

**Note:**

This document has been supplied to provide context for the re-exhibition of the draft Development Control Plan and draft Planning Agreement for land at 142-154 Macquarie Street Parramatta (former Cumberland Media site). The re-exhibition commenced on 15 May 2019 and concludes on 12 June 2019.

The supplied Planning Proposal document is the version that was previously exhibited from July - August 2016.

This Planning Proposal is not being re-exhibited as part of this re-exhibition. For more information about the Planning Proposal, please contact the Land Use Planning team on 9806 5864.



# **PLANNING PROPOSAL**

**(for exhibition purposes)**

***INFORMATION ONLY***

**Cumberland Media Site**  
**142-154 Macquarie Street, Parramatta**

### Planning Proposal drafts

Proponent versions:

No.	Author	Version
1.	City Plan Services	5 September 2014 – Working Draft
2.	City Plan Services	13 November 2014

Council versions:

No.	Author	Version
1.	Parramatta City Council	9 February 2015 (Council meeting and Gateway Determination)
2.	Parramatta City Council	8 July 2015 (consultation with Commonwealth Department of Infrastructure and Regional Development as per Gateway determination)
3.	City of Parramatta Council	26 July 2016 (public exhibition and consultation with relevant government departments and agencies as per Gateway determination)

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## INTRODUCTION

This planning proposal explains the intended effect of, and justification for, the proposed amendment to [Parramatta Local Environmental Plan 2011](#). It has been prepared in accordance with Section 55 of the *Environmental Planning and Assessment Act 1979* and the Department of Planning and Environment guides, 'A Guide to Preparing Local Environment Plans' (April 2013) and 'A Guide to Preparing Planning Proposals' (October 2012) and ['Guidance for merged councils on planning functions' \(May 2016\)](#).

**Status Update:** This planning has been updated to be consistent with the Gateway determination issued by the DP&E on 12 June 2015 and the Alteration Gateway determination issued on 12 July 2016 as required by the *EP&A Act*. Other changes have also been made to this planning proposal for currency purposes. All changes made are shown in blue coloured font, based on advice from the DP&E.

### Background and context

In November 2014, Council received a planning proposal and supporting documents from City Plan Services representing the land owner Nicholas Vargassoff of Dyldam. The planning proposal affects land at 142-154 Macquarie Street, Parramatta. The site is shown in **Figure 1**.



**Figure 1** – Site at 142-154 Macquarie Street, Parramatta subject to the planning proposal

Under [Parramatta Local Environmental Plan 2011 \(PLEP 2011\)](#) the site:

- is zoned B4 Mixed Use (refer to **Figure 3** in Part 4 – Mapping);

- has a maximum building height of 54 metres (refer to **Figure 4** in Part 4 – Mapping); and
- has a maximum floor space ratio (FSR) of 4:1 (refer to **Figure 5** in Part 4 – Mapping).

This planning proposal does not seek to amend the land zoning.

The site comprises a single allotment which is known as Lot 11 on DP 790287 and has a total area of 12,499sqm.

The site is located near the Robin Thomas and James Ruse Drive Reserves and has close proximity to the Macarthur Girls High School to the north, the Rowland Hassall School to the south and the Parramatta Public High School and Arthur Phillip High School to the west. (Refer to **Figure 2**, below).



**Figure 2** – The site and its surrounding context



## PART 1 – OBJECTIVES OR INTENDED OUTCOMES

The objective of this planning proposal is to enable the redevelopment of the land at 142-154 Macquarie Street, Parramatta for the purpose a greater intensity of development (in height and floor space terms).

## PART 2 – EXPLANATION OF PROVISIONS

This planning proposal seeks to amend *Parramatta Local Environmental Plan 2011 (PLEP 2011)* in relation to the height and floor space ratio controls.

In order to achieve the desired objectives the following amendments to the *PLEP 2011* would need to be made;

1. Amend the maximum height in the **Height of Buildings Map** (Sheet HOB\_010) from 54 metres to 157 metres. (Refer to **Figures 4 and 8** in Part 4 and **Table 1** below).
2. Amend the maximum floor space ratio on the **Floor Space Ratio Map** (Sheet FSR\_010) from 4:1 to 7:1. (Refer to **Figures 5 and 9** in Part 4 and **Table 1** below).

### Design Excellence

The site is located within the area covered by clause 7.10 of *PLEP 2011* which enables proposals exceeding 55 metres in height to pursue an architectural design competition. Proposals that demonstrate design excellence under the clause are able to seek variations to development standards (height and FSR) of up to 15%.

Since the issuing of the Gateway determination, the applicant has completed\* a design excellence process (LA/353/2015), resulting in a total FSR of 8.05:1.

\* The formal completion of the design excellence process is subject to the notification of the planning proposal. Should the notification of the planning proposal create an inconsistency with the winning design, the design excellence process will need to be revised or re-commence.

**Table 1 – Current, proposed and design excellence development standards**

SUMMARY OF CURRENT AND PROPOSED HEIGHT AND FSR CONTROLS			
PLANNING CONTROL	CURRENT (PLEP 2011)	PROPOSED AMENDMENTS	WITH DESIGN EXCELLENCE APPLIED TO THE PROPOSED AMENDMENTS
Building height	54m	157m	With the additional 15% this enables a maximum height of 180m. <ul style="list-style-type: none"> <li>• 88m (25 storeys)</li> <li>• 110m (35 storeys)</li> <li>• 180m (60 storeys)</li> </ul>
FSR	4:1	7:1 (87,493sqm GFA)	8.05:1 (100,616sqm GFA)

3. Amend the **Special Provisions Area Map** to include the site so that it can rely on the application of clause [7.6 Airspace operations in PLEP 2011](#) which requires that the consent authority must not grant development consent to development that is a controlled activity within the meaning of Division 4 of Part 12 of the Federal *Airports Act 1996* unless the applicant has obtained approval for the controlled activity under regulations made for the purposes of that Division. (Refer to **Figure 11** in Part 4 as well as sections 3.2.3 and 3.3.2).
4. Introduce a **site specific clause** which **mandates a minimum of 21% of total non-residential floor space** within the site [which amounts to 18,874sqm \(and 21,000sqm delivered via the design excellence clause\)](#).

These clauses would need to be legally drafted and included within the [PLEP 2011](#).

## 2.1 Other relevant matters

### 2.1.1 Voluntary Planning Agreement

A draft [Voluntary Planning Agreement](#) (VPA) accompanies the planning proposal. This seeks to:

- deliver a monetary contribution towards the implementation of the Parramatta City River Strategy – foreshore improvements; and
- potentially deliver the widening of Argus Lane, depending on

As the VPA is still in the process of being finalised, it will be exhibited at a later date consistent with Council's resolution of 11 July 2016. Also, the planning proposal will not be finalised until the VPA is executed and registered on the title, as per Council's resolution of 11 July 2016.

### 2.1.2 Draft DCP and Design Excellence

Draft site specific DCP [provisions have been prepared](#) to deliver the finer details on the proposed building form. [These will be](#) exhibited in conjunction with the planning proposal with the Council resolution [of 26 April 2016](#).

It is important to note that the draft DCP is inconsistent with the heights and density sought by this planning proposal. This is because the DCP has, instead, been made consistent with the winning entry achieved via clause 7.10 Design excellence in [PLEP 2011](#) which provides successful applicant's with an additional 15% in height and density.

### 2.1.3 Prior Development Application

Consent was granted to development application DA/140/2011 in October 2012 for a staged redevelopment of this site. Stage 1 comprised demolition, tree removal and the construction of a 6 storey retail/commercial building with a floor area of 16,407sqm fronting George Street. Stage 2 was granted conceptual approval for a commercial/retail building with a floor area of 37,873sqm.

### 2.1.4 Planning Proposal on adjoining site

The adjoining site to the west at 135 George Street and 118 Hassall Street, Parramatta, comprising the Albion Hotel and car park is subject to a planning proposal application which seeks similar density controls.

This planning proposal is anticipated to [progress in the latter half of 2016](#).

## **PART 3 – JUSTIFICATION**

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This section describes the reasons for the proposed outcomes and development standards in the Planning Proposal.

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

This section establishes the need for a Planning Proposal in achieving the key outcome and objectives. The questions address the strategic origins of the proposal, whether amending the LEP is the best mechanism to achieve the aims on the proposal, and whether a net community benefit will result from the proposal.

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

The primary outcome of this Planning Proposal, to enable a higher density of development and mix of residential and commercial land uses, stems from local and state government strategic plans including the NSW Government's Plan for Growing Sydney, Parramatta City Centre Vision 2007 and Draft Parramatta CBD Planning Framework. These plans identify the Parramatta City Centre as a key area for future development to cater for the projected increase in the residential and working population.

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

This planning proposal is the only way to achieve the key outcome, to enable a higher intensity of development and mix of residential and commercial uses.

The subject land is a substantial holding in single ownership, presenting significant opportunities to enhance the north-eastern gateway into the Parramatta City Centre. This Planning Proposal will provide a mix of uses and significant contribution to state government dwelling and employment targets in a location well serviced by public transport.

The planning proposal, involving a statutory amendment to the Parramatta LEP 2011, is considered the only means of achieving the objective and intended outcome.

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

This section assesses the relevance of the Planning Proposal to the directions outlined in key strategic planning policy documents. Questions in this section consider state and local government plans including the NSW Government's Plan for Growing Sydney and subregional strategy, State Environmental Planning Policies, local strategic and community plans and applicable Ministerial Directions.

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

##### **A Plan for Growing Sydney**

On 14 December 2014, the NSW Government released 'A Plan for Growing Sydney' which outlines actions to achieve the Government's vision for Sydney which is a 'strong global city and a great place to live'.

The actions within the plan that specifically relate to Parramatta are:



1. Grow Parramatta as Sydney's second CBD by connecting and integrating Parramatta CBD, Westmead, Parramatta North, Rydalmere and Camellia;
2. Grow the specialised health and education precincts at Westmead and Rydalmere;
3. Renew Parramatta North to create a vibrant mixed-use precinct; and
4. Grow the arts and cultural opportunities in Parramatta to include State-level facilities.

The planning proposal will enable the development of residential dwellings and commercial and space that will contribute towards dwelling and employment targets. It will also allow for a greater development yield on land in close proximity to public transport and Parramatta CBD. The site is within approximately 400m walking distance to Parramatta Railway Station/Bus Terminal as well as Parramatta CBD and therefore meets the objective to capitalise on public transport infrastructure.

