tower with ground floor commercial uses sharing a multi-level basement car park. The Traffic and Parking Review notes that a basement can be designed with capacity for 234 resident parking spaces, 68 parking spaces ancillary to commercial uses and parking for 13 medium rigid vehicles.

Public consultation is to specifically include NSW Roads and Maritime Services (RMS).

The letter of offer for VPA negotiations identifies the potential dedication of land adjacent to the eastern side boundary for a public road and footpath reserve. This new link is consistent with the recommendations of the Traffic and Parking Review.

2.3.5 Pedestrian and Cyclist Movement

The site has potential to form an integral part of an enhanced pedestrian and cycling network for the Parramatta locality. Pedestrian and cyclist movement pathways have been identified in the UDA.

Ongoing consultation with Council as part of the offer of a VPA will continue to refine the location of a route for cyclists and pedestrians through the site.

The location of pedestrian movement routes will be selected for compatibility with existing and expected future patterns of movement to best link pedestrians with other modes of transport mainly buses and rail. Site-specific details will be developed as this application for a Planning Proposal progresses.

2.3.6 Solar Access and Views

The UDA demonstrates that a slender residential tower up to 35 storeys in the centre of the site and a four-storey building fronting Parramatta Road will cast a shadow mainly onto railway land to the south and land used for commercial purposes. The UDA also shows that the facades of the narrow residential tower will receive direct solar access compliant with the requirements of the Residential Flat Design Code due to the space created by the Parramatta Road corridor to the north and the four storey height limit for the part of the building fronting Parramatta Road.

There are no vistas and views of significance to be protected with the redevelopment of the site.

2.3.7 Acid Sulfate Soils

The site is identified as having Class 5 Acid Sulfate Soils and is within 100m of land in Class 4. This application for a Planning Proposal does not change the LEP provisions regarding Acid Sulfate Soils and excavation nor does it change the potential building form which could include excavation within the site. Therefore no investigations regarding acid sulphate soils and groundwater are required for this Planning Proposal. Such matters will be covered by any future DA.

2.3.8 Potential for Displacement or Loss of Commercial Floor Space

The market demand for a wider variety of commercial floor space within the site is potentially enhanced by the changes sought to the LEP. The proximity of the site to Granville Town Centre, high-visibility shop fronts on Parramatta Road and a highly accessible location are attractive incentives for commercial tenants. A mixed use redevelopment can also provide new commercial floor space with a modern and flexible internal fit-out suitable for a range of uses. Ancillary car parking in a basement arrangement is also an attractive feature for new business as on-site car parking arrangements are limited for many existing commercial premises in the neighbourhood.

New ground floor commercial floor space along the new public road will increase the perimeter of the site which is exposed to public space and facilitate additional active street frontages. This is a further incentive for a variety of commercial land uses.

The inclusion of high density residential apartments at upper levels within the site also creates the potential for on-site residents to patronise commercial premises within the site and provides another incentive for a variety of commercial uses.

The number of square metres of floor area is no longer the only appropriate measure of commercial activity in contemporary terms. The nature of commercial activity is changing with 'trade floor area' requirements being replaced by on-line display, transactions and customer interactions. Multi-

functional commercial space is therefore more important and this can be provided through mixed use redevelopment.

Urban renewal through mixed use redevelopment is consistently identified as the anticipated future highest and best use of land in this section and in nearby areas of the Parramatta Road corridor. This is reflected in the various strategies discussed in Section 4 to this application and is exemplified by the draft Planning Proposal for No.171-189 Parramatta Road. Mixed use urban renewal is anticipated to create a wider variety of opportunities for new commercial floor space.

The draft Planning Proposal for No.171-189 Parramatta Road, Granville included a site-specific clause requiring a minimum 5,500m² of commercial floor space to be provided on the ground and first floor levels of any development fronting Parramatta Road on the subject site in the future. The clause also prohibits residential uses and serviced apartments on ground and first floor levels. The intention of this site-specific clause is to ensure that employment generating uses are retained on ground and first floor levels fronting Parramatta Road.

No.171-189 Parramatta Road is almost twice the site area of the subject site and the frontage to Parramatta Road is approximately three (3) times the length of the frontage of the subject site. If Council were to consider a similar site-specific clause for the subject site, the minimum commercial floor area would need to take account of the smaller site and lesser frontage accordingly.

2.3.9 Residential Amenity and Proximity to Road and Rail

Traffic on Parramatta Road generates noise and has impacts on air quality. The rail line is a source of noise and vibration. Therefore any new dwellings and communal and private open space areas must be designed and orientated to achieve satisfactory levels of amenity for future users.

Agenda Item 9.8 to the Council meeting of 8 September 2014 acknowledges that the current Zone B6 was applied to that part of the site fronting Parramatta Road based on the *Interim Guideline for Development Near Rail Corridors and Busy Roads (2008)* and based on an assumption that residential development is not suited to this part of the site. Agenda Item 9.8 also notes that "*six (6) out of the ten (10) local government areas that Parramatta Road traverses through allow residential development (adjacent to the road corridor) largely in the form of shop top housing*". Therefore it is not a standard practice to exclude residential development from sites along Parramatta Road.

The UDA proposes a large landscaped setback from the rail line to suitably separate new dwellings from this source of noise. Vibration impacts can be addressed through materials and construction methods. The UDA shows the majority of ground floor space will be available for commercial purposes. These features can be reinforced with site-specific objectives and controls for setbacks, use of floor space and active frontages in a Development Control Plan (DCP).

Apartments at upper levels can be protected from road and rail noise and by sources of air contamination by fine-grained design elements such as fin walls, balustrade and balcony designs, building materials, dual aspects, louvres and awnings, recesses and alcoves in the façade and the orientation of building openings. These elements can be incorporated in Design Excellence Competition Guidelines and development applications.

The Westconnex infrastructure project is expected to change the traffic environment of Parramatta Road by increasing capacity for public transport, reducing peak vehicle movements and providing opportunities for light rail and street beautification. These changes will also make the road corridor more compatible with the amenity of potential new dwellings.

It is sufficient at this stage of the application for a Planning Proposal to identify that specific building treatments and design solutions are required to protect new dwellings from road noise, vehicle emissions, rail noise and vibration.

2.3.10 Social Impacts of Main Road Setting

The setting of the site on a main road and close to a rail line has benefits in providing opportunities for use of a variety of transport modes. The site is also on the route of the Parramatta Regional cycleway network.

A variety of measures can be implemented to further enhance the amenity of the site including a large landscaped area adjacent to the rail line, a new public access road to improve the flow of local traffic and provide safe access and egress to the site and improvements to the streetscape of Parramatta Road with street trees, a wide, safe pavement and active frontages to improve vibrancy and an appropriate type of interface with the street.

2.3.11 Streetscape and Compatibility with Surrounding Land Uses

The UDR includes an aerial view analysis of the features of surrounding sites and the manner in which the proposed new built form can be compatible with the likely future built landscape anticipated from the themes and objectives of the new and draft strategies for urban renewal. The proposed building height and FSR controls for the site are compatible with the likely future building massing on surrounding and nearby sites including No.171-189 Parramatta Road.

2.3.12 Public and Broader Community Benefits

The development of the site to its highest and best use can create flow-on effects for public and community benefit including:

- New, multi-functional commercial floor space with shared basement parking and loading/unloading facilities;
- Local employment, live/work opportunities and new dwellings all in close proximity to a variety of transport options;
- Improved local economic activity and vibrancy;
- Higher density development with more efficient use of urban land and established infrastructure which has public cost savings and reduced environmental footprints;
- New active frontages improve pedestrian amenity, safety and convenience;
- Dedication of a new public road will improve local traffic movement and safe access and egress for the site;
- Redevelopment will include works to improve the public footpath reserve along Parramatta Road including new pavement, street trees and street furniture; and
- New apartments contribute to the overall supply of local housing and housing affordability.

The uplift requested by this draft Planning Proposal is intended to be translated to a VPA. A letter of offer has been submitted to Council seeking to commence negotiations for a VPA. A VPA is anticipated to include construction and dedication of a new public road reserve adjacent to the eastern site boundary, potential creation of a cycling and pedestrian link through the site and publicly accessible open space adjacent to the rail line.

