

The motion moved by Councillor Barrak and seconded by Councillor Bradley on being put was declared CARRIED.

DIVISION The result being:-

AYES: Clrs Barrak, Bradley, Davis, Pandey, Prociv, Wearne and Wilson

NOES: Clrs Dwyer, Esber, Garrard, Jefferies, Tyrrell and Zaiter

2767 RESOLVED (Barrak/Bradley)

That Council defers consideration of the current motion until Council reviews its policies with a view to examining the efficacy of expanding its CBD core in order to preserve its function as a major NSW CBD.

Note: Councillor Esber left the meeting at 7:19pm and returned at 7:21pm during consideration of Item 9.2.

Note: A Notice of Motion of Rescission signed by Councillors Tyrrell, Issa and Zaiter was lodged after the close of the meeting in relation to this matter.

PROCEDURAL MOTION

2768 RESOLVED (Tyrrell/Garrard)

That the meeting adjourn for a short recess.

Note: The meeting was adjourned at 7:27pm for a short recess.

PROCEDURAL MOTION

2769 RESOLVED (Tyrrell/Garrard)

That the meeting resume.

The meeting resumed in the Council Chambers at 7:46pm with the following Councillors in attendance: The Lord Mayor, Councillor Dwyer and Councillors Barrak, Bradley, Davis, Esber, Garrard (Deputy Lord Mayor), Jefferies, Pandey, Prociv, Tyrrell, Wilson, Wearne and Zaiter.

18.3 SUBJECT FOR APPROVAL: Gateway Request: Planning Proposal for land at 85-91 Thomas Street, Parramatta

REFERENCE RZ/11/2016 - D07423319

REPORT OF Project Officer Land Use

2770 RESOLVED (Tyrrell/Esber)

(a) **That** Council endorse the Planning Proposal (at Attachment 1) for the purposes of seeking a Gateway Determination, for land at 85-91 Thomas Street, Parramatta which seeks to amend the

Parramatta Local Environmental Plan 2011 in relation to the subject site by:

1. Maintaining the R4 – High Density Residential zone for the developable part of the site (3,825sqm) and extending the RE1 – Public Recreation zone for the undevelopable land affected by the Natural Resources - Biodiversity control,
2. Increasing the maximum Building Height (HOB) control from 11 metres to 22 metres across the R4 zoned part of the site, and removing the HOB control from the undevelopable land,
3. Increasing the Floor Space Ratio (FSR) control from 0.8:1 to 1.3:1 across the R4 zoned part of the site, and removing the FSR control from the undevelopable land,
4. Removing No.85 Thomas Street from the Land Reserved for Acquisition Map, subject to agreement being reached regarding the Planning Agreement referred to in (d) below.

- (b) **That** the Planning Proposal be forwarded to the Department of Planning, Industry & Environment for a Gateway Determination.
- (c) **That** a site-specific Development Control Plan (DCP) be prepared and reported to Council prior to exhibition.
- (d) **That** the CEO be authorised to negotiate a Planning Agreement on behalf of Council in addition to any development contributions payable, and that the outcome of negotiations be reported back to Council prior to its concurrent exhibition with the draft site specific DCP and Planning Proposal.
- (e) **That** Council advises the Department of Planning, Industry & Environment that the CEO will be exercising the plan-making delegations for this Planning Proposal as authorised by Council.
- (f) **That** Council authorise the CEO to correct any minor anomalies of a non-policy and administrative nature that may arise during the plan-making process.
- (g) **Further, that** Council note the advice of the Local Planning Panel (provided at Attachment 1) is consistent with Council officer's recommendation.

DIVISION The result being:-

AYES: Clrs Barrak, Bradley, Dwyer, Esber, Garrard, Jefferies, Pandey and Tyrrell

NOES: Clrs Davis, Prociv, Wearne, Wilson and Zaiter

18.4 SUBJECT FOR APPROVAL: Amendment to the East Epping Planning Proposal and draft amendments to the Hornsby DCP 2013

REFERENCE F2019/01712 - D07221356

REPORT OF Team Leader Land Use Planning

INNOVATIVE

ITEM NUMBER	18.3
SUBJECT	FOR APPROVAL: Gateway Request: Planning Proposal for land at 85-91 Thomas Street, Parramatta
REFERENCE	RZ/11/2016 - D07423319
REPORT OF	Project Officer Land Use
LANDOWNER	Century 888 Pty Ltd
APPLICANT	Think Planners

DEVELOPMENT APPLICATIONS CONSIDERED BY SYDNEY CENTRAL CITY PLANNING PANEL - NIL**PURPOSE:**

To seek Council's endorsement of a Planning Proposal for land at 85-91 Thomas Street, Parramatta to be forwarded to the Department of Planning, Industry & Environment for a Gateway Determination.

RECOMMENDATION

- (a) **That** Council endorse the Planning Proposal (at **Attachment 1**) for the purposes of seeking a Gateway Determination, for land at 85-91 Thomas Street, Parramatta which seeks to amend the Parramatta Local Environmental Plan 2011 in relation to the subject site by:
1. Maintaining the R4 – High Density Residential zone for the developable part of the site (3,825sqm) and extending the RE1 – Public Recreation zone for the undevelopable land affected by the Natural Resources - Biodiversity control,
 2. Increasing the maximum Building Height (HOB) control from 11 metres to 22 metres across the R4 zoned part of the site, and removing the HOB control from the undevelopable land,
 3. Increasing the Floor Space Ratio (FSR) control from 0.8:1 to 1.3:1 across the R4 zoned part of the site, and removing the FSR control from the undevelopable land,
 4. Removing No.85 Thomas Street from the Land Reserved for Acquisition Map, subject to agreement being reached regarding the Planning Agreement referred to in (d) below.
- (b) **That** the Planning Proposal be forwarded to the Department of Planning, Industry & Environment for a Gateway Determination.
- (c) **That** a site-specific Development Control Plan (DCP) be prepared and reported to Council prior to exhibition.
- (d) **That** the CEO be authorised to negotiate a Planning Agreement on behalf of Council in addition to any development contributions payable, and that the outcome of negotiations be reported back to Council prior to its concurrent exhibition with the draft site specific DCP and Planning Proposal.

- (e) **That** Council advises the Department of Planning, Industry & Environment that the CEO will be exercising the plan-making delegations for this Planning Proposal as authorised by Council.
- (f) **That** Council authorise the CEO to correct any minor anomalies of a non-policy and administrative nature that may arise during the plan-making process.
- (g) **Further, that** Council note the advice of the Local Planning Panel (provided at **Attachment 1**) is consistent with Council officer's recommendation.

Planning Proposal Timeline



THE SITE

1. The site at 85-91 Thomas Street, Parramatta is subject to *Parramatta Local Environmental Plan (PLEP) 2011*. It includes four (4) properties on the southern side of Thomas Street (see Figure 1) with a total site area of 6,321sqm. The 4 lots that form the subject site each contain a single dwelling house, all of which are owned by Century 888 Pty Ltd (the landowner). The legal descriptions of the properties are listed below:
 - i. Lot 13 DP 1239 known as No. 85 Thomas Street
 - ii. Lot 142 DP 537053 known as No. 87 Thomas Street
 - iii. Lot 15 DP 1239 known as No. 89 Thomas Street
 - iv. Lot 16 DP 1239 known as No. 91 Thomas Street



Figure 1 - Subject site at 85-91 Thomas Street, Parramatta

2. The subject site was able to achieve approximately 5,057sqm of high-density residential GFA under the planning controls when the Planning Proposal was lodged in June 2016. However, on 28 July 2017 a Council led LEP Amendment known as Parramatta LEP 2011 – Amendment No.20 - Review of Land Reserved for Acquisition was gazetted, which reduced the developability of the land in the following manner:

- 1,296sqm of land at No.85 Thomas Street being zoned RE1 Public Recreation and placed on Land Reserved for Acquisition map for local open space, reducing the R4 – High Density Residential zoned area from 6,321sqm to 5,025sqm,
- 1,200sqm of land at No.89 and 91 Thomas Street being identified for Natural Resources Biodiversity provisions, further reducing the developable site area to 3,825sqm.



- 1,296sqm Land Reserved Acquisition
- 1,200sqm Natural Resources Biodiversity
- Total Site Area Net Site Area

Figure 2 –Land subject to Acquisition and Natural Resources Biodiversity Provisions

3. In effect, the amendment reduced the residential GFA potential on the site from 5,057sqm to 4,020sqm. Figure 2 shows the land subject to the acquisition provision as well as the land subject to the Natural Resources Biodiversity provisions.

PLANNING PROPOSAL

4. On 6 June 2016, Think Planners (the Applicant) lodged a Planning Proposal with the City of Parramatta Council on behalf of the landowners, Century 888 Pty Ltd, to amend the planning controls applicable to 85-91 Thomas Street, Parramatta (subject site). The Proposal has been subject to multiple refinements based upon detailed input from Council officers leading to an amended Proposal being submitted to Council on 4 February 2020.
5. The Planning Proposal and changes to planning provisions for 85-91 Thomas Street, Parramatta are summarised in Table 1 below. This includes proposed minor changes from the applicant's revised Planning Proposal submitted on 4 February 2020.

Table 1: Summary of Planning Proposal for 85-91 Thomas Street, Parramatta

Parramatta LEP 2011	Applicant's initial Planning Proposal 6 June 2016	Planning Controls before 28 July 2017	Current Controls	Applicant's revised Planning Proposal 4 February 2020	Current Planning Proposal 9 June 2020
Zoning	R4 – High Density Residential (6,321sqm)	R4 – High Density Residential (6,321sqm)	Part R4 High Density Residential (5,025sqm), Part RE1 Public Recreation (1,296sqm)	As current controls	Part R4 High Density (Developable Portion approx. 3,825sqm), Part RE1 Public Recreation (Undevelopable portion approx. 2,496sqm)
Maximum HOB	34 metres (11 storeys) (R4 land only)	11 metres (3 storeys)	11 metres (3 storeys) (R4 land only)	25 metres (7 storeys) (R4 land only)	22 metres (6 storeys) (R4 land only)
Maximum FSR	2.2:1 (entire site area)	0.8:1 (entire site area)	0.8:1 (R4 land only)	0.8:1 (entire site area)	1.3:1 on R4 land (with land dedication)
Maximum GFA	13,906sqm (based on the total site area)	5,057sqm (based on the total site area)	4,020sqm (based on R4 High Density Residential only)	4,994sqm (based on the submitted concept design)	Approx. 4,973sqm (based on developable site area)
FSR on Developable Portion 3,825sqm	3.64:1	1.32:1	1.05:1	1.3:1	1.3:1
Other Planning Controls	Foreshore Building Line, Acid Sulfate Soils, Heritage		Foreshore Building Line, Acid Sulfate Soils, Heritage, Land Reserved for Acquisition, Natural Resources – Biodiversity,		

	Natural Resources – Riparian Lands and Waterways				
Approximate Dwelling yield (based on 85sqm per dwelling)	164 dwellings	59 dwellings	47 dwellings	59 dwellings	59 dwellings

6. The intent of the Planning Proposal is to enable a 6-storey residential flat building development comprising of approximately 59 dwellings within 2 buildings, which include additional setbacks for the 5th & 6th storeys and basement car-parking access within the building envelope. This is shown in detail at **Attachment 1** and below in Figure 3.

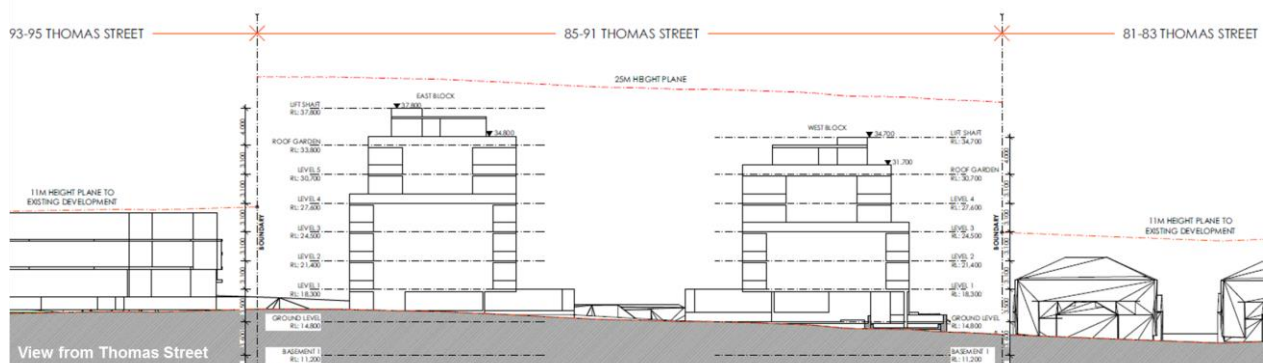


Figure 3 – Scale of Planning Proposal along Thomas St with adjacent development

7. The Planning Proposal concept design is considered to be compatible with the surrounding neighbourhood context and is assessed in detail in **Attachment 1**. A key element of the concept design is how the built form relates to adjoining properties. In this regard, the proposed side setbacks will exceed the minimum requirements of the Apartment Design Guide (ADG) and will allow substantial deep soil planting to mitigate the impact of the proposal on adjoining properties.
8. The detailed analysis contained in **Attachment 1** also addresses the relevant State and Council policies, urban design issues including building heights, streetscape and privacy impacts and landscaping as well as traffic and parking, heritage and ecology.
9. Many of these matters will additionally be covered in the draft site-specific DCP, which will be exhibited concurrently with the Planning Proposal and Planning Agreement should Council resolve to proceed with the Proposal.

DEVELOPMENT CONTROL PLAN

10. The site-specific DCP can be prepared once the Planning Proposal has been submitted for Gateway Determination and the extent of the development on the site is established. The site-specific DCP would guide the redevelopment of the site, having regard to the local context and detailed design requirement for the site, including, but not limited to the following:
 - Built Form and Massing
 - Solar Access and Overshadowing

- Traffic, Transport and Parking
- Landscaping and Open Space

11. The draft DCP document will be reported separately to Council prior to any public exhibition and will facilitate a design in keeping with the submitted concept should Council endorse the Proposal in its current form.

PLANNING AGREEMENT OFFER

12. In order to support the Planning Proposal, the applicant indicated they intend to enter into a Planning Agreement with Council and have submitted a Letter of Offer substantiating the proposed terms of the agreement. The Letter of Offer dated 17 March 2020 proposes to dedicate to Council the part of the site that is not able to be developed for high density residential purposes. This includes the existing RE1 Public Recreation zoned land (1,296sqm) affected by a land acquisition for local open space at No.85 Thomas Street, and the undevelopable portion of R4 High Density Residential land affected by the Natural Resources control (1,200sqm) at No.89 and No.91 Thomas Street (see Figure 2). The applicant's Letter of Offer is included in **Attachment 1** on pages labelled p.276-277.
13. The dedication of land offer provides the opportunity for Council to attain the acquisition asset on No. 85 Thomas Street at no cost. Council would otherwise be required to purchase the Land Reserved for Acquisition from the owner at a market rate at some point in the future. The Planning Agreement also seeks to facilitate the dedication of the undevelopable portion of the R4 High Density Residential zoned land to Council free of cost. This land is intended to provide a contiguous vegetation buffer along the rear of the site with the adjacent RE1 Public Recreation land. It is recommended that this portion of the R4 High Density Residential zone be rezoned to RE1 Public Recreation to match the adjoining land and to properly reflect its intended use.
14. Under Council's Planning Agreements Policy, planning proposals outside the Parramatta CBD seeking uplift in density need to be supported by a planning agreement that is valued at 50% of the resulting land value uplift. However in this instance, it is acknowledged that the gazettal of PLEP 2011 Amendment No.20 reduced the development potential on the site and the planning proposal is only seeking to recoup the density potential it may have been able to achieve under the planning controls in place prior to this amendment. The dedication offer of 2,496sqm of land at the rear of the subject site provides the opportunity for Council to attain the acquisition asset on No. 85 Thomas Street at no cost and will allow this parcel of land to be removed from the Land Reserved for Acquisition Map in Parramatta LEP 2011. The proposed Planning Agreement also ensures the public protection of environmentally sensitive land on No. 89 and 91 Thomas Street upon Council ownership. It is therefore recommended that Council proceed with the negotiations for a Planning Agreement with the applicant on this basis.

LOCAL PLANNING PANEL ADVICE

15. As per the Ministerial direction issued on 27 September 2018, Council is required to refer all Planning Proposals prepared after 1 June 2018 to the Local Planning Panel for advice before Council considers whether or not to forward it

to the Department of Planning, Industry and Environment for a Gateway Determination.

16. On 19 May 2020 the Parramatta Local Planning Panel, in issuing its advice to Council, supported the Council Officer's recommendations and advised Council to forward the Planning Proposal to the Department of Planning, Industry and Environment for the purposes of requesting a Gateway Determination (refer to **Attachment 1**).

PLAN-MAKING DELEGATIONS

17. Revised delegations were announced by the then Minister for Planning and Infrastructure in October 2012, allowing councils to make LEPs of local significance. On 26 November 2012, Council resolved to accept the delegation for plan-making functions. Council has resolved that these functions be delegated to the CEO.
18. Should Council resolve to endorse the Planning Proposal to proceed, it is recommended that Council request that it exercise its plan-making delegations. This means that once the Planning Proposal has been to Gateway, undergone public exhibition and been adopted by Council, Council officers will deal directly with the Parliamentary Counsel Office on the legal drafting and mapping of the amendment. The LEP amendment is then signed by the CEO before being notified on the NSW Legislation website.

CONSULTATION & TIMING

19. Should Council resolve to proceed with the Planning Proposal for the site, it will be forwarded to the Department of Planning, Industry & Environment requesting a Gateway Determination.
20. If a Gateway Determination is issued, the Planning Proposal will be placed on public exhibition in conjunction with any associated site specific DCP and Planning Agreement.

FINANCIAL IMPLICATION FOR COUNCIL

21. Should Council resolve to proceed with the Planning Proposal, the costs incurred in conducting the community consultation are covered by the fees associated with the submission of the Planning Proposal request.
22. Preliminary financial implications of the Planning Agreement Offer are provided in **Attachment 1**. The ongoing maintenance cost for the 0.25ha land dedication is approximately \$5,000 per year. The maintenance cost would be added to the existing maintenance contract for the adjoining reserve. All of Council's costs associated with the Planning Agreement are to be paid by the developer in accordance Council's Planning Agreements Policy 2018.

CONCLUSION AND NEXT STEPS

23. The Planning Proposal seeks to rezone the land, increase the maximum height of building control and include a maximum FSR control for the site at 85-91 Thomas Street, Parramatta. It is recommended that Council endorse the

Planning Proposal provided at **Attachment 1** and for it to be forwarded to the Department of Planning, Industry & Environment for a Gateway Determination.

24. Should a Gateway Determination be issued, the Planning Proposal will be placed on public exhibition and the outcomes will be reported to the Local Planning Panel if any objections are received. If no objections are received, the matter will be reported directly to Council post-exhibition.

Kieren Lawson
Project Officer Land Use Planning

Kevin Kuo
Team Leader Land Use Planning

Michael Rogers
Land Use Planning Manager

David Birds
Group Manager, City Planning

Alistair Cochrane
Chief Financial Officer

Jennifer Concato
Executive Director City Strategy & Development

Brett Newman
Chief Executive Officer

ATTACHMENTS:

1 [↓](#) LPP Minutes & Item - 19 May 2020 116 Pages

REFERENCE MATERIAL

2089 **DETERMINATION**

Pursuant to Section 4.16(1)(a) of the Environmental Planning and Assessment Act, 1979:

- (a) **That** the Parramatta Local Planning Panel (PLPP), excising the functions of Council, pursuant to Section 4.16(1)(b) of the Environmental Planning and Assessment Act 1979, **approve** development consent to DA/647/2019 for use of tenancy for the purposes of a real estate office and amended business identification signage on land at Lot 0 SP85179, Shop 1/1 Baywater Drive, WENTWORTH POINT NSW 2127; and
- (b) **That** the objector's be advised of the Panel's decision.
- (c) **Further, that** an addition conditional of consent is added being 'That the flagpoles be removed at the front of the premises.'

The decision of the Panel was unanimous.

REASONS FOR DECISION

1. The Panel supports the findings in the report and endorsed the reasons contained in that report.
2. The development will be compatible with planned and future character of the area.
3. Approval of the application will be in the public interest.

2. INNOVATIVE

6.1 SUBJECT Planning Proposal for 85-91 Thomas Street, Parramatta
 REFERENCE RZ/11/2016 - D07090076
 REPORT OF Project Officer Land Use

The Panel considered the matter listed at Item 6.1, attachments to Item 6.1 and the matters observed at the site inspection

PUBLIC FORUM

- Adam Byrnes spoke on behalf of the applicant.

2090 **DETERMINATION**

The Local Planning Panel recommends to Council:

- (a) **That** Council endorse the Planning Proposal at **Attachment 1** for the purpose of seeking a Gateway Determination for land at 85 – 91 Thomas Street, Parramatta which seeks to amend Parramatta

Local Environmental Plan 2011 (PLEP 2011) by:

- i. Maintaining the R4 – High Density Residential zone for the developable part of the site (3,825sqm) and extending the RE1 – Public Recreation zone for the undevelopable land affected by the Natural Resources - Biodiversity control,
 - ii. Increasing the maximum Building Height (HOB) control from 11 metres to 22 metres across the R4 zoned part of the site, and removing the HOB control from the undevelopable land,
 - iii. Increasing the Floor Space Ratio (FSR) control from 0.8:1 to 1.3:1 across the R4 zoned part of the site, and removing the FSR control from the undevelopable land,
 - iv. Removing No.85 Thomas Street from the Land Reserved for Acquisition Map, subject to agreement being reached regarding the Planning Agreement referred to in (d) below.
- (b) **That** Council forward the Planning Proposal to the Department of Planning, Industry & Environment (DPIE) with a request for a Gateway Determination.
- (c) **That** a site-specific Development Control Plan (DCP) be prepared and reported to Council prior to exhibition.
- (d) **That** a draft Planning Agreement, based on the submitted Letter of Offer from the landowner and analysis in this report, be prepared and reported to Council prior to exhibition.
- (e) **That** the Planning Proposal, draft site-specific DCP and draft Planning Agreement be exhibited concurrently in accordance with the conditions of the Gateway Determination.
- (f) **That** Council makes a request to DPIE that the CEO will be exercising the plan-making delegations for this Planning Proposal as authorised by Council.
- (g) **Further, that** Council authorise the CEO to correct any minor anomalies of a non-policy and administrative nature that may arise during the plan-making process.

The decision of the Panel was unanimous.

REASONS FOR DECISION

The Panel supports the findings in the report and endorsed the reasons for the recommendation contained in that report.

6.2 SUBJECT Planning Proposal - 8-14 Great Western Highway,
Parramatta

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Item 6.1

INNOVATIVE

ITEM NUMBER	6.1
SUBJECT	Planning Proposal for 85-91 Thomas Street, Parramatta
REFERENCE	RZ/11/2016 - D07090076
REPORT OF	Project Officer Land Use
LANDOWNER	Century 888 Pty Ltd
APPLICANT	Think Planners

DEVELOPMENT APPLICATIONS CONSIDERED BY SYDNEY CENTRAL CITY PLANNING PANEL Nil**PURPOSE:**

To seek Local Planning Panel (LPP) advice on a Planning Proposal for land at 85-91 Thomas Street, Parramatta for the purposes of seeking a Gateway Determination from the Department of Planning, Industry and Environment in accordance with the Council Officer's recommendation.

RECOMMENDATION

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

- (a) **That** Council endorse the Planning Proposal at **Attachment 1** for the purpose of seeking a Gateway Determination for land at 85 – 91 Thomas Street, Parramatta which seeks to amend Parramatta Local Environmental Plan 2011 (PLEP 2011) by:
- i. Maintaining the R4 – High Density Residential zone for the developable part of the site (3,825sqm) and extending the RE1 – Public Recreation zone for the undevelopable land affected by the Natural Resources - Biodiversity control,
 - ii. Increasing the maximum Building Height (HOB) control from 11 metres to 22 metres across the R4 zoned part of the site, and removing the HOB control from the undevelopable land,
 - iii. Increasing the Floor Space Ratio (FSR) control from 0.8:1 to 1.3:1 across the R4 zoned part of the site, and removing the FSR control from the undevelopable land,
 - iv. Removing No.85 Thomas Street from the Land Reserved for Acquisition Map, subject to agreement being reached regarding the Planning Agreement referred to in (d) below.
- (b) **That** Council forward the Planning Proposal to the Department of Planning, Industry & Environment (DPIE) with a request for a Gateway Determination.
- (c) **That** a site-specific Development Control Plan (DCP) be prepared and reported to Council prior to exhibition.
- (d) **That** a draft Planning Agreement, based on the submitted Letter of Offer from

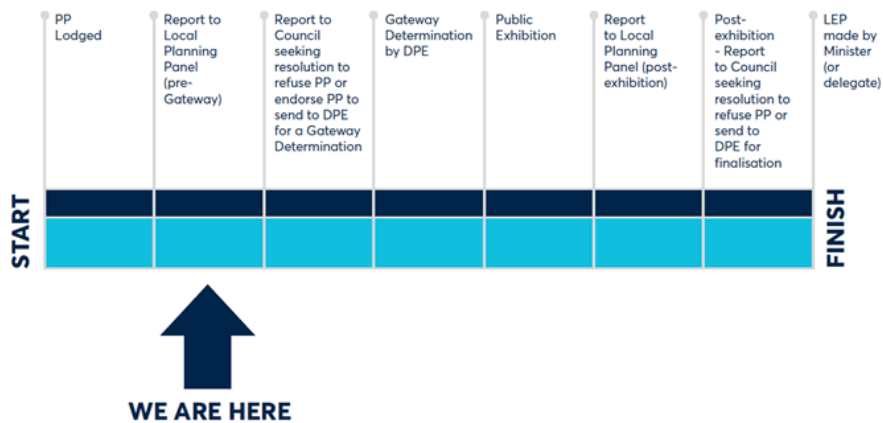
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the landowner and analysis in this report, be prepared and reported to Council prior to exhibition.

- (e) **That** the Planning Proposal, draft site-specific DCP and draft Planning Agreement be exhibited concurrently in accordance with the conditions of the Gateway Determination.
- (f) **That** Council makes a request to DPIE that the CEO will be exercising the plan-making delegations for this Planning Proposal as authorised by Council.
- (g) **Further, that** Council authorise the CEO to correct any minor anomalies of a non-policy and administrative nature that may arise during the plan-making process.

Planning Proposal Timeline



SITE CONTEXT AND CURRENT PLANNING CONTROLS

1. The site at 85-91 Thomas Street, Parramatta is subject to *Parramatta Local Environmental Plan (PLEP) 2011*. It includes four (4) properties on the southern side of Thomas Street (see Figure 1) with a total site area of 6,321sqm. The 4 lots that form the subject site each contain a single dwelling house, all of which are owned by Century 888 Pty Ltd (the landowner). The legal descriptions of the properties are listed below:
 - i. Lot 13 DP 1239 known as No. 85 Thomas Street
 - ii. Lot 142 DP 537053 known as No. 87 Thomas Street
 - iii. Lot 15 DP 1239 known as No. 89 Thomas Street
 - iv. Lot 16 DP 1239 known as No. 91 Thomas Street



Figure 1 - Subject site at 85-91 Thomas Street, Parramatta

2. The southern part of the total site slopes steeply and comprises mature vegetation adjacent to the Parramatta River and the Parramatta Valley Cycleway (see Figure 1). This part of the site is largely undevelopable, with future development located within the developable area at the northern part of the site (see Figure 2).

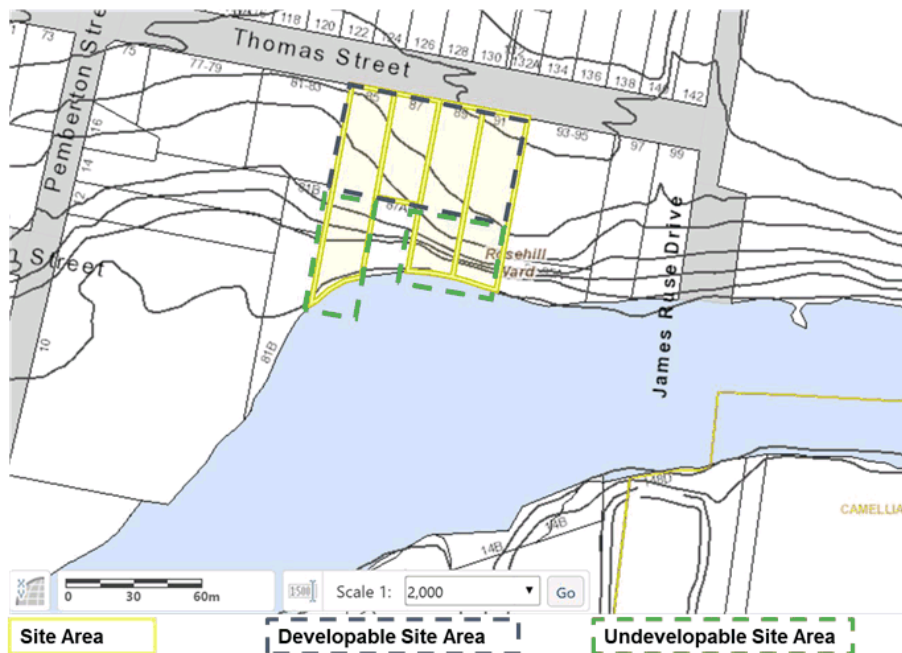


Figure 2 – Topography of subject site

3. The majority of the subject site (approx. 5,025sqm) is currently zoned R4 – High Density Residential, with the southern portion (approx. 1,296sqm) of the property at 85 Thomas Street zoned RE1-Public Recreation (see Figure 3). The site is situated within an existing high-density residential zoned precinct

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between Parramatta River, Macarthur Street, Victoria Road and James Ruse Drive. The precinct has a mix of low-rise residential flat buildings and detached single dwelling houses.