The proposal creates opportunities to revitalise and better present the north-eastern corner of the CBD and river foreshore. This will be aided by the proposed increase in density to an FSR of 7:1. Allowing for mixed use development with a focus on both residential and retail/commercial will also assist in preserving the strengths of the commercial core around Parramatta station.

### **West Central Draft Subregional Strategy**

The Draft Subregional Strategy translates objectives to the local level, and recognises that some issues extend beyond local government boundaries and require a 'subregional' approach. The draft Subregional Strategies act as a broad framework for the long term development of the area, guiding government investment and linking local and state planning issues.

Key components of the draft West Central Subregional Strategy of relevance to future development of the subject site and the broader development of Parramatta city centre include the following:

- *Economy and Employment: It is projected that Parramatta will provide for an additional 27,000 jobs by 2031 (calculated from 2001). The primary role of Parramatta city centre is a commercial hub which includes business, government, retail, cultural, entertainment and recreational activities.*

The commercial core of Parramatta is concentrated to the north of the rail corridor, with only a small proportion located to the south. The surrounding development, including residential development and retail/commercial uses, supports the core commercial activities. *Because this planning proposal proposes to introduce a local clause that will create a minimum proportion of non-residential GFA (ie. commercial GFA) of 21% of the total GFA, this will result in a minimum commercial GFA of 18,373sqm. This will support the commercial core but not detract from its importance. The number of full time equivalent (FTE) jobs that will be generated by the 18,373sqm of commercial/retail GFA equates to 913 jobs (and 1,050 jobs at a 8:05:1 FSR delivered via the design excellence clause).*

- *Centres and Corridors: Parramatta is identified as a regional centre and has developed as Sydney's second CBD. The Strategy states that Parramatta Council is to investigate the potential for greater development in areas within close proximity to major proposed transit networks such as the Parramatta-Rouse Hill and Parramatta-Liverpool Transitway.*

The proposed changes to the height and FSR controls will allow for the development of residential and commercial/retail uses which will support the viability of Parramatta as a regional centre. The subject land is considered valuable in contributing towards dwelling and employment targets due to its close proximity to Parramatta CBD, public transport and strategic bus corridors.

- *Housing: Housing stress is considered a significant problem for the west central subregion. This is an indicator of poor housing affordability. The Strategy encourages a greater mix of housing types, especially in centres with good public transport, to accommodate changing demands of existing residents and to support the workforce.*

There are no Greenfield sites left within the subregion, therefore most of the future dwelling growth will be located within centres or through infill development. The Strategy recommends that councils should aim to provide at least 80% of new dwellings in locations within 30 minutes by public transport of a Strategic Centre. This proposal will deliver a maximum of **841 dwellings** (or **964 dwellings** at the 8:05:1 FSR delivered via the design excellence clause).

The Planning Proposal allows for a greater intensity of development with opportunities to then make a contribution towards housing targets.

- *Transport: The state government has invested in a number of new bus corridors include the Parramatta– Liverpool Transitway, Parramatta– Rouse Hill Transitway and the Strategic Bus Corridors connecting Parramatta to surrounding major centres of Bankstown, Burwood, Castle Hill, Hornsby, Macquarie Park, Ryde and the CBD.*

The site is in a good location to provide mixed use development as it is within 400m of Parramatta Railway Station/Bus terminal, the Ferry and within walking distance of Parramatta CBD.

- *Environment, Heritage and Resources: As the second oldest European settlement in Australia, Parramatta contains significant historical artefacts and archaeological sites. The Strategy also states that when preparing Principal LEP's Councils should incorporate measures that will protect identified Aboriginal cultural heritage values and provide for ongoing participation of Aboriginal communities in the decision-making process.*

The site has the potential to contribute towards our understanding of Parramatta's historical development and Aboriginal heritage. Archaeological assessments will need to occur prior to development. Re-development of the site will also need to consider the impact on the adjacent heritage items including Experiment Farm Cottage (State), Hambledon Cottage (Local), Ancient Aboriginal and Early Colonial Landscape, Robin Thomas Reserve (Local), Elizabeth Farm (State), Gasworks Bridge (local) and Tara (also known as Ellengowan) (local).

- *Parks, public places and culture: The Sub-regional Strategy states that the provision of new open space should be considered as part of large scale infill developments. Local councils should plan for the acquisition of lands for local open space as part of developer contributions. Urban civic spaces and pedestrianised areas should be considered in the planning for future the growth of Strategic Centres and smaller local centres.*

The future development of the site will include public spaces including a central large space in the north-eastern quadrant of the site. Through site links and improved access to nearby open spaces will also be enhanced with improvements to the public domain around the site.

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

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

#### **Parramatta 2038 Community Strategic Plan**

The Parramatta 2038 is a long term Community Strategic Plan for the City of Parramatta and it links to the long-term future of Sydney. The plan formalises several big and transformational ideas for the City and the Region.

The planning proposal is considered to meet the strategies and key objectives identified in the plan including; to help build the City as a centre of high, value-adding employment and a driving force behind a generation of prosperity for Western Sydney.

The increase in development potential and incorporation of the provisions included in this planning proposal are consistent with the identified strategic objectives contained in Parramatta 2038 – Community Strategic Plan.

The Planning Proposal is considered to meet the strategies by allowing for an appropriate mix of residential and commercial/retail uses which will support the city centre and revitalisation of a large underutilised site. The development will also allow for the concentration of housing around transport nodes and contributing towards dwelling targets for the Parramatta local government area.

#### **Parramatta City Centre Vision 2007**

This Vision sets the strategic framework for the future development of Parramatta City Centre, including details on cultural and economic growth. The subject site is located within the City East precinct, identified in the Vision.

The overarching vision for Parramatta City is as follows:

*Parramatta will continue to strengthen its role as a regional city and successful second CBD for Sydney, based on a highly competitive commercial office market, retail, public space, and a range of facilities including cultural, medical, educational, tourism, and recreational. It will also benefit from a unique inner city residential living environment that values heritage assets and the natural environment. The centre will continue to plan strategically to maintain its position as an accessible primary business services centre for Western Sydney and a significant business location for metropolitan Sydney. The city centre will accommodate 30,000 more jobs and 20,000 new residents.*

The Cumberland newspaper site is within the City East Precinct with future development in this area required to address the significance of the locality and park location with complementary buildings and high quality architecture. The Planning Proposal is consistent with the above Action in that it will allow for redevelopment of the site for mixed residential and commercial development.

#### **Parramatta City Centre Planning Framework Review**

Council's Parramatta City Centre Planning Framework planning has progressed to a point where a planning proposal has recently been submitted to the DP&E (April 2016) for Gateway determination. It is informed by a planning strategy and economic analysis includes proposed controls on built form, land use mix, tower slenderness and the subject proposal is generally consistent with these provisions.

The height and density controls proposed by this planning proposal are generally consistent with the City Centre Planning Framework proposed controls.

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

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

#### **State Environmental Planning Policy No. 55 – Remediation of Land**

The underlying aim of SEPP No. 55 is to promote the remediation of contaminated land for the purpose of reducing the risk of harm to human health or any other aspect of the environment.

A contamination study by Douglas Partners, *Report on Detailed Contamination Assessment, Cumberland Newspaper Redevelopment Site, 142-154 Macquarie Street, Parramatta* (July 2010) for the site (refer to **Appendix 1**) concluded that contamination is not a constraint to the intended redevelopment of the site and upon demolition of the present buildings, further contamination investigations will be possible. Required remediation could be completed as part of any associated consent for the future redevelopment of the site.

Council's environmental health team have reviewed the study and agree with this approach being an appropriate response based on information provided and previous land uses.

#### **State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Buildings**

*State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Buildings* (SEPP 65). SEPP 65 is required to be considered during the assessment of any future development on the site that includes three or more storeys and four or more dwellings. It is reasonable to expect that a design concept supporting a planning proposal demonstrates compliance with the Apartment Design Guide.

In the case of the development concept put forward by the Urban Design Study (prepared by GMU) which supports the applicant's planning proposal, the proposal is generally consistent with the Apartment Design Guide, however, at DA stage, compliance with the following provisions will be required:

1. The provision of 25% of the site for communal open space for the future residents of the development, in accordance with objective 3D-1.
2. The requirement for 7% of site area for deep soil planting with a minimum dimension of 6m in area (for sites greater than 1,500sqm in area), in accordance with objective 3E-1.

Section 3.3.2 below entitled Urban Design and Built Form provides a more detailed review on the applicant's supporting Urban Design Report.

### 3.2.4 Is the planning proposal consistent with applicable Ministerial Directions (s.117 directions)

In accordance with Clause 117(2) of the *EP&A Act* the Minister issues directions for the relevant planning authorities to follow when preparing planning proposals for new LEPs. The directions are listed under the following categories:

- Employment and resources
- Environment and heritage
- Housing, infrastructure and urban development
- Hazard and risk
- Regional planning
- Local plan making.

The following directions have been extracted from *Directions for Planning Proposals* as they are considered relevant to the subject Planning Proposal.

#### **Employment and resources - 1.1 Business and Industrial Zones**

*Business and Industrial Zones The objectives of this direction are to:*

- a) encourage employment growth in suitable locations,*
- b) protect employment land in business and industrial zones, and*
- c) support the viability of identified strategic centres.*

The planning proposal will maintain the existing zone which allows for a mix of residential and non-residential uses. A mix of residential and commercial uses will support the core commercial precinct. [A proposed local clause will ensure that a minimum of 21% of the total GFA will be delivered for non-residential uses \(refer to Part 2 – Explanation of Provisions\).](#)

This Planning Proposal is consistent with the strategic directions outlined in state and local planning strategies including A Plan for Growing Sydney, West Central Subregional Strategy and Parramatta City Centre Vision 2007.

#### **Environment and heritage - 2.3 Heritage Conservation**

*The objective of this direction is to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance.*

The subject site contains no listed heritage items but is within the vicinity of state and local items of heritage including Experiment Farm Cottage, Hambledon House, Ancient Aboriginal and Early Colonial Landscape, Robin Thomas Reserve, Elizabeth Farm, Gasworks Bridge and Tara (also known as Ellengowan). Refer to **Figure 7** in Part 4 providing an extract from the [PLEP 2011 Heritage Map](#).