3 EXISTING AND DRAFT PLANNING PROVISIONS

3.1 Parramatta Local Environmental Plan 2011

Parramatta Local Environmental Plan 2011 (PLEP 2011) came into effect on 7 October 2011. The provisions of the LEP that currently apply to the site are as follows:

North-eastern portion of the site (frontage to Parramatta Road):

- Area – 1,859m²
- Zoned – B6 Enterprise Corridor
- Zone Objectives:
 - *To promote businesses along main roads and to encourage a mix of compatible uses.*
 - *To provide a range of employment uses (including business, office, retail and light industrial uses).*
 - *To maintain the economic strength of centres by limiting retailing activity.*
- Land Uses Permitted with Consent:
Building identification signs; Bulky goods premises; Business identification signs; Business premises; Community facilities; Food and drink premises; Garden centres; Hardware and building supplies; Hotel or motel accommodation; Kiosks; Landscaping material supplies; Light industries; Neighbourhood shops; Passenger transport facilities; Plant nurseries; Roads; Self-storage units; Timber yards; Vehicle sales or hire premises; Warehouse or distribution centres; Water recycling facilities; Any other development not specified in item 2 or 4
- Maximum height 21m (Clause 4.3)
- Maximum FSR 3:1 (Clause 4.4)

South-western portion of the site (accessed from Cowper Street & adjacent to the railway corridor):

- Area - 3,029m²
- Zoned – B4 Mixed Use
- Zone Objectives:
 - *To provide a mixture of compatible land uses.*
 - *To integrate suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling.*
 - *To encourage development that contributes to an active, vibrant and sustainable neighbourhood.*
- Land Uses Permitted with Consent:
Boarding houses; Building identification signs; Business identification signs; Child care centres; Commercial premises; Community facilities; Educational establishments; Entertainment facilities; Function centres; Hotel or motel accommodation; Information and education facilities; Medical centres; Passenger transport facilities; Recreation facilities (indoor); Registered clubs; Respite day care centres; Restricted premises; Roads; Seniors housing; Shop top housing; Water recycling facilities; Any other development not specified in item 2 or 4
- Maximum Height 39m (provided area is between 2,100 and 3,200m²) (Clause 4.3(2a))
- Maximum FSR 4.5:1 (provided area is between 2,100 and 3,200m²) (Clause 4.4(2a)).

Details of the current planning controls are also included in the UDA.

The fundamental differences in the land use character of the two parts of the site are the exclusion of residential development and limitations to retailing in Zone B6. As discussed in Section 2.3 there are no constraints on the potential redevelopment of the site for residential and retail purposes that cannot be addressed by design and layout solutions tailored to the site. Therefore there are no environmental planning grounds for excluding residential development or limiting retail land uses on the amalgamated site.

Furthermore, amalgamation of the five (5) allotments brings the total site area to more than 3,200m². Consistent with the existing provisions of Clause 4.3(2a) and Clause 4.4(2a) a greater building height and FSR are warranted.

The provisions of Clauses 5.10 Heritage, 6.1 Acid Sulfate Soils and 6.2 Earthworks will apply to any future redevelopment proposal. This application does not seek to change the manner in which these clauses apply to the subject site.

3.2 Draft Parramatta Local Environmental Plan 2011

A draft amendment to PLEP 2011 has been subject to public exhibition and was returned to the Minister for Planning and Environment on 10 April 2014 to amalgamate PLEP 2011 with Parramatta City Centre Local Environmental Plan 2007 (PCC LEP 2007). It is anticipated that the amalgamated LEP will include the following provisions in addition to those in Section 3.1.

3.2.1 Land Use Zone Objectives

Additional objectives are proposed for development of land in Zone B4 such that the full set of objectives will be as follows:

- *"To provide a mixture of compatible land uses.*
- *To integrate suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling.*
- *To encourage development that contributes to an active, vibrant and sustainable neighbourhood.*
- *To create opportunities to improve the public domain and pedestrian links within the Mixed Use Zone.*
- *To support the higher order Commercial Core Zone while providing for the daily commercial needs of the locality.*
- *To protect and enhance the unique qualities and character of special areas within the Parramatta city centre."*

All the proposed objectives are appropriate for the site and the built form concepts detailed in the UDA. This draft Planning Proposal is therefore consistent with the intended objectives for Zone B4.

3.2.2 Minimum Building Street Frontage

This clause aims to encourage larger buildings, to ensure buildings have appropriate horizontal and vertical proportions and to provide adequate spacing between vehicle entry/exit points. The clause requires buildings in Zone B4 to have a minimum street frontage of 20m. The site has a frontage to Parramatta Road of 60.91m and has sufficient dimensions to comply with this control.

3.2.3 Building Separation

This clause will require separation distances from neighbouring buildings that comply with the requirements of the relevant Development Control Plan. This draft Planning Proposal seeks to include site-specific provisions in the Parramatta Development Control Plan (PDCP) for building separation. Specific controls are to be developed in consultation with Council to determine separation distances which may be included in the DCP. The separation distances will take into account the dimensions of the amalgamated site, the neighbouring heritage item and railway line and the potential construction of new buildings on adjoining land.

3.2.4 Design Excellence

New Local Provisions are proposed to be included in PLEP 2011 for Design Excellence. The Planning Proposal for amalgamation of the LEPs states *"the current provisions in clause 22B be redrafted and incorporated into PLEP 2011 as specific provisions applying to the City Centre only"*. However, this Planning Proposal was drafted prior to the preparation of the Draft Parramatta Draft

Parramatta City Centre Framework Review and Economic Analysis which recommends a wider area be included in the Parramatta City Centre (See Section 4.2.3). If the land area to which the design excellence clause is increased then this clause will apply to the subject site.

The outcomes of the new Clause are summarised in the following table extracted from the Planning Proposal which facilitated the amalgamation of the two instruments.

Proposed variation	degree of	Proposed requirements	Development standard	Applicable zone in the City Centre (only)
<5%		Comply with 'exceptions to development standards' clause	Any development standard including height and FSR	All zones
<15%		Design competition Public benefit High level of energy and water efficiency	Height and FSR	B4, B5
<15%		Design competition High level energy and water efficiency	Height and FSR	B3 and 100% commercial floor space in B4 or B5
>15%		Design competition Significant public benefit High level energy and water efficiency	Height	B4
>15%		Design competition High level energy and water efficiency	Height	B3, B5
<25%		Design competition High level energy and water efficiency	Height and FSR	B4

The new clause to the amalgamated LEP will require a Design Competition for buildings exceeding 55m or 13 storeys or where an applicant has chosen to have a competition. The design competition must conform to the requirements of the *Director-General's Design Excellence Guidelines* and Parramatta City Council's *Design Excellence Competition Guidelines*. The Clause 22B subclauses (4) to (8) state as follows:

"(4) Consent must not be granted to the following development to which this Plan applies unless an architectural design competition, that is consistent with the City Centre Development Control Plan has been held in relation to the proposed development:

(a) development for which an architectural design competition is required as part of a concept plan approved by the Minister under Division 3 of Part 3A of the Act,

(b) development in respect of a building that is, or will be, greater than 55m or 13 storeys (or both) in height,

(c) development having a capital value of more than \$1,000,000 on a key site, being a site shown edged heavy black and distinctively coloured on the [Key Sites Map](#),

(d) development for which the applicant has chosen to have such a competition.

(5) Subclause (4) does not apply if the Director-General certifies in writing that the development is one for which an architectural design competition is not required."

(6) The consent authority may grant consent to the erection or alteration of a building to which this clause applies that has a floor space ratio of up to 10 per cent greater than that allowed by clause 22 or a height of up to 10 per cent greater than that allowed by clause 21, but only if:

(a) the design of the building or alteration is the result of an architectural design competition, and

(b) the concurrence of the Director-General has been obtained to the development application.

(7) In determining whether to provide his or her concurrence to the development application, the Director-General is to take into account the result of the architectural design competition (if any).

(8) In this clause:

architectural design competition means a competitive process conducted in accordance with procedures approved by the Director-General from time to time."

With respect to Clause 22B(4) the provisions of the City Centre Development Control Plan have been incorporated into the Parramatta Development Control Plan 2011. Council's requirements for architectural design competitions are now prescribed by Parramatta Council's *Design Excellence Competition Guidelines* and the Director-General's *Design Excellence Guidelines*. Subclause 22B(4)(b) will apply to likely development projects for the site.

The building height control of 110m and the FSR of 6:1 sought by this application do not include bonuses which may be achieved through the design excellence process. The site is to be included in the Key Sites Map related to the Design Excellence clause anticipated in the amalgamated LEP.

3.3 Parramatta Development Control Plan 2011

Figure 5 contains an extract from the Special Precincts controls of the DCP. The DCP identifies the potential for a new laneway extending in a general westerly direction and a new pedestrian link that connects the western end of Cowper Street in a northerly direction with Parramatta Road. However, the Parramatta LEP land acquisition maps do not include the aforementioned new public thoroughfares and it is also noted that Council's Section 94 Contributions Plan does not set monies aside for the cost of the anticipated land acquisitions. Furthermore, despite the road and pedestrian connections indicated in the DCP, Council have indicated a preference for the road and pedestrian link as shown in the attached concept design and UDA report.