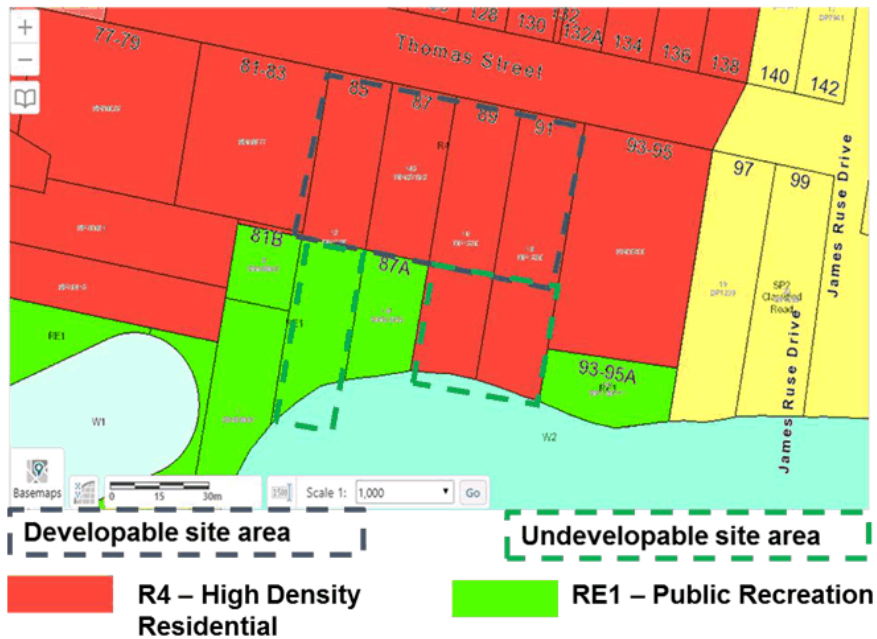


Figure 3 – Zoning of the subject site

- The PLEP 2011 currently applies a Floor Space Ratio (FSR) control of maximum 0.8:1 to the R4 zoned part of the site. This could generate a maximum of 4,020sqm of GFA across the site shown in Figure 4.

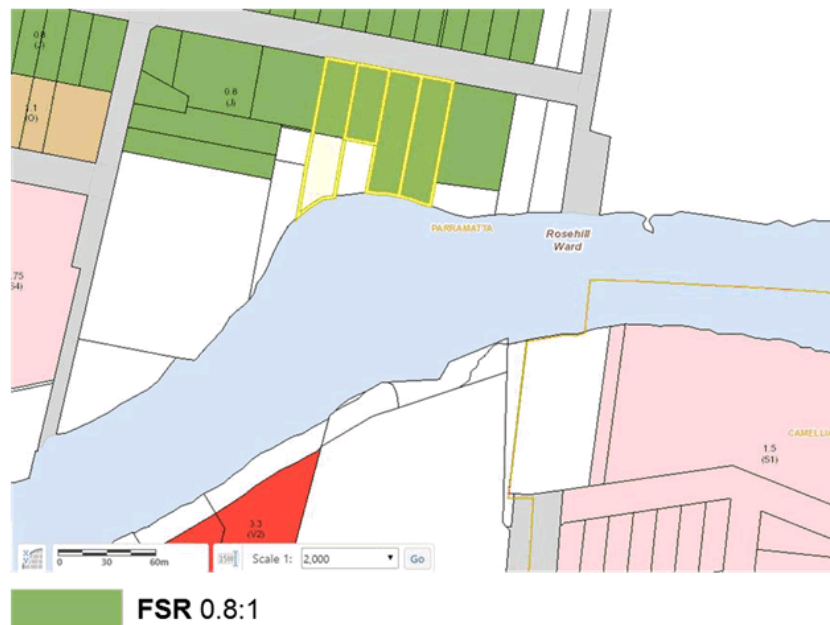


Figure 4 – Current Floor Space Ratio control

- 5. The PLEP 2011 currently applies a maximum Building Height (HOB) control of 11 metres to the R4 zoned part of the site shown in Figure 5.

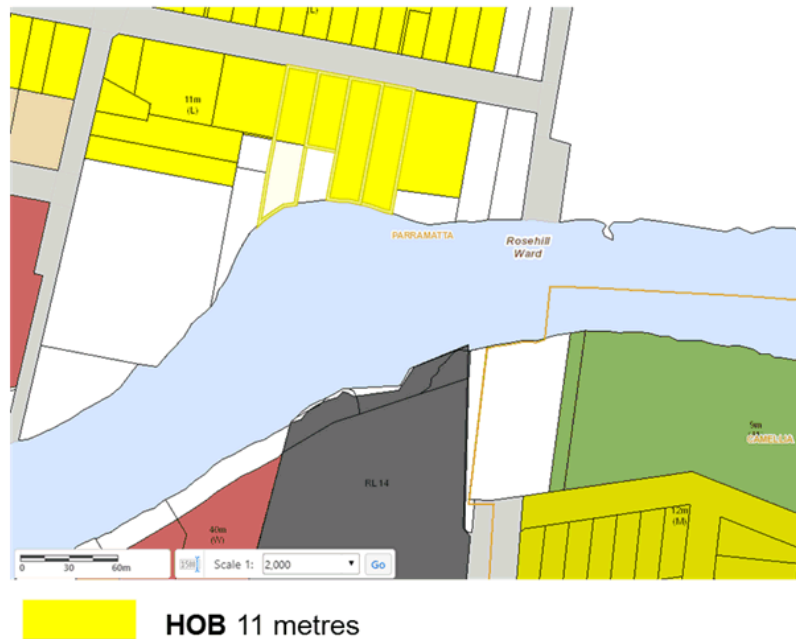
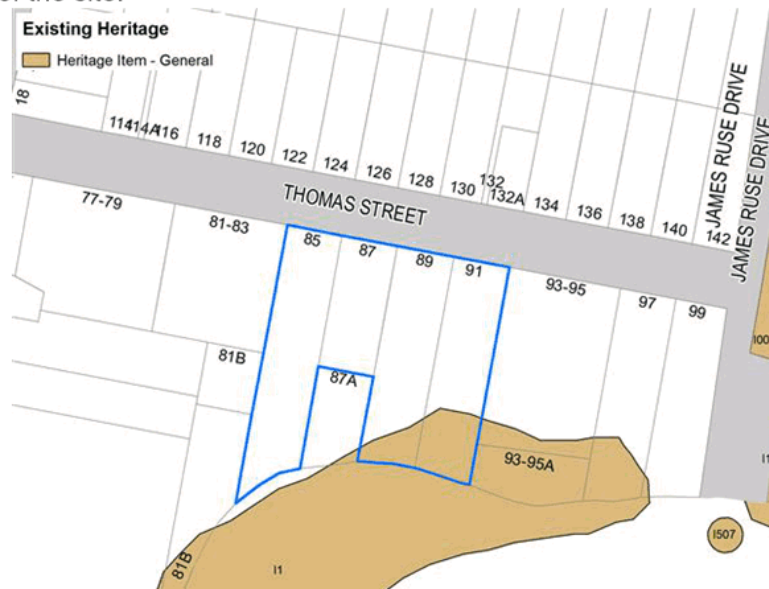


Figure 5 – Current Maximum Building Height control

- 6. The site is part affected by Heritage (see Figure 6), with some of the undevelopable land affected by Schedule 4, Item 1, Parramatta River (Wetlands), identified as holding Local Heritage Significance. The Planning Proposal and reference design do not propose future development within this part of the site.



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7. Other LEP controls impacting the subject site include Acid Sulfate Soils, Natural Resources – Biodiversity, Natural Resources – Riparian Land and Waterways, Foreshore Building Line, and Land Reserved for Acquisition. No change is being sought to these controls as part of this Planning Proposal.

BACKGROUND ON PLANNING PROPOSAL

8. On 6 June 2016, Think Planners (the Applicant) lodged a Planning Proposal with the City of Parramatta Council on behalf of the landowners, Century 888 Pty Ltd to amend the planning controls applicable to 85-91 Thomas Street, Parramatta (subject site). This initial Planning Proposal sought the following changes to Parramatta LEP 2011:
 - Amend the Floor Space Ratio (FSR) control from 0.8:1 to 2.2:1
 - Amend the Height of Building (HOB) control from 11 metres (3 storeys) to 34 metres (11 storeys).
9. The proposal was referred internally seeking comments from relevant Council sections. Numerous concerns were raised in relation to the scale and density of the proposal within the context of the surrounding area, impacts of the development on the ecologically significant saltmarsh and mangroves to the south, and the potential cumulative traffic and transport impacts that would result due to the precedent of allowing the Planning Proposal to proceed in its initial form.
10. When the initial Planning Proposal was lodged in June 2016, the subject site was able to achieve approximately 5,057sqm of GFA under the planning controls. However, a Council led LEP Amendment known as Parramatta LEP 2011 – Amendment No.20 - Review of Land Reserved for Acquisition, reduced the development potential of the subject site to a maximum GFA of 4,020sqm.
11. When *Parramatta LEP 2011 – Amendment No.20* was gazetted on 28 July 2017, the amendment rezoned approximately 1,296sqm of land at the southern portion No.85 Thomas Street from R4 – High Density Residential to RE1 – Public Recreation with land acquisition proposed for local open space. This subsequently places an acquisition burden on Council (see Figure 7).



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Figure 7 – Land Reserved for Acquisition subsequent to PLEP 2011 Amendment No.20

12. This LEP amendment also applied riparian and biodiversity provisions under Parramatta LEP 2011 (see Figure 8) to the ecologically significant land, of approximately 1,200sqm of R4 – High Density Residential zoned land at the southern portion of No.89 and 91 Thomas Street. While this land remains zoned R4, maximum building height and floor space ratios still apply to this land.



Figure 8 – Natural Resources controls applying to site since PLEP 2011 – Amendment No.20

13. The net effect of this amendment reduced the R4 – High Density Residential zoned land on the site from 6,321sqm to 5,025sqm, and reduced the developable area of the remaining R4 zoned land from 6,321sqm to 3,825sqm.

CURRENT PLANNING PROPOSAL

14. On 4 February 2020, the applicant submitted a revised Planning Proposal for 85-91 Thomas Street, Parramatta. This version of the Planning Proposal seeks to amend the planning controls for the site as follows:
- Maintain the existing Part R4 High Density Residential and Part RE1 – Public Recreation zoning for the site,
 - Increase the maximum Building Height (HOB) from 11 metres to 25 metres
 - Apply a Floor Space Ratio (FSR) of 0.8:1 across the entire site area
 - Dedicate the undevelopable portion of the land identified for Natural Resources and Local Open Space to Council but allow high-density residential GFA be obtained from this area.
15. The Planning Proposal and changes to planning provisions for 85-91 Thomas Street, Parramatta are summarised in Table 1. This includes some recommended changes to the submitted Planning Proposal outlined in more detail below under the assessment of the Planning Proposal.

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Table 1: Summary of Planning Proposal for 85-91 Thomas Street, Parramatta

Parramatta LEP 2011	Planning Controls before 28 July 2017	Current Controls	Applicant's Planning Proposal	Council Officer's Recommended Planning Proposal
Zoning	R4 – High Density Residential (6,321sqm)	Part R4 High Density Residential (5,025sqm), Part RE1 Public Recreation (1,296sqm)	As current controls	Part R4 High Density (Developable Portion approx. 3,825sqm), Part RE1 Public Recreation (Undevelopable portion approx. 2,496sqm)
Maximum HOB	11 metres (3 storeys)	11 metres (3 storeys) (R4 land only)	25 metres (7 storeys) (R4 land only)	22 metres (6 storeys) (R4 land only)
Maximum FSR	0.8:1 (entire site area)	0.8:1 (R4 land only)	0.8:1 (entire site area)	1.3:1 on R4 land (with land dedication)
Maximum GFA	5,057sqm (based on the total site area)	4,020sqm (based on R4 High Density Residential only)	4,994sqm (based on the submitted concept design)	Approx. 4,973sqm (based on developable site area)
FSR on Developable Portion 3,825sqm	1.32:1	1.05:1	1.3:1	1.3:1
Other Planning Controls	Foreshore Building Line, Acid Sulfate Soils, Heritage	Foreshore Building Line, Acid Sulfate Soils, Heritage, Land Reserved for Acquisition, Natural Resources – Biodiversity, Natural Resources – Riparian Lands and Waterways	As current controls	As current controls
Approximate Dwelling yield (based on 85sqm per dwelling)	59 dwellings	47 dwellings	59 dwellings	59 dwellings

ASSESSMENT OF PLANNING PROPOSAL

16. In summary the recommended Planning Proposal is as follows:

- Maintain the R4 – High Density Residential for the developable part of the site (3,825sqm) and extend the RE1 – Public Recreation zoning at No.85 Thomas Street, to the undevelopable land affected by the Natural Resources – Biodiversity Control at No.89 and No.91 Thomas Street,
- Increase the maximum Height of Building (HOB) control from 11 metres to 22 metres (6 storeys) across the R4 zoned part of the site, removing the HOB control from the undevelopable land (the submitted Planning Proposal sought a maximum height of 25 metres (7 storeys)),

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- Increase the Floor Space Ratio (FSR) control from 0.8:1 to 1.3:1 across the R4 zoned part of the site, removing the FSR control from the undevelopable land,
- Dedicate the existing RE1 land and adjacent Natural Resources affected area to Council.

State Planning Policies

17. The Planning Proposal is generally consistent with the relevant state policies and planning strategies including the Central City District Plan, State Environmental Planning Policies (SEPPs) and Ministerial Directions under Clause 9.1 of the *Environmental Planning and Assessment Act 1979*. A full assessment of the proposal alignment with key state policies and planning strategies is included in **Attachment 1**.

District Plan

18. The Central City District Plan (CCDP), covers the area that includes Blacktown, Cumberland, Parramatta and The Hills LGAs. The role of this Plan is to help deliver the ten directions of the overarching Greater Sydney Region Plan A *Metropolis of Three Cities* and contains a number of planning priorities and objectives that address infrastructure provision and collaboration, liveability, productivity and sustainability objectives. Whilst the CCDP makes many references to future development in Parramatta, this principally relates to the Parramatta CBD where this site is not located. The CCDP, at this high level, does not anticipate the land along Thomas Street as an area for future growth. A full assessment of the application in relation to the Greater Sydney Region Plan and Central City District Plan is provided in the Planning Proposal document at **Attachment 1**.

Greater Parramatta Olympic Peninsula

19. The Greater Parramatta and Olympic Peninsula (GPOP) corridor is a high growth corridor that anticipated to grow significantly by 2036 due to its location in the geographic centre of Greater Sydney, accessibility to the metropolitan centres, and city-shaping transport corridors, including Parramatta Light Rail and Sydney Metro West. The site is within the "Shorts Corner" precinct on the periphery of Quadrant 1 and Quadrant 2 of the GPOP area (see Figure 9).

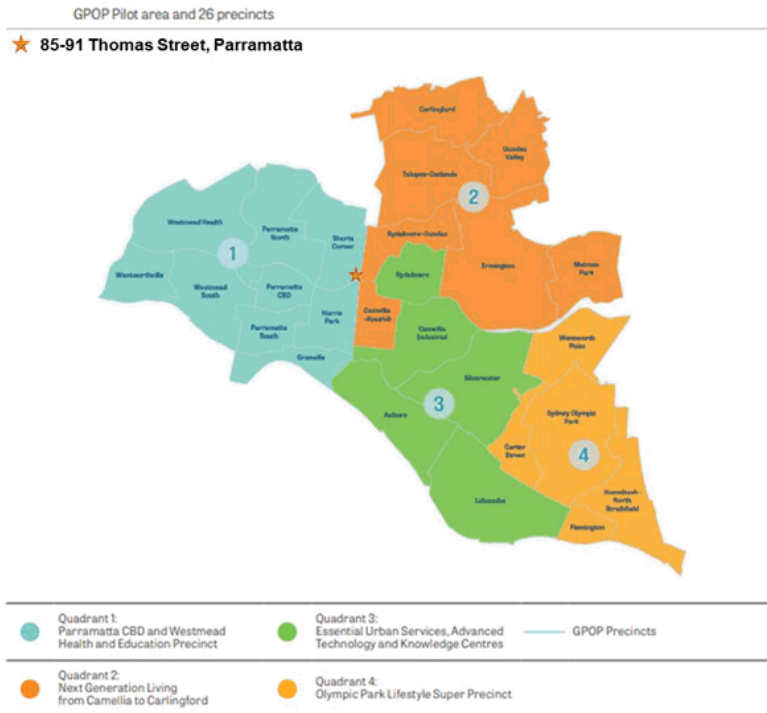


Figure 9 – Subject site within GPOP (Source: GSC)

- On 7 November 2019, the GSC released the draft Place-based Infrastructure Compact (PIC) for the Greater Parramatta and Olympic Peninsula (GPOP) area. Specifically, the PIC outlines a draft-sequencing plan to support GPOP and growth in certain precincts in order to inform capital investment plans and budget processes of NSW Government agencies. The site is situated within the “Shorts Corner” precinct, which is not identified as an area for prioritised growth in the short to medium term. Notwithstanding, the Planning Proposal does not propose a significant increase in GFA compared to what was achievable on the site prior to the recent rezoning under Parramatta LEP 2011 – Amendment 20 that introduced RE1 zoning, land acquisition and riparian and biodiversity controls on the site and therefore would not place a significant need on infrastructure demand. It is considered by Council officers that the Planning Proposal can proceed despite the recommendation of the draft PIC.

Local Strategies

- Councils are required to prepare a Local Strategic Planning Statement (LSPS) by the State Government. The LSPS sets out the long-term vision for land use planning in a council’s local government area (LGA) and responds to broader priorities identified in the District Plans and integrates with a Council’s Community Strategic Plan. The LSPS provides greater weight to strategic planning in the broader plan making process and any new planning proposal must justify any inconsistency with this framework and the supporting Local Housing Strategy (LHS) and Employment Lands Strategy (ELS).
- Council’s Local Strategic Planning Statement was published on 31 March 2020. The LSPS provides strategic direction on how the City of Parramatta is planning for the next 20 years. The site is not in an area identified for significant growth in the LSPS. However, given the site is already zoned R4 – High Density Residential and that the Planning Proposal is not seeking a significant

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uplift over and above what the site could previously achieve, the Planning Proposal is considered to be consistent with the LSPS in this instance.

Precedent for surrounding R4 sites

23. The initial Planning Proposal proposed a significant increase in density up to an FSR of 2.2:1 and commensurate increase in maximum building height to 34 metres, which could have accommodated approximately 150 apartment dwellings within a 10-storey building. That initial Planning Proposal scheme could be considered a precedent for the surrounding R4 zoned sites between Parramatta River, Macarthur Street, Victoria Road and James Ruse Drive to change to a similar built form. It also raised the need to investigate the cumulative impacts of traffic, urban design, parking and the coastal saltmarsh in the surrounding area if the Planning Proposal proceeded in that form. A map showing the broader existing zoning context is shown in Figure 10 below.

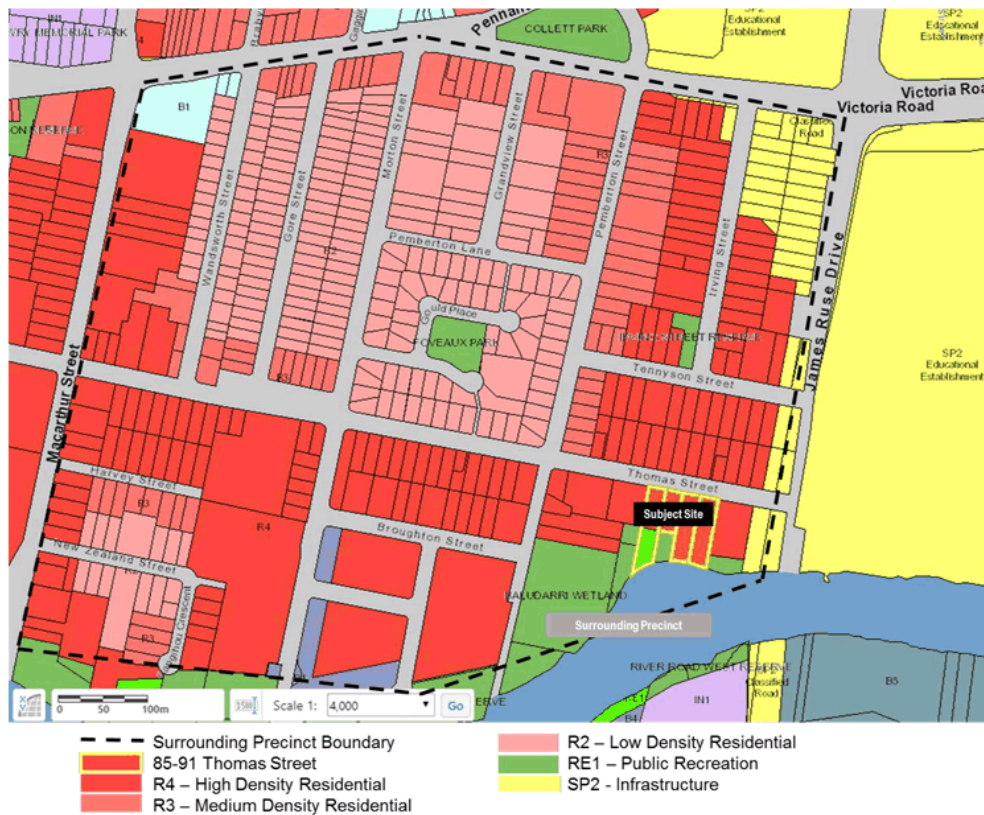


Figure 10 - Subject site and subdivision pattern and zoning of surrounding precinct

24. The applicant has subsequently revised their proposal in response to feedback from Council officers and have provided a scheme that is considered to not set a precedent for the broader area given the reduced density and height.
25. The adjacent properties have already been redeveloped for high-density residential purposes including townhouses/villa development at 81-83 Thomas Street (0.8:1 density and 11m height) and a residential flat building at 93-95 Thomas Street (0.8:1 density and 11m height) as shown in Figure 11. These adjacent sites are not affected by land acquisition and natural resources planning controls and are able to mass their GFA proportionately across their site area within their height limit.

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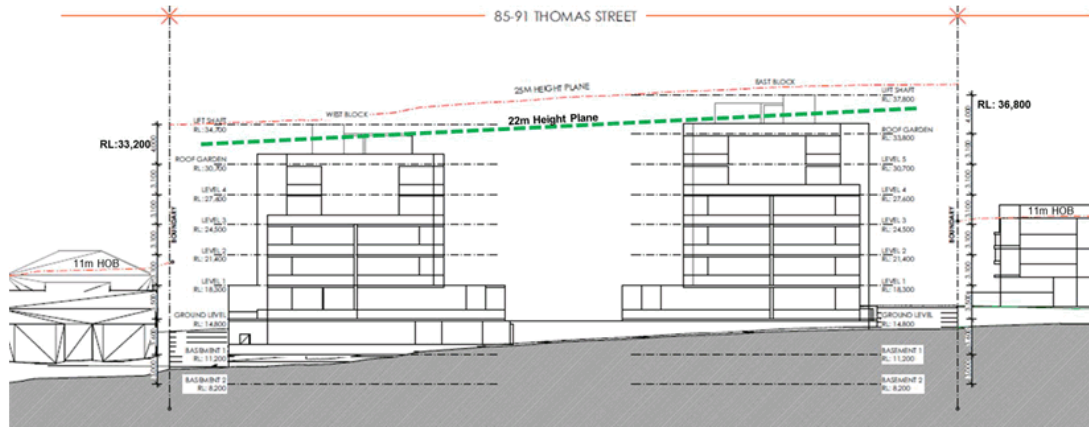


Figure 11 – Section facing north from Parramatta River with adjacent properties (Source: PTI Architecture)

26. The current concept design redistributes GFA from the undevelopable 2,496sqm of the site in the south into a built form at the northern developable part of the site (approximately 3,825sqm) in an envelope sympathetic to the adjacent land uses, streetscape and nearby ecological areas. There is no net increase in GFA from what could be achieved prior to part of the site being rezoned to RE1 Public Recreation with land acquisition and natural resources planning controls, and other nearby R4 zoned sites do not include significant undevelopable areas. Given this, it is considered that the potential for the current Planning Proposal to set a precedent for further Planning Proposal applications in the surrounding area is minimal.

Urban Design

27. In order to support the changes to the planning provisions included in the planning proposal, the applicant has submitted a reference design to demonstrate that the revised planning controls will be able to support a development that is suitable for the site and its surrounding context. A copy of the reference design is included at **Attachment 2**. The following section provides an analysis of the reference design that will form the basis of a site specific DCP that will support the Planning Proposal should it proceed.

Streetscape

28. Future development on the site must have regard for its streetscape setting and address the scale of adjacent development and rhythm of the surrounding subdivision pattern. Figure 12 illustrates the massing of building envelopes along Thomas Street, including the proposed building envelope for 85-91 Thomas Street shown in red.



Figure 12 – Massing of building envelopes along Thomas Street, with subject site shown in red (Source: PTI Architecture)

29. The proposed building envelope includes two apartment blocks spaced evenly across the 4 lots that make up the site, with additional front and side setbacks for Levels 5 and 6 which provide a transitioning scale and separation to the scale of development nearby. Figure 13 shows how the proposed building envelope appears next to the adjacent residential sites when viewed from Thomas Street.

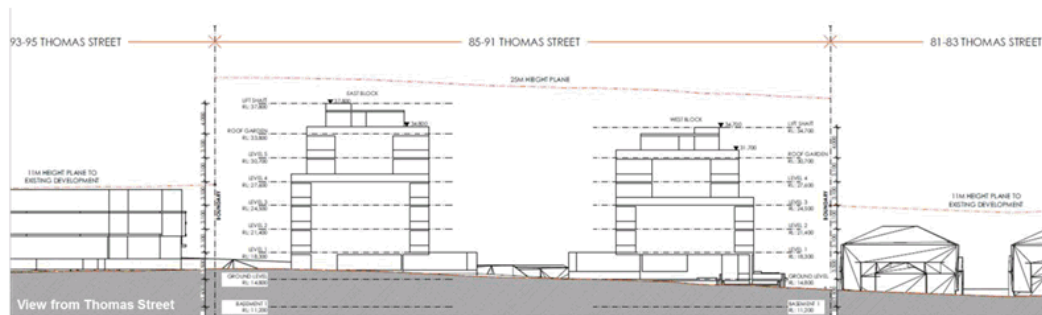


Figure 13 – Scale of building envelopes along Thomas St with adjacent development

30. While the Planning Proposal represents a change in scale for built form on the site, the existing zoning does permit a residential flat building development, and the building layout in the reference design represents a reasonable development outcome when viewed from the street. The modulation of the façade will also be supported by landscaping and further design detail at Development Application stage as guided by the site specific DCP. Further details on adequate building separation and setbacks are detailed later in this section.

Floor Space Ratio

31. As noted in Table 1, the applicant's submitted scheme generates 4,994sqm of GFA for high-density residential purposes. This amount is 953sqm greater than the current planning controls allow, resulting in approximately 12 additional apartment dwellings. It is also 63sqm less than the GFA permissible on the site at lodgement in June 2016 when a 0.8:1 FSR control applied to the entire site area (i.e. 5,057sqm of GFA).
32. However, the recommended changes to the FSR control seek to redistribute the FSR that could be achieved across the whole site and apply it only to the developable portion of the site. Therefore, in order to maintain the same approximate yield, this results in the FSR increasing from 0.8:1 across the whole site to 1.3:1 for the developable portion of the site. This approach is recommended given the potential dedication of the non-developable portion of the site to Council that is dealt with in more detail under the Planning Agreement Offer section of this report.
33. The Planning Proposal aims to amend the maximum Building Height and Floor Space Ratio controls to accommodate no net increase in high density residential GFA compared to what was previously permissible under planning controls for the site at lodgement of the application. Therefore the dwelling yield, while increasing compared to the current controls, will be the same when compared to the planning controls which applied to the site when the Planning Proposal was lodged with Council.

Building Height

34. The existing building height control allows for high-density residential development of a maximum of 3-storeys to be accommodated on the site. The adjoining property at 93-95 Thomas Street demonstrates a recent example of what could be developed under the existing planning controls (DA/630/2012). This neighbouring development is able to comfortably achieve the current maximum FSR within the existing building height as it does not need to respond to the topographic constraints and foreshore building line evident on the subject site, which significantly reduces the developable area of the subject site.
35. The applicant's Planning Proposal proposes a 25 metres Maximum Building Height which could accommodate approximately 7 storeys. This height limit is considered excessive given the reference design proposes only 6 storeys development on the site. Figure 14 shows that a 22m height plan can accommodate the reference design and reasonably achieve a 6 storeys development despite the sloping topography.
36. The 6 storey height is supportable with a 4 storey street wall, additional setbacks for the 5th & 6th storeys and separation from adjacent development. The reference design accommodates a 3.3m variation between the proposed ground level at Thomas Street (RL 14.5m) and lower ground level at the rear (RL 11.2m). This maintains a 4 storeys form at street level and no more than 6 storeys across the site.