The applicant's supporting Heritage reflect the heritage and archaeological assessments conducted to date. Furthermore, any future development application will be required to comply with these requirements and the [Clause 5.10](#) Heritage conservation to [PLEP 2011](#).

#### **Housing, infrastructure and urban development - 3.1 Residential Zones**

*The objectives of this direction are:*

- a) to encourage a variety and choice of housing types to provide for existing and future housing needs,*

- b) *to make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services, and*
- c) *to minimise the impact of residential development on the environment and resource lands.*

The planning proposal is consistent with the objectives of this direction as it will enable the development of infill residential dwellings, in a location that is in close proximity to public transport, shops and employment. In addition the planning proposal will enable the development of an appropriate mix of high density dwellings which respond to current and predicted housing demands.

### **Housing, infrastructure and urban development - 3.4 Integrating Land Use and Transport**

*The objective of this direction is to ensure that urban structures, building forms, land use locations, development designs, subdivision and street layouts achieve the following planning objectives:*

- a) *improving access to housing, jobs and services by walking, cycling and public transport, and*
- b) *increasing the choice of available transport and reducing dependence on cars, and*
- c) *reducing travel demand including the number of trips generated by development and the distances travelled, especially by car, and*
- d) *supporting the efficient and viable operation of public transport services, and*
- e) *providing for the efficient movement of freight.*

Increasing the density of development in the walking catchment around transport nodes, namely Parramatta Railway Station/Bus Terminal and Ferry will support the viability of existing and proposed public transport services and reduce dependence on cars. The proposal integrates land use and transport outcomes to a high degree.

### **Housing, infrastructure and urban development - 3.5 Development near Licensed Aerodromes**

*The objectives of this direction are:*

- a) *to ensure the effective and safe operation of aerodromes,*
- b) *to ensure that their operation is not compromised by development that constitutes an obstruction, hazard or potential hazard to aircraft flying in the vicinity, and*
- c) *to ensure development for residential purposes or human occupation, if situated on land within the Australian Noise Exposure Forecast (ANEF) contours of between 20 and 25, incorporates appropriate mitigation measures so that the development is not adversely affected by aircraft noise.*

Sydney and Bankstown Airports are subject to the federal *Airports Act 1996* and the *Airports (Protection of Airspace) Regulations 1996*. Airspace above the Parramatta CBD is affected by operational requirements for those airports. A building that penetrates the Obstacle Limitation Surface (OLS) requires approval under that legislation, via the Commonwealth Department of Infrastructure and Regional Development.

This PP proposes to penetrate the OLS for the Bankstown Airport with its base height of 157 metres and a maximum height of 180 metres achievable by the forthcoming design excellence clause. [\(Note: the protected airspace for Bankstown airport commences at 156 metres Australian Height Datum \(AHD\)\)](#). To address this, the PP proposes to introduce a site specific clause (outlined in Part 2 – [Explanation of Provisions](#)) which



restricts the consent authority from granting development consent to development that is a controlled activity, within the meaning of Division 4 of Part 12 of the *Federal Airports Act 1996*, unless the applicant has obtained approval for the controlled activity under regulations made for the purposes of that Division.

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

The site is not subject to any mapped ANEF contour for either airport.

Refer also to Section 3.3.2 entitled 'Aeronautical operations of Bankstown and Sydney airports' below which provides further details.

The NSW Department of Planning and Environment (DP&E) issued its Gateway Determination (**Appendix 2**) in relation to this planning proposal which states that prior to the commencement of community consultation, *Council is to consult with the Commonwealth Department of Infrastructure and Transport [sic], as required by Section 117 Direction 3.5 Development Near Licensed Aerodromes*. Council subsequently wrote to the Department of Infrastructure and Regional Development (DIRD) with the DIRD providing comments on 14 August 2015 (refer to their submission in **Appendix 3**). Council's response to this submission is provided in Section 3.4.2.

#### **Hazard and risk - 4.1 Acid Sulfate Soils**

*The objective of this direction is to avoid significant adverse environmental impacts from the use of land that has a probability of containing acid sulfate soils.*

With the exception of several small blocks, the majority of Parramatta city centre (including the subject site) is affected by Class 4 or Class 5 Acid Sulfate soils. Despite this the centre has accommodated medium to high density development throughout to date. This application for a Planning Proposal acknowledges that the site is affected by Acid Sulfate Soils and that an appropriate Management Plan will be required to support any development application which involves excavation and changes to the ground water levels.

As per the Gateway determination, the DP&E sees that the inconsistency with this direction is of minor significance and that no further approval is required.

#### **Hazard and risk - 4.3 Flood Prone Land**

This direction applies where a planning proposal creates, removes or alters a zone or a provision that affects flood prone land. The planning proposal seeks to introduce residential development in an area identified as being flood prone.

*The objectives of this direction are:*

- a) *to ensure that development of flood prone land is consistent with the NSW Government's Flood Prone Land Policy and the principles of the Floodplain Development Manual 2005, and*
- b) *to ensure that the provisions of an LEP on flood prone land is commensurate with flood hazard and includes consideration of the potential flood impacts both on and off the subject land.*

The planning proposal has been assessed in accordance with the NSW Flood Prone Land Policy, the Floodplain Development Manual 2005 and Lower Parramatta River Floodplain Risk Management Study and Plan 2005. Specific provisions and design parameters to accommodate stormwater and flooding will be investigated with any future development application. An extract from the [PLEP 2011](#) Flooding Map is provided at **Figure 8** in Part 4.

As per the Gateway determination, the DP&E sees that the inconsistency with this direction is of minor significance and that no further approval is required.

## Metropolitan Planning – 7.1 Implementation of a Plan

**Status Update:** The section has been deleted based on DP&E advice.

### 3.3 Section C – Environmental, social and economic impact

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

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

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

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

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

- Contamination;
- Acid Sulfate Soils;
- [Soil Contamination](#);
- Urban Design [and Built Form](#);
- Overshadowing ([including cumulative overshadowing as per Gateway determination](#));
- Flooding;
- Heritage;
- Aeronautical operations of Bankstown and Sydney airports; and
- Traffic and transport.

#### Acid Sulfate Soils

An Acid Sulfate Soils Management Plan will be required to support any future development application in accordance with the existing provisions of [PLEP 2011](#). There are no other aspects of the natural or built environment that require assessment as a result of the application for a Planning Proposal.

#### Soil Contamination

A Contamination Study prepared in July 2010 for a development application (DA/140/2011) on the site concluded that contamination is not a constraint to the intended redevelopment of the site and upon demolition of the present buildings, further contamination investigations will be possible. Required remediation must be completed as part of any associated consent for the future re-development of the site.

Find attached the Contamination Study prepared for the DA at **Appendix 1** as required by condition 1(d) from the Gateway Determination issued on 12 June 2015.

### Urban Design and Built Form

The Planning Proposal has been issued a gateway determination allowing a maximum FSR of 7:1 and height of 157 metres on the site.

The Urban Design Study prepared by GMU in support of the planning proposal was developed to respond to the constraints of the site and its context (refer to **Appendix 4** for the urban design report). The following was considered in the development of its concept and built form.

- A mix of uses with retail, commercial and residential uses to support the economic viability of the Parramatta city centre.
- The principles of Transport oriented design given the close proximity to Parramatta Railway Station/Bus Terminal.
- Enhancement of the public domain to support a vibrant and walkable centre.
- Increased height of buildings to the south to decrease shadow impacts to heritage items and sensitive land uses.
- Appropriate setbacks and building separation that will better articulate street frontages and reinforce corners.
- A density and scale of buildings that is appropriate for the north-eastern gateway to the city centre and the surrounding context of the site.

As the site has undergone the design competition process (as per Clause 7.10, *PLEP 2011*) and achieved design excellence, this now enables a maximum FSR of 8.05:1 and maximum height of 180 metres across the site, despite the fact that that this PP is seeking lower height and density (Reference No. DC/8/2016).

The winning design scheme is consistent with the planning proposal's built form Option 1. This option was also supported by Council at its meeting of 9 February 2015, locating the tallest tower (60 storeys) to the south west of the site, and reducing any overshadowing impacts on adjacent heritage item sites.

The winning design consists of three tower elements including:

- B25 – 88 metre, 25 Storey tower located on the north west corner of the site
- B35 - 110 metre, 35 Storey tower located on the south east of the site
- B60 – 180 metre, 60 storey tower located on the south west of the site

The winning design provides a partial approval to the future development of the site, and is a progressed design of the approved planning proposal intended to achieve the best design outcome. It implements urban design principles of edge definition, view principles, solar access, and no increase to shadow in sensitive areas, activating the plaza, the tower and square energising each other and designing the space between the buildings.

In achieving the urban design principles, the winning scheme has included (but is not limited to) the following details:

- Achieving a greater synergy with the adjacent Albion Hotel Site
- Improving visual and physical connections to the Parramatta River
- Strengthening east-west pedestrian links to the future Arthur Phillip High School development in allowing pedestrian access directly through the site to the public reserve, while allowing the hotel to address the main plaza directly.
- Maintaining that no further overshadowing will occur on key heritage properties such as Hambledon Cottage, Experiment Farm and green reserves during prime times of the day
- Increasing the activation of public spaces
- Improving the connections to surrounding streets and the incorporation of a new shared use street, as a continuation of Union Street.
- Slight modification of the approved proposals built form with specific consideration to the sculpting of the public domain, and to views and improved solar access in particular
- Incorporating winter gardens where required, into upper level corner conditions as well as the use of curved and indented corners to mitigate wind impacts
- Slight tapering in of structures and the use of podia to further mitigate wind impacts
- Utilisation of canopies where towers directly address public or private spaces.

The site specific development control plan being exhibited concurrently with this planning proposal seeks to ensure that it establishes the principles, objectives and controls to be interpreted during the preparation and assessment of development applications in light of the winning design.

Refer to **Appendix 5** for the Winning Design Excellence Scheme and accompanying yield schedule.

### **Argus Lane**

As a result of the concurrent draft VPA and design excellence processes, there is a need to widen Argus Lane. However, there are two widening scenarios. The first is a widening required at the development application stage to deliver a two way arrangement with wider footpaths. The second scenario is for a minor widening allowing for wider footpaths, but maintenance of the current one-way arrangement. This process has identified the need for the correction of a footpath (widening) at the Energy Australia property at No. 140 Macquarie Street.