Figure 5: Site specific DCP Controls

4 DRAFT PLANNING PROPOSAL

4.1 Proposed Amendments to Current Planning Provisions

4.1.1 Summary

This draft Planning Proposal seeks to amend the provisions of PLEP 2011 to:

- Apply Zone B4 Mixed Use to the entire site;
- Change the height of buildings control to 110m; and
- Change the floor space ratio control to 6:1.

And to introduce concurrently site-specific controls to PDCP 2011 for:

- Floor plate sizes;
- Setbacks;
- Building separation;
- Active frontages; and
- Dimensions and location of publicly accessible spaces throughout the site.

This draft Planning Proposal is intended to evolve concurrently with site-specific DCP controls as well as a VPA related to the uplift potential created by changes to the height and FSR controls.

4.1.2 Zoning

It is proposed to amend the PLEP 2011 to apply Zone B4 – Mixed Use to the subject site. The proposed zoning map is included in Figure 6.

4.1.3 Height of Buildings

It is proposed to amend the PLEP 2011 to permit a building height of 110m. The proposed height of buildings map is included in Figure 7. This is exclusive of the potential bonus building height which may be achieved under a Design Excellence clause anticipated in the amalgamated LEP.

4.1.4 Floor Space Ratio

It is proposed to amend the PLEP 2011 to permit a FSR of 6:1. The proposed FSR map is included in Figure 8. This is exclusive of the potential bonus floor space which may be achieved under a Design Excellence clause anticipated in the amalgamated LEP.

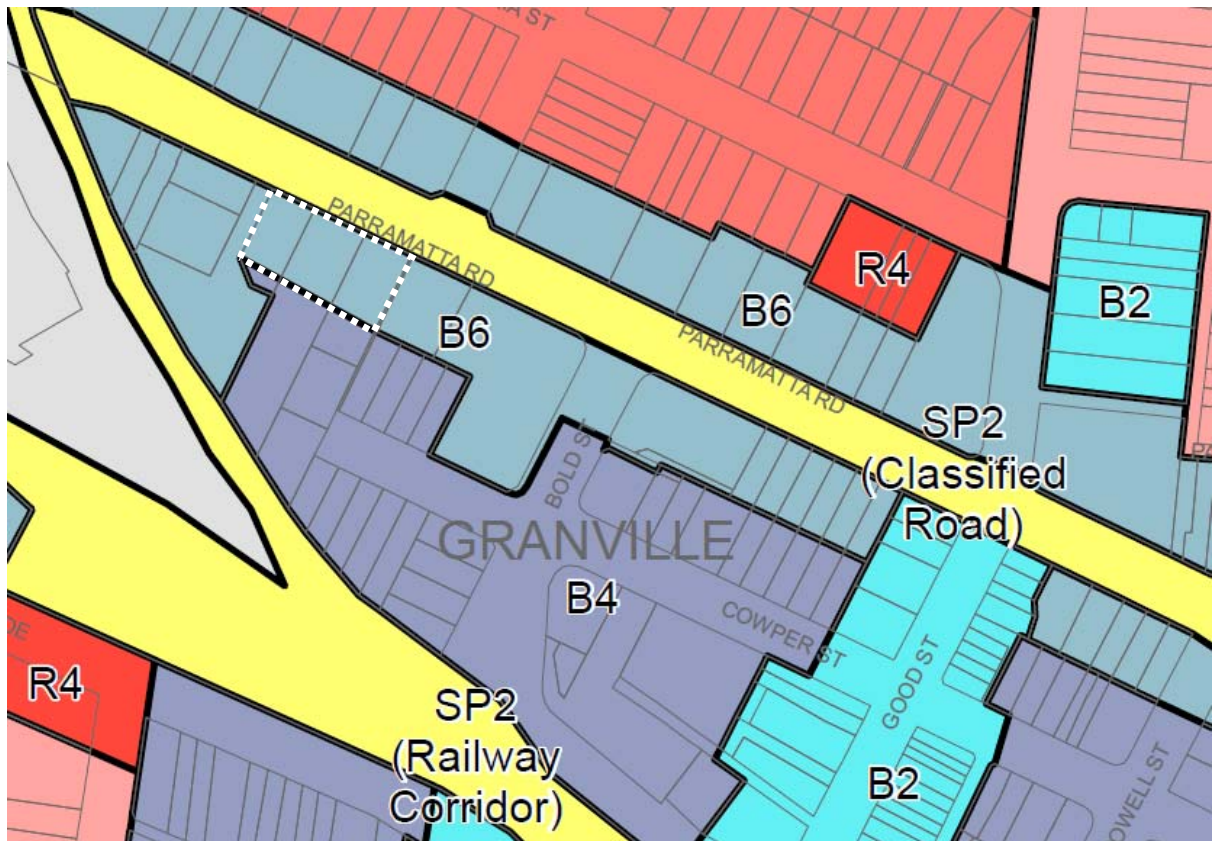


Figure 6: Proposed amendment to Zoning Map for PLEP 2011
(area of land to be rezoned to Zone B4 outlined white)

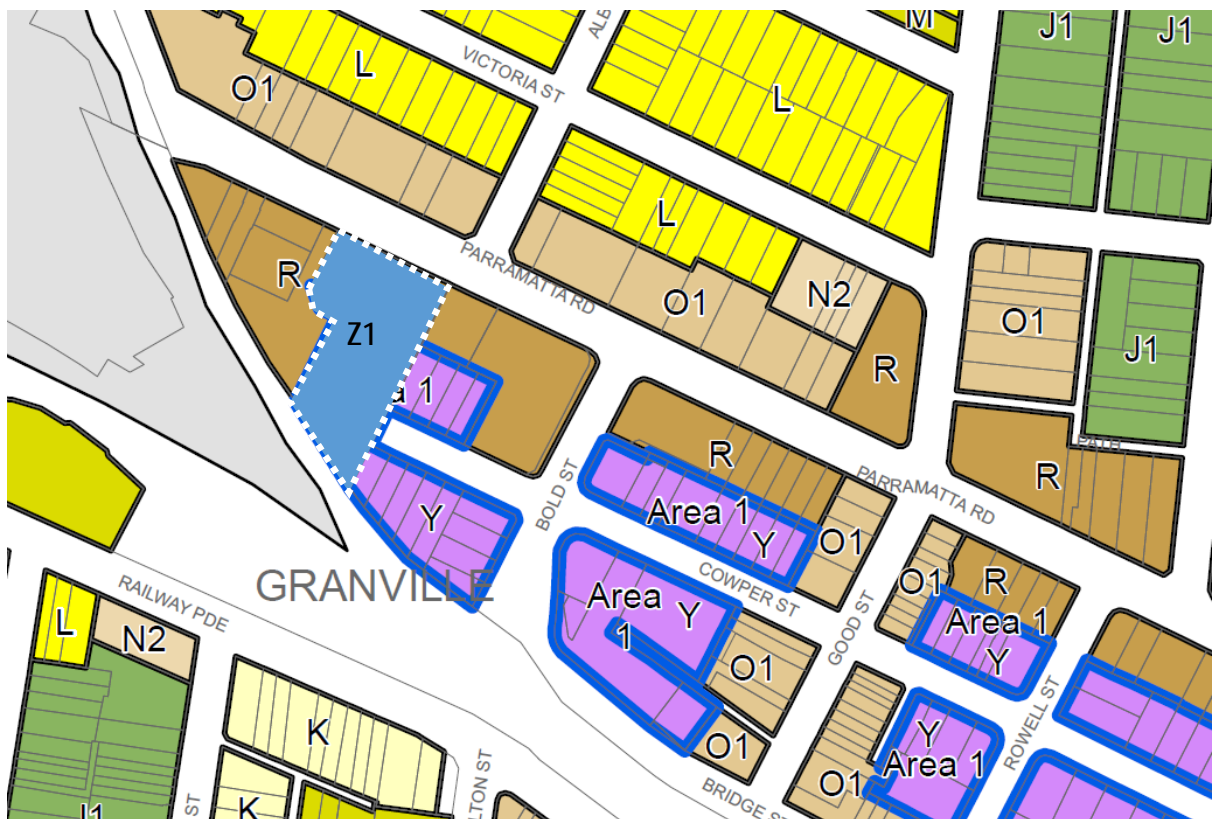


Figure 7: Proposed amendment to Height of Buildings Map PLEP 2011 (amended building height category of Z1 = 110m outlined in white)