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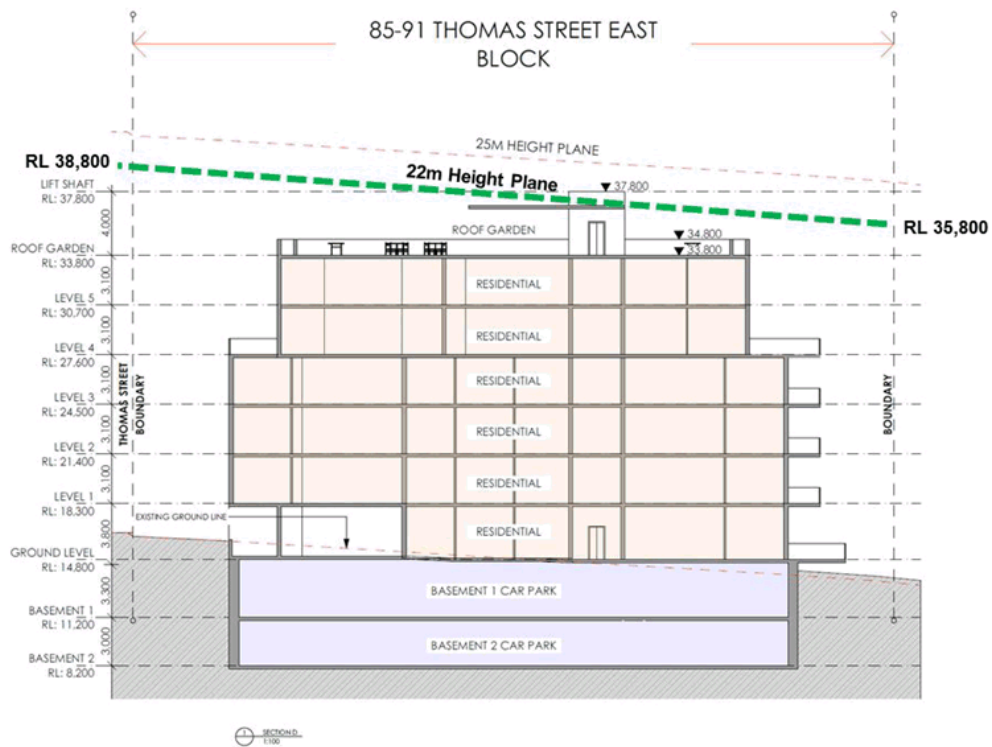


Figure 14 – Section facing east (Source: PTI Architecture) UPDATED FIGURE SHOWING 4+2

Building Separation and Setbacks

37. Given the potential increase in building height on the subject site, it is important to carefully manage privacy and amenity impacts on the adjacent properties, particularly the adjacent townhouse development located near the boundary at 81-83 Thomas Street and single dwelling houses on the northern side of Thomas Street.
38. The *Apartment Design Guide* and *SEPP 65* set the minimum standards for building separation and setbacks for any residential flat building development on the site. Currently, the ADG would require a minimum of 9 metres separation between habitable and non-habitable rooms for buildings up to 4 storeys, and minimum of 12 metres for buildings 5 to 8 storeys.
39. Building setbacks proposed as part of the reference design are shown below in Figures 15 and 16. These are labelled alphabetically and measure as follows:
 - a. Street setback of 6 metres up to 4 storeys, 9 metre setback up to 6 storeys, 10 metres for rooftop,
 - b. Side setback of 10 metres up to 4 storeys, 12 metre setback up to 6 storeys, 13 metre for rooftop,
 - c. Minimum 12 metres building separation between west and east block apartment buildings within the site,
 - d. Rear setback of 3 metres to edge of developable portion of site and foreshore building line, (refer to Figure 15 for up to 4 storeys, Figure 16 for up to 6 storeys, and in detail at **Attachment 2**).



Figure 15 –Setbacks up to 4-storeys for developable site area, see p.12 Attachment 2 (Source: PTI Architecture)

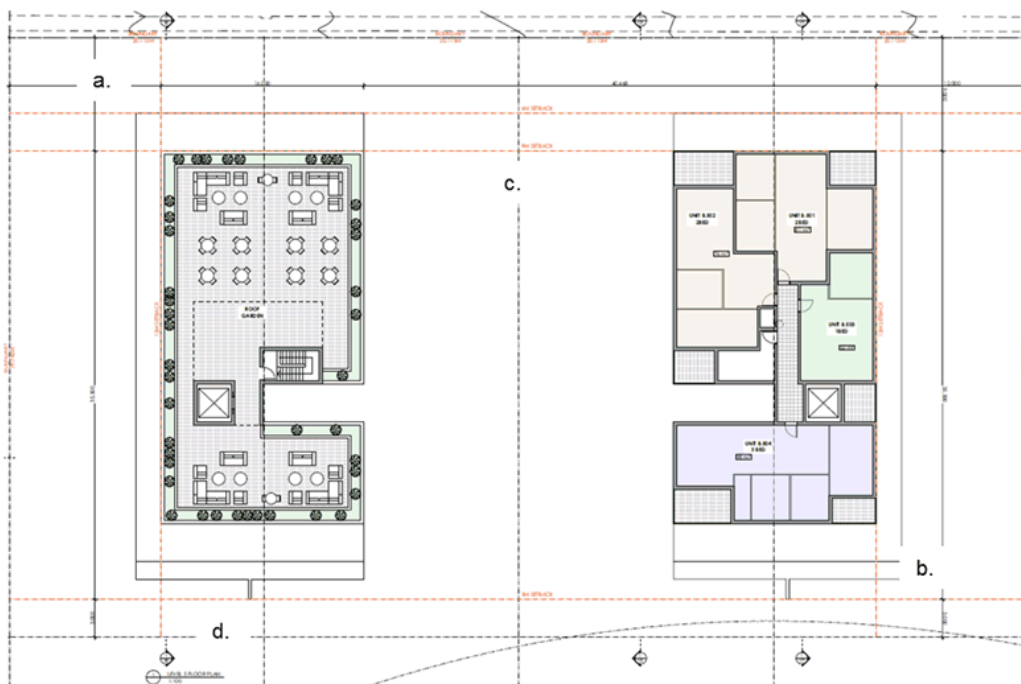


Figure 16–Setbacks for Level 5 and 6 for developable site area, see p.14 Attachment 2 (Source: PTI Architecture)

- 40. Deep soil areas and tree plantings within 6 metres of the front and side property boundary will also be required to further improve the relationship of the site with neighbouring buildings. This aims to provide a satisfactory interface with adjacent properties and address concerns relating to privacy and amenity.

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41. The setbacks proposed under the reference design are considered sufficient in addressing the privacy and amenity of neighbouring and future residents. These setback standards will be reinforced through the proposed site-specific DCP that will accompany this Planning Proposal.

Traffic & Parking

42. The current application proposes an increase in density compared to the current controls, but in keeping with the density achievable under the planning controls which were in place when the Planning Proposal was lodged. Council's Traffic section advised that this arrangement does not require a precinct wide traffic and parking analysis to be completed given the circumstances.
43. Car-parking on the site is proposed in a 2 storeys basement within the building envelope, away from deep soil zones, with driveway access located at the lower ground level in the western portion of the site further away from the Thomas Street/James Ruse Drive intersection to the east. The provision of 61 car-parking spaces is consistent with Council's Traffic Engineer advice that this is an acceptable amount of car-parking as well as locating the driveway entrance within the building envelope and access ramp design in accordance with AS 2890.1:2004. The traffic and parking matters are satisfactory for the purpose of requesting a Gateway Determination.

Heritage

44. The Planning Proposal was referred to Council's heritage advisor because part of the site is affected by Heritage Item 1, Parramatta River Wetlands which is identified as having local significance under Parramatta LEP 2011.
45. Council's Heritage Advisor responded in July 2016, outlining that the "*wetlands along Parramatta River are of significance for Parramatta area as a remnant representative area of mangroves and salt marshes which once extensively lined the foreshores and tidal water flats of the region*" and "*thus any proposed development on, or in close proximity of, the area of Wetlands will have to be carefully scrutinised*".
46. The current Planning Proposal seeks to locate the building envelope outside the area affected by the heritage listing thereby addressing the heritage and ecological concerns. The Planning Proposal will be referred to the Department of Environment, Energy and Science regarding the potential impacts on the adjoining wetland as part of a public exhibition associated with a Gateway Determination should the Planning Proposal proceed.

Ecology

47. The site is affected by the Foreshore Building Line under Parramatta LEP 2011, subject to the Coastal Management SEPP 2018 as it adjoins "Coastal Wetlands" and is located within a 100m buffer zone of the Mean High Water Mark of the Parramatta River. These matters are addressed in detail as part of the Planning Proposal in **Attachment 1**.
48. The Planning Proposal was referred to the Department of Primary Industries in 2017 seeking comment regarding potential shading impacts to marine vegetation being the mangroves and saltmarsh to the south of the site. On 15

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May 2017, Primary Industries recommended a precautionary approach regarding the ongoing long-term impacts to both the mangroves and saltmarsh. The applicant then submitted revised information that allowed Primary Industries to complete a further assessment. Primary Industries clarified on 9 November 2017 that it *“does not see any reason for potential shading issues on mangrove and saltmarsh species to prevent the lodgement of this development, as currently proposed, as a planning proposal”*. A copy of the advice from Primary Industries is included at **Attachment 4**.

49. The Planning Proposal has been amended to a scale below the 10 storeys development reviewed and considered acceptable by the Department of Primary Industries, therefore the current scheme should satisfy and be consistent with their 2017 advice. The Planning Proposal will be referred again to Department of Primary Industries regarding the ecological matters as part of a public exhibition associated with a Gateway Determination should the Planning Proposal proceed.

DEVELOPMENT CONTROL PLAN

50. Given the characteristics of the site and the nature of redevelopment proposed, a site-specific DCP will be required to support any future development on the site. The site-specific DCP would guide the redevelopment of the site, having regard to the local context and detailed design requirement for the site, including, but limited to the following:
- Built Form and Massing
 - Solar Access and Overshadowing
 - Traffic, Transport and Parking
 - Landscaping and Open Space
51. The site-specific DCP can be prepared once the Planning Proposal has been submitted for Gateway Determination and the extent of the development on the site is established. Should the Planning Proposal proceed in its current form, the site-specific DCP will be drafted to reflect the reference design submitted in the application as contained in **Attachment 2**. The draft document will be reported separately to Council and will be exhibited concurrently with the Planning Proposal should it proceed to public exhibition.

PLANNING AGREEMENT OFFER

52. In order to support the Planning Proposal, the applicant indicated they intend to enter into a Planning Agreement with Council and have submitted a Letter of Offer substantiating the proposed terms of the agreement. The Letter of Offer dated 17 March 2020 proposes to dedicate to Council the part of the site that is not able to be developed for high density residential purposes. This includes the existing RE1 Public Recreation zoned land (1,296sqm) affected by a land acquisition for local open space at No.85 Thomas Street, and the undevelopable portion of R4 High Density Residential land affected by the Natural Resources control (1,200sqm) at No.89 and No.91 Thomas Street (see Figures 7 and 8). A copy of the applicant's Letter of Offer is included in **Attachment 3**.
53. The Planning Agreement offer was referred to Council's Open Space and Natural Resources Section, who indicated support for the dedication of the land

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given its prominent position along the Parramatta River, which includes the Parramatta Valley Cycleway currently accessed via an existing easement. It was noted that public ownership of this land will ensure the cycleway and Natural Resources affected land remains vegetated and accessible.

54. The Letter of Offer notes that the land dedication is provided on the basis that there is no decrease in GFA permissible when compared to the planning controls at lodgement and prior to PLEP 2011 – Amendment No.20 (i.e. the introduction of the RE1 Public Recreation zoning and acquisition reservation on No.85 Thomas Street, and Natural Resources controls on No.89 and No.91 Thomas Street).
55. The proposed land dedication was referred to Council's Assets and Operations Section who support the dedication of land as part of the Planning Agreement given the existing acquisition burden for 1,296sqm of land at No.85 Thomas Street. The Assets and Operation Section also support the dedication of 1,200sqm Natural Resources - Biodiversity land at No.89 and No.91 Thomas Street to ensure this land is protected for natural resource purposes. The estimated cost of ongoing maintenance for the total 0.25ha land would cost approximately \$5,000 per year. The maintenance cost would be added to the existing maintenance contract for the adjoining reserve.
56. The Planning Agreement proposes to dedicate land that is identified for acquisition under PLEP 2011 free of cost, thereby removing an acquisition burden on Council. Without the Planning Proposal and associated Planning Agreement, Council would ultimately be required to purchase the land from the owner at a market rate.
57. If the 1,296sqm of privately owned RE1 zoned, affected by the land acquisitions at No.85 Thomas Street is not dedicated at no cost as part of Planning Agreement negotiations, Council officers estimate this land could cost approximately \$1.3 million (between \$1.28-1.35 million) to purchase which equates to approximately \$1,003/sqm. This figure is based on general advice provided by Council's Property Development Group who estimate a value of \$992-\$1,040/sqm for the land. However, a detailed valuation has not been undertaken at this stage to verify the current value of the land given the nominal uplift being sought by the Planning Proposal and that the land is being dedicated to Council free of cost.
58. The Planning Agreement also seeks to facilitate the dedication of the undevelopable portion of the R4 High Density Residential zoned land to Council free of cost. This land is intended to provide a contiguous vegetation buffer along the rear of the site with the adjacent RE1 Public Recreation land. It is recommended that this portion of the R4 High Density Residential zone be rezoned to RE1 Public Recreation to match the adjoining land and to properly reflect its intended use.
59. If the remaining 1,200sqm of privately owned, R4 zoned land affected by the Natural Resources – Biodiversity control, at No. 89 and 91 Thomas Street is not dedicated to Council, the proposed FSR would need to be redistributed across the revised site area to reflect no net increase in density compared to what could be achieved on the site prior to Amendment No. 20. However, given that the current proposal seeks to extract the FSR from this portion of the site and redistribute it on the developable site area, it is estimated that this land holds nominal to no monetary value as a result. A map showing the land proposed to

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be dedicated to Council as part of the Planning Agreement is shown in Figure 17 below.



Figure 17 – Proposed Land Dedication under the Planning Agreement Letter of Offer

60. Under Council's Planning Agreements Policy, planning proposals outside the Parramatta CBD seeking uplift in density need to be supported by a planning agreement that is valued at 50% of the resulting land value uplift. However in this instance, it is acknowledged that the gazettal of PLEP 2011 Amendment 20 reduced the development potential on the site and the planning proposal is only seeking to recoup the density potential it may have been able to achieve under the planning controls in place prior to this amendment. The dedication offer of 2,496sqm of land at the rear of the subject site provides the opportunity for Council to attain the acquisition asset on No. 85 Thomas Street at no cost and ensures the public protection of environmentally sensitive land on No. 89 and 91 Thomas Street upon Council ownership.
61. It is also acknowledged that the site may not have been able to achieve the full density potential under the current planning controls due to the constrained nature of the southern portion of the site, however the previous controls did allow development on this part of the site prior to the gazettal of Amendment 20 which would potentially facilitate more intensive development on the developable portion of the site fronting Thomas Street.
62. Proceeding with the Planning Agreement will also allow the Land Reserved for Acquisition Map under PLEP 2011 to be amended to remove the parcel of land and allow the asset to be transferred into Council ownership without the need to purchase the land. Based on the above, it is recommended that a draft Planning Agreement, based on the submitted Letter of Offer from the landowner and analysis in this report, be prepared and reported to Council prior to exhibition.

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PLAN-MAKING DELEGATIONS

63. Revised delegations were announced by the then Minister for Planning and Infrastructure in October 2012, allowing councils to make LEPs of local significance. On 26 November 2012, Council resolved to accept the delegation for plan-making functions. Council has resolved that these functions be delegated to the CEO.
64. Should Council resolve to endorse the Planning Proposal to proceed, it is recommended that Council request that it exercise its plan-making delegations. This means that once the Planning Proposal has been to Gateway, undergone public exhibition and been adopted by Council, Council officers will deal directly with the Parliamentary Counsel Office on the legal drafting and mapping of the amendment. The LEP amendment is then signed by the CEO before being notified on the NSW Legislation website.

CONSULTATION & TIMING

65. The applicant's Planning Proposal and supporting documentation were referred internally to Council's Urban Design, Traffic and Transport, Open Space and Natural Resource teams.
66. No public consultation has been undertaken at this stage on the Planning Proposal.
67. Should Council resolve to proceed with the Planning Proposal, it (and all related information) will be submitted to the Department of Planning, Industry and Environment for Gateway Determination. Community consultation will be undertaken as required by the Gateway Determination. The Planning Proposal will be placed on public exhibition in conjunction with the site-specific DCP and draft VPA.

FINANCIAL IMPLICATION FOR COUNCIL

68. Should Council resolve to proceed with the Planning Proposal, the costs incurred in conducting the community consultation are covered by the fees associated with the submission of the Planning Proposal request. Preliminary financial implications of the Planning Agreement Letter of Offer are provided earlier in this report under *Planning Agreement Offer*, and will be provided in greater detail in a separate report to Council on the matter.

CONCLUSION

69. This report recommends that the Planning Proposal for 85-91 Thomas Street, Parramatta proceed to Gateway.
70. Should the proposal proceed and a Gateway Determination be issued, the Planning Proposal will be placed on public exhibition with the site specific DCP and draft Planning Agreement (once both are reported to Council) and the outcomes of the exhibition will be reported to the Local Planning Panel if any objections are received. If no objections are received, the matter will be reported directly to Council post-exhibition.

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Item 6.1

Kieren Lawson
Project Officer Land Use

Michael Rogers
Land Use Planning Manager

David Birds
Group Manager, City Planning

Jennifer Concato
Executive Director City Strategy & Development

ATTACHMENTS:

- 1 [↓](#) Planning Proposal Document
- 2 [↓](#) Reference Design - 4 February 2020
- 3 [↓](#) Planning Agreement Offer - 17 March 2020
- 4 [↓](#) Ecology Saltmarsh Response - RZ/11/2016

PLANNING PROPOSAL

[Subject]

85-91 Thomas Street, Parramatta

[Subject]

85-91 Thomas Street, Parramatta

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Planning Proposal drafts

Proponent versions:

No.	Author	Version
1.	ThinkPlanners	June 2016 – Initial Proposal
2.	ThinkPlanners	August 2018 – Former Revision
3.	ThinkPlanners	March 2020 – Current Scheme

Council versions:

No.	Author	Version
1.	City of Parramatta Council	Report to Local Planning Panel and Council on the assessment of planning proposal

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 (DP&E) guides, 'A Guide to Preparing Local Environment Plans' (August 2016) and 'A Guide to Preparing Planning Proposals' (August 2016) and 'Guidance for merged councils on planning functions' (May 2016).

Background and context

On 6 June 2016, Council received a Planning proposal application from Think Planners which sought to amend the planning controls applicable to the site at 85-91 Thomas Street, Parramatta under Parramatta Local Environmental Plan 2011 (PLEP 2011). The land at 85-91 Thomas Street includes 4 Torrens title land parcels that are shown below and legally described as follows:

- Lot 13 DP 1239, known as No. 85 Thomas Street
- Lot 142 DP 537053 known as No. 87 Thomas Street
- Lot 15 DP 1239 known as No. 89 Thomas Street
- Lot 16 DP 1239 known as No 91 Thomas Street



Figure 1 – Sites at 85-91 Thomas Street subject to the planning proposal

Under *Parramatta Local Environmental Plan 2011* the site:

- is zoned part R4 – High Density Residential, part RE1 – Public Recreation
- has a minimum Lot Size of 550 sqm;
- has a maximum Building Height of 11 metres;
- has a maximum Floor Space Ratio (FSR) of 0.8:1;
- has a land acquisition for local open space applying to 1,296sqm of privately owned RE1 zoned land at No.85;
- 30m wide Foreshore Building Line
- Acid Sulfate Soils,
- Heritage,
- Land Reserved for Acquisition,
- Natural Resources – Biodiversity,
- Natural Resources – Riparian Lands and Waterways

An extract of each the above maps is provided in Part 4 – Mapping; specifically, Section 4.1 Existing controls.

PART 1 – OBJECTIVES OR INTENDED OUTCOMES

The objective of this Planning Proposal is to adjust the land use zoning, building height and floor space ratio on the site at 85-91 Thomas Street to accommodate a residential flat building development within the developable portion of the site. In order to accommodate the gross floor area of 0.8:1 across the privately owned site, there will be an adjustment in land use zoning boundaries, increase in maximum building height and maximum floor space ratio for the proposed R4 land.

The owners of the subject site (Century 888 Pty Ltd) authorised ThinkPlanners to submit the original Planning Proposal in June 2016 to coordinate the matters relating to the subject site and this rezoning application.

The Planning Proposal intends to deliver the following outcomes for the site:

- Accommodate high-density residential development up to 4,973sqm outside the undevelopable portions of the site
- Locate the building envelope and mass the Gross Floor Area within the developable portion of the site,
- Accommodate similar amount of GFA on the site as permitted by the planning controls prior to *Parramatta LEP 2011 – Amendment No.20 Review*
- Dedicate land identified for acquisition, public open space and natural resources.

PART 2 – EXPLANATION OF PROVISIONS

This planning proposal seeks to amend *Parramatta LEP 2011 (PLEP 2011)* in relation to the zoning and height controls.

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

1. Amend the **Land Zoning Map** to maintain the R4 – High Density Residential zone for the developable part of the site (3,825sqm) and extending the RE1 – Public Recreation zone for the undevelopable land affected by the Natural Resources - Biodiversity controls. (Sheet LZN_[010]).
2. Amend the maximum building height in the **Height of Buildings Map** (Sheet HOB_010) from 11 metres to 22 metres that equates to 6 storeys for the proposed R4 land within the developable area of the site. Removing the Height of Buildings control for the proposed RE1 land.
3. Amend the maximum floor space ratio in the **Floor Space Ratio Map** (Sheet FSR_010) from 0.8:1 to 1.3:1 for the proposed R4 land within the developable area of the site. Removing the Floor Space Ratio control for the proposed RE1 land.
4. Remove the acquisition affectation from No.85 Thomas should this be dedicated to Council.

1.1. Other relevant matters

1.1.1. Voluntary Planning Agreement

The subject site and proposed development uplift being sought lends itself to the provision of public benefits, consistent with Council's Planning Agreements policy. The proponent expressed interest into entering a Voluntary Planning Agreement consistent with the policy. The applicant submitted a Letter of Offer on 8 August 2018. The applicant is currently proposing the following VPA item:

- Dedication 2,496sqm of privately owned land identified for land acquisition (open space) or natural resources (biodiversity) to Council within the undevelopable part of the site at the south.

Under Council's Planning Agreements Policy, planning proposals outside the Parramatta CBD seeking uplift in density need to be supported by a planning agreement that is valued at 50% of the resulting land value uplift. It is acknowledged that the gazettal of Amendment 20 reduced the development potential on the site and the planning proposal is only seeking to recoup the density potential it may have been able to achieve under the planning controls in place prior to this amendment. Based on an acceptance of this approach, it is not considered necessary to seek a planning agreement achieving 50% land value uplift, as there is effectively no increase in overall development potential of the site. It is also acknowledged that the site may not have been able to achieve the full density potential under the previous planning controls due to the constrained nature of the southern portion of the site, however the previous controls did allow development on this

part of the site and the gazettal of Amendment 20 removed that potential.

In addition, the Planning Agreement is proposing to dedicate land that is identified for acquisition under PLEP 2011 free of cost, thereby removing an acquisition burden on Council. Without the Planning Proposal and associated Planning Agreement, Council would ultimately be required to purchase the land from the owner. The Planning Agreement is also proposing to dedicate the undevelopable portion of the R4 High Density Residential zoned land to Council free of cost. This land is intended to provide a contiguous vegetation buffer along the rear of the site with the adjacent RE1 Public Recreation land. It is therefore recommended that this portion of the R4 High Density Residential zoned be rezoned to RE1 Public Recreation to match the adjoining land and to properly reflect its intended use.

It is recommended that Council authorise the CEO to enter into VPA Negotiations with the applicant

1.1.2. Draft Development Control Plan

Given the nature of redevelopment proposed on the site, a site-specific Development Control Plan (DCP) will be required to support any future development on the site. The site-specific DCP would guide the redevelopment of the site, having regard to the local context and detailed design requirement for the site, including, but limited to the following:

- Built Form and Massing
- Solar Access and Overshadowing
- Traffic, Transport and Parking
- Landscaping and Open Space

Both the draft Voluntary Planning Agreement and draft Development Control Plan will be exhibited concurrently as part of the public exhibition stage following Gateway Determination.

PART 3 – JUSTIFICATION

This part describes the reasons for the proposed outcomes and development standards in the planning proposal.

3.1 Section A - Need for the planning proposal

This section establishes the need for a planning proposal in achieving the key outcome and objectives. The set questions address the strategic origins of the proposal and whether amending the LEP is the best mechanism to achieve the aims on the proposal.

3.1.1. Is the planning proposal a result of an endorsed local strategic planning statement, strategic study or report?

Yes, the Planning Proposal responds to the State Government's initiatives for growth in the Greater Sydney Commission's Greater Parramatta and Olympic Peninsula (GPOP) area and Department of Planning Industry and Environment's (DPIE) draft Greater Parramatta Growth Area which is in close proximity to the site. The GPOP area is an approximate area which will broadly experience significant growth and change over the next 20 years (see Figure 2).

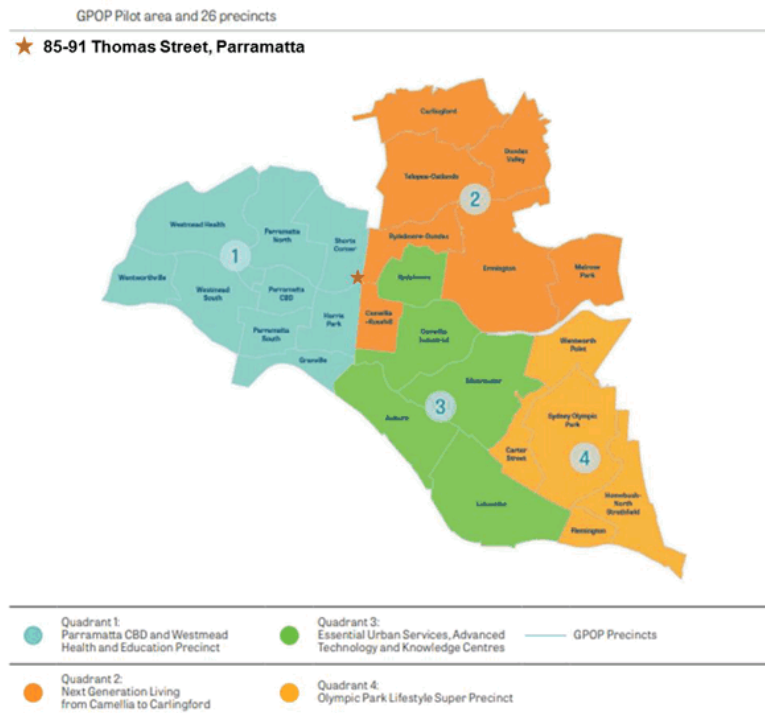


Figure 2– Subject site within GPOP

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

Redevelopment of the site for the site under the Planning Proposal reinstates the amount of permissible high-density floor space permitted on the site when the Planning Proposal was lodged in June 2016, and prior to *Parramatta LEP 2011 –Amendment No.20 Review of Land Reserved for Acquisition* which was gazette on 28 July 2017. This amendment rezoned R4 land at No.85 Thomas Street to RE1 – public recreation with a Land Acquisition affection for local open space. No.89 and No.91 were also affected by Amendment No.20 which identified 1,200sqm of R4 land for Natural Resources controls, making this portion of the site undevelopable, but able to be used for calculating FSR.



Figure 3 - Zoning of site prior to PLEP 2011 Amendment No.20

Prior to this amendment, 5,057sqm of GFA was permitted under 0.8:1 FSR across the site. The current planning controls allow a maximum of 4,020sqm of GFA is permitted. The Planning Proposal proposed changes in land use zoning boundaries to reflect the developable portions of the site, increase in maximum building height and increase maximum floor space ratio controls. These changes could accommodate approximately 4,973sqm of GFA across the developable site area, which is a lower GFA than what was permissible on the site when the PP was lodged. It also allows for the undevelopable portion of the site to be dedicated for public recreation and natural resources land.

The redevelopment would see 55-59 apartment dwellings accommodated on the site, which is equal to or lower than what was permissible on the site when the Planning proposal was lodged. A change in building height provides opportunities for the previously permissible floor space provision to be accommodated on the site.

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

A Metropolis of Three Cities

In March 2018, the NSW Government released the *Greater Sydney Region Plan: A Metropolis of Three Cities* ("the GSRP") a 20 year plan which outlines a three-city vision for metropolitan Sydney for to the year 2036.

The GSRP is structured under four themes: Infrastructure and Collaboration, Liveability, Productivity and Sustainability. Within these themes are 10 directions that each contain Potential Indicators and, generally, a suite of objective/s supported by a Strategy or Strategies. Those objectives and or strategies relevant to this planning proposal are discussed below.

Infrastructure and Collaboration

An assessment of the planning proposal's consistency with the GSRP's relevant Infrastructure and Collaboration objectives is provided in Table 3a, below.