This issue is best resolved via a recommendation in the Council report on the submissions received from the planning proposal, draft DCP and (later) the draft VPA. A likely recommending might be to investigate an amendment to the *PLEP 2011* Land Reservation Acquisition Map, should internal and external consultations support this approach.

### **Overshadowing**

Development in accordance with the proposed controls overshadows to some degree nearby sensitive land uses – namely, Rowland Hassall School, Robin Thomas Reserve, Experiment Farm (a State heritage item) and Hambledon Cottage (a State heritage item). The NSW Heritage Office have expressed their concern of the height and massing of the proposed towers, and their impact on the heritage significance of Experiment Farm and Hambledon Cottage due to overshadowing (refer to a letter from the NSW Office of Environment & Heritage at **Appendix 6**).

While the shadow analysis held within the Urban Design Report (**Appendix 4**) tested two options, the preferred option (Option 1) is also the option carried over into this planning proposal as per Council's report on 9 February 2015. In relation to this option the Urban Design Report indicates that the proposal:

- results in little overshadowing of Rowland Hassall School and Robin Thomas Reserve;
- restricts overshadowing of Experiment Farm to the north-western corner of the grounds (i.e. no overshadowing of any of the structures); and
- has no impact on Hambledon Cottage.

In relation to Robin Thomas Reserve, Council's own shadow study conducted for the purposes of its detailed assessment of the planning proposal indicates that during mid-winter:

- the buildings on the Cumberland newspaper site will overshadow the south-western corner of the reserve from 2pm; and
- the building at 184-188 George Street will overshadow a small section of the reserve from 2pm along the western boundary.

In relation to the proposed square in the north-east quadrant of the Cumberland Newspaper site, Council's shadow study indicates that during mid-winter the building at 184-188 George Street will increase the shadowing impacts to the square from 1pm. It is noted however, the assessment of the mid-winter shadow analysis prepared by the applicant for the subject site indicates that the 25 storey podium and tower in the north-western quadrant of the Cumberland Newspaper Site will begin to overshadow the square on this site from 12 noon, with the square being in complete shadow by 3pm.

Whilst the design concept's shadows associated with the proposed tall, slender building forms will extend out considerably from the site, surrounding properties will not remain in shade for significant periods of time as the slender shadow will pass through more quickly than the shadow cast by a bulkier building. Opportunities for land owner/public comments will occur as part of the formal exhibition of the Planning Proposal associated with the Gateway Determination process. Refer also to the section below entitled 'Cumulative overshadowing'.

In relation to other nearby sensitive land uses – namely, Rowland Hassall School, Experiment Farm (a State heritage item) and Hambledon Cottage (a State heritage item), Council's shadow study indicates that during mid-winter the buildings on the Cumberland newspaper site will:

- Overshadow Rowland Hassall School through the day: This is inevitable from development of the subject site, even under current controls, given that the school is situated immediately to the south of the site in Macquarie Street. However, breaks in the building form (through the proposed tower formation and proposed north-south through site link) will assist in alleviating the overshadowing impact on the school.
- Overshadowing of parts of the open space on Experiment Farm: This is limited to a small portion of the reserve and not any of the structures, within the closest distance to the structure of the shadow line being approximately 40m at 2pm.
- Overshadow parts of the open space north of Parkes Street associated with Experiment Farm from 1pm until 3pm.
- Generate no overshadowing on Hambledon Cottage by 3pm.

The impact of overshadowing on Robin Thomas Reserve is of particular concern, given that:

- The reserve is one of a limited number of public spaces serving the CBD – the other spaces being Parramatta Park in the west, Centenary Square and the future Parramatta Square Public Domain in the centre, Prince Alfred Park in the north and Jubilee Park in the south;
- The reserve is the only public space offering playing fields within/adjacent to the CBD; and
- The use of Robin Thomas Reserve's active and passive spaces will increase with as densities increase in the CBD, particularly in the east.

The playing fields in Robin Thomas Reserve will be significantly overshadowed in the afternoons during the later months of autumn, during winter and during the early months of spring. Whilst the users of playing fields tend to not be bothered by overshadowing in the colder months (as they are being active and less inclined to feel cold), their experience will be adversely impacted by poor turf conditions resulting from overshadowing (which slows turf growth and resilience) and increased usage.

Overshadowing of passive recreation areas tends to have a greater impact on people's level of comfort and enjoyment in the colder months. In Robin Thomas Reserve, the key passive areas are in the north (where a café with indoor and outdoor seating and an adjoining informal open space are proposed) and in the south (with a playground, water park and seating areas).

The passive open spaces in Robin Thomas Reserve will be overshadowed during winter from 1pm from development on the Cumberland Newspaper site and from 3pm from proposed development at 184-188 George Street. This is considered reasonable given that:

- these areas will receive 3-4 hours morning sunlight between 9am – 3pm in mid- winter; and
- at the equinoxes (i.e. 23 March and 23 September) no overshadowing until 2pm in spring and until 3pm in autumn.

The winning scheme provided at **Appendix 5** maintains that no further overshadowing will occur on key heritage properties such as Hambledon Cottage, Experiment Farm and green reserves during prime times of the day (Refer to Appendix xx for a copy of the winning design scheme).

Refer to **Appendix 7** for a copy of an Arborist Report (prepared by Earthscape Horticultural Services) which discusses the impacts of overshadowing created by the proposal on vegetation within surrounding properties.

To ensure that any future development of the site does not exceed the overshadowing impacts under the planning proposal [and winning design scheme](#), site specific controls will be included in the DCP illustrating the indicative distribution of heights across the site and requiring that the distribution of height can only be altered if the overshadowing impact on Robin Thomas Reserve, Rowland Hassall School, Hambledon Cottage and Experiment Farm is not worsened.

### **Cumulative overshadowing**

In accordance with conditions 1(a)(i) and (ii) in the DP&E's Gateway Determination issued on 12 June 2015 (refer to **Appendix 2**), the cumulative overshadowing analysis was been prepared by Council's Urban Design Team which illustrates and assesses the



cumulative impacts of the proposal in conjunction with the nearby proposals at 184-188 George Street and 135 George and 118 Harris Street.

The cumulative overshadowing analysis contained at **Appendix 8** has been prepared based on the relevant footprint, massing and height in relation to the gateway determinations for the planning proposals at 184-188 George Street and 135 George and 118 Harris Street, Parramatta, and the winning design scheme (as per the Design Excellence process) for 142-154 Macquarie Street, Parramatta (Cumberland Newspaper site). The analysis determines the impacts of these planning proposal's shadow impacts on Robin Thomas Reserve, James Ruse Reserve, Experiment Farm and Rowland Hassall School given that they are significant public areas and places of interest.

#### Robin Thomas Reserve

During midwinter, cumulative shadows cover the western and south-western edges of the park from 1:00pm onwards, with significant overshadowing occurring over the park by 3:00pm. The additional shadow cast from 135 George and 118 Harris Street (Albion Hotel site) will further exacerbate these impacts.

Seasonal loss of afternoon solar access to Robin Thomas Reserve may have an impact on the tree canopies that currently line and buffer the western and south western edges of the park. It may also contribute to the degradation of the grass surface on the playing field leading to a loss of civic amenity.

#### James Ruse Reserve

During midwinter, James Ruse Reserve is overshadowed by the Cumberland Newspaper site proposal (142-154 Macquarie Street, Parramatta), between 1:00pm-2:00pm, although the impact occurring is not as severe as Robin Thomas Reserve.

Afternoon overshadowing from 1:00pm will impact the skate park and children's playground located adjacent to James Ruse Reserve.

#### Experiment Farm

Experiment Farm is located approximately 240 metres away from the site. The long reach of shadows encroach the state heritage listed property Experiment Farm from 2:00pm onwards.

#### Rowland Hassall School

Given the location of Rowland Hassall School immediately south of the Cumberland Newspaper site, it will be heavily overshadowed and have minimal solar access to its ground for majority of the winter period.

### **Flooding**

The detailed flood modelling results indicate that residential and commercial development may be appropriate on the site subject to acceptable design and development controls. The assessment reviewed by Council's Catchment Management Team concludes that flooding affectation should not preclude the site from being used for residential and commercial/retail (refer to the Flood Study at **Appendix 9**).

### **Heritage**

With respect to site excavation and preparation, the recommendations of the *Heritage Issues Identification report* prepared by NBRSP+Partners could potentially be applied to any future development proposal for the site.

A Statement of Heritage Impact specific to any future development proposal will be expected to be submitted in accordance with the provisions of clause 5.10 to [PLEP 2011](#).

Refer to the Heritage Issues Identification Report at **Appendix 10**.

### **Aeronautical operations of Bankstown and Sydney airports**

The subject site is located approximately 20km north west of Sydney Airport and 11km north of Bankstown Airport. Airspace above the Parramatta CBD is affected by the operation of these airports. Given the proposed height on the site, an Aeronautical Study (by Lambert & Rehebein) accompanied the planning proposal (**Appendix 11**).

Key criteria, relating to both airports, requiring consideration are:

- **Obstacle Limitations Surface (OLS):** This is defined airspace that should ideally be kept free of obstacles to minimise danger to aircraft during an entirely visual approach to an airport; and
- **Procedures for Air Navigation Services – Aircraft Operations (PANS-OPS):** Airspace surfaces intended to safeguard aircraft from collision with obstacles when a pilot is flying solely by reference to instruments.

Permanent or temporary penetrations of an OLS by a building or structure may be permitted via approval granted by the Commonwealth Department of Infrastructure and Regional Development. It is possible for approval to also be granted for a temporary penetration of PANS-OPS, however permanent penetration of PANS-OPS will not be approved.

For Bankstown Airport the Aeronautical Study indicates that:

- the OLS is 155.1m which will be exceeded by the proposal (with a “base” height of 157m and DE bonus height of 180m), however appropriate mitigation measures are available to address this – eg. the installation of medium intensity obstacle lighting in accordance with relevant standards;
- the location of the site should ensure that navigational aids are not affected;
- the proposed maximum building height **will not result in any penetration of the PANS-OPS surface**.

For Sydney Airport the Aeronautical Study indicates that:

- the site is located outside of the OLS;
- the proposed building height will not impact upon the most restrictive of PANS-OPS surfaces;
- the development will not affect navigational aids; and
- the proposed height should enable cranes during construction to avoid penetrating radar surface, but this is subject to confirmation from Airservices Australia.