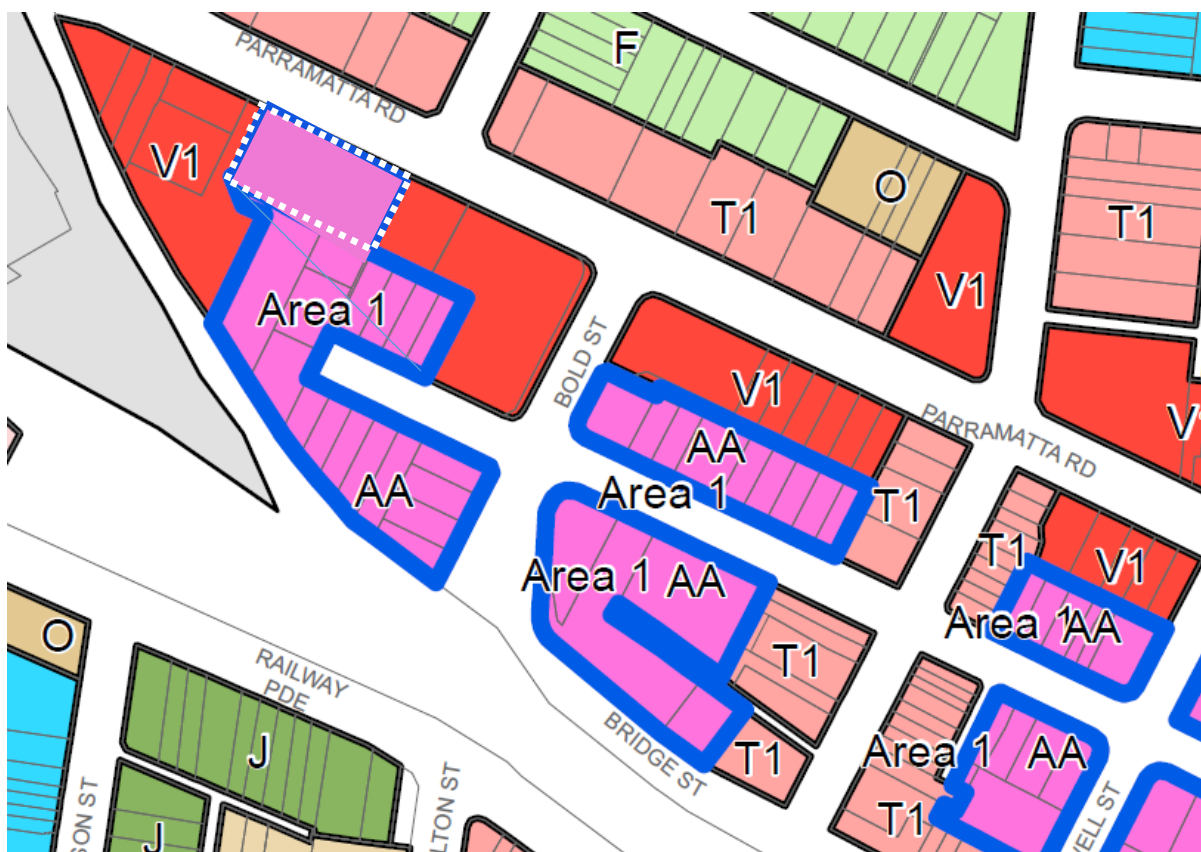


Figure 8: Proposed amendment to Floor Space Ratio Map PLEP 2011 (Category AA 6:1 to apply to entire site. Area to be amended outlined in white)

4.1.5 Amendments to PDCP 2011

As indicated, the proposal requires a site-specific section in the DCP and the UDA contains preliminary details of setbacks and building floor plates. Specific provisions will be developed in consultation with Council and will be available for public exhibition as the Planning Proposal progresses.

The following sections summarise the principles and intentions for DCP amendments.

Site Connectivity and Through Links

The UDR includes a preliminary layout which identifies existing and desired links for vehicles, pedestrians and cyclists within and adjoining the site.

Vehicle entry and exit points will be via routes other than direct access to and from Parramatta Road and expect to be further developed as this Planning Proposal progresses.

Setbacks

Setbacks that are commensurate with the intent of the DCP to achieve a consistent street wall to Parramatta Road will be developed in collaboration with Parramatta City Council. Setbacks will also be sensitive to the built form required to improve the context and setting of the adjoining heritage item and for appropriate separation from the rail line.

Floor Plate Sizes

The UDA recommends floor plates for commercial floor areas to maximise active street frontages and the efficient use of the site. The UDA also includes floor plate dimensions for the residential components of new buildings to maximise solar access and natural ventilation opportunities and facilitate the provision of a tall slender tower element.

Active Frontages

New DCP controls are anticipated for active ground floor active frontages to all publicly accessible spaces.

4.2 Objectives or Intended Outcomes

4.2.1 Intended Outcomes

The purpose of this draft Planning Proposal is to:

- Permit residential land uses and a variety of commercial land uses throughout the site;
- Deliver a high density mixed use development which demonstrates design excellence and leads the redevelopment of this section of the Parramatta Road corridor as well as supports the vibrancy of the Granville town centre;
- Delivery new employment generating land uses and new housing to optimise the use of a site with excellent access to a variety of transport opportunities and serviced by established infrastructure and utilities; and
- Introduce site-specific DCP requirements which further enhance building separation, setbacks, floor plate sizes, active frontages to streets and the foreshore and other public routes through the site.

This draft Planning Proposal also includes an undertaking that a VPA is to be considered in consultation with Council based on development uplift and offset by the dedication of a new public road and pedestrian and cycle link through the site. The potential uplift is equivalent to the difference between the current standards of PLEP 2011 Clauses 4.3(2a) and 4.4(2a) for sites above 3,200m² (as the Planning Proposal facilitates the amalgamation of the site) and the proposed controls.

The scale and intensity of development and the nature of land uses and ancillary features (such as publicly accessible through links) will be consistent with the capacity of the site and the anticipated future character of high density commercial and residential development in the areas targeted for urban renewal along the Parramatta Road corridor.

4.2.2 Objectives

To achieve the intended outcomes for the site, the objectives of this draft Planning Proposal are as follows:

- (i) Optimise planning provisions for the redevelopment of the site to its highest and best uses;
- (ii) Achieve design excellence;
- (iii) Incorporate through links for the safe, convenient and efficient movement of vehicles, pedestrians and cyclists;
- (iv) Improve conditions for on-site parking, services and loading/unloading;
- (v) Create multipurpose commercial floor space which adds to the vibrancy and economic activity along Parramatta Road;

- (vi) Add to the variety of housing in a location with excellent access to public transport;
- (vii) Contribute to the additional employment and housing targets set by local and regional planning strategies;
- (viii) Create well integrated land uses that support the sustained and efficient use of the site;
- (ix) Make a positive contribution to the quality of the living and working environment in the Parramatta Road Corridor.

4.2.3 Justification

This section sets out the justification for the proposed changes to the LEP and DCP.

Section A - Need for the Planning Proposal

1. Is the draft Planning Proposal the result of any strategic study or report?

The draft Planning Proposal is not the direct result of a strategic study or report. It is the outcome of a site investigation and redevelopment analysis informed by preliminary studies and the UDA.

It is consistent with the strategies adopted and draft strategies exhibited by Parramatta Council including:

- Parramatta 2038 Community Strategic Plan;
- Parramatta Council Corporate Plan 2013-14;
- Parramatta – Investing in Western Sydney; and
- Draft Parramatta City Centre Framework Review and Economic Analysis.

It is also consistent with the strategies and plans established and draft strategies exhibited by the Department of Planning and Environment including the draft Parramatta Road Urban Renewal Strategy and other strategic documents as discussed in Section B.

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

The draft Planning Proposal is the best method for facilitating a mixed use redevelopment of the site in a manner consistent with the recommendations of the UDA. Under the current planning provisions development capacity is limited in terms of permissible land uses, building height and FSR controls. The proposed changes to the PLEP 2011 will allow high density commercial and residential development compatible with the conditions of the site and suitable to the context and setting in an area targeted for high density urban renewal.

3. Is there a net community benefit?

Although this matter is not required to be addressed in the latest version of "A Guide to Preparing Planning Proposals", Agenda Item 9.8 to Council's Ordinary Meeting of 8 September 2014 recommended the community benefits of the proposal be examined in an application for a Planning Proposal.