Table 3a – Consistency of planning proposal with relevant GSRP Actions – Infrastructure and Collaboration

Infrastructure and Collaboration Direction	Relevant Objective	Comment
A city supported by infrastructure	O1: Infrastructure supports the three cities	The Region Plan highlights that the Central River City is undergoing a rebuilding program in a high-growth environment, which required existing infrastructure to be optimised. Redevelopment of the existing R4 zoned site in close proximity to James Ruse Drive and Parramatta Valley Cycleway to accommodate a maximum of 6-storey development hopes to maximise the 4,973sqm GFA, which is slightly below the GFA previously permissible on the site prior to PLEP 2011 – Amendment No.20 when the Planning Proposal was lodged. A VPA will also be negotiated aside this Planning Proposal once the strategic parameters and planning controls have been set.
	O2: Infrastructure aligns with forecast growth – growth infrastructure compact	
	O3: Infrastructure adapts to meet future need	
	O4: Infrastructure use is optimised	

Liveability

An assessment of the planning proposal's consistency with the GSRP's relevant Liveability objectives is provided in Table 3b, below.

Table 3b – Consistency of planning proposal with relevant GSRP Actions – Liveability

Liveability Direction	Relevant Objective	Comment
A city for people	O6: Services and infrastructure meet communities' changing needs	The Planning Proposal hopes to optimise land identified for future

	<p>O7: Communities are healthy, resilient and socially connected</p>	<p>public open space and existing natural resources (biodiversity & riparian lands and waterways). The PP allocates GFA under a change to zone boundaries for high-density and public recreation land use zones to reflect the developable site area, and increases to maximum HOB and FSR controls to accommodate 4,972sqm, which is slightly below the GFA which could be accommodated on the site when the PP was lodged, prior to PLEP 2011 – Amendment No.20.</p>
	<p>O8: Greater Sydney's communities are culturally rich with diverse neighbourhoods</p>	
	<p>O9: Greater Sydney celebrates the arts and supports creative industries and innovation</p>	
<p>Housing the city</p>	<p>O10: Greater housing supply</p>	<p>The subject site is situated outside Council's already identified growth precincts and currently zoned high-density residential . The PP proposes to accommodate 59 apartment dwellings under an increase in height up to 22m and increase in FSR across the developable portion up to 1.3:1. The PP also removes HOB, FSR and LRA controls for the area identified for land dedication. The reference design accommodates 4,973sqm of high-density residential GFA, which is below what could have been achieved when the PP was lodged.</p>
	<p>O11: Housing is more diverse and affordable</p>	<p>Given the site is already zoned R4 – High Density Residential where residential flat buildings are already permitted, and that the Planning Proposal is not seeking a significant uplift over and above what the site could previously achieve, the Planning Proposal is considered to be consistent with this objective and Council's LSPS in this instance.</p> <p>It is anticipated that City of Parramatta is expected to meet and potentially exceed its housing targets set by the Greater Sydney Commission, thus the change in planning controls must be justified in accordance with other Liveability Directions.</p>
<p>A city of great places</p>	<p>O12: Great places that bring people together</p>	<p>The site is situated in close proximity to the Parramatta River, Western Sydney University and the periphery of Parramatta CBD which provide opportunities to future residents for employment, education and recreation.</p>
	<p>O13: Environmental heritage is identified, conserved and enhanced</p>	<p>Parts of the site are identified for natural resources-biodiversity, natural resources – riparian lands and waterways and environmental heritage I1- Wetlands Parramatta River. Future development on the site will be located away from these sensitive environmental areas.</p>

Productivity

An assessment of the planning proposal's consistency with the GSRP's relevant Productivity objectives is provided in Table 3c, below.

Table 3c – Consistency of planning proposal with relevant GSRP Actions – Productivity

Productivity Direction	Relevant Objective	Comment
A well connected city	O14: The plan integrates land use and transport creates walkable and 30 minute cities	The site is located in close proximity to James Ruse Drive, Parramatta Valley Cycleway which connect to Parramatta CBD nearby. The increase in building height to accommodate high-density residential dwellings supports integrating land use with walkable 30min cities to the Central River City of Parramatta.
	O15: The Eastern, GOP and Western Economic Corridors are better connected and more competitive	The subject site is located within the Shorts Corner precinct of GOP. This precinct is not identified for growth as part of Phase 1 or Phase 2 of the Place-based Infrastructure Compact. The PP does not see an increase in residential GFA above what was previously permitted on the site at lodgement of the PP.
Jobs and skills for the city	O19: Greater Parramatta is stronger and better connected	This Planning Proposal is generally consistent with the vision under O19 of the region plan. An increase in building height allows for the GFA previously available under the zoning prior to 28 July 2017 to be massed within a 6-storey built form.
	O21: Internationally competitive health, education, research and innovation precincts	The Planning Proposal does not seek to allow for employment floor space. The application adjusts the area boundaries affected by R4 – High Density Residential and RE1 – Public Recreation to reflect the developable areas of the site and land dedication.
	O22: Investment and business activity in centres	
	O23: Industrial and urban services land is planned, retained and managed	
O24: Economic sectors are targeted for success		

Sustainability

An assessment of the planning proposal's consistency with the GSRP's relevant Sustainability objectives is provided in Table 3d, below.

Table 3d – Consistency of planning proposal with relevant GSRP Actions – Sustainability

Sustainability Direction	Relevant Objective	Comment
A city in its landscape	O25: The coast and waterways are protected and healthier	<p>The subject site included planning affections from Natural Resources – Riparian Lands and Waterways & Biodiversity and the Foreshore Building Line along the southern portion of the site. The reference design locates the future building envelope outside the affected areas on the elevated topography at the north of the site. The southern portion of the site would be rezoned RE1 and dedicated to Council.</p> <p>Concerns were raised in the initial assessment regarding the coastal mangroves and saltmarshes. Department of Primary Industries indicated in November 2017 that <i>"does not see any reason for potential shading issues on mangrove and saltmarsh species to prevent the lodgement of this development, as proposed"</i></p> <p>The proposal is situated in close proximity to Parramatta River. A substantial setback is proposed for future development that locates the building out of the Foreshore Building Line, Natural Resources affection and heritage area.</p> <p>N/A</p> <p>Deep soil areas are proposed for the front and side setbacks. A site specific DCP proposed to accommodate urban tree canopy cover on the site to enhance the streetscape and improve privacy between neighbouring properties.</p> <p>The subject site includes an acquisition for local open space on No.85 Thomas Street. The subject site is also subject to an easement for the Parramatta Valley Cycleway along the southern edge of the site.</p> <p>The subject site already includes elements of the green grid along the southern portion of the site within the natural resourced affected land where the Parramatta Valley cycleway is located.</p>
	O27: Biodiversity is protected, urban bushland and remnant vegetation is enhanced	
	O28: Scenic and cultural landscapes are protected	
	O29: Environmental, social and economic values in rural areas are protected and enhanced	
	O30: Urban tree canopy cover is increased	
	O31: Public open space is accessible, protected and enhanced	
	O32: The Green grid links Parks, open spaces, bushland and walking and cycling paths	
An efficient city	O33: A low-carbon city contributes to	The proposal does not include

	net-zero emissions by 2050 and mitigates climate change	sustainability initiatives such as recycled water, sustainable building materials, photovoltaics. Should the proposal proceed, initiatives towards net-zero emission by 2050, methods of recycling construction and ongoing waste should be investigated as part of the Development Application stage. Further consideration should be given to council's environmental sustainability strategy when delivering the proposal.
	O34: Energy and water flows are captured, used and re-used	
	O35: More waste is re-used and recycled to support the development of a circular economy	
A resilient city	O36: People and places adapt to climate change and future shocks and stresses	The proposal does include some flood affected land. However, the proposed building is located away from the land impacted by natural hazards.
	O37: Exposure to natural and urban hazards is reduced	
	O38: Heatwaves and extreme heat are managed	

Implementation

An assessment of the planning proposal's consistency with the GSRP's relevant Implementation objectives is provided in Table 3d, below.

Table 3d – Consistency of planning proposal with relevant GSRP Actions – Implementation

Implementation Direction	Relevant Objective	Comment
Implementation	O39: A collaborative approach to city planning	The proposal is responding to in depth consultation between Council, the applicant and Department of Primary Industries.

Central City District Plan

In March 2018, the NSW Government released *Central City District Plan* which outlines a 20 year plan for the Central City District which comprises The Hills, Blacktown, Cumberland and Parramatta local government areas.

Taking its lead from the GSRP, the *Central City District Plan* ("CCDP") is also structured under four themes relating to Infrastructure and Collaboration, Liveability, Productivity and Sustainability. Within these themes are Planning Priorities that are each supported by corresponding Actions. Those Planning Priorities and Actions relevant to this planning proposal are discussed below.

Infrastructure and Collaboration

An assessment of the planning proposal's consistency with the CCDP's relevant Infrastructure and Collaboration Priorities and Actions is provided in Table 4a, below.

Table 4a – Consistency of planning proposal with relevant CCDP Actions – Infrastructure and Collaboration

Infrastructure and Collaboration Direction	Planning Priority/Action	Comment
<p>A city supported by infrastructure</p> <p>O1: Infrastructure supports the three cities</p> <p>O2: Infrastructure aligns with forecast growth – growth infrastructure compact</p> <p>O3: Infrastructure adapts to meet future need</p> <p>O4: Infrastructure use is optimised</p>	<p>PP C1: Planning for a city supported by infrastructure</p> <ul style="list-style-type: none"> A1: Prioritise infrastructure investments to support the vision of <i>A metropolis</i> A2: Sequence growth across the three cities to promote north-south and east-west connections A3: Align forecast growth with infrastructure A4: Sequence infrastructure provision using a place based approach A5: Consider the adaptability of infrastructure and its potential shared use when preparing infrastructure strategies and plans A6: Maximise the utility of existing infrastructure assets and consider strategies to influence behaviour changes to reduce the demand for new infrastructure, supporting the development of adaptive and flexible regulations to allow decentralised utilities 	<p>The site located on Thomas Street is in close proximity to the James Ruse Drive regional route and Parramatta Valley Cycleway. The site may be easily accessed via car, bus or bicycle. The proposal arranges the currently permissible high-density residential use within the northern half of the subject site in hope to utilise the existing assets at the south for natural resources and public open space.</p>
<p>O5: Benefits of growth realized by collaboration of governments, community and business</p>	<p>PP C2: Working through collaboration</p> <ul style="list-style-type: none"> A7: Identify prioritise and delivery collaboration areas 	

Liveability

An assessment of the planning proposal's consistency with the CCDP's relevant Liveability Priorities and Actions is provided in Table 4b, below.

Table 4b – Consistency of planning proposal with relevant CCDP Actions – Liveability

Liveability Direction	Planning Priority/Action	Comment
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<p>A city for people O6: Services and infrastructure meet communities' changing needs</p>	<p>PP C3: Provide services and social infrastructure to meet people's changing needs</p> <ul style="list-style-type: none"> • A8: Deliver social infrastructure that reflects the need of the community now and in the future • A9: Optimise the use of available public land for social infrastructure 	<p>As part of the proposal, the application proposed to dedicate 1,296sqm land at No.85 Thomas Street for public open space as identified in the land reserved for acquisition map and 1,200sqm of land at No.89 and 91 Thomas Street identified for Natural Resources – Riparian Lands and Waterways & Biodiversity for council ownership.</p>
<p>O7: Communities are healthy, resilient and socially connected O8: Greater Sydney's communities are culturally rich with diverse neighbourhoods O9: Greater Sydney celebrates the arts and supports creative industries and innovation</p>	<p>PP C4: Working through collaboration</p> <ul style="list-style-type: none"> • A10: Deliver healthy, safe and inclusive places for people of all ages and abilities that support active, resilient and socially connected communities by (a-d). • A11: Incorporate cultural and linguistic diversity in strategic planning and engagement. • A12: Consider the local infrastructure implications of areas that accommodate large migrant and refugee populations. • A13: Strengthen the economic self-determination of Aboriginal communities by engagement and consultation with Local Aboriginal Land Council's. • A14: Facilitate opportunities for creative and artistic expression and participation, wherever feasible with a minimum regulatory burden including (a-c). • A15: Strengthen social connections within and between communities through better understanding of the nature of social networks and supporting infrastructure in local places 	<p>The initial application has been referred to the former Department of Primary Industries for comment on the sensitive ecology areas to the south as identified in the Natural Resources and Heritage Map. The input from state government agencies has assisted in preparing a supportable scheme.</p> <p>Council's LEP Amendment No.20 relating to Land Reserved for Acquisition has also affected the application identifying parts of the site for public recreation and natural resources biodiversity/riparian lands and waterways. This impacted the developable of the R4 zoned site. This Planning Proposal hopes to facilitate development in accordance with the intentions of the controls of the site.</p>
<p>Housing the city O10: Greater housing supply O11: Housing is more diverse and affordable</p>	<p>PP C5: Providing housing supply, choice and affordability, with access to jobs, services and public transport</p> <ul style="list-style-type: none"> • A16: Prepare local or district housing strategies that address housing targets [abridged version] • A17: Prepare Affordable Rental housing Target Schemes 	<p>City of Parramatta is expected to meet and potentially exceed its housing targets set by the Greater Sydney Commission, thus the change in planning controls cannot be justified under O10 which proposes to increase the supply of housing.</p> <p>A Planning Proposal increasing the maximum building height provides an opportunity for the applicant to obtain Gross Floor Area (GFA) for high-density residential uses from the undevelopable land zoned R4 and, and in this exceptional circumstance the privately owned RE1 portion</p>

		rezoned by a Council let proposal. No affordable housing is included in the planning proposal at this stage. The proposal could investigate potential to include future affordable housing stock on the site under Council's Affordable Housing Policy.
<p>A city of great places</p> <p>O12: Great places that bring people together</p> <p>O13: Environmental heritage is identified, conserved and enhanced</p>	<p>PP C6: Creating and renewing great places and local centres, and respecting the District's heritage</p> <ul style="list-style-type: none"> • A18: Using a place-based and collaborative approach throughout planning, design, development and management deliver great places by (a-e) • A19: Identify, conserve and enhance environmental heritage by (a-c) • A20: Use place-based planning to support the role of centres as a focus for connected neighbourhoods • A21: In Collaboration Areas, Planned Precincts and planning for centres (a-d) • A22: Use flexible and innovative approaches to revitalise high streets in decline. 	<p>The site reference scheme proposed a design that masses the building envelope within the developable portion of the site in the northern half of the site. It provides separation between the development and existing environmental constraints such as the open space acquisition, natural resources area and Parramatta River.</p>

Productivity

An assessment of the planning proposal's consistency with the CCDP's relevant Productivity Priorities and Actions is provided in Table 4c, below.

Table 4c – Consistency of planning proposal with relevant CCDP Actions – Productivity

Productivity Direction	Planning Priority/Action	Comment
<p>A well-connected city</p> <p>O19: Greater Parramatta is stronger and better connected</p>	<p>PP C7: Growing a stronger and more competitive Greater Parramatta</p> <ul style="list-style-type: none"> • A23: Strengthen the economic competitiveness of Greater Parramatta and grow its vibrancy [abridged] • A24: Revitalise Hawkesbury Road so that it becomes the civic, transport, commercial and community heart of Westmead • A25: Support the emergency services transport, including helicopter access • A26: Prioritise infrastructure investment [abridged] • A27: Manage car parking and identify smart traffic management strategies • A28: Investigate opportunities for renewal of Westmead East as a 	<p>The existing R4 zoned site is located in close proximity to the Parramatta CBD and intends to deliver additional high-density residential dwellings in close proximity to the employment generating uses in Parramatta CBD.</p> <p>Redevelopment for high-density residential uses on the site is subject to significant environmental and topographic restraints to the southern portion of the site. The Planning Proposal, site-specific DCP and draft VPA endeavour to address the highly restrained environmental condition of the site within an R4 zoning in close proximity to Parramatta CBD.</p>

	mixed use precinct	
<p>Jobs and skills for the city O15: The Eastern, GOP and Western Economic Corridors are better connected and more competitive</p>	<p>PP C8: Delivering a more connected and competitive GOP Economic Corridor</p> <ul style="list-style-type: none"> • A28: Investigate opportunities for renewal of Westmead East as a mixed use precinct PPC8 • A29: Prioritise public transport investment to deliver the 30-minute city objective for strategic centres along the GOP Economic Corridor • A30: Prioritise transport investments that enhance access to the GOP between centres within GOP 	<p>The proposal maintains the existing R4 – High Density Residential zone for the subject site across the developable area at the northern portion of the site along the street, and extends the existing RE1 –Public Recreation use across the undeveloped site area which is proposed for land dedication. The site is located within the GOP corridor and in a location near local bus routes, regional highways and local cycleways that supports the 30-minute city.</p>
<p>O14: The plan integrates land use and transport creates walkable and 30 minute cities</p>	<p>PP C9: Delivering integrated land use and transport planning and a 30-minute city</p> <ul style="list-style-type: none"> • A32: Integrate land use and transport plans to deliver a 30-minute city • A33: Investigate, plan and protect future transport and infrastructure corridors • A34: Support innovative approaches to the operation of business, educational and institutional establishments to improve the performance of the transport network • A35: Optimise the efficiency and effectiveness of the freight handling and logistics network by (a-d) • A36: Protect transport corridors as appropriate, including the Western Sydney Freight Line, North South train link from Schofields to WS Airport as well as Outer Sydney Orbital and Bells Line of Road-Castlereagh connections 	
<p>O23: Industrial and urban services land is planned, retained and managed</p>	<p>PP C10: Growing investment, business opportunities and jobs in strategic centres</p> <ul style="list-style-type: none"> • A37: Provide access to jobs, goods and services in centres [abridged] • A38: Create new centres in accordance with the principles for Greater Sydney's centres • A39: Prioritise strategic land use and infrastructure plans for growing centres, particularly those with capacity for additional floorspace 	<p>The Planning Proposal would locate additional housing in close proximity to the Parramatta CBD. It is anticipated that additional housing will grow investment and business opportunities for everyday retail and commercial uses at the site and is therefore consistent with PP C10.</p>
<p>O23: Industrial and urban services land is planned, retained and managed</p>	<p>PP C11: Maximising opportunities to attract advanced manufacturing and innovation in industrial and urban services land</p>	<p>N/A</p>

O24: Economic sectors are targeted for success	PP C12: Supporting growth of targeted industry sectors	N/A

Sustainability

An assessment of the planning proposal's consistency with the CCDP's relevant Productivity Priorities and Actions is provided in Table 4d, below.

Table 4d – Consistency of planning proposal with relevant CCDP Actions – Sustainability

Sustainability Direction	Planning Priority/Action	Comment
<p>A city in its landscape</p> <p>O25: The coast and waterways are protected and healthier</p>	<p>PP C13: Protecting and improving the health and enjoyment of the District's Waterways</p> <ul style="list-style-type: none"> • A60: Protect environmentally sensitive areas of waterways • A61: Enhance sustainability and liveability by improving and managing access to waterways and foreshores for recreation, tourism, cultural events and water based transport • A62: Improve the health of catchments and waterways through a risk based approach to managing the cumulative impacts of development including coordinated monitoring of outcomes • A63: Work towards reinstating more natural conditions in highly modified urban waterways 	<p>The proposal is situated adjacent to Parramatta River. A substantial setback is proposed for future development that locates the building out of the Foreshore Building Line, Natural Resources affectation and heritage area. The reference design proposed positions future development outside the affected areas on the elevated topography at the north of the site.</p>
<p>O26: The coast and waterways are protected and healthier</p>	<p>PP C14: Creating a Parkland City urban structure and identity, with South Creek as a defining spatial element</p> <ul style="list-style-type: none"> • A64: Implement South Creek Corridor Project and use the design principles for South Creek to deliver a cool and green Western Parkland City 	<p>The subject site is adjacent to the Parramatta River and impacted by the Coastal Management SEPP 2018. The Foreshore Building Line in the LEP also affects the subject site.</p>

<p>O27: Biodiversity is protected, urban bushland and remnant vegetation is enhanced</p> <p>O28: Scenic and cultural landscapes are protected</p>	<p>PP C15: Protecting and enhancing bushland, biodiversity and scenic and cultural landscapes</p> <ul style="list-style-type: none"> • A65: Protect and enhance biodiversity by (a-c) [abridged] • A66: Identify and protect scenic and cultural landscapes • A67: Enhance and protect views of scenic and cultural landscapes from the public realm 	<p>The subject site includes urban bushland which is classified as Natural Resources – Riparian Lands and Waterways. This has been taken into consideration when preparing the reference design for the planning proposal, which includes both developable and undevelopable portions to the site.</p>
<p>O30: Urban tree canopy cover is increased</p> <p>O32: The Green grid links Parks, open spaces, bushland and walking and cycling paths</p>	<p>PP C16: PP C16: Increasing urban tree canopy cover and delivering Green grid connections</p> <ul style="list-style-type: none"> • A68: Expand urban tree canopy in the public realm • A69: progressively refine the detailed design and delivery of (a-c) [abridged] • A70: Create Greater Sydney green Grid connections to the Western Sydney Parklands 	<p>The subject site already includes urban tree canopy within the southern portion of the site. This area is anticipated to be maintained as existing as part of the planning proposal.</p> <p>Deep soil areas are proposed for the front and side setbacks. A site specific DCP proposed to accommodate urban tree canopy cover on the site to enhance the streetscape and improve privacy between neighbouring properties.</p>
<p>O31: Public open space is accessible, protected and enhanced</p>	<p>PP C17: Delivering high quality open space</p> <ul style="list-style-type: none"> • A71: Maximise the use of existing open space and protect, enhance and expand public open space by (a-g) [abridged] 	<p>The subject site includes an acquisition for local open space on No.85 Thomas Street. The subject site is also subject to an easement for the Parramatta Valley Cycleway along the southern edge of the site. The easement will be maintained as part of the future development.</p> <p>The Planning Agreement Offer also includes land dedication for the existing RE1 land affected by a land acquisition (1,296sqm) and natural resources biodiversity land (1,200sqm).</p>
<p>An efficient city</p> <p>O33: A low-carbon city contributes to net-zero emissions by 2050 and mitigates climate change</p> <p>O34: Energy and water flows are captured, used and re-used</p> <p>O35: More waste is re-used and recycled to support the development of a circular economy</p>	<p>PP C19: Reducing carbon emissions and managing energy, water and waste efficiently</p> <ul style="list-style-type: none"> • A75: Support initiatives that contribute to the aspirational objectives of achieving net-zero emissions by 2050 • A76: Support precinct-based initiatives to increase renewable energy generation and energy and water efficiency • A77: Protect existing and identify new locations for waste recycling and management • A78: Support innovative solutions 	<p>The proposal does not include sustainability initiatives such as recycled water, sustainable building materials, photovoltaics. Should the proposal proceed, initiatives towards net-zero emission by 2050, methods of recycling construction and ongoing waste should be investigated as part of the Development Application stage. Further consideration should be given to council's environmental sustainability strategy when delivering the proposal.</p>

	<p>to reduce the volume of waste and reduce waste transport requirements</p> <ul style="list-style-type: none"> • A79: Encourage the preparation of low carbon, high efficiency strategies to reduce emissions, optimise the use of water, reduce waste and optimising car parking provisions where an increase in total floor in 100,000sqm 	
<p>O36: People and places adapt to climate change and future shocks and stresses</p> <p>O37: Exposure to natural and urban hazards is reduced</p> <p>O38: Heatwaves and extreme heat are managed</p>	<p>PP C20: Adapting to the impacts of urban and natural hazards and climate change</p> <ul style="list-style-type: none"> • A81: Support initiatives that respond to the impacts of climate change • A82: Avoid locating new urban development in areas exposed to natural and urban hazards and consider options to limit the intensification of development in existing areas most exposed to hazards • A83: Mitigate the urban heat island effect and reduce the vulnerability to extreme heat • A84: Respond to the direction for managing flood risk in Hawkesbury-Nepean Valley • A85: Consider strategies and measures to manage flash flooding and safe evacuation when planning for growth in Parramatta CBD 	<p>The proposal does include some flood affected land. However, the proposed building envelope in the reference design is located away from the land impacted by natural hazards.</p>

3.2.1. Will the planning proposal give effect to a council's endorsed local strategic planning statement, or another endorsed local strategy or strategic plan?

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

Parramatta 2038 Community Strategic Plan

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:

- 3.4 Provide green spaces for recreation, relaxation and enjoyment
- 6.1 Engage in strategic planning and implement innovative solutions to manage the growth of our city

Parramatta Local Strategic Planning Statement

The LSPS sets out the long-term vision for land use planning in a council's local government area (LGA) and responds to broader priorities identified in the District Plans and integrates with a Council's Community Strategic Plan. The LSPS will provide greater weight to strategic planning in the broader plan making process and any new planning proposal must justify any inconsistency with this framework.

The Planning Proposal is assessed against the broad directions of the LSPS as shown below in Table 5.

Table 5: LSPS Assessment

Broad Directions of LSPS	Comment
1. Focus employment growth in the Parramatta Metropolitan Centre (Parramatta CBD) and Strategic Centres of Epping and Sydney Olympic Park and Westmead Innovation Precinct	N/A
2. Housing growth is focused in identified Growth Precincts	The site is not within an already identified housing growth precinct in Council's LSPS, Council's LHS or the GPOP Place-based infrastructure compact. The site is already zoned R4 – High Density Residential. Prior to Parramatta LEP 2011 – Amendment No.20, the entire 6,321sqm of privately owned land had a 0.8:1 FSR allowing up to 5057sqm of GFA . This Planning Proposal redistributes that previously available floorspace within the developable portion of the site (3,825sqm) in an increased height limit of 22m and increase FSR of 1.3:1 applying to the R4 land.
3. Preserve and enhance the low-scale character and identity of suburban City of Parramatta suburbs outside of the GPOP area	Residential flat buildings are already a permissible use on the subject site. The planning proposal does not propose to change the R4 zoning of the developable portion of the site. The reference design provides substantial setbacks exceeding what would be required by the Apartment Design Guide to better protect the amenity and privacy of adjoin R4 zoned sites,

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	some which still include single dwelling houses (north of Thomas St). There additional setbacks allow for deep soil and urban tree canopy cover.
4. Stage Housing Release with infrastructure delivery.	The site is situated within the "Shorts Corner" precinct, which is not identified as an area for prioritised growth in the short to medium term. Notwithstanding, the Planning Proposal does not propose a significant increase in GFA compared to what was achievable on the site prior to the recent rezoning under Parramatta LEP 2011 – Amendment 20 that introduced RE1 zoning, land acquisition and biodiversity controls on the site. Therefore it is considered by Council officers that the Planning Proposal should proceed despite the recommendation of the draft PIC
5. Housing Diversity underpins any future changes to planning controls	Given the site is already zoned R4 – High Density Residential and that the Planning Proposal is not seeking a significant uplift over and above what the site could previously achieve, the Planning Proposal is considered to be consistent with the LSPS in this instance.
6. The majority of employment lands are protected to ensure no net loss of jobs or employment lands	N/A
7. Neighbourhoods, places and development are well-balanced, connected and sustainable	No affordable housing is included in the planning proposal at this stage. Council's Affordable Housing Policy provides opportunities to work towards well-balanced and sustainable development.
8. Protection of the environment, including providing for sustainable development	The subject site has an existing easement for the Parramatta Valley cycleway along the southern portion of the site to assist in providing Green grid and River foreshore connections. The site also includes a 30m Foreshore Building Line, within that area includes Natural Resources – Biodiversity and Natural Resources – Riparian Lands and Waterways affectations. There is also a land acquisition affectation at the No.85 Thomas Street site for privately owned land currently zoned RE1. Opportunity to designate privately owned RE1 land undevelopable land to public open space and land affected by Natural Resources Riparian Lands & Waterways and Biodiversity will be negotiated as part of a future VPA.

Parramatta Local Housing Strategy

Council is also required to prepare a Local Housing Strategy (LHS) in accordance with the Central City District Plan. The LHS will convey the type and location of new housing in the City of Parramatta LGA. It will consider supply and demand for housing, local land use opportunities and constraints, demographic factors and appropriate building typologies to support a mix of housing.

Table 6: Draft LHS Assessment

Key Findings of Draft LHS	Comment
Finalise Parramatta CBD Planning Proposal and Granville (South) Planning Proposal	The subject site is located outside the Parramatta CBD and Granville Precinct. As mentioned

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(Parramatta Road Urban Transformation Strategy).	previously, the increase in building height allows the landowner to accommodate the 4,973sqm of apartment dwelling floorspace permissible on the site prior to 28 July 2017 when Parramatta LEP 2011 – Amendment No.20 was gazette.
Implement Westmead Innovation District Master Plan.	N/A
Continue housing delivery in already zoned precincts and their related site-specific planning proposals.	The subject site is already zoned R4 and does not lead to additional high-density residential floor space outside the already identified growth precincts than that currently permissible by the site area and FSR prior to 28 July 2017.
Investigate more medium density, low-rise housing types (terraces and townhouses) in suitable locations.	Residential flat buildings are already a permissible use on the subject site. The planning proposal does not propose to change the R4 zoning of the developable portion of the site and terraces and townhouses cannot be mandated for the site.
Pursue an Affordable Housing Scheme for new Growth Precinct Planning Proposals.	No affordable housing is included in the planning proposal at this stage. The proposal could investigate potential to include future affordable housing stock on the site under Council's Affordable Housing Policy.
Complete structure plan and design guidelines for all Growth Precincts.	The site is outside the identified structure plan areas for growth precincts. The application currently proposes a scale of development that does not trigger the need to prepare precinct wide analysis from high-density residential zone land in the nearby area bound by James Ruse Drive, Parramatta River, Macarthur Street and Victoria Road.

Both the LSPS and LHS will be used in the future to set a strategic framework for future housing and guide the planning in this area, across the LGA and are likely to come into effect in 2020. Given that the site has existing R4 zoning, the LSPS and LHS are unlikely to preclude redevelopment for high-density residential uses such as apartments on the site. Council officers recommend that the Planning Proposal be updated following Gateway Determination and prior to public exhibition to reflect the final Local Housing Strategy as endorsed by Council in mid 2020.