Therefore, the proposed 157m height control (180m with the design excellence bonus) is satisfactory in terms of relevant airspace safety considerations. Nonetheless, consultation [with key airport agencies as outlined in the DP&E's Gateway Determination](#), such as the Bankstown and Sydney Airports, Airservices Australia and

the Civil Aviation Authority (CASA), would be prudent at the exhibition stage. (Refer to section 3.4.2 which lists the agencies that need to be consulted, as per the Gateway Determination and summarises the initial feedback received from the Commonwealth Department of Infrastructure and Regional Development).

A specific clause will be introduced in the LEP which requires that the consent authority must not grant development consent to development that is a **controlled activity** within the meaning of Division 4 of Part 12 of the Federal *Airports Act 1996* unless the applicant has obtained approval for the controlled activity under regulations made for the purposes of that Division.

It is noted that - Controlled activities include the construction or alteration of buildings or other structures (such as construction cranes) that causes an intrusion into prescribed airspace (being generally airspace around airports). Controlled activities cannot be carried out without an approval granted under regulations made for the purposes of Division 4 of Part 12 of the Federal *Airports Act 1996*.

Refer to the Aeronautical Study at **Appendix 11**.

### **Traffic and Transport**

A Traffic Engineering Review report was prepared by TTM (**Appendix 12**). The Assessment finds that the proposal is acceptable in terms of traffic, transport and parking. The points below summarise the traffic and transport matters:

- Car Parking Arrangements: Residential visitor parking is being provided in accordance with the recommend RMS rate however this could be further revised in the future. Commercial and retail parking is provided at rates lower than Council's maximum parking requirement. The rates proposed are considered suitable considering the availability of nearby public and active transport facilities.
- Development Access: Argus Lane will be reconfigured for two way traffic as part of the proposal which will result in less circuitous routes to and from the subject site and will assist in minimising traffic pressures at nearby signalised intersections. This scenario may result in a small number of vehicles re-routing from existing trips in the network; however, it is not expected that a significant volume of traffic would be attracted to Argus Lane if it were to be converted to two-way flow.

A land dedication [may](#) be required along the Argus Lane site frontage to achieve the required lane design for two-way traffic. The carriageway is currently approximately 5.5m wide between kerbs. [As per the Council report of 9 February 2015 and on account of further analysis from progressing the draft VPA, a widening of Argus Lane road reserve will be required. This will form part of the VPA for the site. \(Refer to 'Argus Lane' sub-section in Section 3.3.2\).](#)

The main development access is from Argus Lane south of Union Street. Further minor development accesses are provided from Macquarie Street (right-in/right-out) and via a proposed shared lane connecting Union Street with Macquarie Street.

- Operation of the surrounding network: All intersections were assessed for a long term design horizon (year 2030). With the exception of George Street/Harris Street, all intersections are predicted to operate suitably up to this design year with background traffic growth and development traffic. With the exception of this one intersection there are no significant operational issues beyond what would be expected in a CBD traffic environment.

Modifications to the George Street/Harris Street intersection to mitigate the impact of development traffic were investigated. The SIDRA analysis identifies that a short left slip lane and short stand up lane added on the northern Harris Street approach would improve intersection operations; however, the primary constraint with this intersection is the two lane bridge. Given this bridge is a critical link to the CBD, which is undergoing significant growth / redevelopment, the upgrade of this intersection is considered a broader issue that should be addressed by Council, and not be linked to any specific development.

Furthermore, any future DA for the site would need to include SIDRA modelling of nearby intersections and factor in the development site to the west (108-133 George Street). To address this, [there is a site specific DCP control requiring traffic modelling to accompany any DA. This is also consistent with the DP&E's concerns over the potential traffic environment in the CBD because of other requests for density uplift a per the Gateway determination \(Appendix 1\).](#)

Refer to the Traffic Engineering Report at **Appendix 12**.

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

There is adequate justification for this planning proposal, which will facilitate an increase in density and the future development of housing and employment.

The proposal is for a mixed use development with three buildings around a [privately owned publicly available](#) square. It will provide residential, commercial and open spaces close to public transport destinations and nearby parklands. Additional commercial space will help to meet the demand in Parramatta CBD while the mix of retail and commercial uses will provide services and facilities for local residents and for those able to easily access the site.

The residential apartments will enjoy a high amenity environment with good access to transport, commercial services and facilities and public open space. Views and pleasant microclimatic conditions will be available for some of the dwellings due to the unobstructed northerly aspect to the river and location near Robin Thomas Reserve.

In broader terms, the development of the site in accordance with the Design Concept will also:

- contribute to targets for new jobs and new housing in Parramatta CBD;
- add to the economic, social and cultural activities within Parramatta City Centre;
- provide connectivity between the City Centre, Parramatta River and foreshore reserve;
- increase activation of the public domain; and
- improve the quality of the built form.

Based on the assumed development outcomes the proposal has the potential to generate jobs during the construction phase. A draft VPA addressing contributions towards the local road network and the river foreshore has been developed between the proponent and Council ([see Section 2.1.1](#)). However, overall the community or public benefits potentially generated by the development are both internal and external to the site.

Community consultation and public authority consultation will explore the social and economic benefits in more detail.

### 3.4 Section D – State and Commonwealth Interests

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

The subject land is approximately 800 metre walking distance from Parramatta Railway Station/Bus terminal. Civil and utility infrastructure is suitably accessible to service the subject land and support the proposed development. Redevelopment of the subject site can provide a catalyst for further development within area and this will optimise public infrastructure investment within this area. However, it is recommended that the relevant infrastructure agencies be consulted during the planning proposal process.

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

##### Heritage NSW

As discussed in section 3.3.2, preliminary consultation with the NSW Heritage Office has indicated concern in respect to overshadowing. Further consultation with this State public authority has been planned.

##### Department of Infrastructure and Regional Development (DIRD)

The DP&E's Gateway Determination issued on 12 June 2015 requests initial consultation with the Commonwealth Department of Infrastructure and Regional Development (DIRD) prior to the commencement of community consultation. (**Note:** the DP&E's Gateway Determination incorrectly refers to the Department as the Commonwealth Department of Infrastructure and Transport).

The DIRD were consulted in August 2015, and their preliminary comments are summarised as follows:

- The protected airspace for Bankstown airport commences at 156.0 metres AHD and 243 metres AHD for the Sydney Airport. Any intrusion into the airspace applies to both permanent and temporary intrusions (including construction cranes). This requires approval under the Regulations.
- Council's planning proposal makes no reference to the National Airports Safeguarding Framework (NASF).

Any activity resulting in an intrusion into an Airport Protected Airspace is a controlled activity under the act and requires approval under the regulations. Intrusions can either be identified as 'permanent' for e.g. the tower element of a proposed building and/or 'temporary' for e.g. construction cranes which may be required to operate at heights significantly higher than that of the proposed building.

As the development of the site consists of three tower elements ranging in heights between 88-180 metres, it is noted that the proposed height of the tower B60 at 180.0 metres AHD will result in an intrusion into the Bankstown Airport's protected airspace. Construction crane intrusions will further result in an intrusion into the Bankstown Airport's protected airspace.

The NSW Government has advised the DIDR it will implement the NASF guidelines (except for the guideline on noise) upon completion of its planning system review. Until this review is complete, the City of Parramatta Council merely notes the NASF guidelines.

### Other agency consultations

The DP&E's Gateway Determination also requests the following agencies be consulted under section 56(2)(d) of the *EP&A Act*:

- NSW Aboriginal Land Council
- Department of Education and Communities
- Office of Environment and Heritage
- Transport for NSW – Sydney Trains
- Transport for NSW – Roads and Maritime Services
- Sydney Water
- Telstra
- Endeavour energy
- State Emergency Service
- NSW Office of Sport
- NSW National Trust
- Civil Aviation Safety Authority
- Sydney Airport
- Bankstown Airport
- Airservices Australia
- Commonwealth Department of Infrastructure and Transport.

This consultation will be undertaken during (and extend beyond) the exhibition period of this planning proposal and draft DCP.

## PART 4 – MAPPING

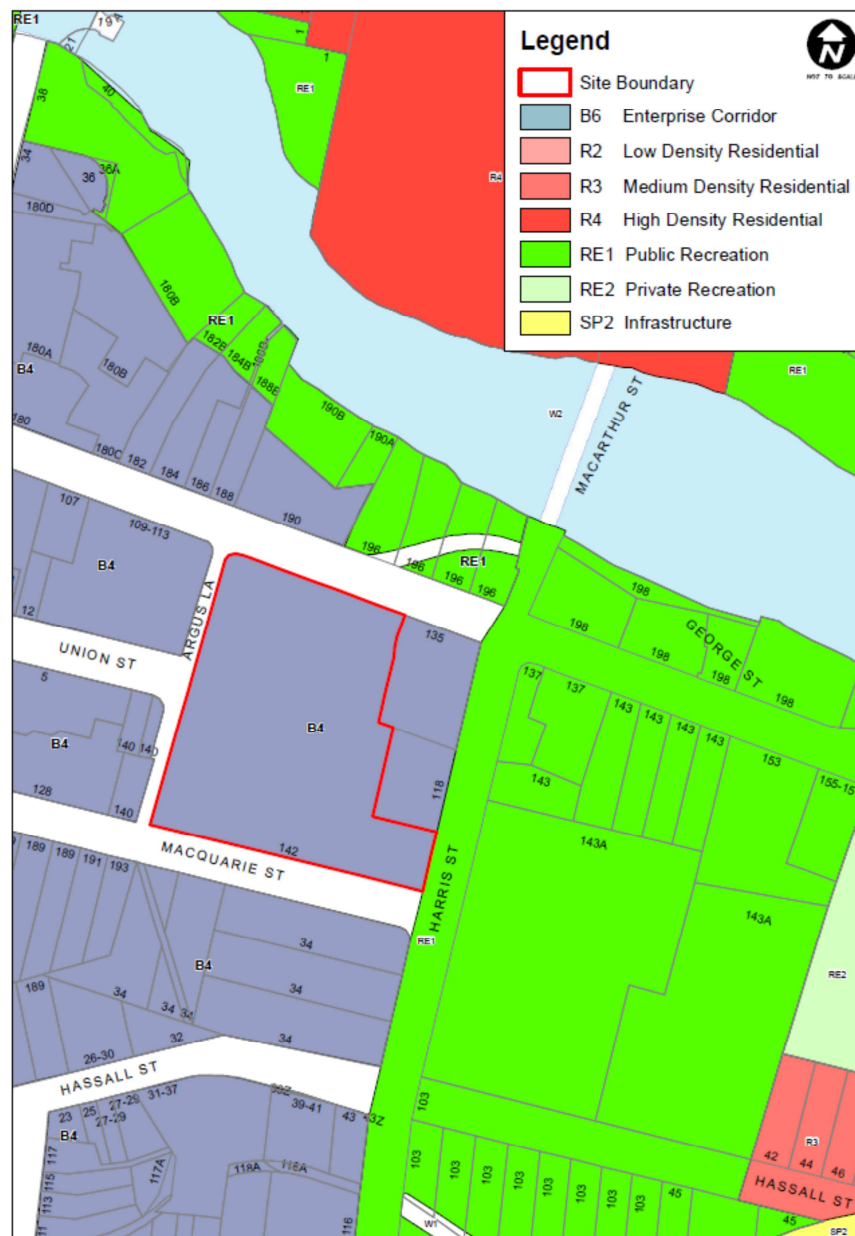
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This section contains the mapping for this planning proposal in accordance with the DP&E's guidelines on LEPs and Planning Proposals.