It is intended that a VPA be negotiated in conjunction with this Planning Proposal process. A VPA is intended to be based on the uplift potential created by changes to the building height and FSR controls offset by the dedication of the new public road, pedestrian and cycle link. The VPA is

expected to itemise contributions to public facilities and services. Details are intended to be publicly exhibited concurrent with this draft Planning Proposal to demonstrate the nexus.

In addition to potential public benefits delivered through a VPA, the Planning Proposal process can:

- Deliver publicly accessible through-site links;
- Increase the supply of housing contributing to housing affordability and choice;
- Boost local and regional economic activity by creating new high density, multi-functional commercial floor space;
- Increase housing choice with potential for a mix of apartment sizes within new building(s);
- Improve casual and actual surveillance of the site and surroundings with the provision of new buildings with multiple active frontages at ground and upper levels; and
- Increase activity within and adjoining the site resulting from increased density and diversity of uses on the site by workers, residents and visitors.

Section B - Relationship to Strategic Planning Framework

4. Is the Planning Proposal consistent with the objectives and actions of the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft Strategies)?

Metropolitan Plan for Sydney 2036

The Metropolitan Plan for Sydney 2036 (Metro Plan) contains nine strategies. Each strategy contains key objectives and actions. Of relevance to this draft Planning Proposal are strategies for growth in employment and housing, enhanced economic activity, more efficient and effective patronage of public transport, use of existing infrastructure, containment of the urban footprint and opportunities to live more sustainably. The Plan sets metropolitan-wide targets of 769,000 new dwellings and 760,000 additional jobs with 50% of new employment to be based in western Sydney.

The Metro Plan contains the following targets relevant to this draft Planning Proposal:

- Increase the percentage of residents living within 30 minutes travel time to a major centre;
- 80% of all new dwellings to be within the walking catchment of centres;

Parramatta is identified as Sydney's principle Regional City and the second CBD. Parramatta and its immediate surrounds is identified to provide higher density commercial and residential development for more jobs and dwellings with good access to a variety of transport, services and utilities. Parramatta is expected to accommodate more opportunities for cultural and recreational activities.

Increasing the density of development on the site will improve the capacity to deliver both short and long term employment opportunities and new dwellings which will contribute to the targets. The scale and design of the building will also contribute positively to the streetscape of Parramatta Road and lead urban renewal in the locality.

The Draft West Central Subregional Strategy

The West Central Subregion includes the Local Government Areas of Parramatta, Bankstown, Auburn, Fairfield and Holroyd. The Draft Strategy provides a more detailed layer of planning strategies and sets targets for new dwellings and new jobs within the Parramatta LGA by 2036.

NSW Long Term Transport master plan

This Plan identifies strategies for improving the capacity of roads and increasing connectivity and continuity in rail services through Parramatta to Campbelltown and Blacktown. The Transport master plan also indicates support for the Parramatta Light Rail system and the Shared Pathways network. A light rail route has been identified for the Parramatta Road corridor and a cycleway network includes the section of Parramatta Road fronting the site.

The site is well located for future occupants and workers to take advantage of existing and new transport options. Development of the site to accommodate a mixed use building to optimum density will also increase potential demand for transport services and improve overall viability.

Draft Metropolitan Strategy for Sydney 2031

The Draft Sydney Metropolitan Strategy for Sydney 2031 (Draft MetroStrategy 2031) recognises Parramatta as Sydney's 'Premier Regional City' and nominates it to be the fastest growing centre outside Global Sydney over the next 20 years. Parramatta City and the Global Economic Corridor (which links Parramatta and Global Sydney and includes Parramatta Road) have been identified as two of the nine 'city shapers' which are critical in guiding future changes in the Sydney Metropolitan area. The Parramatta Road Corridor in and around the subject site is identified for urban renewal.

Subregional Strategies are yet to be finalised to elaborate on the concepts developed in the Draft MetroStrategy 2031. However, at this time the draft subregional strategies propose targets for the Parramatta area for the largest proportion of new dwellings and new jobs within the subregion during the next five (5) years and 21,000 additional jobs in the Parramatta CBD by 2031.

This draft Planning Proposal intends to facilitate development consistent with the Draft Strategy by delivering both employment opportunities and a variety of new dwellings on an infill site.

Draft Parramatta Road Urban Renewal Strategy

Exhibited in November 2014 this Draft Strategy identifies Parramatta Road as the "urban spine" between the Sydney CBD and Western Sydney. The strategy sets targets of 50,000 new residents and 50,000 new jobs in the Parramatta Road Corridor by 2031. Granville is the centre of a specific urban renewal precinct. In conjunction with the Westconnex infrastructure project the traffic environment of Parramatta Road is anticipated to change with increased capacity for public transport, reduced peak vehicle movements and opportunities for light rail and street beautification. These changes will also make the road corridor more compatible with the amenity of potential new dwellings on the site and improve opportunities for future residents and visitors to the site to use a variety of transport options.

The Granville Precinct is identified to accommodate approximately 25% of the overall population growth in the corridor. The locality is targetted for high density redevelopment at an average building height of 14 storeys and maximum building heights of 25 storeys. Programs for improvements to the urban amenity of Granville include streetscape beautification, new footpaths and cycleways.

5. Is the planning proposal consistent with the local Council's Community Strategic Plan, or other local strategic plan?

Parramatta 2038 Community Strategic Plan

The Parramatta Community Strategic Plan (CSP) was adopted and effective from June 2013 and aims to guide the decisions of the Council towards strategic objectives and measureable goals. The Vision for the Parramatta Road Corridor and the Granville locality includes the following themes that are relevant to the subject site:

- Increase density of housing with urban renewal;
- Increase the number of people living and working in close proximity to public transport options; and
- Growth of the Parramatta CBD beyond its current boundaries to include areas along Parramatta Road and 'Auto Alley' (including the subject site).

This draft Planning Proposal is consistent with the themes of the CSP and a higher density of development will enhance the capacity of the site to deliver additional jobs and dwellings, potentially increase patronage of existing public transport and pathways and require development demonstrating design excellence.

Parramatta – Investing in Western Sydney

This publication identifies the most significant industry sectors within the Parramatta CBD as the commercial office market, cultural and recreational uses and accommodation and the retail industry. In light of the other strategies which aim to expand the spatial coverage of the Parramatta CBD this means that these industry sectors will be increasingly accommodated on sites forming part of the expanded city area.

Parramatta – Investing in Western Sydney acknowledges that higher density new development opportunities are required to attract and maintain the scale of growth required to accommodate an additional 30,000 new jobs and 3,350 new dwellings. This draft Planning Proposal is consistent with these strategic directions.

Draft Parramatta City Centre Framework Review and Economic Analysis

Council has exhibited the Draft Parramatta City Centre Framework Review and the accompanying Economic Analysis with the intention that it forms the basis for the preparation of a Planning Proposal to amend the LEP. The recommendations from these strategies that are relevant to this site include:

- Expansion of the Parramatta City Centre to include this site;
- Removing the building height control throughout the city centre;
- Applying a transition in FSR from 10:1 in the City Core to a FSR of 6:1 in the outer city area (including the subject site);
- Propose a value sharing mechanism for uplift associated with additional residential floor space; and
- Additional Section 94A contributions equivalent to 1.5% for recreational purposes for all development.

This application for a Planning Proposal is compatible with the recommendations of the draft Framework Review with respect to FSR. This application does not seek or rely on incentives for commercial floor space as ground floor commercial floor space and active frontages to all public places are intended to be provided with the redevelopment of the site and reflected in site-specific DCP controls.

The Draft Strategy proposes to remove the building height control and rely more upon a FSR of 6:1. This application for a Planning Proposal is more conservative than the Draft Strategy in this regard. It is seeking a building height which allows flexibility in the three-dimensional distribution of floor space to create a slender tower which is aesthetically appealing and optimises natural light and natural ventilation for apartments within the tower. Site-specific DCP controls for maximum floor plates, setbacks and separation will be coordinated to achieve an appropriate three-dimensional built form.

This application will not pursue a value sharing mechanism for additional residential floor space as the VPA is to be the mechanism for negotiating public benefits proportional to the increased scale and density of development sought by this application.

Additional Section 94A contributions for recreational purposes are unnecessary as the intention of the VPA is to implement works within the site for a new public movement links and new publicly accessible space.