3.2.2. Is the planning proposal consistent with the applicable State Environmental Planning Policies?

The following State Environmental Planning Policies (SEPPs) are of relevance to the site (refer to Table 5 below).

Table 5 – Consistency of planning proposal with relevant SEPPs

State Environmental Planning Policies (SEPPs)	Consistency: Yes = ✓ No = x N/A = Not applicable	Comment
SEPP No 1 Development Standards	N/A	SEPP 1 does not apply to Parramatta LEP 2011

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SEPP 4 – Development Without Consent and Miscellaneous Exempt and Complying Development	N/A	This SEPP is not applicable to the subject land under Clause 1.9 of the Parramatta LEP 2011.
SEPP 6 – Number of Storeys in a Building	N/A	Standard instrument definitions apply.
SEPP 33 – Hazardous and Offensive Development	x	This SEPP is not applicable to the subject land under Clause 1.9 of the Parramatta LEP 2011.
SEPP No 55 Remediation of Land	x	This SEPP is not applicable to the subject land under Clause 1.9 of the Parramatta LEP 2011.
SEPP 60 – Exempt and Complying Development	N/A	This SEPP is not applicable to the subject land under Clause 1.9 of the Parramatta LEP 2011.
SEPP 64 – Advertising and Signage	N/A	Not relevant to proposed amendment. May be relevant to future DAs.
SEPP No 65 Design Quality of Residential Flat Development	✓	Detailed compliance with SEPP 65 will be demonstrated at the time of making a development application for the site facilitated by this Planning Proposal. During the design development phase, detailed testing of SEPP 65 and the Residential Flat Design Code was carried out and the indicative scheme is capable of demonstrating compliance with the SEPP.
SEPP No.70 Affordable Housing (Revised Schemes)	N/A	Not relevant to proposed amendment.
SEPP (Affordable Rental Housing) 2009	N/A	Not relevant to proposed amendment.
SEPP (BASIX) 2004	N/A	Detailed compliance with SEPP (BASIX) will be demonstrated at the time of making a development application for the site facilitated by this Planning Proposal.
SEPP (Exempt and Complying Development Codes) 2008	✓	May apply to future development of the site.
SEPP (Infrastructure) 2007	x	May apply to future development of the site.
Sydney Regional Environmental Plan No 18–Public Transport Corridors	N/A	This SEPP is not applicable to the subject land under Clause 1.9 of the <i>Parramatta LEP 2011</i> .
Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005	N/A	The proposed development is not located directly on the Sydney Harbour Catchment foreshore. Any potential impacts as a result of development on the site, such as stormwater runoff, will be considered and addressed appropriately at DA stage.

SEPP (Urban Renewal) 2010	x	N/A
SEPP Coastal Management	✓	This applies to this site as it adjoins 'Coastal Wetlands' and is located within the 100m buffer zone of the Mean High Water Mark of the Parramatta River. The Coastal SEPP gives effect to the objectives of the Coastal Management Act 2016, defining the four coastal management areas as per the Act through detailed mapping and specific assessment criteria for each coastal management area as outlined in the attached Fact Sheet. Councils must consider these criteria when assessing proposals for development that fall within one or more of the mapped areas

3.2.3. Is the planning proposal consistent with applicable Ministerial Directions (s.9.1 directions)

In accordance with Clause 9.1 of the *EP&A Act 1979* 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
- Housing, Infrastructure and Urban Development
- Local plan making

The following directions are considered relevant to the subject Planning Proposal.

Table 6 – Consistency of planning proposal with relevant Section 9.1 Directions

Relevant Direction	Comment	Compliance
1. Employment and Resources		
2. Environment and Heritage		
Direction 2.2 – Coastal Management	The subject site is located within the coastal zone as identified by the SEPP and Coastal Management Act. The planning proposal does not intensify the land use towards the southern portion of the site as this is proposed for land dedication to Council. This will provide better consistency with this SEPP.	Yes
Direction 2.3 - Heritage Conservation	The subject site contains part of I1 – Coastal Wetlands, Parramatta River. Council is satisfied that the planning proposal maintains the integrity of the item can be maintained under the proposed indicative massing within the developable portion of the site.	Yes
3. Housing, Infrastructure and Urban Development		

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Direction 3.1 - Residential Zones	The Planning Proposal is consistent with this direction, in that it: <ul style="list-style-type: none"> • facilitates additional housing in close proximity to the Parramatta City Centre that is currently not provided on the site • provides residential development in an existing urban area that will be fully serviced by existing infrastructure • does not reduce the permissible residential density of land, but does reduce the amount of residential land. 	Yes
Direction 3.4 - Integrating Land Use and Transport	The Planning Proposal is consistent with this direction, in that it: <ul style="list-style-type: none"> • will provide new dwellings in close proximity to existing bus and bicycle transport links • will enable residents to walk or cycle to work if employed in the Parramatta City Centre or utilise the heavy rail service. • will maintain and provide additional commercial premises in proximity to existing transport links • makes more efficient use of space and infrastructure by increasing densities on an underutilised site. 	Yes
4. Hazard and Risk		
Direction 4.1 - Acid Sulfate Soils	The site is identified as Class 5 on the Acid Sulfate Soils and part Class 2 on the Map in Parramatta Local Environmental Plan 2011. Acid sulfate soils are generally not found in Class 5 areas. However, this will be addressed further at the development application stage. Buildings will not be located in the Class 2 area.	Yes
Direction 4.3 - Flood Prone Land	Any potential impacts as a result of development on the site, such as stormwater runoff, will be considered and addressed appropriately at DA stage. This will also include any design detail required to ensure compliance with Council's water management controls within the Parramatta DCP 2011.	Yes
5. Local Plan Making		
Direction 6.1 - Approval and Referral Requirements	The Planning Proposal does not introduce any provisions that require any additional concurrence, consultation or referral.	Yes
Direction 6.2 – Reserving Land for Public Purposes	The subject site includes a land reserved for acquisition affectation on No 85 Thomas Street. This portion of land is already zoned RE1 and proposed to be dedicated to Council as part of the Planning Proposal process. Future development under the reference design does not proposed high-density residential development within this portion of the site.	Yes
Direction 6.3 - Site Specific Provisions	The Planning Proposal does not introduce any site specific provisions.	Yes
6. Metropolitan Planning		
Direction 7.1 - Implementation of A Plan for Growing Sydney	This direction works towards ensuring planning proposals are consistent with the metropolitan region plan. In doing so, an assessment of the planning proposal has been carried out with regards to the GSC's A Metropolis of Three Cities. This has been included above as part of the	Yes

	relationship to strategic planning framework under Section B.	
Direction 7.5 – Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	The Planning Proposal is not located within the Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan although is located within close proximity of the area. The subject site is located within the Shorts Corner precinct of GPOP. This precinct is not identified for growth as part of Phase 1 or Phase 2 of the Place-based Infrastructure Compact.	Yes

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?

Yes, the subject site identifies 1,200sqm of land at the southern part of No.89 and 91 Thomas Street be identified as part of the Natural Resources – Biodiversity and Natural Resources – Riparian Lands and Waterways. This land remains zoned R4 with maximum building height and floor space ratios still applying to the land but is undevelopable for high-density residential purposes. The affectation of the site consequent to on 28 July 2017, Parramatta LEP 2011 – Amendment No.20.



Figure 4 & 5- Subject site and land affectation by Natural Resources – Riparian Lands and Waterways (left) and Biodiversity (right)

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?

Heritage

The subject site is affected by the heritage associated with the Parramatta River Wetlands (Item 1 – Schedule 5, Environmental Heritage). This item is located within the undevelopable portion of the site and relates principally to the adjacent Parramatta River. Should the Planning Proposal proceed, land identified as part of heritage will be dedicated to Council ownership.



Any potential impacts as a result of development on the site, such as stormwater runoff, will be considered and addressed appropriately at DA stage. This will also include any design detail required to ensure compliance with Council's water management controls within the Parramatta DCP 2011.

Urban Design

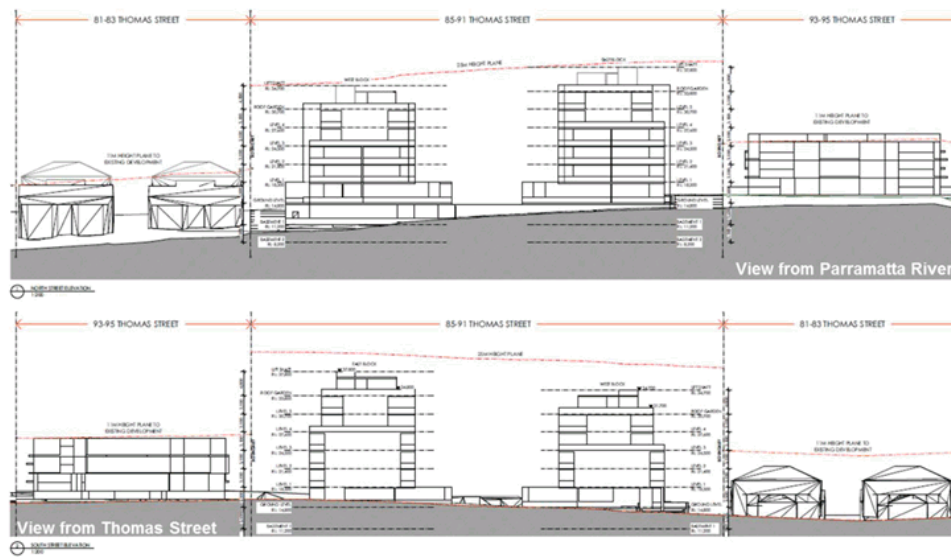


Figure 7- Reference Design for subject site (Source: PTI Architecture)

On 4 February 2020, the applicant provided Council a revised reference design for the Planning Proposal for 85-91 Thomas Street, Parramatta. The applicant's reference design proposes a 25-metre Maximum Building Height which could accommodate approximately 7 storeys. Council's Planning and Design units have maintained their recommendation that there is strategic merit in increasing the height to a maximum of 6 storeys to accommodate a similar amount of high-density residential floor-space permissible on the site at lodgement of the Planning Proposal.

Floor Space Ratio

The current scheme submitted by the applicant generates 4,994sqm of GFA for high-density residential purposes. This amount is 953sqm greater than what the current planning controls allow. It is also 63sqm less than the GFA permissible on the site at lodgement in June 2016 where a 0.8:1 FSR control applying to the entire site area (i.e. 5,057sqm of GFA). The Planning Proposal aims to amend the maximum Building Height and Floor Space Ratio controls to accommodate no-net increase in high-density residential GFA compared to what was previously permissible under Development Application controls on the site at lodgement of the application. Therefore the dwelling yield, while increasing compared to the current controls, will be the same when compared to the planning controls which applied to the site when the Planning Proposal was lodged with Council.

Building Height

The existing building height control allows for high-density residential development of maximum 3-storeys to be accommodated on the site. The adjoining property at 93-95 Thomas Street demonstrates a recent example of what could be developed under the existing planning controls (DA/630/2012). This neighbouring development is able to comfortably achieve the current maximum FSR within the existing building height as it does not need to respond to the

topographic constraints and foreshore building line evident on the subject site, which significantly reduces the developable area of the subject site.

The applicant's Planning Proposal proposes a 25-metre Maximum Building Height which could accommodate approximately 7 storeys. This height limit is considered excessive given the reference design proposes only 6-storey development on the site. Figure 8 and 9 show that a 22m height plan can accommodate the reference design and reasonably achieve a 6-storey development despite the sloping topography. The 6-storey height is supportable with a 4-storey street wall, additional setbacks for 5th & 6th storeys and separation to adjacent development. The reference design accommodates a 3.3m variation between the proposed ground level at Thomas Street (RL 14.5m) and lower ground level at the rear (RL 11.2m). This maintains a 4-storey form at street level and no more than 6-storeys across the site.

Part 3.1 of the Parramatta DCP 2011 provides a preliminary building envelope guide recommends a 20m height limit for 6-storey residential flat buildings, with this assessment taking into consideration the sloping topography of the site to inform an appropriate building height. The applicant has revised their concept design to a building envelope of maximum 6-storeys, however still proposes a maximum building height of 25 metres. This height limit is considered onerous for a 6-storey development on the site, with a revised increase in height up to 22m for approximately 6 storeys for the following reasons:

- i. It represents a 10% variation from 20m in the DCP Preliminary Building Envelope recommendation for 6-storey residential flat buildings,
- ii. It is double the existing HOB control which would allow the currently permissible high-density residential floorspace on the southern half of the site (located in the foreshore building line) to be massed in a taller built form,
- iii. It accommodates the 3.3m variation between the proposed ground level at Thomas Street (RL 14.5m) and lower ground level at the rear (RL 11.2m). This maintains a 4-storey form at street level and no more than 6-storeys across the site.
- iv. Rooftop gardens above a 6th storey to inform a 25 metres HOB are not certain and could lead to a 7th storey being accommodated.

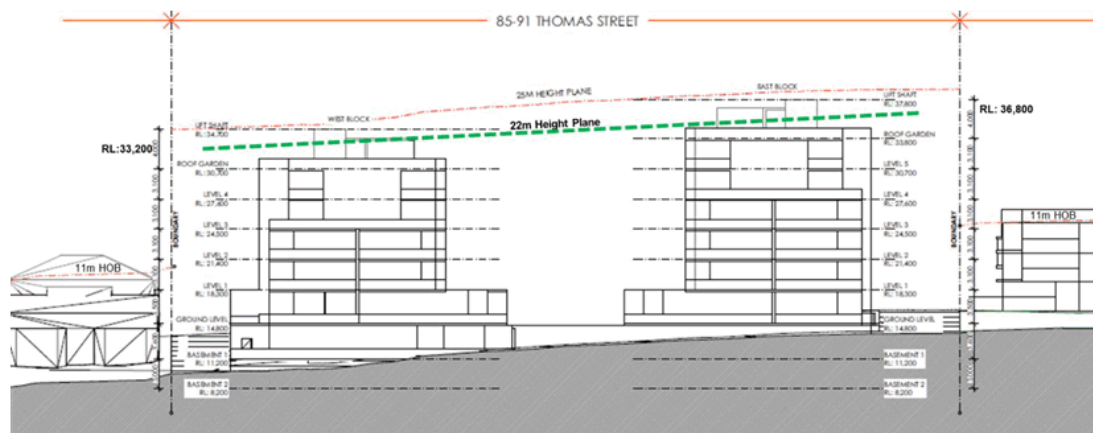


Figure 8 – Section facing north from Parramatta River with adjacent properties (Source: PTI Architecture)

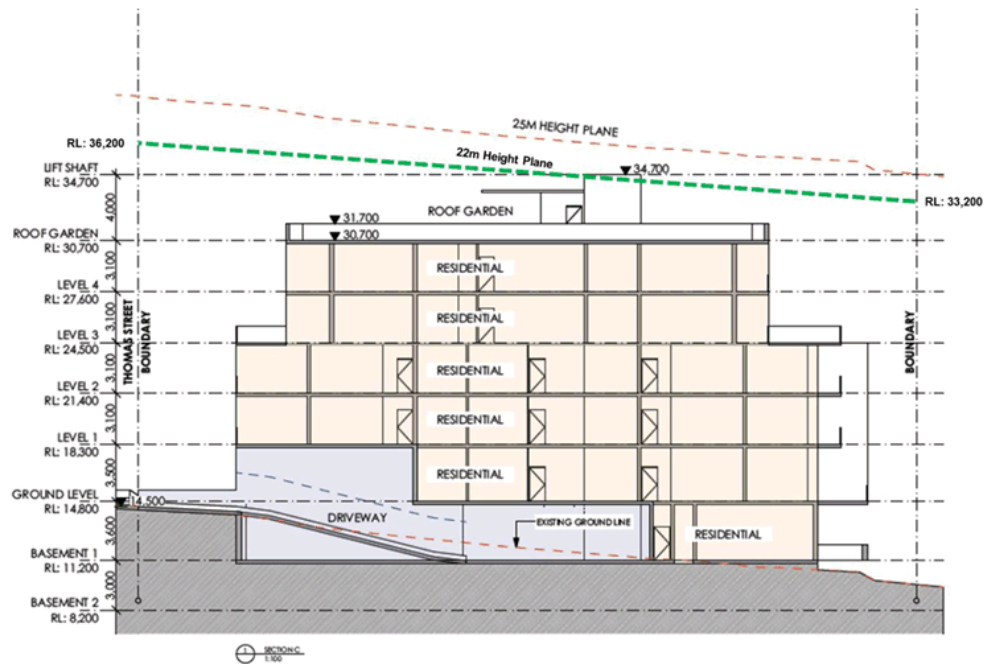


Figure 9– Section facing east from adjacent townhouse development (Source: PTI Architecture)

Building Separation & Setbacks

Given the potential increase in building height on the subject site, it is important to carefully manage privacy and amenity impacts on the adjacent properties, particularly the adjacent townhouse development located near the boundary at 81-83 Thomas Street and single dwelling houses on the northern side of Thomas Street.

The Apartment Design Guide and SEPP 65 set the minimum standards for building separation and setbacks for any residential flat building development on the site. Currently, the ADG would require a minimum of 9 metres separation between habitable and non-habitable rooms for buildings up to 4 storeys, and minimum of 12 metres for buildings 5 to 8 storeys. The reference design included as part of this planning proposal seeks to provide:

- Street setback of 6 metres up to 4-storeys, 9 metre setback up to 6-storeys, 10 metre for rooftop
- Side setback of 10 metres up to 4-storeys, 12 metre setback up to 6-storeys, 13 metre for rooftop.
- Minimum 12 metre building separation between west and east block apartment buildings,
- Rear setback of 3 metres to edge of developable portion of site and foreshore building line,

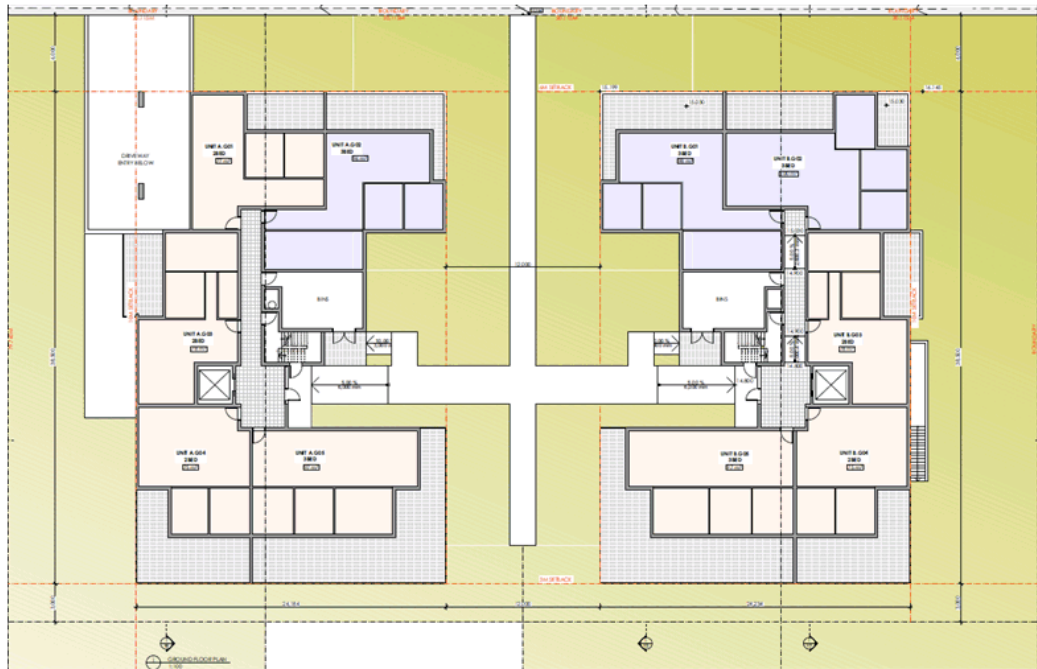


Figure 10 – Ground Floor Setbacks for developable site area

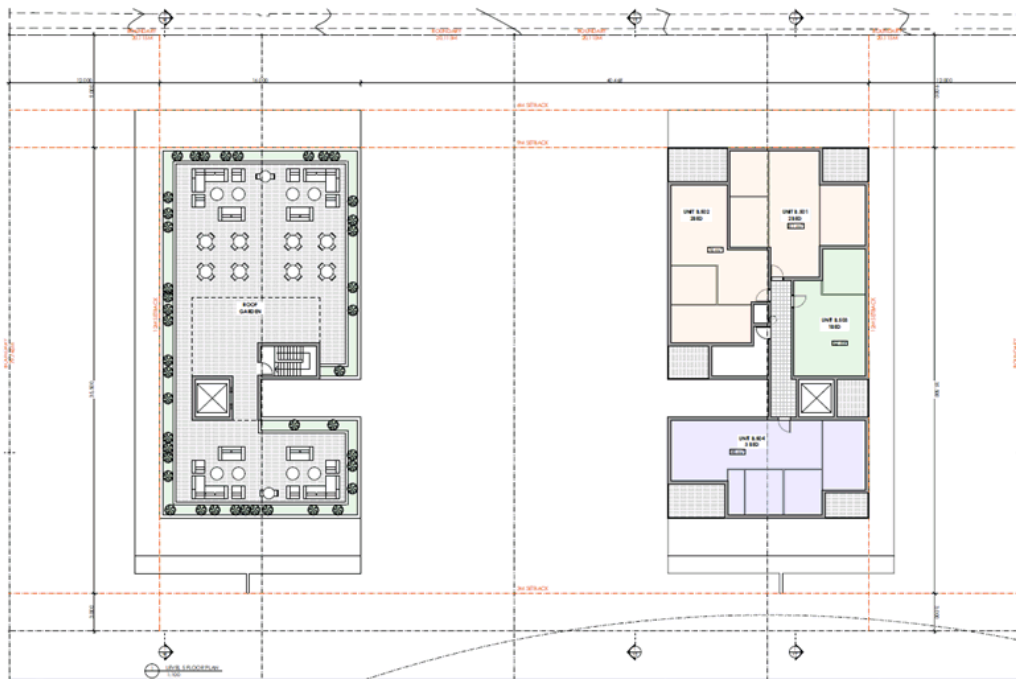


Figure 11 – Level 5 and 6 Setbacks developable site area

Deep soil areas and tree plantings within 6 metres of the front and side property boundary will be required to further improve the relationship of the site with neighbouring buildings. This hopes to provide a satisfactory interface with adjacent properties and satisfy concerns relating to privacy and amenity. The setbacks proposed under the reference design are supportable by Council officers in addressing the privacy and amenity of neighbouring and future residents. These setback standards will be reinforced by a proposed site-specific DCP.

Future development on the site proposes to amalgamate the 4 lots subject to the Planning Proposal. Amalgamation of the sites is supported if the proposed development addresses the scale of adjacent development (such as the townhouses, existing apartment building and single dwellings) and rhythm of the surrounding subdivision pattern with adequate building separation and setbacks exceeding the Apartment Design Guide requirements. Previous concept designs demonstrated a singular elongated row building, driveway and basement entry outside the building envelope, building within the foreshore building line, no additional setback for floors above 4-storeys, are not supported due to their adverse impacts on neighbouring properties and surrounding streetscape. The modulation of the façade will be supported by landscaping and further design detail at Development Application stage as guided by the site specific DCP. The current concept design includes two apartment blocks spaced evenly across the 4 lots, with additional front and side setbacks for Level 5 and 6 which provide a transitioning scale and separation to the scale of development and is supportable (see Figure 11).



Figure 11 – Indicative streetscape

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

Council and State Government does not identify Thomas Street, and this part of Parramatta (Short's Corner) as a growth precinct in accordance with Council's Draft Local Housing Strategy and GSC's Draft Place-based Infrastructure Compact. No major rezonings are required in this precinct for housing are likely to be made by City of Parramatta to meet the 5 year and 20 year housing targets. Any new proposals for new precincts must be justified under strategic planning objectives other than housing supply.

The Planning Proposal, draft site-specific Development Control Plan and draft Planning Agreement are informed by 2,496sqm of land dedication proposed which relates to the southern part of the site. Some of this land is identified for biodiversity and riparian lands (1,200sqm) and some for local open space (1,296sqm). Land dedication is supported in principle as part of the planning proposa.

3.4. Section D – State and Commonwealth Interests

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

On 7 November 2019, the GSC released the draft Place-based Infrastructure Compact (PIC) for the Greater Parramatta and Olympic Peninsula (GPOP) area. Specifically, the PIC outlines a draft-sequencing plan to support GPOP and growth in certain precincts in order to inform capital investment plans and budget processes of NSW Government agencies. The site is situated within the "Shorts Corner" precinct, which is not included as part of Phase 1 or Phase 2 areas and therefore not identified for growth within the GPOP (see page 45 and 47, PIC). This makes an increase in density above the 0.8:1 FSR across the whole site area difficult to support.

The Planning Proposal is being facilitated so the applicant may accommodate the 4,655sqm of intended GFA for the subject site as intended by the R4 zoning of the site. It decants the GFA from land zoned R4 outside the Foreshore Building Line, Natural Resources area and Land Reserved for Acquisition which makes most of the undevelopable land. Should the applicant intend to dedicate the 2,496sqm of undevelopable land to Council, the Floor Space Ratio for the site would increase from 0.8:1 to 1.2:1 FSR. Council officers support the massing of GFA within a 6-storey dual building envelope, requiring an increase in maximum HOB from 11m to 22m. Floor Space Ratio and Maximum Building Heights will be removed from the undevelopable portion of the land which is proposed for RE1 zoning.

There is likely to be a modest land value uplift given that no additional floor-space is proposed as part of the application. A base-value for the land is also difficult to identify given the 1,296sqm portion at No.85 Thomas Street was zoned R4 at lodgement, and RE1 at pre-Gateway reporting stage.

The VPA also provides a no-cost pathway for Council to become owners of the RE1 land. This removes the acquisition burden and potentially greater cost for Council to acquire the land from the landowner. It is uncertain whether that this offer is consistent with Council's Planning Agreement's Policy which seeks to capture 50% of the value uplift for sites outside of the Parramatta CBD. The dedication of the RE1 land is considered a supportable public benefit that outweighs the cost of assessing and completing a peer-review process of a valuation report for a planning proposal that does not propose additional high-density residential floorspace. The land value uplift process is considered an unreasonable expectation for this application and the VPA offer is acceptable in principle only.

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

Consultation with the State and Commonwealth public authorities will be undertaken once the gateway determination has been issued.

PART 4 – MAPPING

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 illustrates the current PLEP 2011 controls which apply to the site.

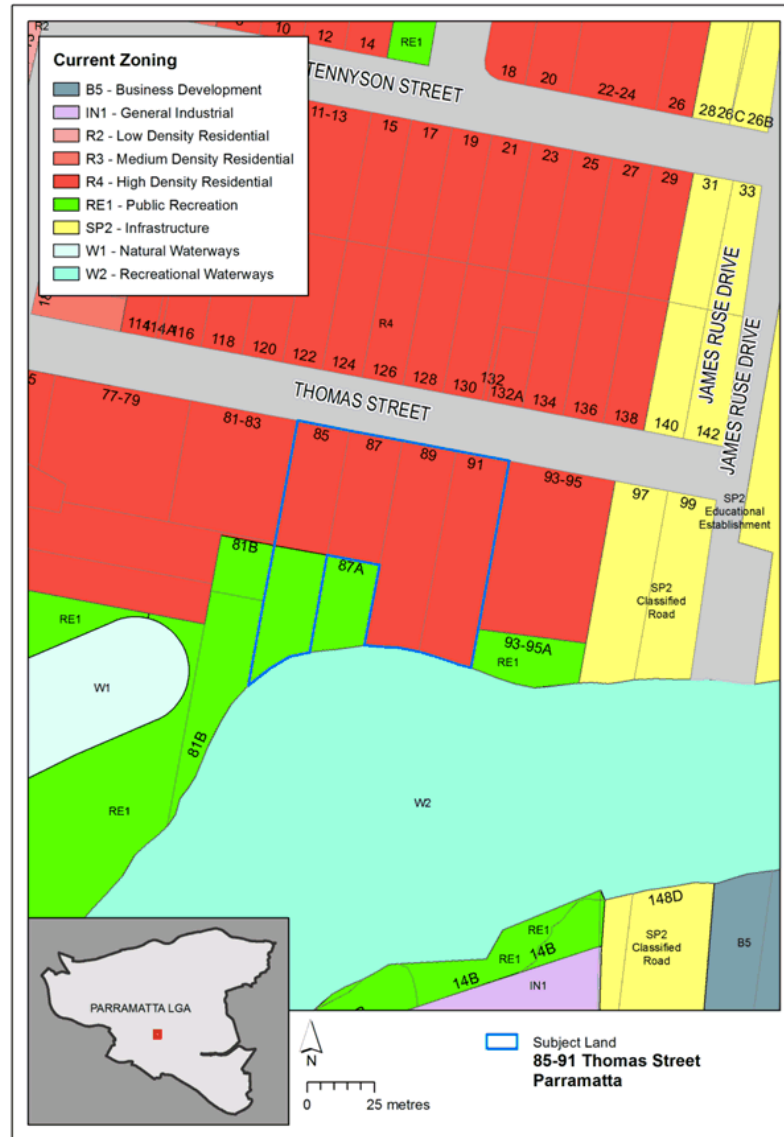


Figure 12 – Existing zoning extracted from Parramatta LEP 2011 Land Zoning Map

Figure 12 illustrates the existing R4 – High Density Residential, part RE1 Public Recreation



Figure 13 – Existing building heights extracted from the Parramatta LEP 2011 Height of Buildings Map

Figure 13 illustrates the existing 11 metre maximum building height.