### 4.1 Existing controls

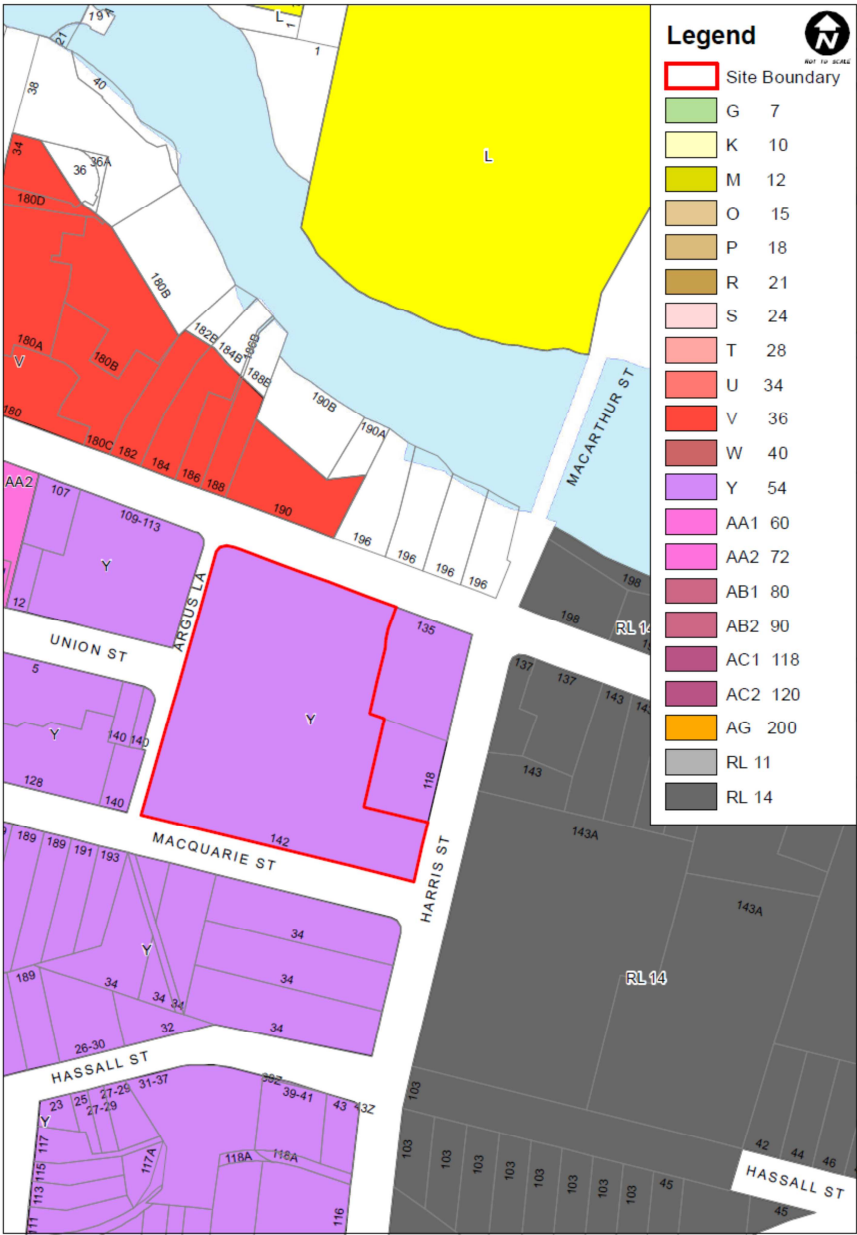
This section contains map extracts from *PLEP 2011* which illustrates the current controls applying to the site and its surrounds.





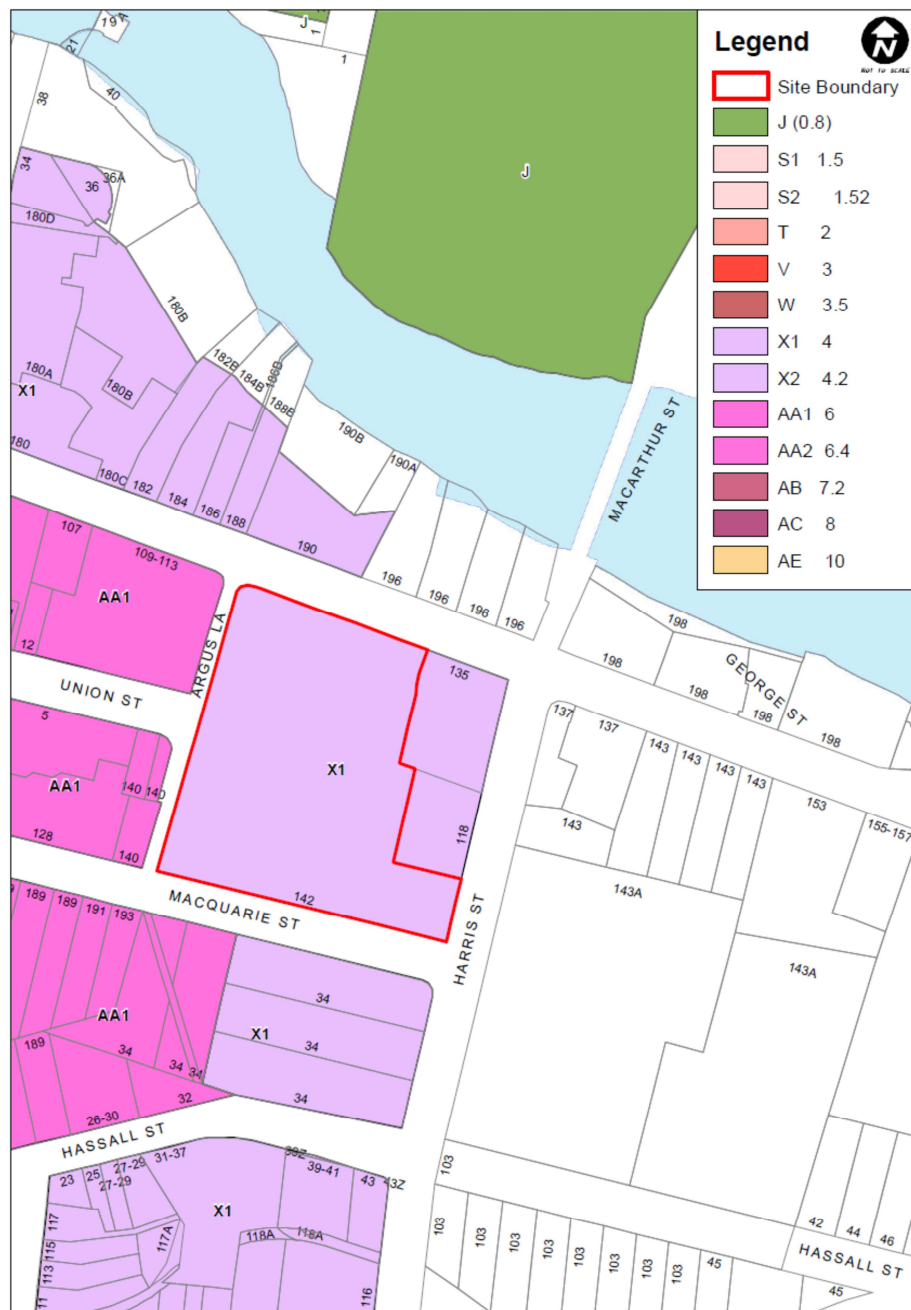
**Figure 3** – Existing zoning extracted from the [PLEP 2011](#) Land Zoning Map

Figure 3 above illustrates the existing B4 Mixed Use zone over the site.