6. Is the planning proposal consistent with applicable state environmental planning policies?

There are no State Environmental Planning Policies (SEPPs) or known Draft SEPPs that would prohibit or restrict the planning proposal. An assessment against relevant SEPPs is provided in Table 1 (note SEPPs that are not relevant to the proposal have not been included in the table):

TABLE 1: RELEVANT STATE ENVIRONMENTAL PLANNING POLICIES			
SEPP	Relevance	Consistency	Comments
SEPP 21 Caravan Parks	SEPP 21 applies to all land in the State. It aims to provide caravan parks for both short and long term stays for social and economic welfare and protection of the environment.	Yes	The draft Planning Proposal does not change the current provisions of PLEP 2011 applying to caravan parks.
SEPP 32 Urban Consolidation (Redevelopment of Urban Land)	The land is suitable for urban redevelopment and the proposal to apply Zone B4 Mixed Use to the entire site improves the potential for a variety of land uses. This Planning Proposal demonstrates that the development capacity of the land and the efficient use of the site can be facilitated through changes to the controls for land use objectives, permissible land uses,	Yes	The draft Planning Proposal is consistent with the Policy by facilitating additional commercial and residential floor space on an infill site which is currently underutilised and is readily serviced by utilities and accessible to transport, recreational and commercial land uses.

TABLE 1: RELEVANT STATE ENVIRONMENTAL PLANNING POLICIES			
SEPP	Relevance	Consistency	Comments
	height and FSR.		
SEPP No 55- Remediation of Land	Introduces state-wide planning controls for the remediation of contaminated land.	Yes	A Phase 1 Contamination Investigation has been prepared for the subject site and concludes that the site can be made suitable for residential uses subject to a Phase 2 Investigation to support any future development application or to inform any future Design Excellence Competition.
SEPP (Building Sustainability Index: BASIX) 2004	This SEPP aims to achieve buildings which are energy and water efficient.	Yes	Compliance with BASIX would be achieved under future development applications. There are no site constraints that would preclude compliance with the SEPP.
State Environmental Planning Policy No.65 (Design of Residential Flat Buildings)	Residential flat buildings and shop-top housing are permissible with consent in Zone B4.	Yes	Compliance with SEPP 65 will need to be demonstrated with a future development application or Design Excellence competition. The draft Planning Proposal does not change the manner in which the SEPP applies to the site and future development.
SEPP (Affordable Rental Housing) 2009	The Policy seeks to retain and provide affordable housing in areas with good access to public transport and established utilities, services and facilities. The Planning Proposal will not reduce the availability of affordable rental housing or opportunities for new affordable housing.	Yes	The draft Planning Proposal is consistent with and does not change the manner in which the Policy applies.
SEPP (Exempt and Complying Development Codes) 2008	This SEPP defines types of development for which development consent is not required.	Yes	The draft Planning Proposal does not change the way in which the SEPP applies to any future development or use of the site.
SEPP (Housing for Seniors or People with a Disability) 2004	This SEPP facilitates the delivery of housing suitable for people with special needs and sets minimum design standards for that housing.	Yes	The draft Planning Proposal does not change the way in which this SEPP applies to the site.

TABLE 1: RELEVANT STATE ENVIRONMENTAL PLANNING POLICIES			
SEPP	Relevance	Consistency	Comments
SEPP (Infrastructure) 2007	This Policy aims to facilitate the delivery of new infrastructure, protect the safe and efficient operation of existing infrastructure and ensure future development is compatible with the continued operation of infrastructure.	Yes	Consultation with Railcorp and RMS is recommended as part of the Community Engagement Strategy for this draft Planning Proposal. The SEPP will apply to redevelopment of the site due to the potential traffic generated and the proximity of new dwellings to road and rail noise and rail vibration. This draft Planning Proposal does not change the manner in which the Policy applies to the subject site and any future development assessment process.
SEPP (State and Regional Development) 2011	The Policy applies to the extent that the capital investment value of a redevelopment project may exceed \$20 million in which case the redevelopment may fit the criteria for 'state significant' development.	Yes	Future development may meet the threshold limit of general development with a capital investment value of more than \$20 million as defined in Schedule 4A to the Environmental Planning and Assessment Act, 1979. The Joint Regional Planning Panel is likely to be the consent authority. This draft Planning Proposal does not change the manner in which this Policy applies to the site.
SEPP (Urban Renewal) 2010	This Policy applies to locations targeted for urban renewal and investment in supporting infrastructure.	Yes	This application for a Planning Proposal will lead renewal of the Granville/Parramatta Road Urban Renewal Precinct and the densities proposed are consistent with the highest and best use of the site for commercial and residential development to meet target densities and goals for new jobs and dwellings.

7. Is the planning proposal consistent with applicable Ministerial Directions (s.117 directions)?

The proposal is consistent with all applicable Ministerial Directions under Section 117 of the Environmental Planning & Assessment Act, 1979. An assessment against the applicable directions is provided in Table 2 as follows.

TABLE 2: S.117 MINISTERIAL DIRECTIONS

Ministerial Direction	Relevance	Consistency	Implications
1. Employment and Resources			
1.1 Business and Industrial Zones	<p>The objectives of this direction are to:</p> <ul style="list-style-type: none"> encourage employment growth in suitable locations, protect employment land in business and industrial zones, and support the viability of identified strategic centres. <p>A Planning Proposal must retain business and industrial zones and not reduce the floor space created for business and industrial uses.</p>	Yes	<p>This draft Planning Proposal seeks to apply Zone B4 Mixed Use to the entire site and increase height of buildings and FSR controls to accommodate new buildings on the site to a higher density than currently permissible. These changes will contribute to employment growth by increasing the density of commercial floor space permissible within the site and allowing redevelopment to provide a wider variety of multi-functional commercial spaces with more vibrant, accessible and active frontages to Parramatta Road and to the new public road along the eastern boundary of the site. New businesses will benefit from shared basement parking, loading and unloading facilities and waste management services. New commercial floor space will support renewed activity in Granville Town Centre.</p> <p>The draft Planning Proposal is consistent with this Direction.</p>
2. Environment and Heritage			
2.3 Heritage Conservation	<p>(1) A planning proposal must contain provisions that facilitate the conservation of:</p> <ul style="list-style-type: none"> (a) items, places, buildings, works, relics, moveable objects or precincts of environmental heritage significance to an area, in relation to the historical, scientific, cultural, social, archaeological, architectural, natural or aesthetic value of the item, area or object or place, identified in a study of the environmental heritage of the area, (b) Aboriginal objects or Aboriginal places that are protected under the National Parks and Wildlife Act, 1979, and (c) Aboriginal areas, Aboriginal objects, Aboriginal places or landscapes identified by an Aboriginal heritage survey prepared by or on behalf of an Aboriginal Land Council, Aboriginal body or public authority and provide to the relevant planning authority, which identifies the area, object, place or landscape as being of heritage 	Yes	<p>The current provisions of PLEP 2011 are appropriate for the protection and retention of the existing heritage item adjoining the site to the west. The existing LEP provisions require a Statement of Heritage Impact to be prepare in support of any future development application for the site. It is anticipated that a Statement of Heritage Impact would also be prepared to inform a Design Excellence Competition.</p> <p>Therefore the draft Planning Proposal is consistent with the objectives and intent of Direction 3.1 to the extent necessary to progress the Planning Proposal to the Gateway process.</p>

significance to Aboriginal culture or people.

(2) A planning proposal may be inconsistent with the terms of this Direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that:

- (a) The environmental or indigenous heritage significant of the item, area, object or place is conserved by existing or draft environmental planning instruments, legislation or regulations that apply to the land, or
- (b) The provisions of the planning proposal that are inconsistent are of minor significance:

3.Housing,Infrastructure and Urban Development

3.1 Residential Zones	<p>A planning proposal must include provisions that encourage the provision of housing that will:</p> <ul style="list-style-type: none"> • broaden the choice of building types and locations available in the housing market, and • make more efficient use of existing infrastructure and services, and • reduce the consumption of land for housing and associated urban development on the urban fringe, and • be of good design. <p>A planning proposal must:</p> <ul style="list-style-type: none"> • contain a requirement that residential development is not permitted until land is adequately serviced (or arrangements satisfactory to the council, or other appropriate authority, have been made to service it), and • not contain provisions which will reduce the permissible residential density of land. 	Yes	<p>The UDA indicates that redevelopment options can accommodate dwellings at high density with opportunities for adequate open space, solar access and natural ventilation. The site has capacity for high density residential accommodation being connected to existing infrastructure. Future residents will have access to a variety of public transport options.</p> <p>A requirement for housing variety and compliance with the requirements of SEPP 65 and the Residential Flat Design Code can be included in the design requirements in a brief for a Design Excellence Competition.</p> <p>The requested height and density controls optimise the efficient use of established, well-serviced land in a high amenity location. Accordingly the draft Planning Proposal is consistent with the objectives and intent of Direction 3.1.</p>
3.2 Caravan Parks and Manufactured Home Estates	<p>This Direction applies to all Planning Proposals and aims to ensure that LEP provisions facilitate:</p> <ul style="list-style-type: none"> - a variety of housing types; and - permit caravan parks and manufactured home estates. 	Yes	<p>This draft Planning Proposal does not change provisions relating to caravan parks and manufactured home estates as they apply to the subject site.</p>