Figure 14 – Existing floor space ratio extracted from the Parramatta LEP 2011 Floor Space Ratio Map

Figure 14 illustrates the existing 0.8:1 Floor Space Ratio.

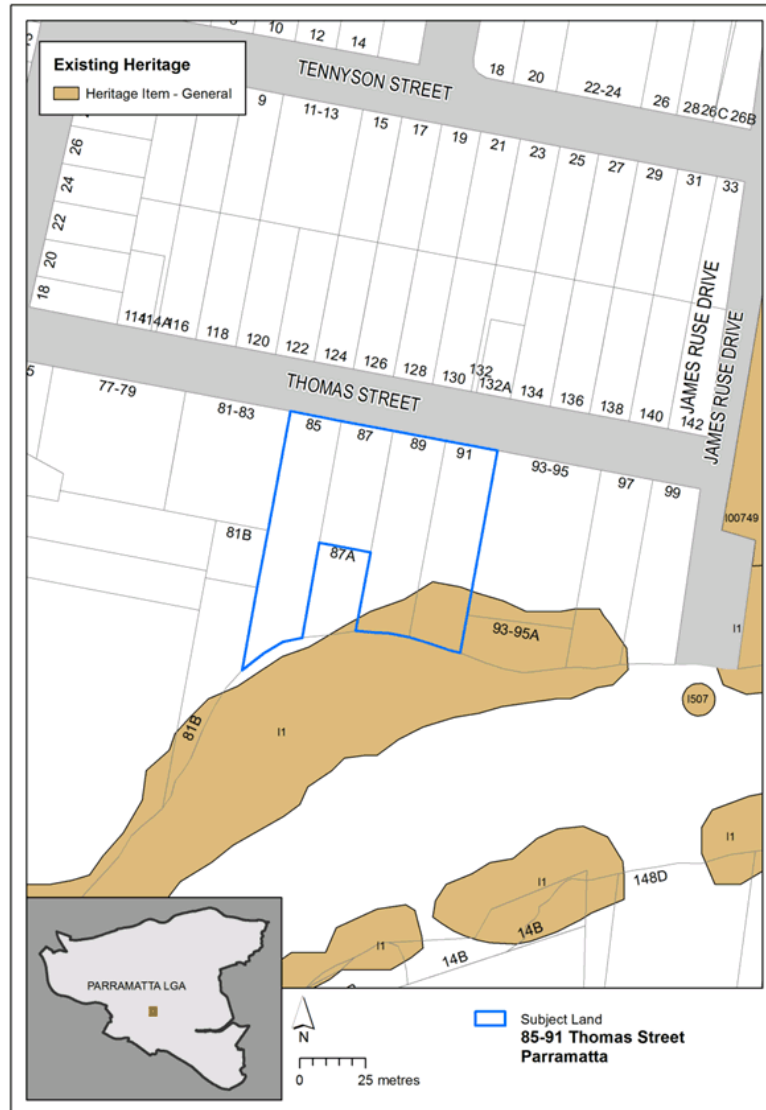


Figure 15 – Existing heritage items extracted from the Parramatta LEP 2011 Heritage Map

Figure 15 above illustrates Item 1 – Parramatta River Wetlands of local significance which impact the site.

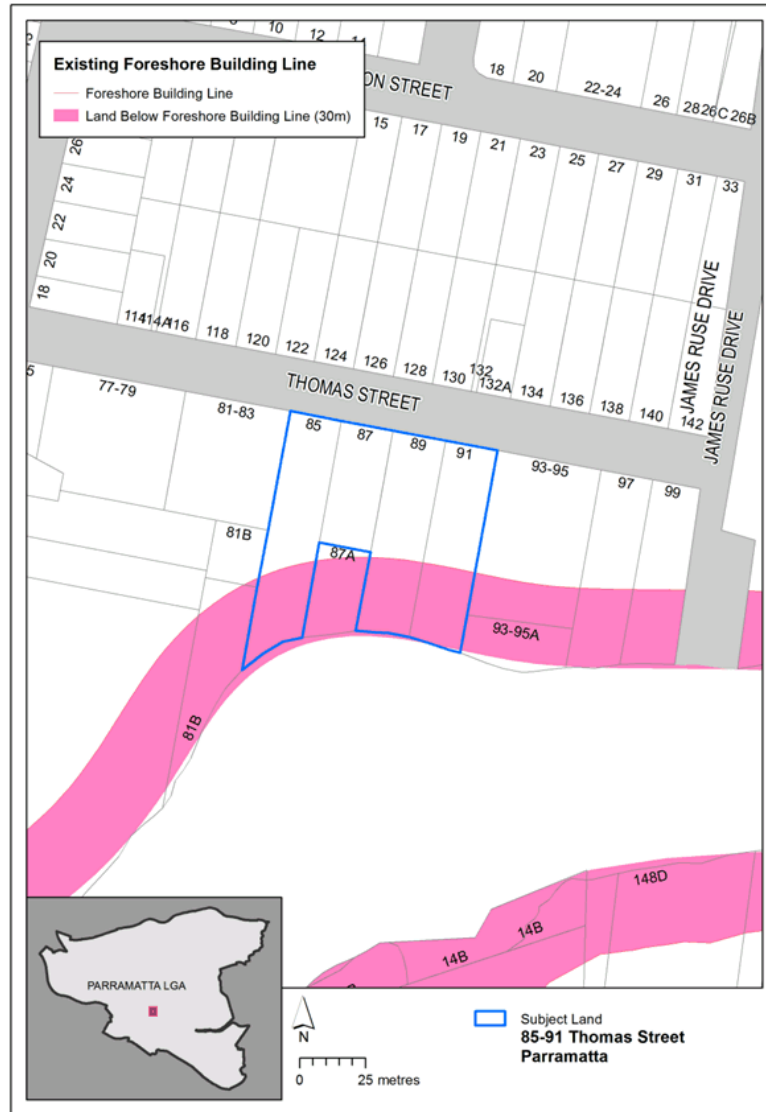


Figure 16 – Existing Foreshore Building Line in Parramatta LEP 2011 Map

Figure 16 above illustrates the extent of the Foreshore Building Line map

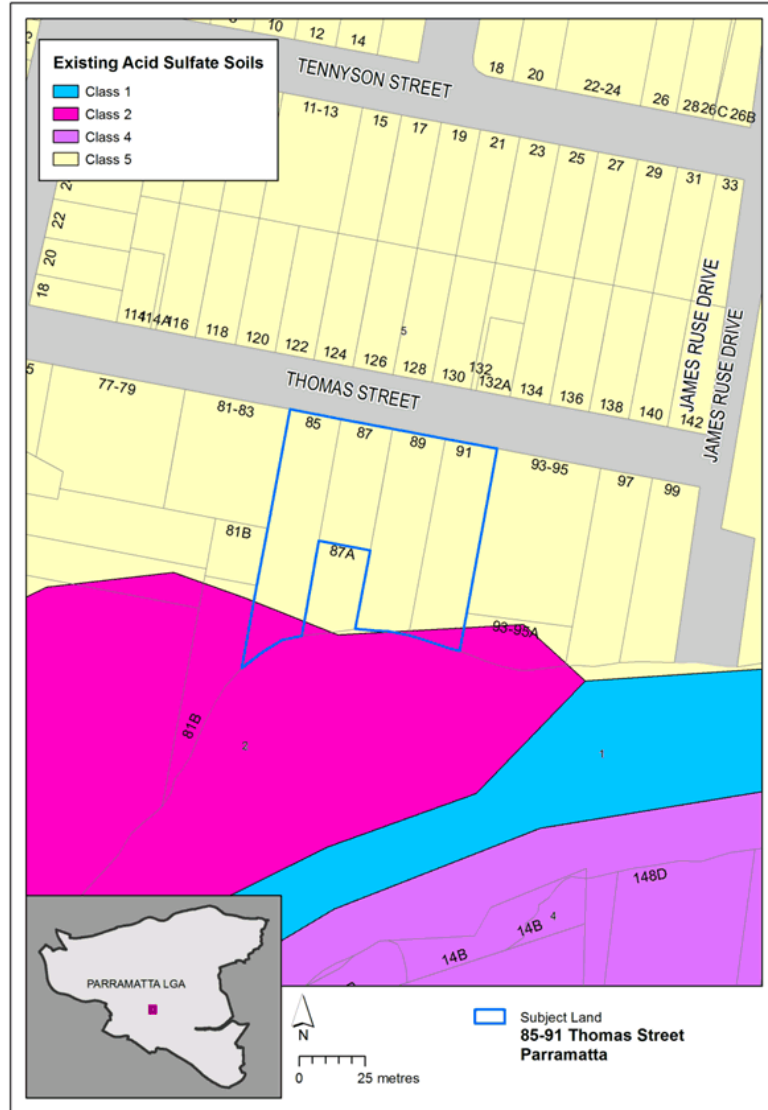


Figure 17 – Existing Acid Sulfate Soils in Parramatta LEP 2011 Map

Figure 17 above illustrates the extent of the Acid Sulfate Soils on the subject site. The developable portion is subject to Class 5, with some land to the south Class 2.

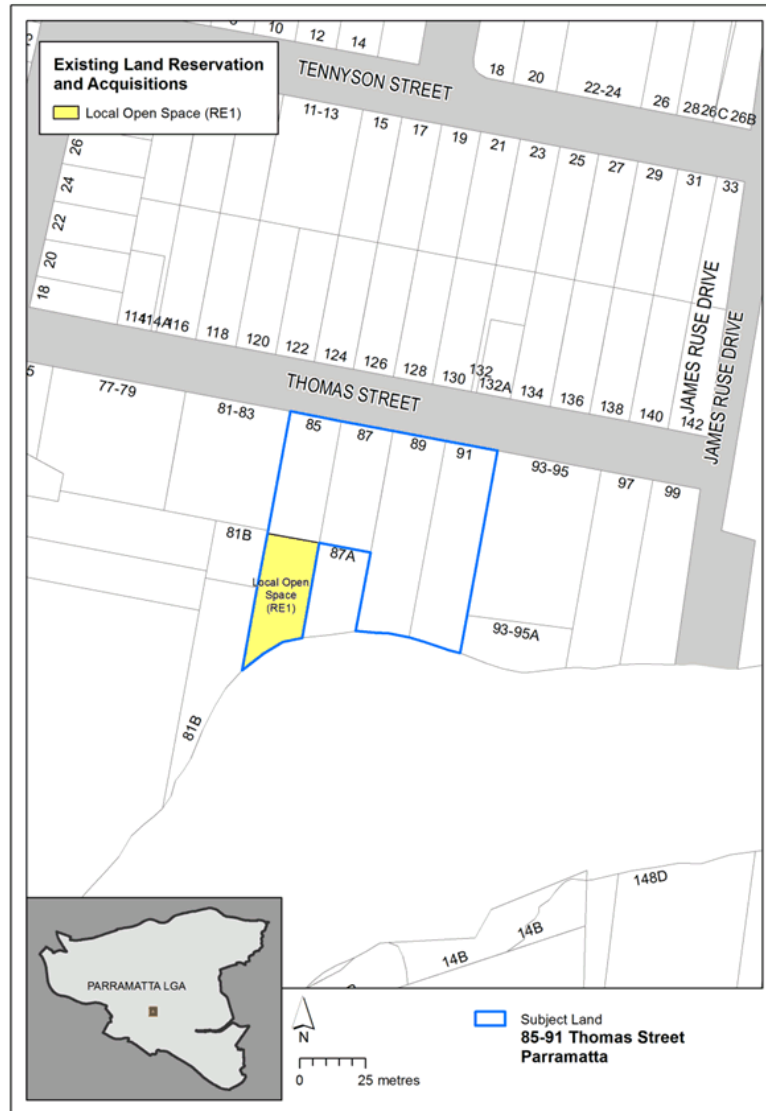


Figure 18 – Existing Land Reserved for Acquisition in Parramatta LEP 2011 Map

Figure 18 above illustrates the extent of the Land Reserved for Acquisition map showing the affectionation on No.85 Thomas Street.

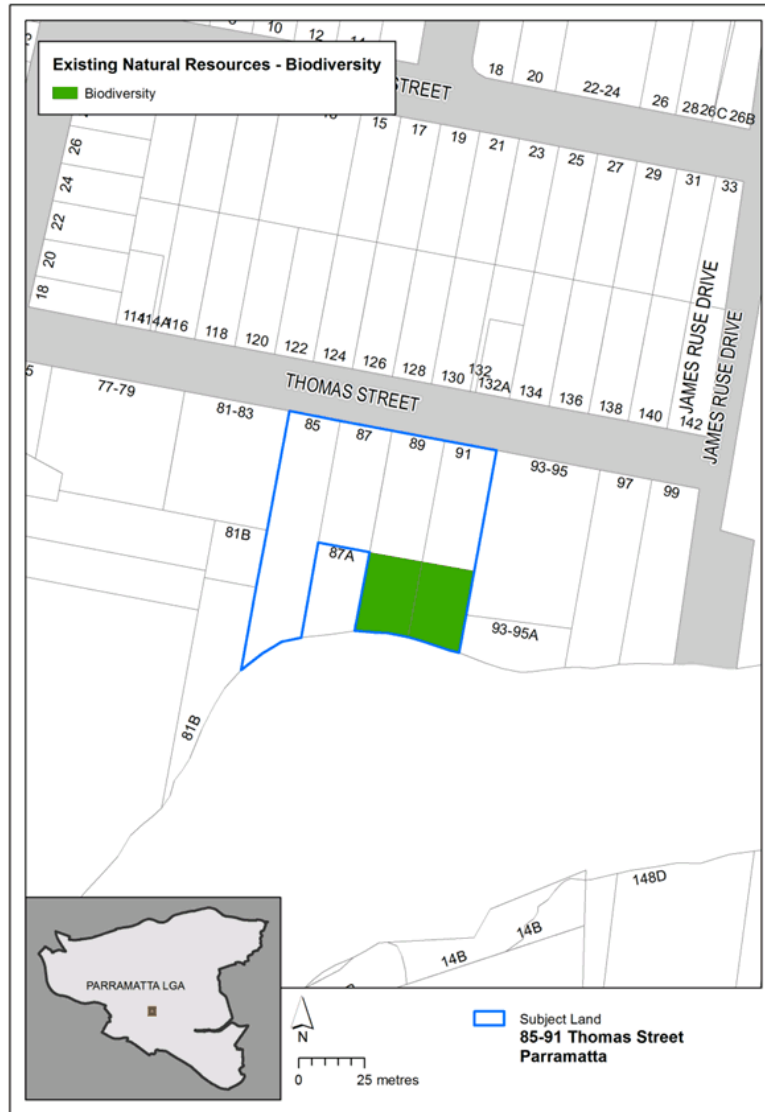


Figure 19 – Existing Natural Resources - Biodiversity in Parramatta LEP 2011 Map

Figure 19 above illustrates the extent of the Natural Resources -Biodiversity map showing the affectation on No.89-91 Thomas Street within the undevelopable portion of the site.

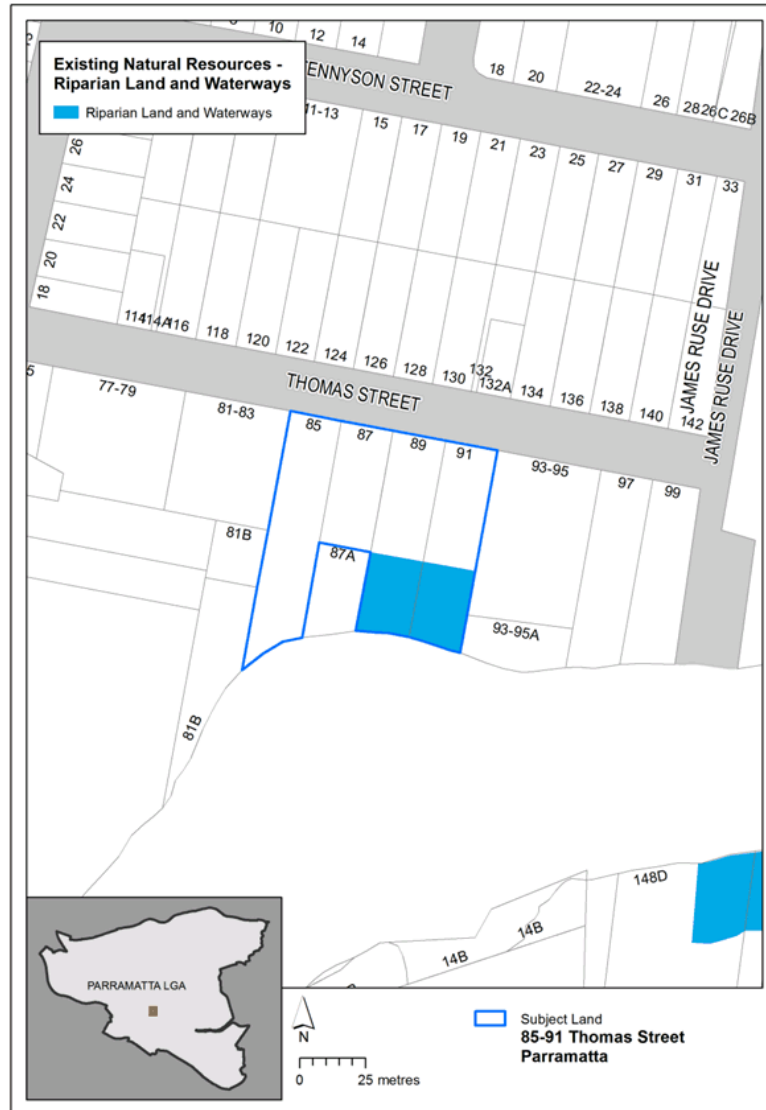


Figure 20 – Existing Natural Resources – Riparian Land and Waterways in Parramatta LEP 2011 Map

Figure 20 above illustrates the extent of the Natural Resources – Riparian Land and Waterways map showing the affectation on No.89-91 Thomas Street.

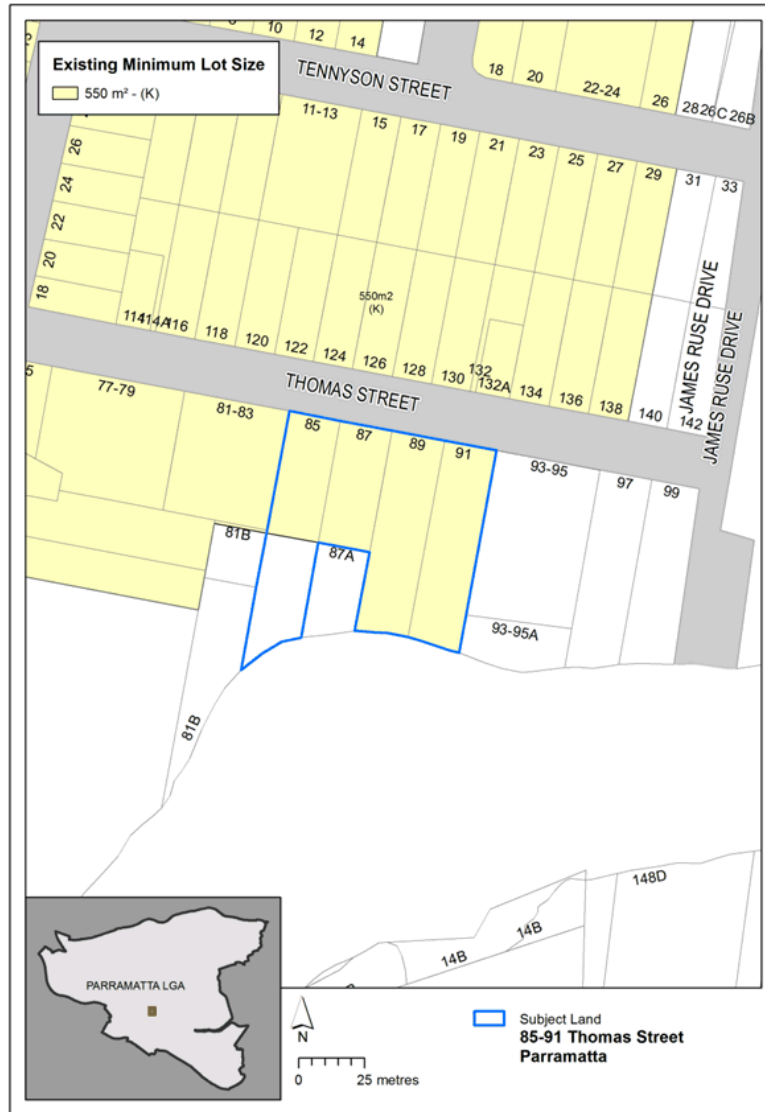


Figure 21 – Existing Minimum Lot Size in Parramatta LEP 2011 Map

Figure 21 above illustrates Minimum Lot Size of 550sqm on the subject site.

4.2 Proposed controls

The figures in this section illustrate the proposed change to maximum building height for the subject site. No other changes are proposed as part of the Planning Proposal.

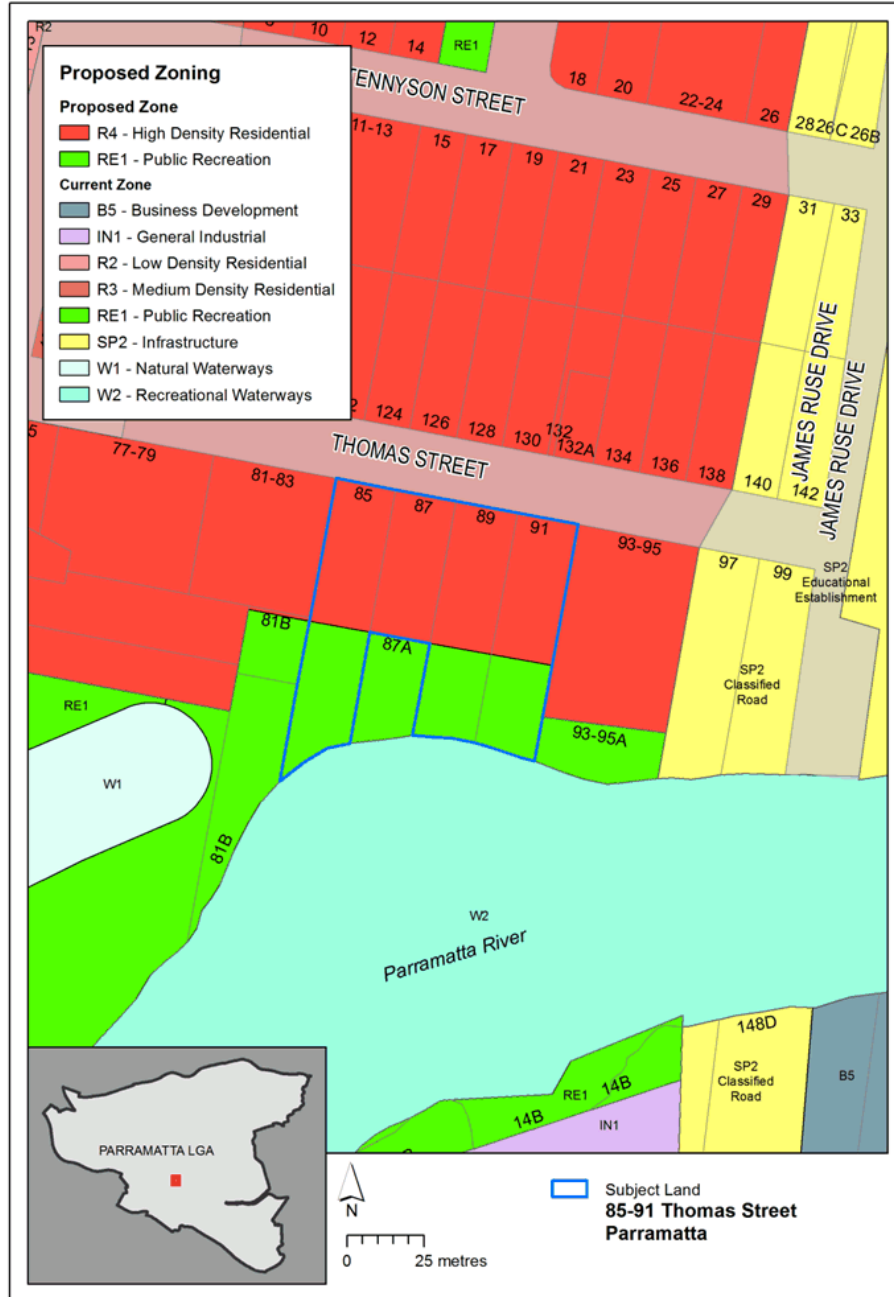


Figure 22 – Proposed amendment to the Parramatta LEP 2011 Land Use Zoning Map

Figure 22 above illustrates proposed boundary changes to land use zoning to reflect the developable portion of the site and proposed land dedication.

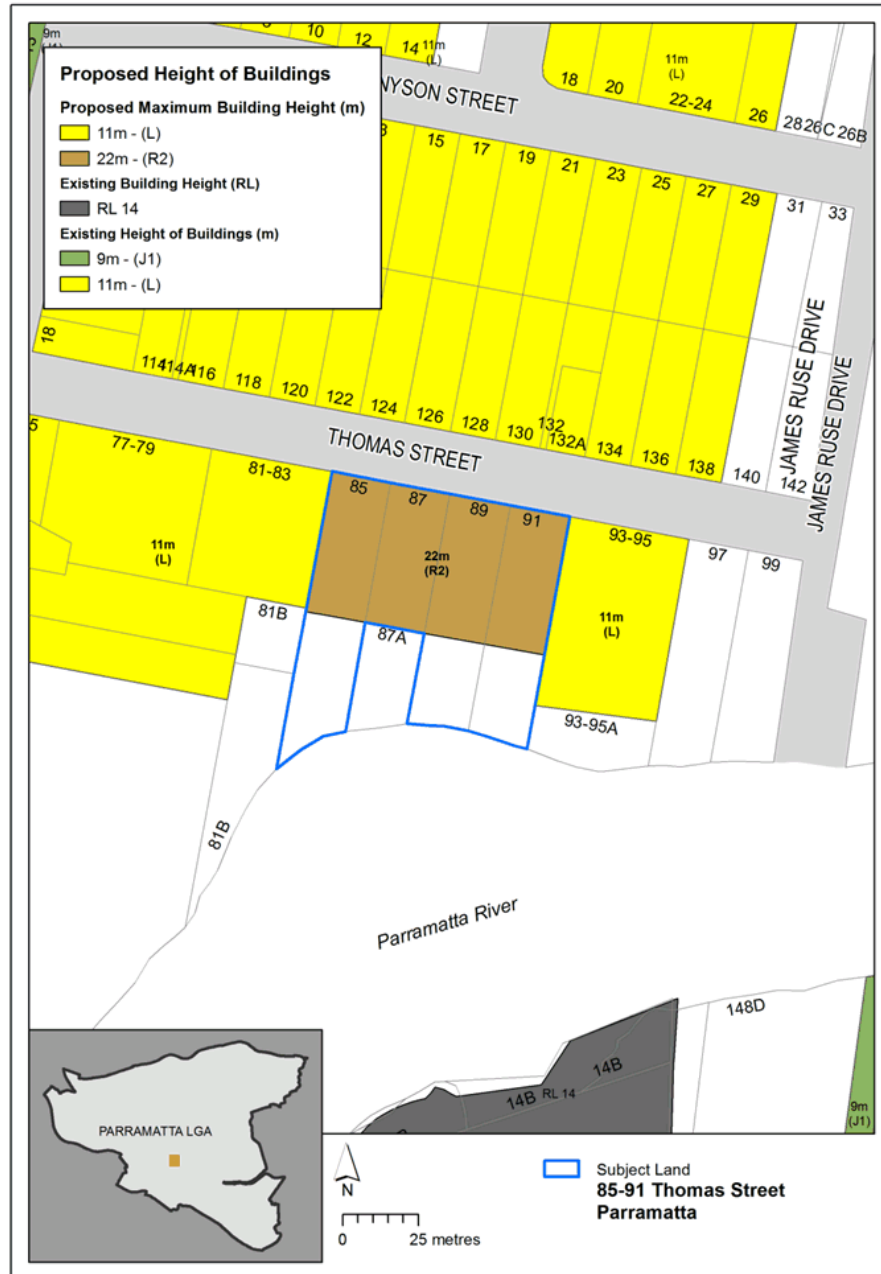


Figure 23 – Proposed Maximum Building Height in Parramatta LEP 2011 Map

Figure 23 above illustrates the extent of the proposed maximum building height up to 22 metres. It also shows the removal of HOB control for the undevelopable land.



Figure 24 – Proposed Floor Space Ratio in Parramatta LEP 2011 Map

Figure 24 above illustrates the extent of the proposed floor space ratio of 1.3:1. It also shows the removal of FSR control for the undevelopable land.