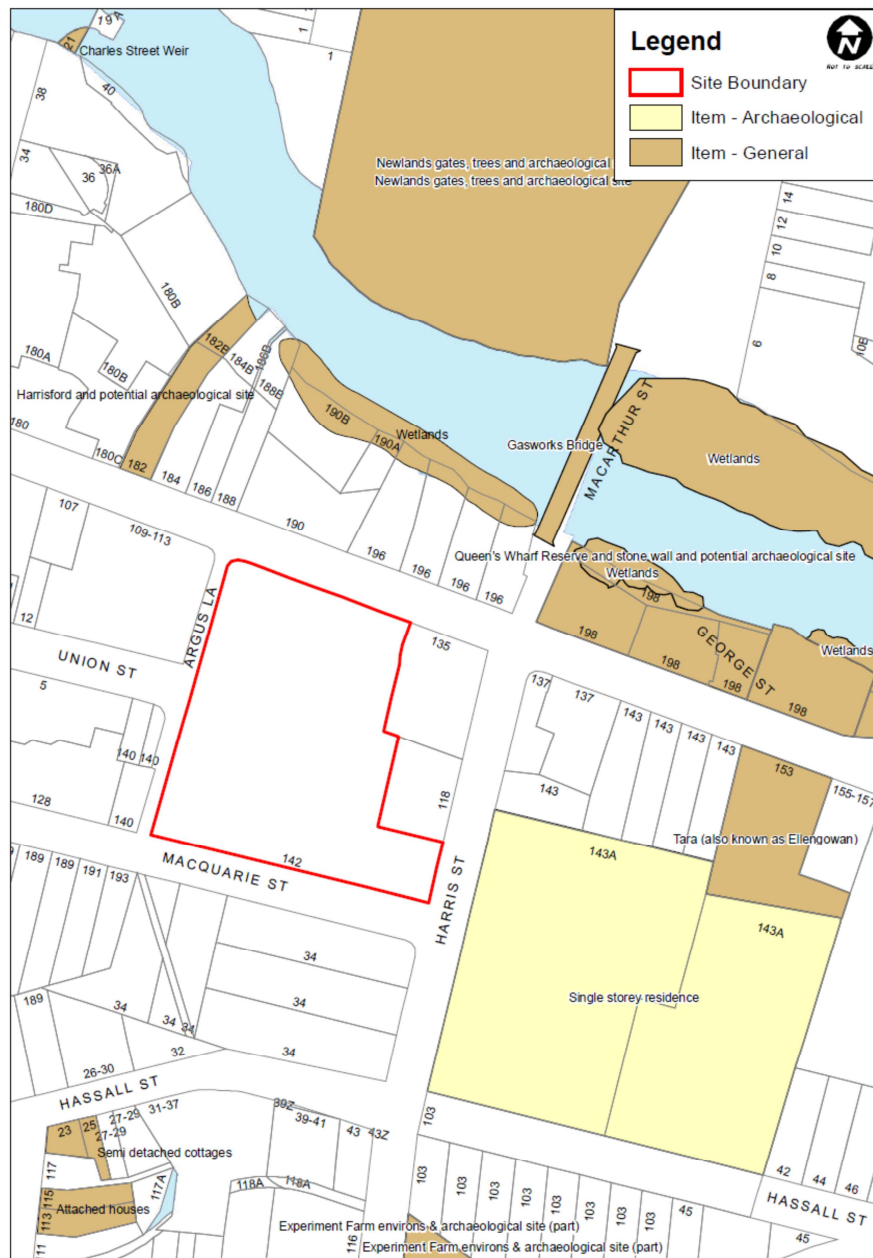
**Figure 4** – Existing building heights extracted from the [PLEP 2011](#) Height of Buildings Map

Figure 4 above illustrates the existing 54 metre height applying to the site.



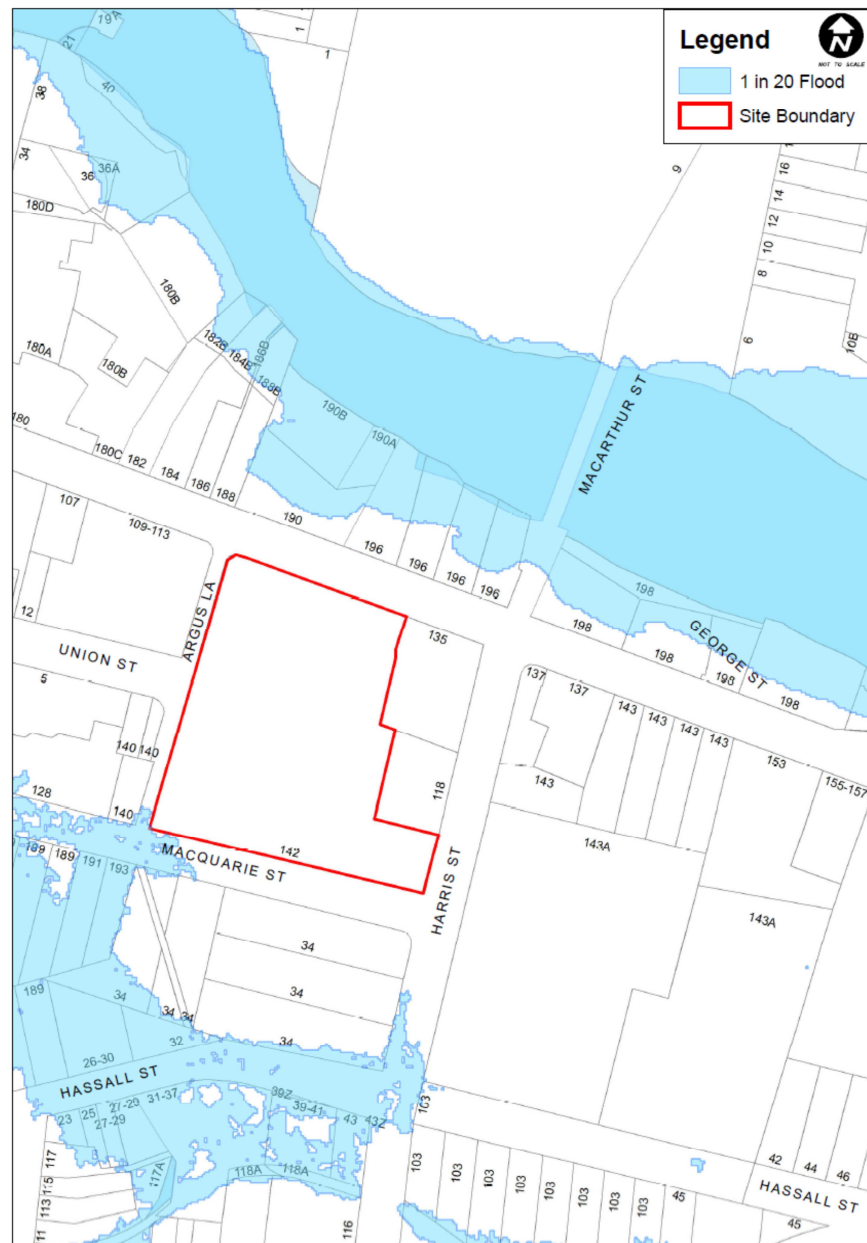
**Figure 5** – Existing floor space ratio extracted from the [PLEP 2011](#) Floor Space Ratio Map

Figure 5 above illustrates the existing 4:1 FSR which applies to the entire site.



**Figure 6 – Existing heritage items extracted from the [PLEP 2011](#) Heritage Map**

Figure 6 above illustrates the heritage sites which are located adjacent to the site.

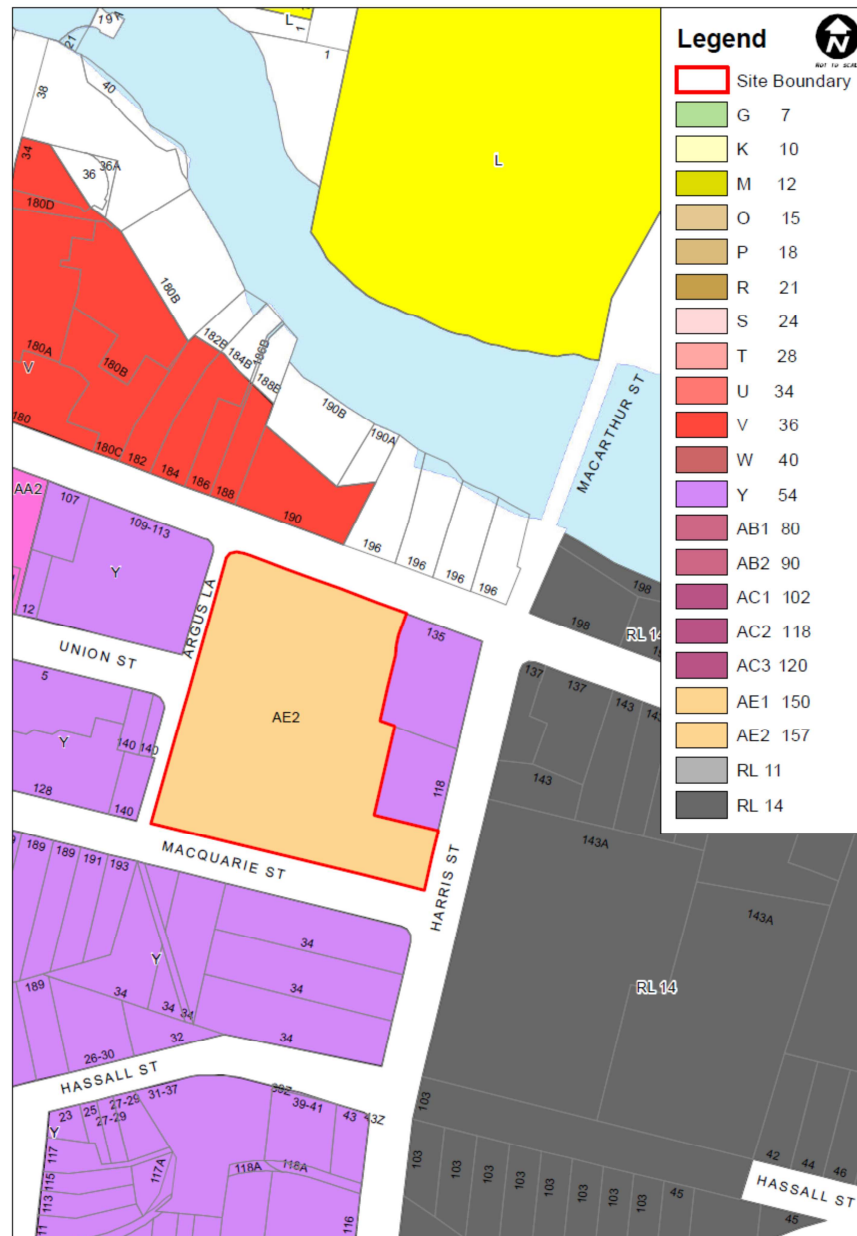


**Figure 7 – Existing flooding extant extracted from the [PLEP 2011](#) Flooding Map**

Figure 7 above illustrates the flooding extant in the vicinity of the site.