	<p>A planning proposal must:</p> <ul style="list-style-type: none"> - retain provisions that permit caravan parks - identify and retain land suitable for caravan parks and manufactured home estates. 		
3.3 Home Occupations	This Direction applies to all Planning Proposals and aims for home occupations conducted within dwelling houses to be permitted without Council consent.	Yes	<p>This draft Planning Proposal does not change provisions relating to home occupations as they apply to the subject site. Home occupations are permitted without consent under the current controls and this is not proposed to change.</p> <p>The draft Planning Proposal is therefore consistent with Direction 3.3.</p>
3.4 Integrating Land Use and Transport	<p>A planning proposal must locate zones for urban purposes and include provisions that give effect to, and are consistent with the aims, objectives and principles of:</p> <p>(1) <i>Improving Transport Choice – Guidelines for planning and development</i> (DUAP 2001), and</p> <p>(2) <i>The Right Place for Business and Services – Planning Policy</i> (DUAP 2001).</p>	Yes	<p>The subject site is within walking distance to bus and rail transport and is adjacent to cycleway and pathway networks. Therefore, the draft planning proposal is considered to be consistent with the aims and objectives of Direction 3.4.</p>
4. Hazard and Risk			
4.1 Acid Sulfate Soils	A planning proposal must consider the environmental impacts of Acid Sulfate Soils.	Yes	<p>This application for a Planning Proposal acknowledges that the site is affected by Acid Sulfate Soils. However, the proposed LEP amendments do not change the requirements for investigations and potential management of the site should excavations and changes to groundwater require a Management Plan.</p> <p>Therefore no additional investigations are required to support this application for a Planning Proposal.</p> <p>The potential impacts of Acid Sulfate Soils has been considered to the extent necessary for a Planning Proposal.</p>
4.3 Flood Prone Land	A Planning Proposal must include provisions that give effect to and are consistent with the <i>NSW Flood Prone Land Policy</i> and the principles of the <i>Flood Development Manual</i> .	Yes	<p>The site is not Flood Prone Land. The site currently has very little pervious surface. The UDA shows that large areas within the site can be made available for deep soil planting and landscaping which will significantly improve conditions for on-site management of water including capture and re-use of rainwater and infiltration of runoff to pervious surfaces.</p> <p>This application for a Planning Proposal is therefore consistent with the requirements of Direction 4.3.</p>

6. Local Plan Making				
6.1 Approval and Referral Requirements	<p>A planning proposal must:</p> <ul style="list-style-type: none"> • minimise the inclusion of provisions that require the concurrence, consultation or referral of development applications to a Minister or public authority, • not identify development as designated development unless the relevant planning authority has obtained the approval of the Director-General of the Department of Planning 	Yes	This draft Planning Proposal does not introduce additional concurrence requirements or identify the development as designated development.	
6.2 Reserving Land for Public Purposes	This Direction applies to all Planning Proposals and requires consideration of the need to reserve land for public purposes or remove reservations that are no longer required.	Yes	<p>The dedication of a new public road is intended to be facilitated through a VPA and land within the site will not be required to be identified for future acquisition in the LEP.</p> <p>The application is therefore consistent with the requirements of Direction 6.2.</p>	
6.3 Site Specific Provisions	<p>A planning proposal that will amend another environmental planning instrument in order to allow a particular development proposal to be carried out must either:</p> <ul style="list-style-type: none"> (a) allow that land use to be carried out in the zone the land is situated on, or (b) rezone the site to an existing zone already applying in the environmental planning instrument that allows that land use without imposing any development standards or requirements in addition to those already contained in that zone, or (c) allow that land use on the relevant land without imposing any development standards or requirements in addition to those already contained in the principal environmental planning instrument being amended. <p>A Planning Proposal must not contain or refer to drawings that show details of the development proposal.</p>	Yes	<p>This draft Planning Proposal does not seek to allow a specific development. The UDA included with this draft Planning Proposal is useful to demonstrate that there are redevelopment options for the site by implementing the proposed development controls. The UDA shows future buildings can be compatible with the features of the site and surrounding properties and the anticipated future character of the locality.</p> <p>The UDA is not intended to form part of the amended Planning Instrument. The UDA does identify design opportunities which are intended to be included in site-specific DCP provisions in consultation with Council as the Planning Proposal progresses.</p> <p>Therefore this application is consistent with the requirements of Direction 6.3.</p>	

7. Metropolitan Planning

7.1 Implementation of the Metropolitan Plan for Sydney 2036	This Direction applies to all Planning Proposals in nominated Local Government Areas including Rockdale and seeks to give legal effect to the implementation of the vision, transport and land use strategy, policies, outcomes and actions contained in the Metropolitan Plan for Sydney 2036.	Yes	The draft Planning Proposal is consistent with the Metro Plan 2036 as detailed in Section B.
A Planning Proposal must be consistent with the Plan.			

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 site does not contain critical habitat or habitat for threatened species, populations or endangered ecological communities. The potential future development of the site is not likely to have a negative impact on such habitats and the site does not have potential to contribute to links or support habitat of significance for threatened species, populations or endangered ecological communities.

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

The main potential environmental impacts to be examined in detail to guide any future development proposal for the site are:

- urban design;
- traffic and parking (submitted separately);
- impacts to the neighbouring heritage item;
- public domain works and design requirements for the future public road, pedestrian and cycling links.

All of these matters are subject to further directions which may result from Council's initial assessment and the Gateway process.

Air quality assessment and acoustic assessments are anticipated to be required to inform a future development application or a Design Excellence Competition. It is premature to require these studies as part of a Planning Proposal as they are dependent upon fine-grain architectural design which is beyond the scope of a Planning Proposal.

Investigations as reported in this application demonstrate that the site and its setting do not present any constraints which would prevent the redevelopment of the site in a manner facilitated by the proposed LEP controls.

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

The social and economic effects of the draft planning proposal have been considered in the context of net community benefit analysis in Section 4.2.3(3) and the potential social and community benefits for future occupants and users of the site are described in Section 2.3. The Community Engagement Strategy and direct consultation with public authorities to be conducted with this Planning Proposal process will identify any matters requiring further examination as the Planning Proposal evolves and progresses.

SECTION D – State and Commonwealth Interests

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

All essential services are available for connection to the subject site. Arrangements are to be made direct with the providers of each service in conjunction with any specific development application.

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

State and Commonwealth authorities will be consulted in accordance with Section 57 of the EP&A Act, 1979, following the outcomes of the Gateway determination.

Consultation with RMS is necessary regarding traffic management and compatibility with the safe and efficient operation of Parramatta Road as a State road. The proposed new public road link and access and egress to the site via a road other than Parramatta Road is consistent with the requirements of the RMS and the SEPP (Infrastructure) 2007. The impacts of road noise and air quality generated from traffic using Parramatta Road can be accommodated for in fine grain architectural solutions which can be investigated with a future development application or Design Excellence Competition and details are not necessary for a Planning Proposal.

Consultation with CityRail regarding the potential for development adjoining the rail line is necessary as part of the public consultation process (See Section 4.3).

4.3 Part 4 - Community Consultation

In accordance with Section 57(2) of the EP&A Act, 1979, the Director-General of Planning must approve the form of the planning proposal, as revised to comply with the gateway determination, before community consultation is undertaken as part of this Planning Proposal process.

Public exhibition is likely to include a newspaper advertisement, display on the Council's web-site and written notification to adjoining and nearby landowners. The Gateway determination will specify the level of public consultation that must be undertaken in relation to the planning proposal process. It is recommended that direct consultation be undertaken with RMS, OEH and CityRail.

Pursuant to Section 57(8) of the EP&A Act, 1979 the Responsible Planning Authority must consider any submissions made concerning the proposed instrument. A public hearing is not required.

5 CONCLUSION

A preliminary assessment of the features of the site and its setting and the UDA demonstrate that the site is well capable of accommodating new mixed use development and a new public road and pedestrian and cyclist routes. The proposed changes to the LEP and DCP will facilitate a range of improvements to the capacity and use of the site commensurate with its context and setting as part of the Parramatta Road Corridor Urban Renewal Precinct. The UDA identifies options for new built form and site layout to deliver high quality, multi-functional commercial space with active frontages and upper level residential apartments with a high level of amenity and accessibility. A VPA is intended to deliver public benefits which are commensurate with the additional development potential facilitated by new FSR and Height of Building controls. DCP amendments specific to the site and anticipated future built form are to be developed in consultation with Council as this Planning Proposal evolves.