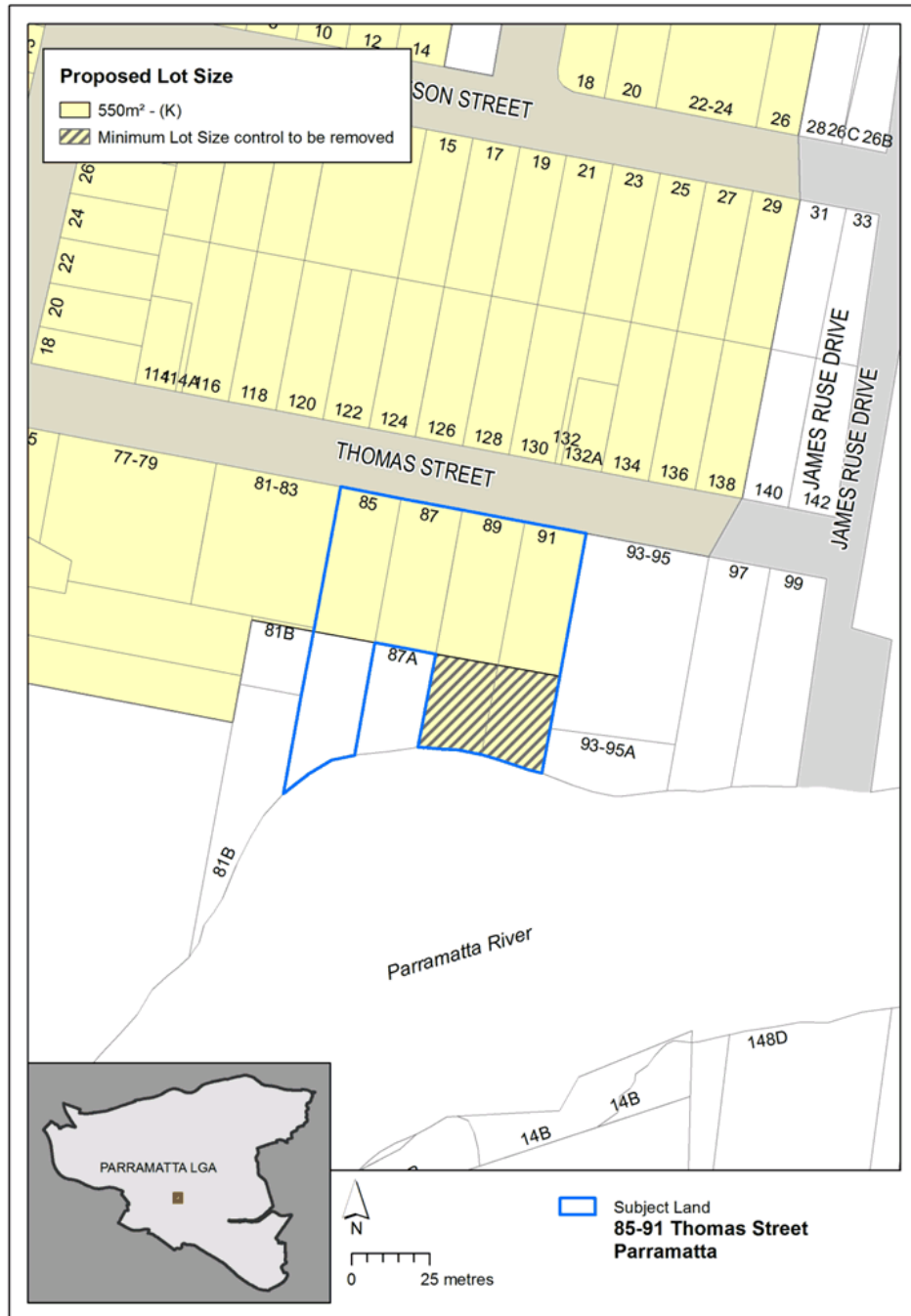


Figure 25: Proposed Minimum Lot Size Map in Parramatta LEP 2011 Map

Figure 25 illustrates the removal of the minimum lot size control from the undevelopable land proposed to be dedicated as part of the Planning Proposal.

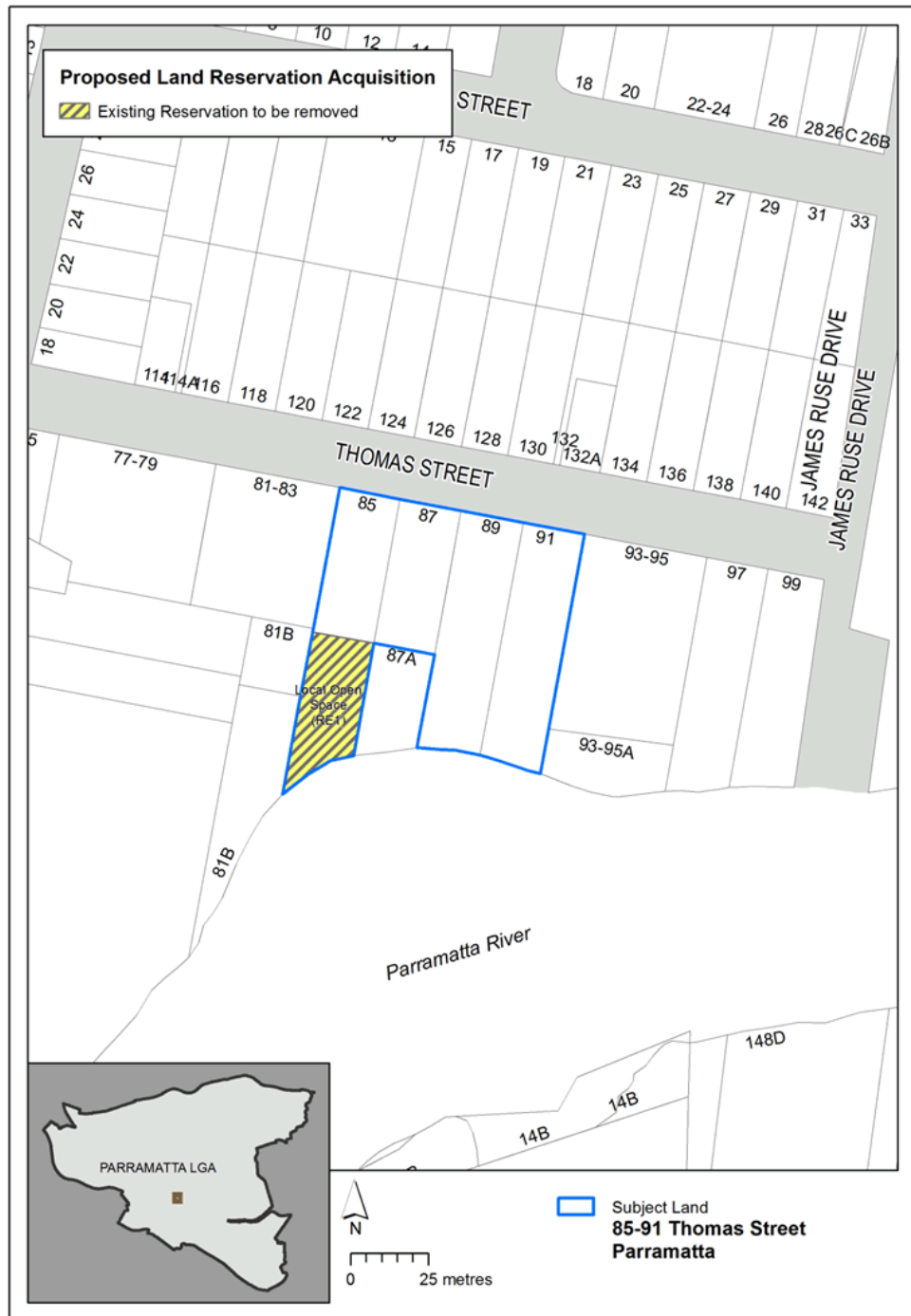


Figure 26: Proposed Land Reserved for Acquisition Map in Parramatta LEP 2011 Map

Figure 26 illustrates the extent of the proposed land reserved for acquisition map. It shows the removal of the land acquisition should the land be dedication for local open space.

PART 5 – COMMUNITY CONSULTATION

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

Public exhibition is likely to include:

- newspaper advertisement;
- display on the Council's web-site; and
- written notification to adjoining landowners.

The gateway determination will specify the level of public consultation that must be undertaken in relation to the planning proposal including those with government agencies.

Consistent with sections 3.34(4) and 3.34(8) of the *EP&A Act 1979*, where community consultation is required, an instrument cannot be made unless the community has been given an opportunity to make submissions and the submissions have been considered.

PART 6 – PROJECT TIMELINE

Once the planning proposal has been referred to the Minister for review of the Gateway Determination and received a Gateway determination, the anticipated project timeline will be further refined, including at each major milestone throughout the planning proposal's process.

Table 7 below outlines the anticipated timeframe for the completion of the planning proposal.

Table 7 – Anticipated timeframe to planning proposal process

MILESTONE	ANTICIPATED TIMEFRAME
Report to LPP on the assessment of the PP	April 2020
Report to Council on the assessment of the PP	May 2020
Referral to Minister for review of Gateway determination	June 2020
Date of issue of the Gateway determination	August 2020
Date of issue or revised Gateway determination (if relevant)	
Commencement and completion dates for public exhibition period	November 2020
Commencement and completion dates for government agency notification	December 2020
Consideration of submissions	January 2021
Consideration of planning proposal post exhibition and associated report to Council	March 2021
Submission to the Department to finalise the LEP	April 2021
Notification of instrument	May 2021

Appendix 1 – Concept Plans

(D07279676)

Appendix 2 – Ecological Response

(D06327650)

Appendix 3 – Traffic Report

(D06327650)

Appendix 4 – VPA Offer

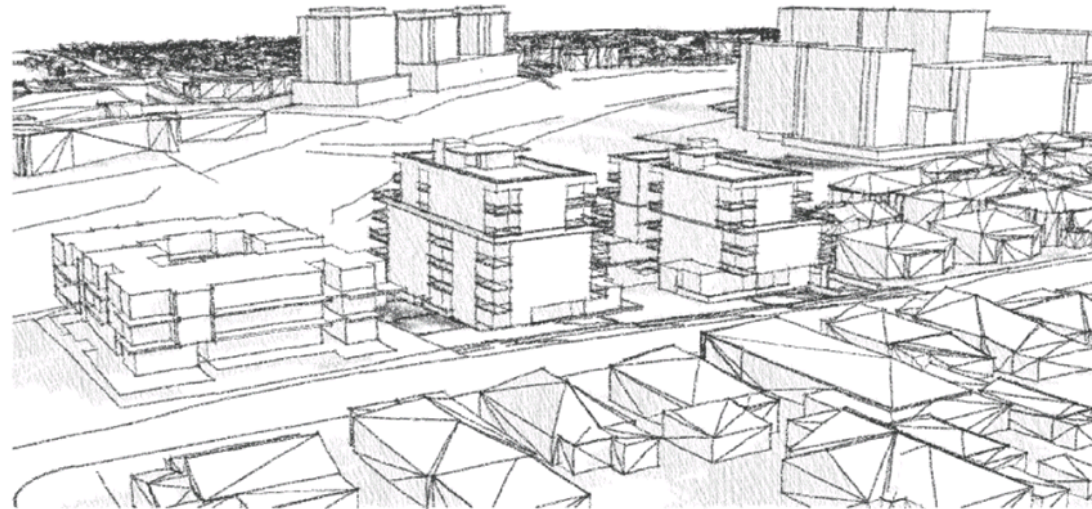
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Item 6.1 - Attachment 2

Reference Design - 4 February 2020

DRAWING LIST

00	COVER SHEET
01	PROJECT INFORMATION
02	SITE CONTEXT PLAN
03	SITE LOCATION PLAN
04	EXISTING SITE ANALYSIS PLAN
05	PROPOSED SITE PLAN
06	MASSING ANALYSIS
07	BASEMENT 2 FLOOR PLAN
08	BASEMENT 1 FLOOR PLAN
09	GROUND FLOOR PLAN
10	LEVEL 1 TO 2 FLOOR PLAN
11	LEVEL 3 FLOOR PLAN
12	LEVEL 4 FLOOR PLAN
13	LEVEL 5 FLOOR PLAN
14	LEVEL 6 ROOFTOP PLAN
15	SECTION B
16	SECTION C
17	SECTION D
18	SECTION E
19	STREET ELEVATIONS
20	SOLAR ACCESS STUDY
21	SOLAR ACCESS STUDY
22	SOLAR & SHADOW IMPACT DIAGRAMS - PAR...
23	SOLAR & SHADOW IMPACT DIAGRAMS - PAR...
24	GFA + FSR SCHEDULE
25	ADG COMPLIANCE SCHEDULE
26	ADG COMPLIANCE SCHEDULE



PROPOSED RESIDENTIAL DEVELOPMENT

PLANNING PROPOSAL
85-91 THOMAS STREET, PARRAMATTA

FEBRUARY 2020

PREPARED FOR
CONQUEST

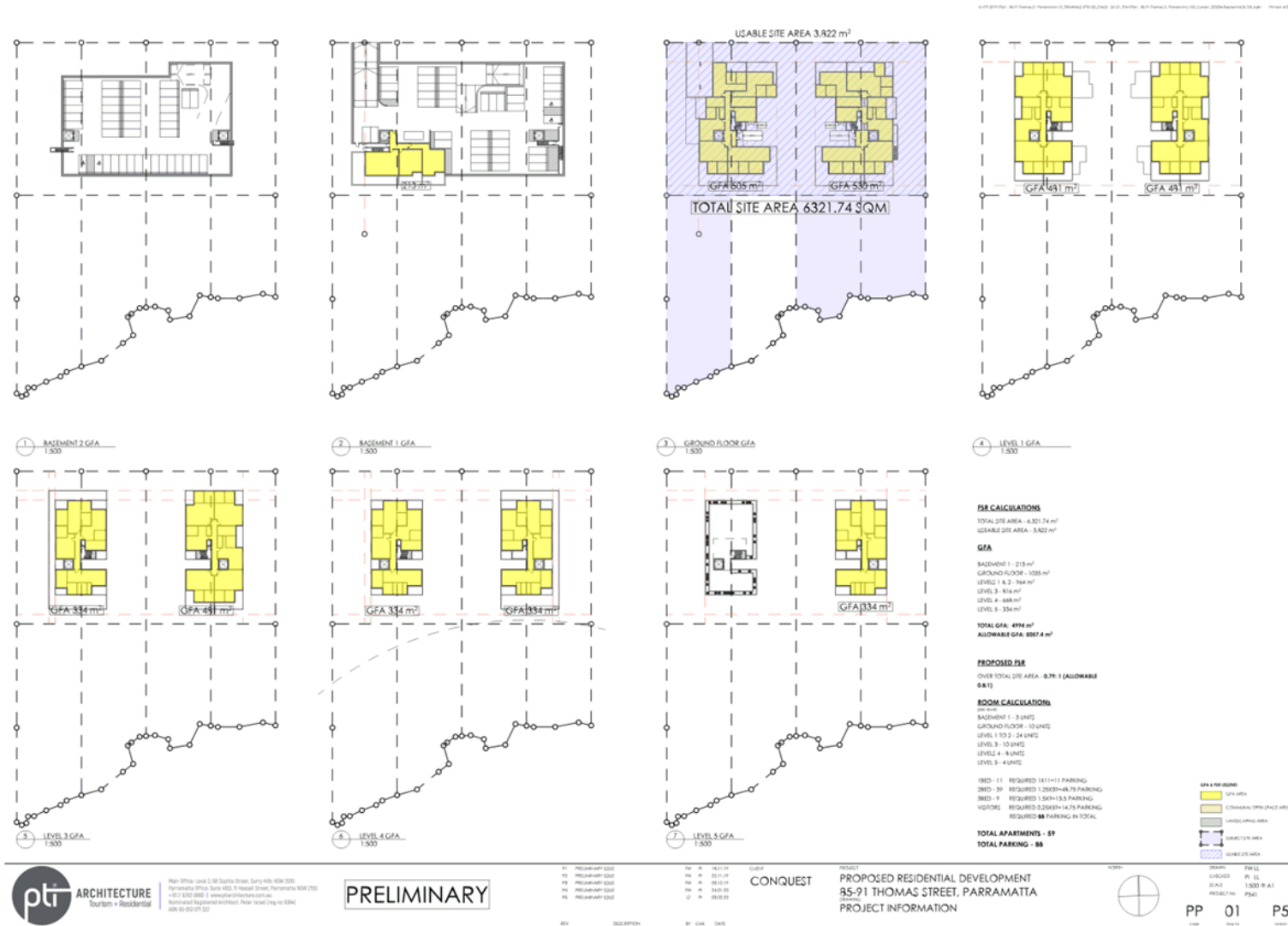


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Architectural Registration Numbers: Peter - 15464 (NSW) & 15464 (ACT) | 15464 (NSW) & 15464 (ACT)

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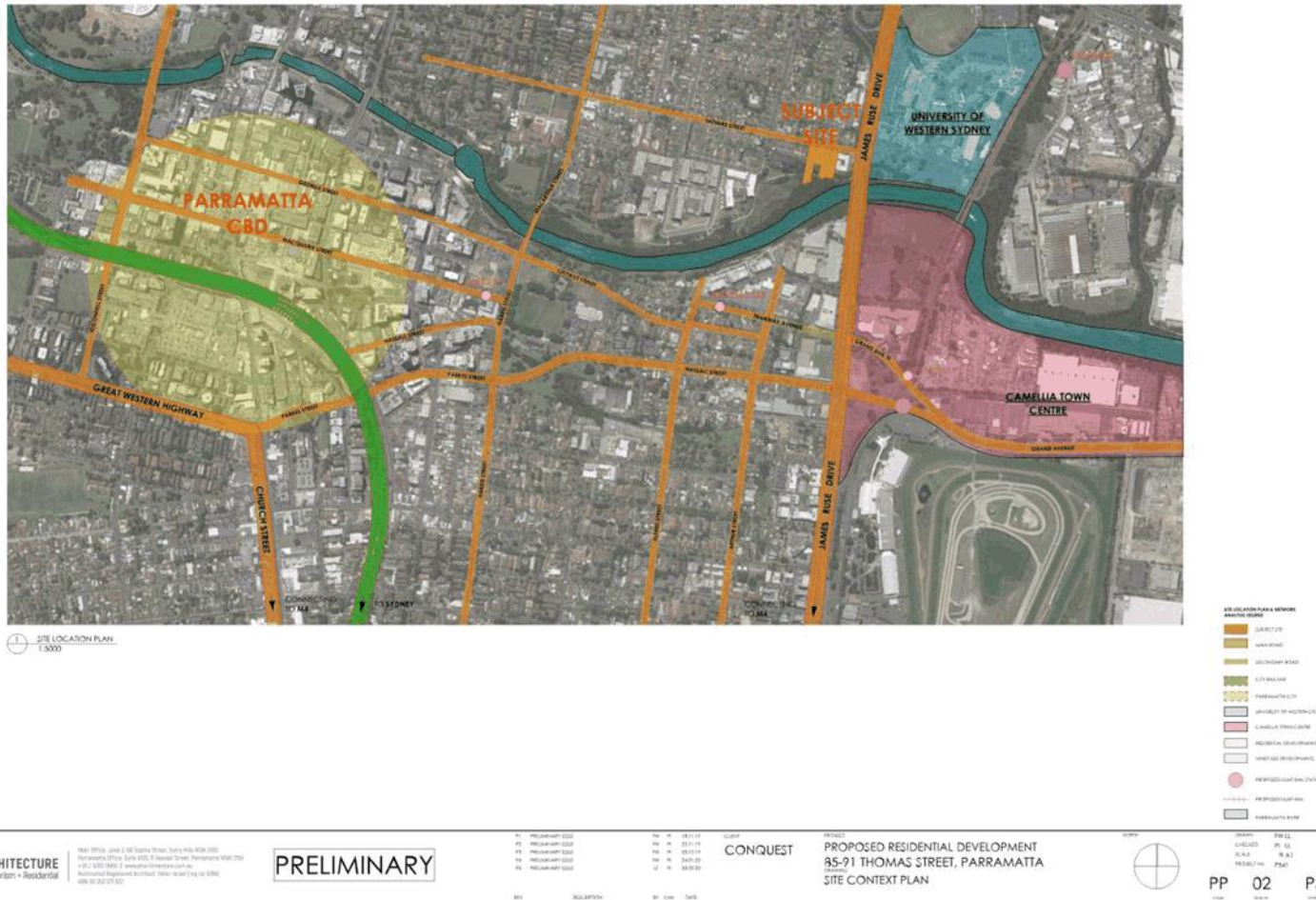
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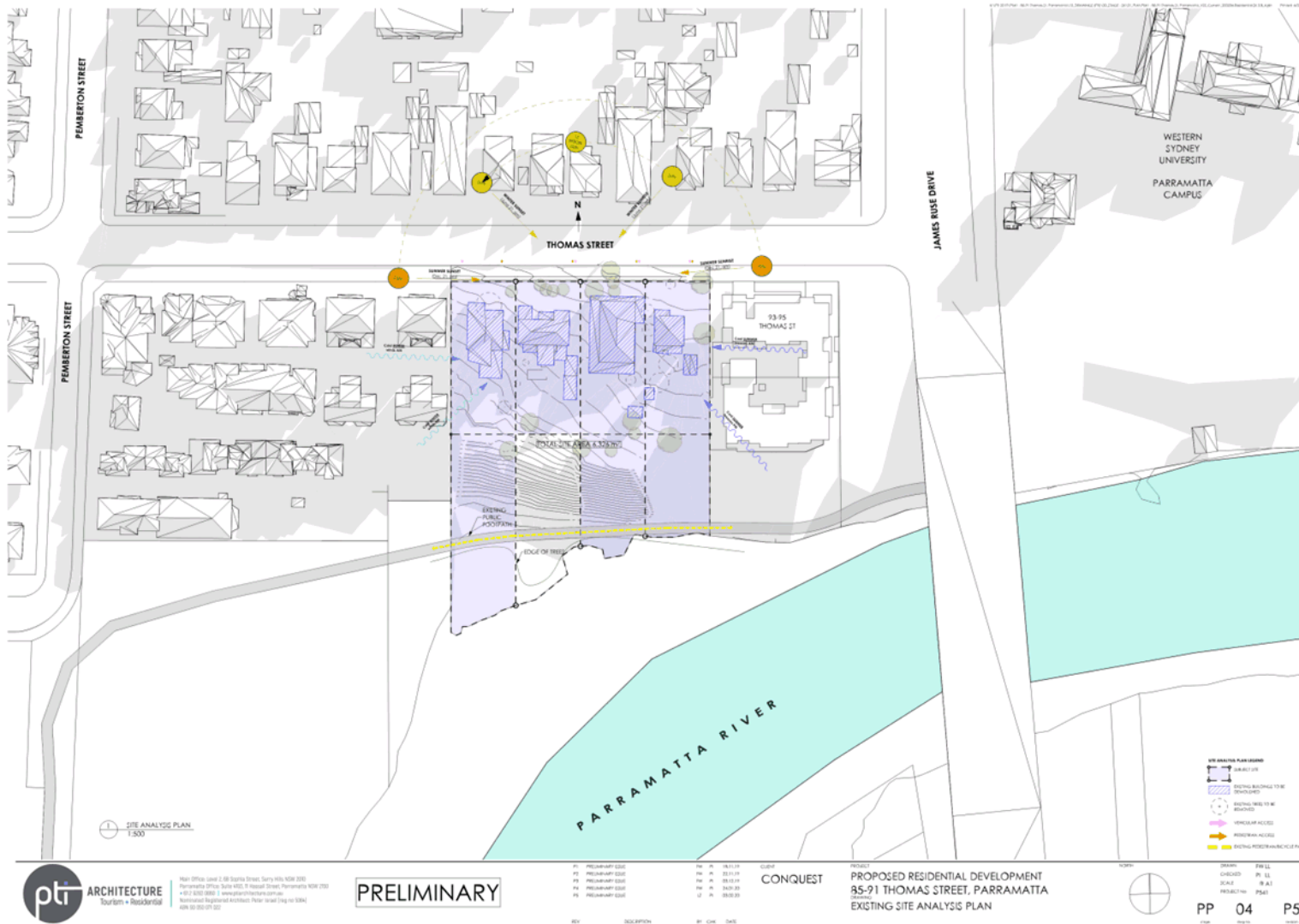
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		<p>REV: 001</p>	<p>DATE: 04/02/20</p>	<p>PROJECT: 181 JAMES RUSE DRIVE</p>	<p>NO: 181</p>	<p>DATE: 04/02/20</p>

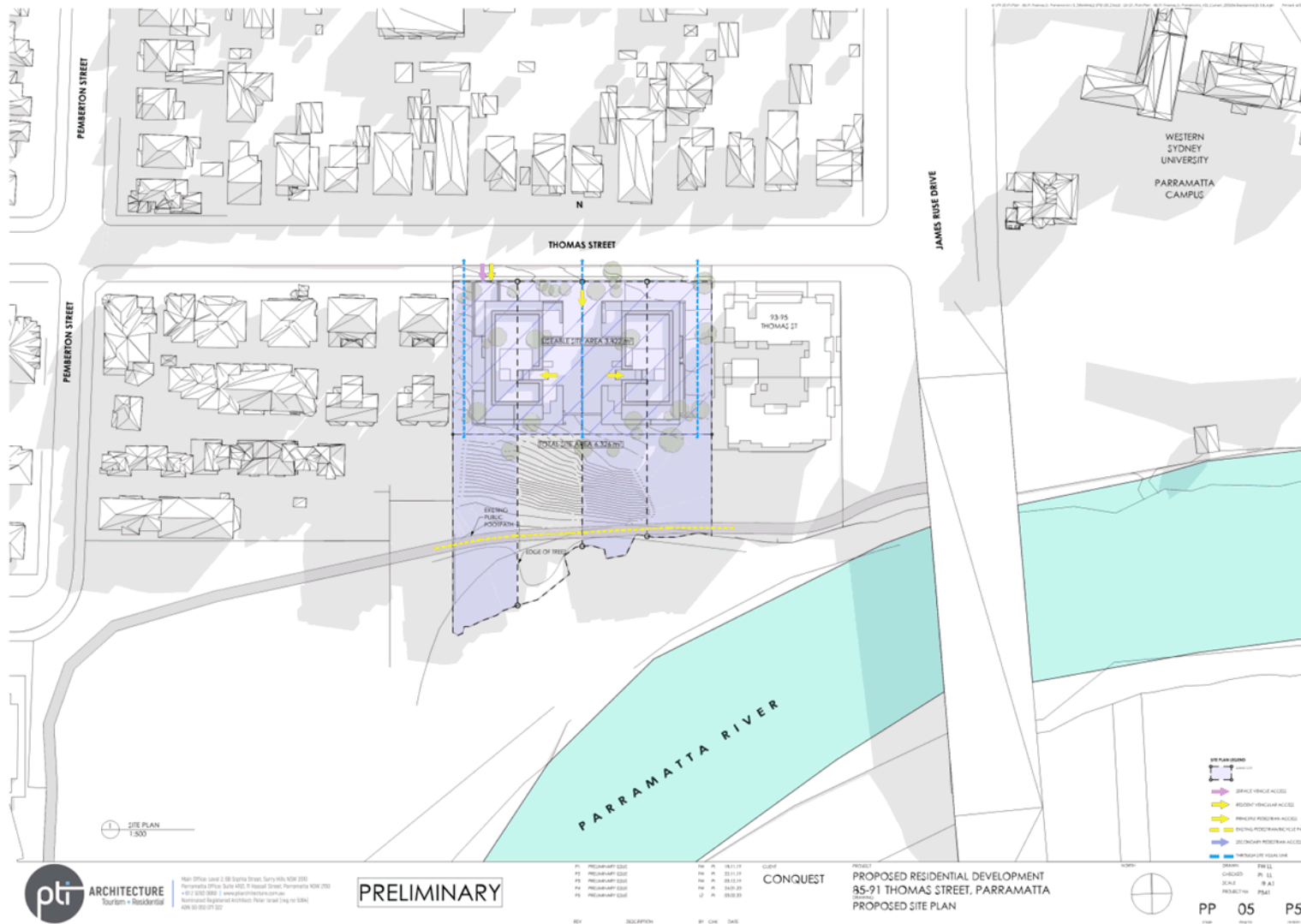
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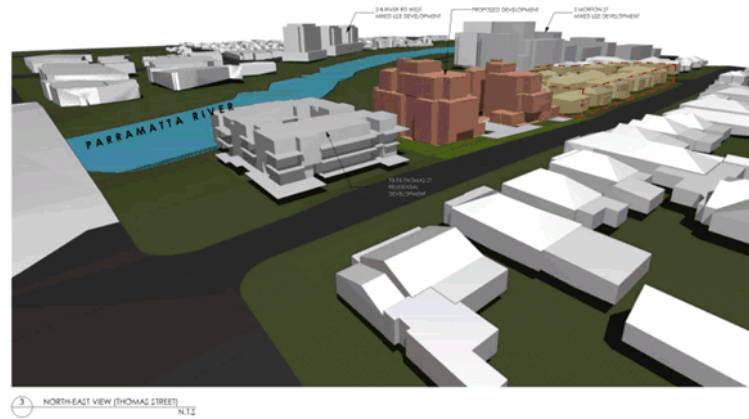
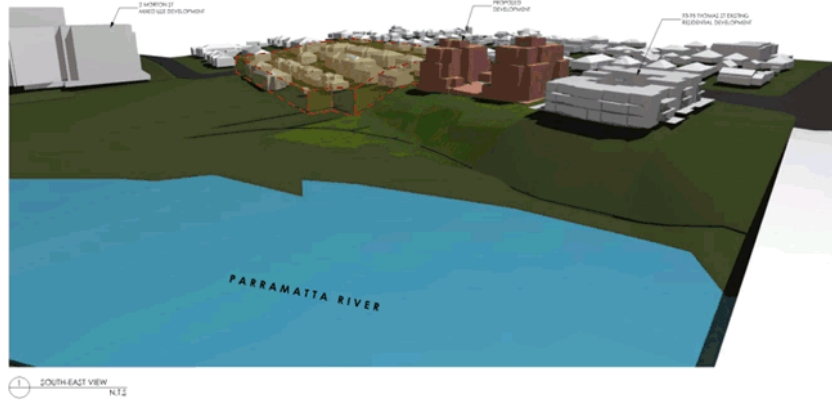
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 AWA 50 002 074 027