## 4.2 Proposed controls

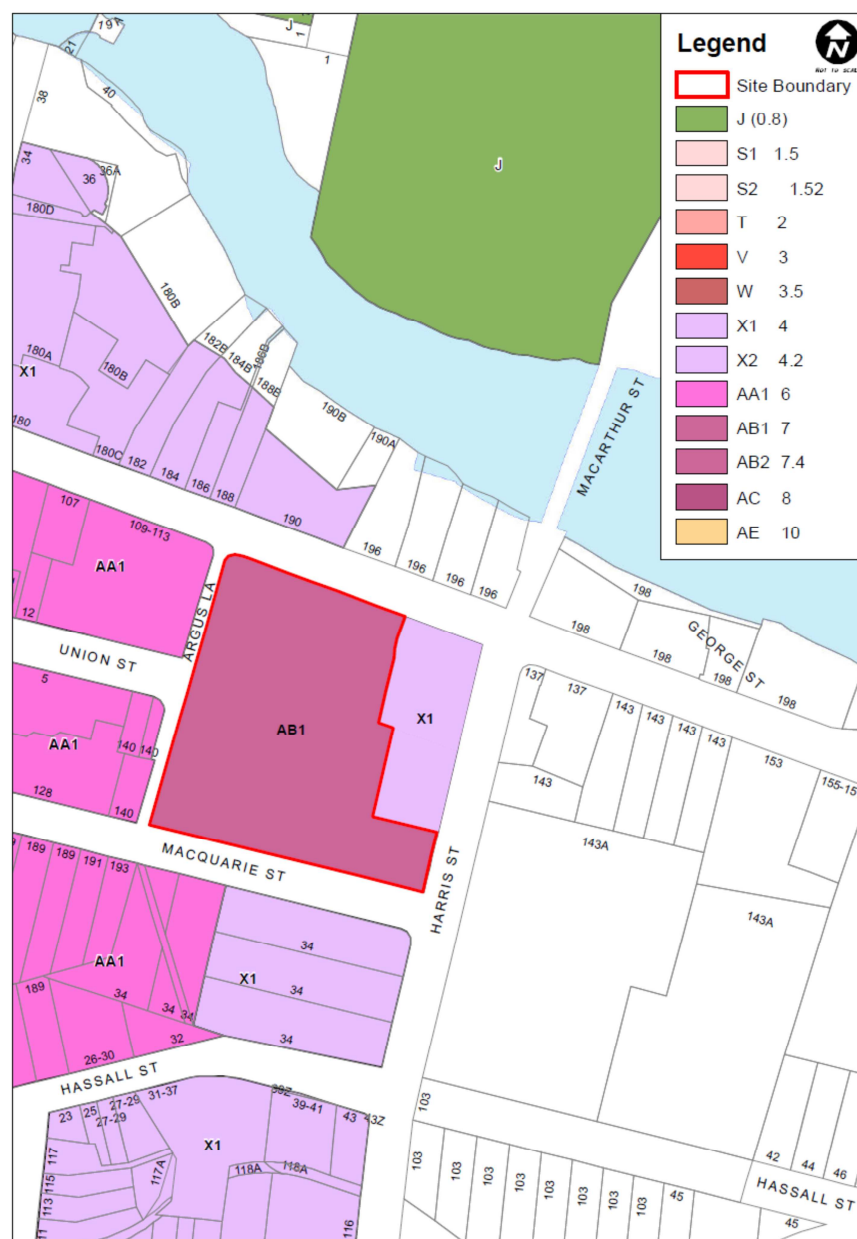
The figures in this section (**Figures 8, 9 and 10**) illustrate the proposed building height and floor space ratio controls sought by this planning proposal.



**Figure 8** – Proposed amendment to the *PLEP 2011* Height of Building Map

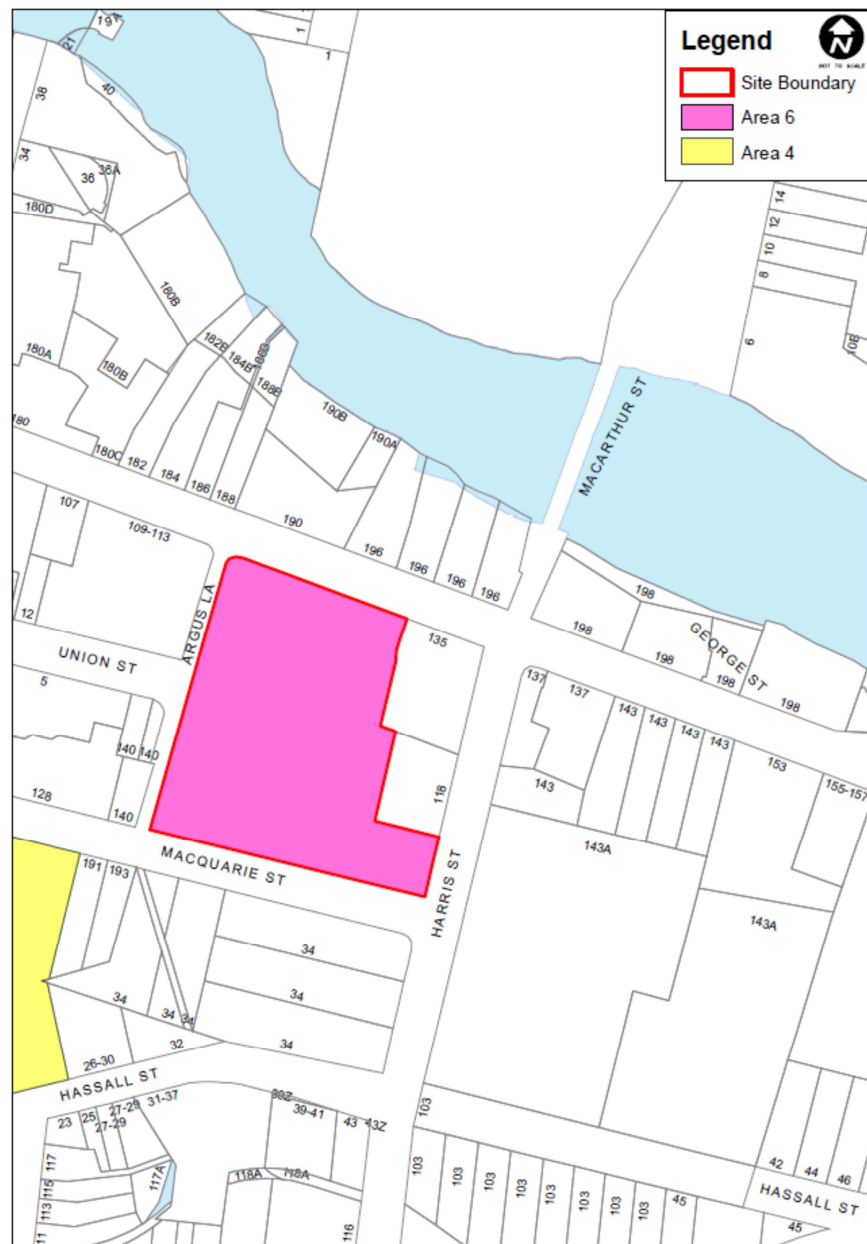
Figure 8 above illustrates proposed maximum building height of 157 metres over the site. The proposed height control excludes the achievable height through clause 7.10 of *PLEP 2011* (which the applicant has sought via LA/353/2015). The achievable height is an additional 15% of building height which equates to a total building height of 180 metres.





**Figure 9** – Proposed amendment to the [PLEP 2011](#) Floor Space Ratio Map

Figure 9 above illustrates the proposed 7:1 FSR over the site. This [proposed FSR](#) excludes the achievable height through clause 7.10 in [PLEP 2011](#) (which the applicant has sought via LA/353/2015). The achievable FSR is an additional 15% of FSR which equates to a total FSR of 8.05:1.



**Figure 10 – Proposed amendment to the PLEP 2011 Special Provisions Area Map**

Figure 10 above illustrates the proposed amendment to the Special Provisions Area Map which will enable the application of clause 7.6 Airspace Operations in PLEP 2011 over the site.

## PART 5 – COMMUNITY CONSULTATION

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The planning proposal (as revised to comply with the Gateway determination) is to be made publicly available for community consultation.

Community consultation includes:

- A newspaper advertisement in a local newspaper;
- Public exhibition material available at:
  - the City of Parramatta customer service centre
  - City of Parramatta Library.
- Webpage information on Council's web-site; and
- Written notification to adjoining landowners (354 letters).

The Gateway determination specifies:

- a public exhibition period of no less than 28 days; and
- a 28 day comment period\* for consultation with the following public authorities:
  - NSW Aboriginal Land Council
  - Department of Education and Communities
  - Office of Environment and Heritage
  - Transport for NSW – Sydney Trains
  - Transport for NSW – Roads and Maritime Services
  - Sydney Water
  - Telstra
  - Endeavour Energy
  - State Emergency Service
  - NSW Office of Sport
  - NSW National Trust
  - Civil Aviation Safety Authority
  - Sydney Airport
  - Bankstown Airport
  - Airservices Australia
  - Commonwealth Department of Infrastructure and Transport

However, in this instance, public authorities will be given a total of 6 weeks to provide comment.

Pursuant to Section 57(8) of the *EP&A Act 1979* the Responsible Planning Authority must consider any submissions made concerning the proposed instrument. The Gateway Determination states that a public hearing is not required to be held under section 56(2)(e).

The Draft Development Control Plan is being exhibited in conjunction with this planning proposal. The Draft Voluntary Planning Agreement will be exhibited at a later date, once the negotiations have been finalised.

## PART 6 – PROJECT TIMELINE

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The Gateway Determination issued on 12 June 2015 stipulates that the planning proposal shall be finalised 12 months from the week following its issuing which equates to the planning proposal due for finalisation by 17 June 2016. However, in mid-May this year, an extension to the deadline was sought and granted by the DP&E. As such, the planning proposal is now due for finalisation by **16 April 2017**.

The table below (Table 2) provides the major milestones, along with the timeframe or estimated timeframe required to be undertaken before the planning proposal is completed.

**Table 2 – Major milestones**

Milestone	Timeframe
Issue of Gateway determination	12 June 2015
Consult DIRD	July 2015
<i>Prepare Draft DCP and Draft VPA</i>	<i>August 2015 – July 2016</i>
Issue of Alteration Gateway determination	12 July 2016
Exhibition of PP (and DCP)	27 July to 24 August 2016
Consideration of submissions	August to September 2016
Consult state/Federal agencies in accordance with the Gateway determination	July to September 2016 (estimated)
Consideration of submissions	August/September 2016 (estimated)
<i>Complete draft VPA and exhibit</i>	<i>August/September 2016 (estimated)</i>
Reporting of PP, DCP & Draft VPA to Council	October/November 2016
Submission to the DP&E to finalise the LEP	November/December 2016
Timeframe for completion of the PP (ie. Notification) as per Alteration Gateway determination	16 April 2017*

\*Provided the VPA is executed and registered on the title, as per Council's resolution of 11 July 2016.

The above estimated timeline will be refined and extended once the planning proposal has been exhibited.