The proposal aims to deliver:

- A mixed use development demonstrating design excellence compatible with the site and setting;
- new high density land uses to optimize the efficient use of land;
- new publicly accessible spaces to improve the permeability and connectivity of the site and buildings as well as improve safety and convenience for vehicles, pedestrians and cyclists;
- appropriately respond to the noise, vibration and air quality impacts associated with the use of Parramatta Road and the adjoining rail line; and
- generate flow-on effects which have benefits for the local and regional economy, the local and regional housing market and the urban renewal of the local area.

Overall the changes facilitated by the Planning Proposal will enhance the site and its surroundings and contribute to overall employment growth and housing supply as well as improve safe movement of vehicles, pedestrians and cyclists.

This draft Planning Proposal demonstrates the orderly and economic development of the site is best facilitated by the proposed changes to building height and floor space controls in the LEP. Site-specific DCP provisions for setbacks, building separation, floor plate size, building articulation and active frontages are to be further developed in consultation with Council. The proposed FSR and height controls are appropriate for the site due to its high amenity created by its proximity to public transport and recreation facilities and Granville Town Centre. The scale of potential redevelopment shall be compatible with the anticipated future character of the Parramatta Road urban renewal areas as detailed in adopted and exhibited strategies.



ANNEXURE A

VPA – LETTER OF OFFER

Our Ref: 0006/12lt1

24 February 2015

Ms Jennifer Concato
Parramatta City Council
PO Box 32
PARRAMATTA NSW 2124

Dear Jennifer,

**LETTER OF OFFER – VOLUNTARY PLANNING AGREEMENT
IN ASSOCIATION WITH A DRAFT PLANNING PROPOSAL
168-176 PARRAMATTA ROAD AND 89-90 COWPER STREET, GRANVILLE**

Further to ongoing correspondence and applications for a draft Planning Proposal for the abovementioned property, this letter proposes the negotiation of a Voluntary Planning Agreement (VPA). This letter provides preliminary information to enable Council to consider a resolution in principle to commence negotiations for a proposed VPA.

The VPA is to be in connection with No.168-176 Parramatta Road and No.89-90 Cowper Street, Granville as shown in the locality plan in Figure 1. The site is anticipated to receive uplift in development potential in conjunction with an application for a Planning Proposal which is currently being assessed by Council. This uplift is anticipated to be the difference between current gross floor area achievable under Parramatta Local Environmental Plan 2011 and the FSR achievable under the application for a Planning Proposal. The uplift is also to be discounted for the potential dedication of a public road, pedestrian and cycleway access through the site as proposed in the Urban Design Analysis by Architectus submitted with the application for a Planning Proposal. It is also anticipated that the VPA will encompass contributions otherwise sought in accordance with Council's Section 94A Contribution Plan.

The following sets out the key terms of the proposed VPA:

1.0 Parties to the Planning Agreement

- Parramatta City Council
- Bai Li Holdings Pty Ltd

2.0 Land to which the VPA relates

- No.168-176 Parramatta Road and No.89-90 Cowper Street, Granville being Lots 1, 2 and 3 in Deposited Plan 229399, Lot 91 in Deposited Plan 128588 and Lot 1 in Deposited Plan 529674.

3.0 Development to which the VPA relates

A mixed use building with basement car parking is intended to be constructed on the site with ground floor commercial uses and residential apartments above. Options for future development are presented in the Urban Design Analysis by Architectus submitted with the application for a Planning Proposal

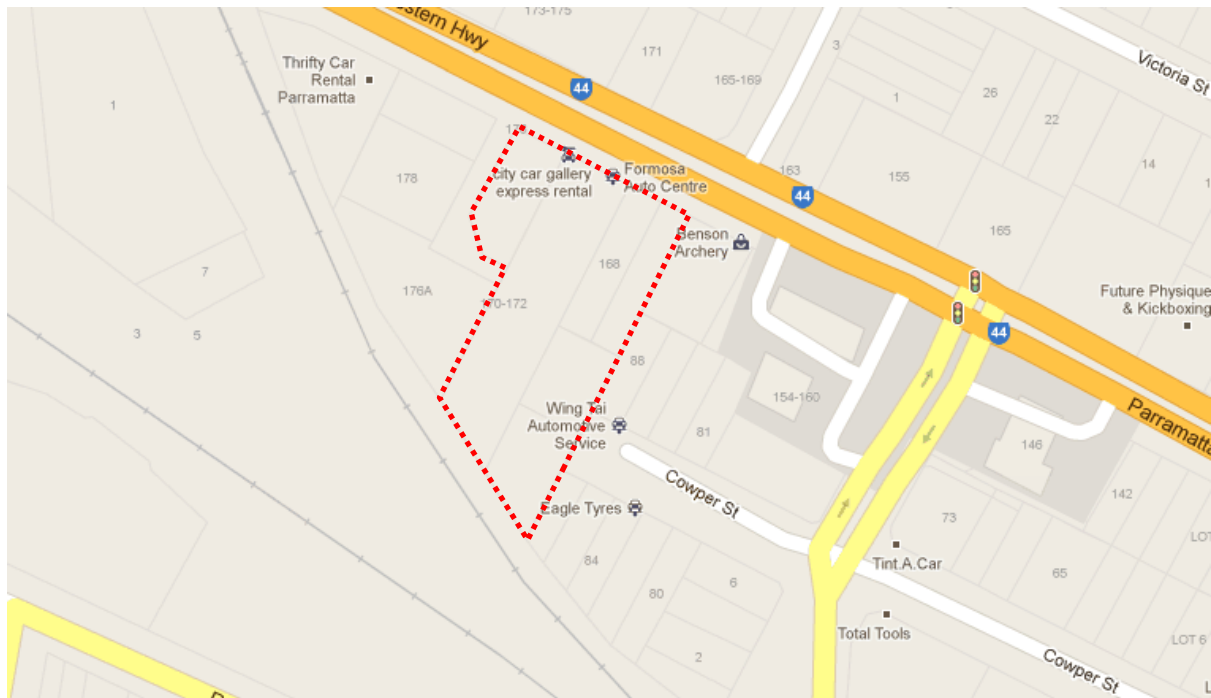


Figure 1: Land to which the VPA relates

4.0 Nature and extent of development contributions and timing of delivery

The monetary contributions and/or works-in-kind are to be informed by Parramatta Civic Improvement Plan (CIP) (Amendment No.2) effective from 11 December 2013 and any other Council policy relating to public works programs and specifications.

The potential works associated with a VPA and potential development of the site under requested planning controls which will have public and community benefit may include the following concepts:

- Through site links for vehicles, pedestrians and cyclists along the eastern side boundary; and
- Landscaping, paving, street lighting and street tree planting within the adjoining public road reserve including Parramatta Road.

5.0 Value of VPA

The estimated value of works and monetary contributions is to be subject to negotiation. The nature of contributions will be consistent with the principles of Parramatta Civic Improvement Plan (CIP) (Amendment No.2) and current Section 94A Contributions Plan as well as potential costings to be developed from site-specific land valuations.

6.0 Application of s94, s94A or s94EF

The cost of development is not yet known. However, it is anticipated that the VPA will, in accordance with Section 94F(3)(d), wholly exclude the application of Section 94 and Section 94A of the *Environmental Planning and Assessment Act 1979* to the development.

7.0 Additional Community Benefits

Additional community benefits are anticipated to be created from future redevelopment of the site and may include:

- Additional housing supply and choice contributing to improved housing affordability;
- Additional commercial floor space contributing to the vitality of the commercial core;
- Multi-use commercial premises for a wider variety of commercial premises and employment opportunities;
- Mixed uses and active street frontages which contribute to the vibrancy, safety and security of the site and surrounds; and
- Additional off-street parking, safe vehicle access and egress to improve the safe movement of traffic, pedestrians and cyclist to and from the site.


8.0 Costs

Each party should bear its own costs of preparing, negotiating, executing and stamping the VPA and any documents related to the VPA.

We would appreciate further liaison with Council staff to discuss this offer in order to facilitate the delivery of public benefits in association with the future development of No.168-176 Parramatta Road and No.89-90 Cowper Street, Granville.

Should you have any questions regarding this letter please contact me direct at our offices on Phone 9531 2555 or by email ben@planningingenuity.com.au.

Yours faithfully,
Planning Ingenuity Pty Ltd



Benjamin Black
ASSOCIATE DIRECTOR