PRELIMINARY

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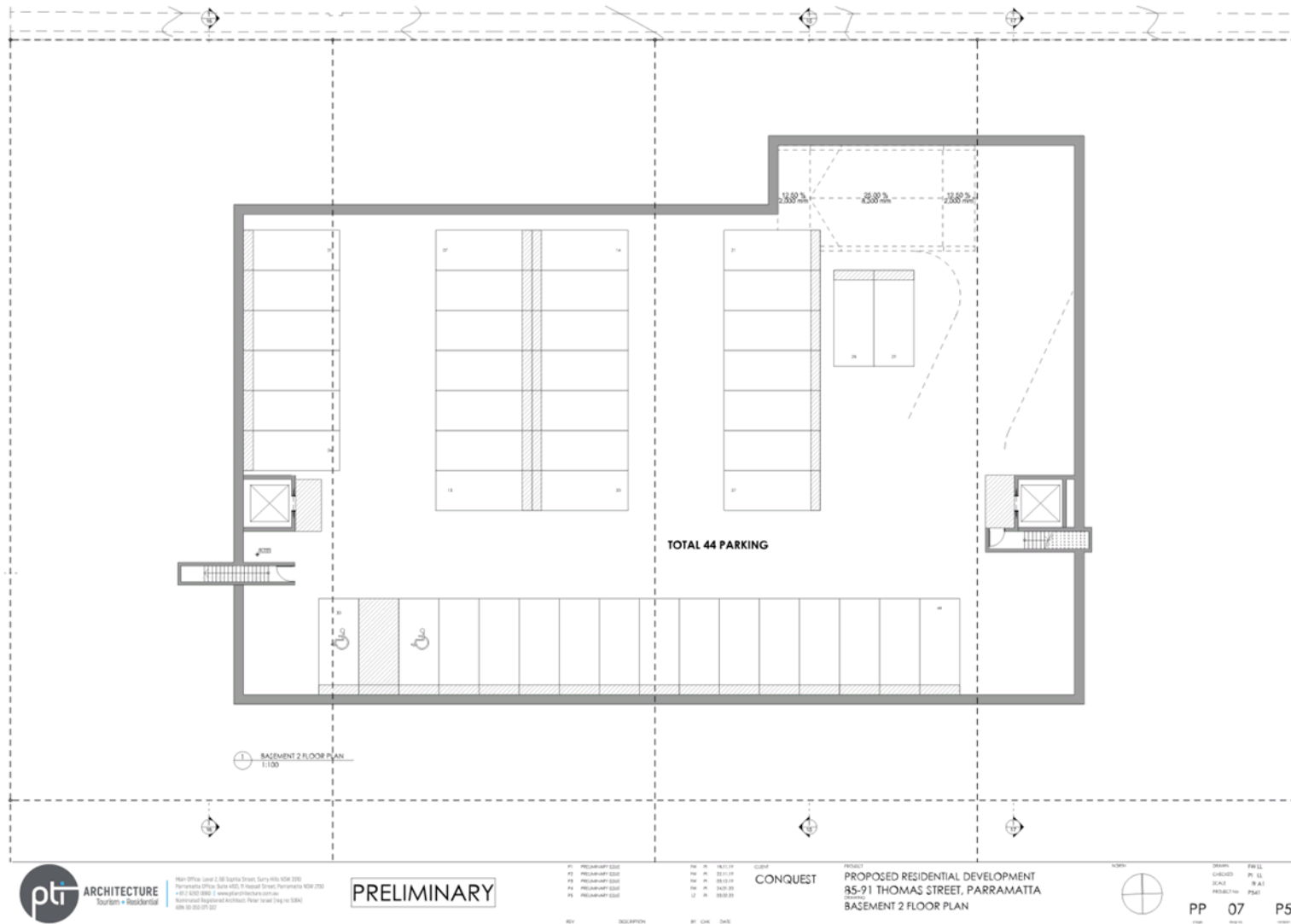
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**PROPOSED RESIDENTIAL DEVELOPMENT
 85-91 THOMAS STREET, PARRAMATTA**
 MASSING ANALYSIS



DATE: 19.03.20
 DRAWN: PHE LL
 CHECKED: PL LL
 SCALE: N2
 PROJECT NO: P541
 PP 06 P5
 PLAN MAP VIEW

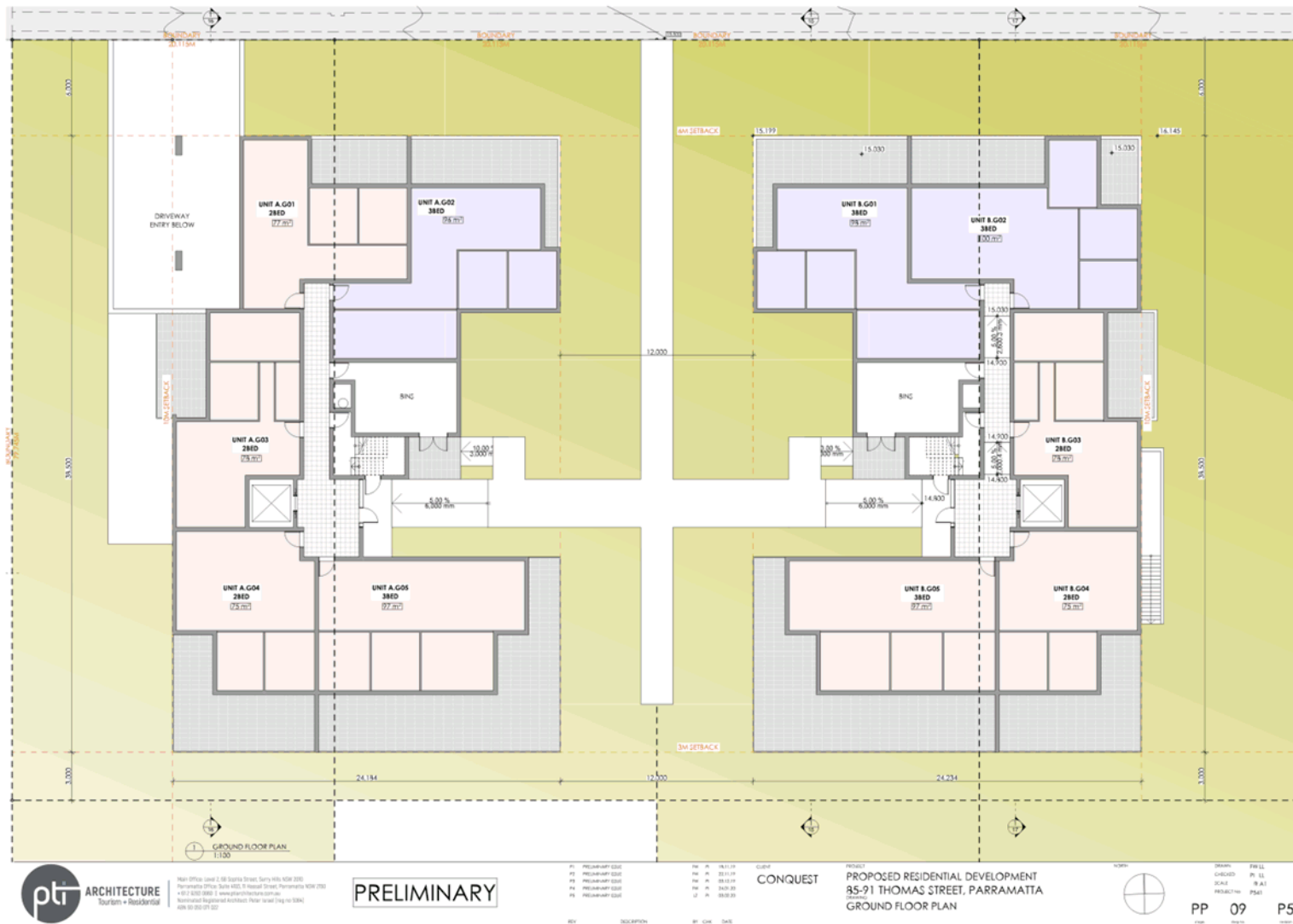
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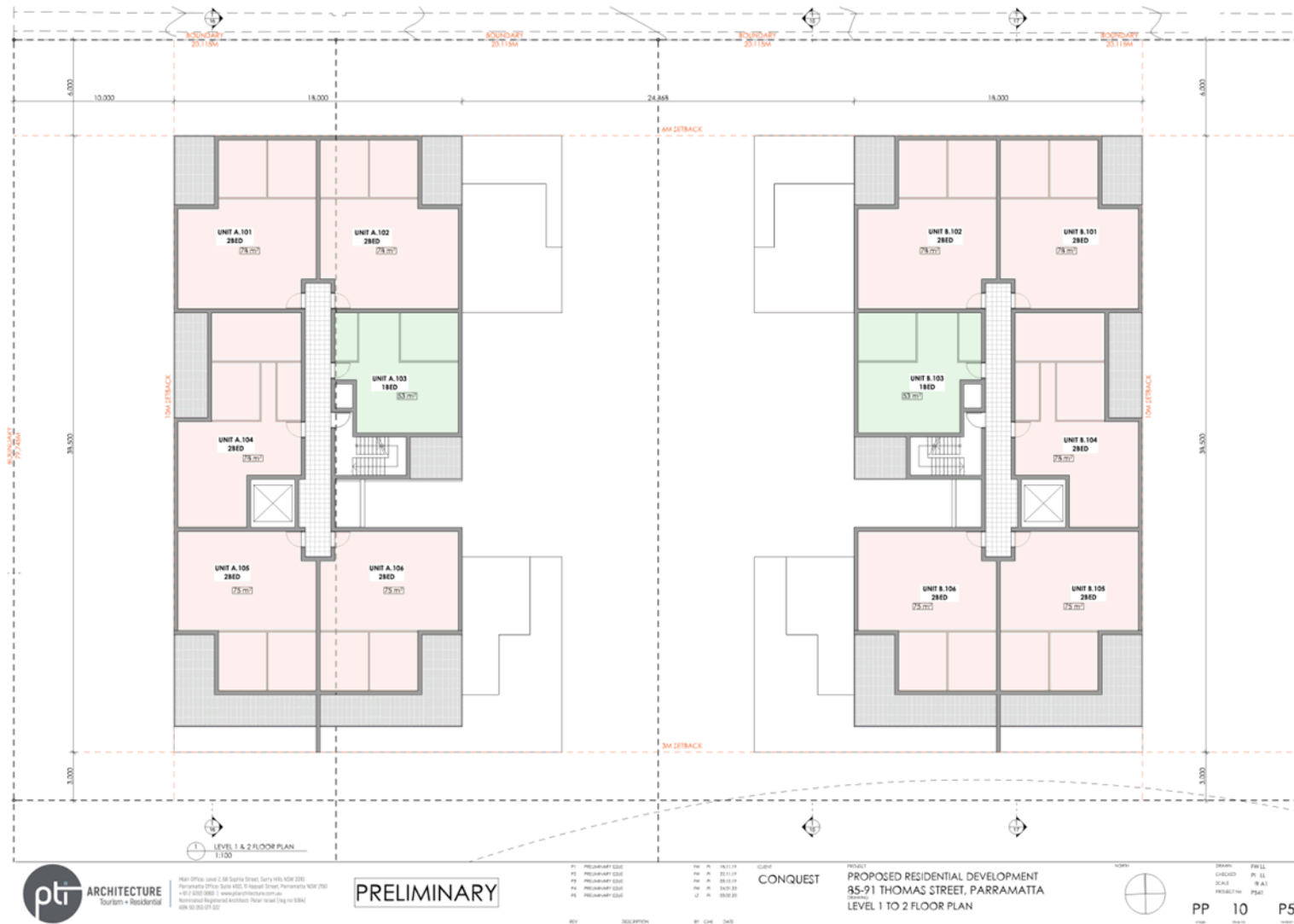
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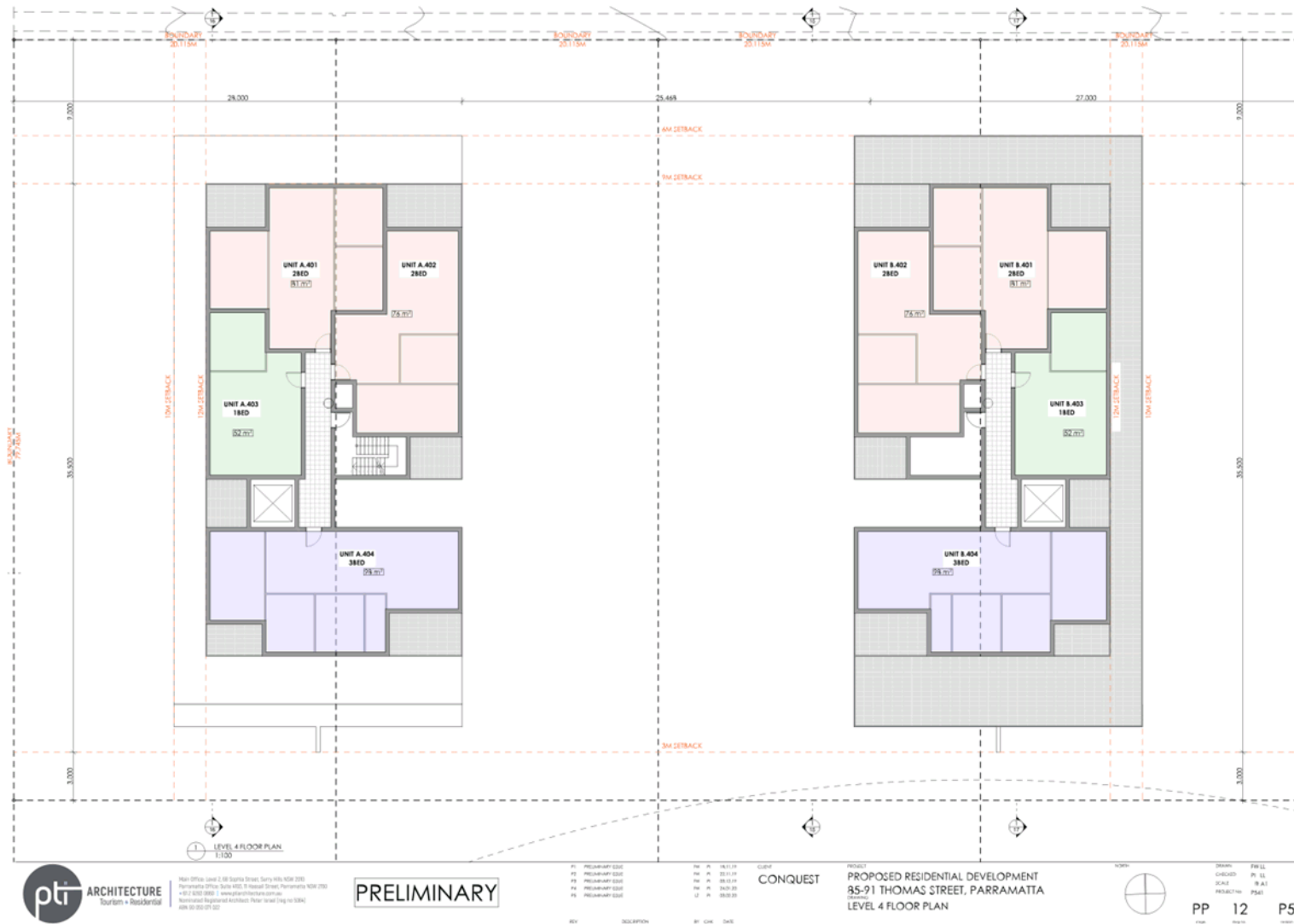
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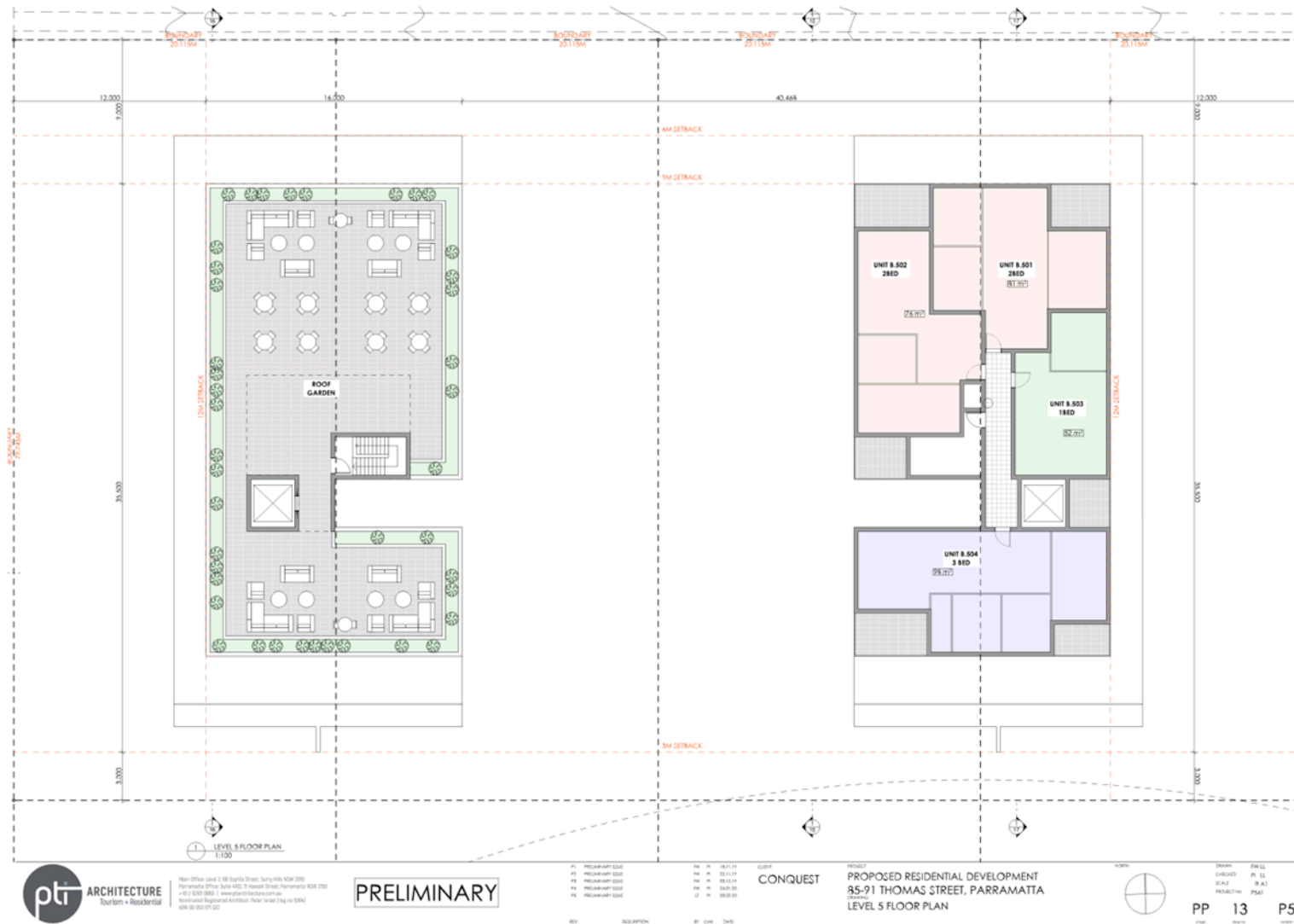
CONQUEST
 PROPOSED RESIDENTIAL DEVELOPMENT
 85-91 THOMAS STREET, PARRAMATTA
 LEVEL 4 FLOOR PLAN



PP 12 P5
 Page 12 of 15

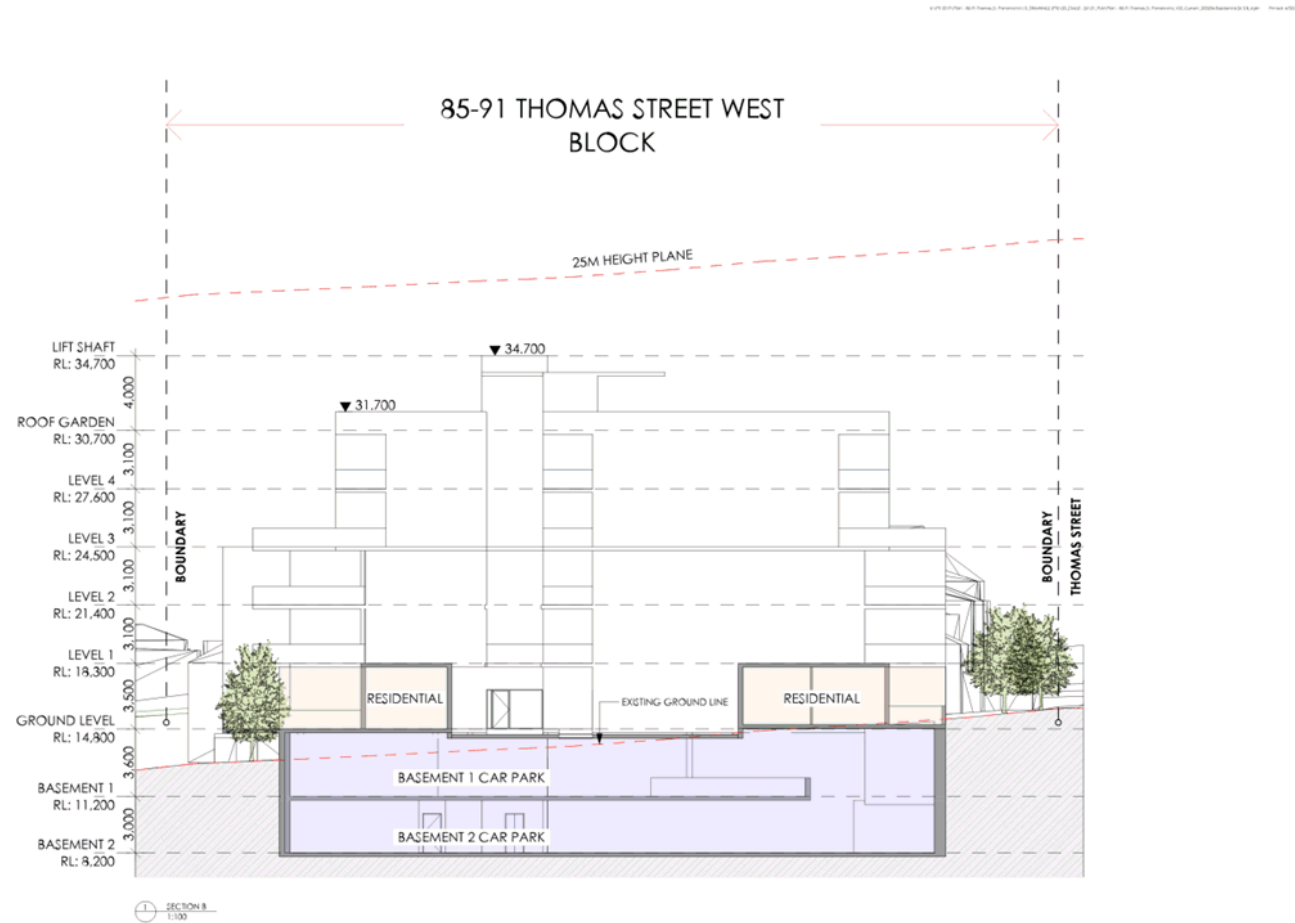
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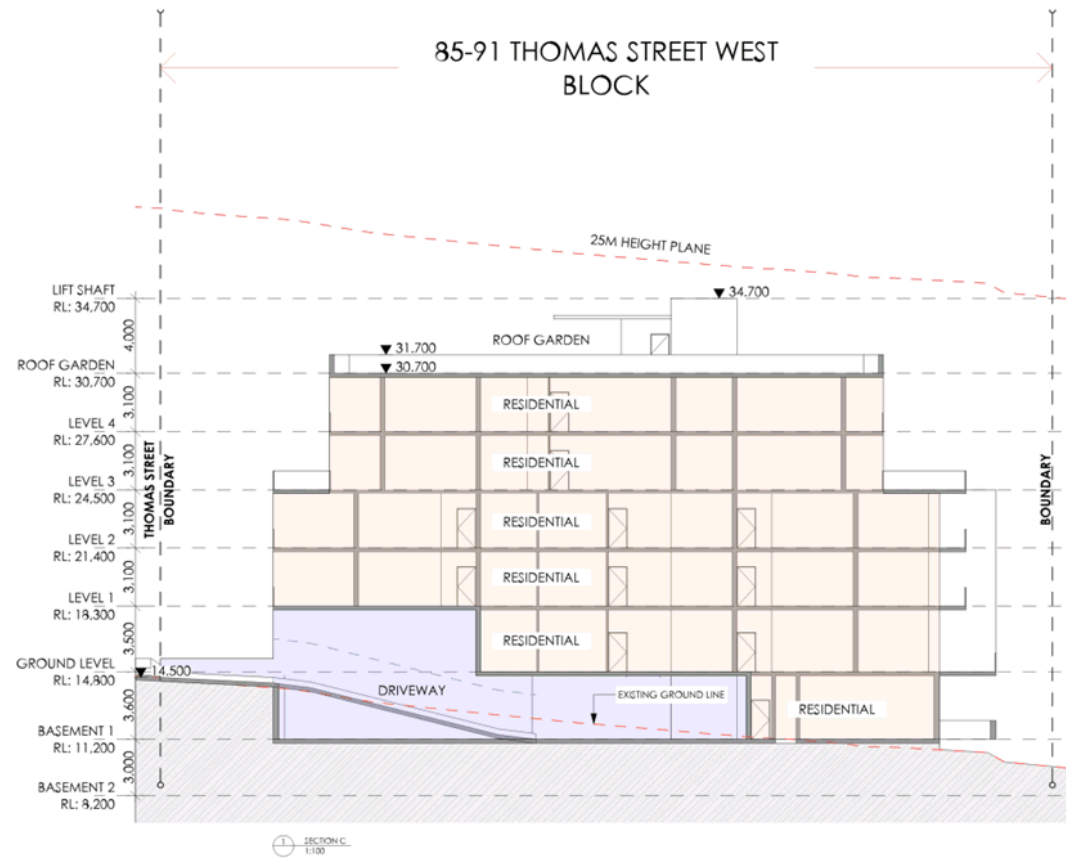
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		<p>REV DESCRIPTION BY DATE</p>	<p>PP 15 P5</p>			

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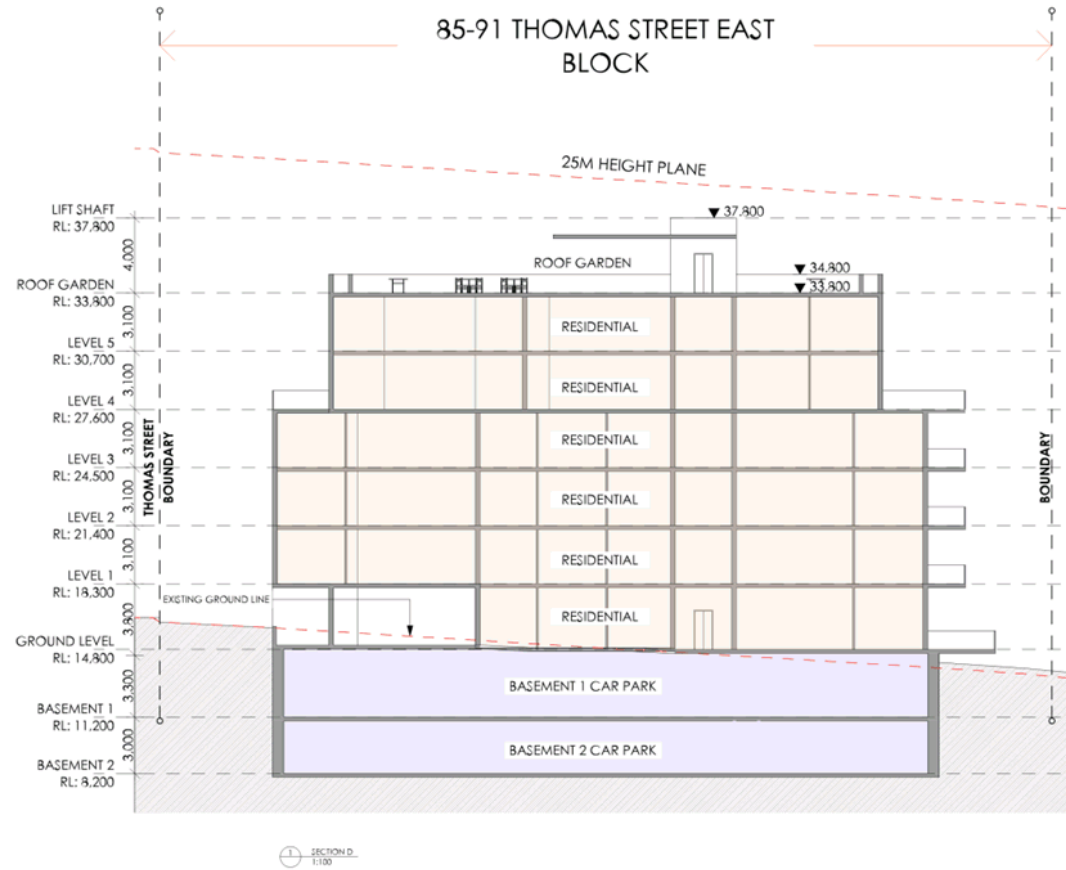
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CONQUEST
 PROPOSED RESIDENTIAL DEVELOPMENT
 85-91 THOMAS STREET, PARRAMATTA
 SECTION C

NO.	REV.	DATE
PP	16	P5

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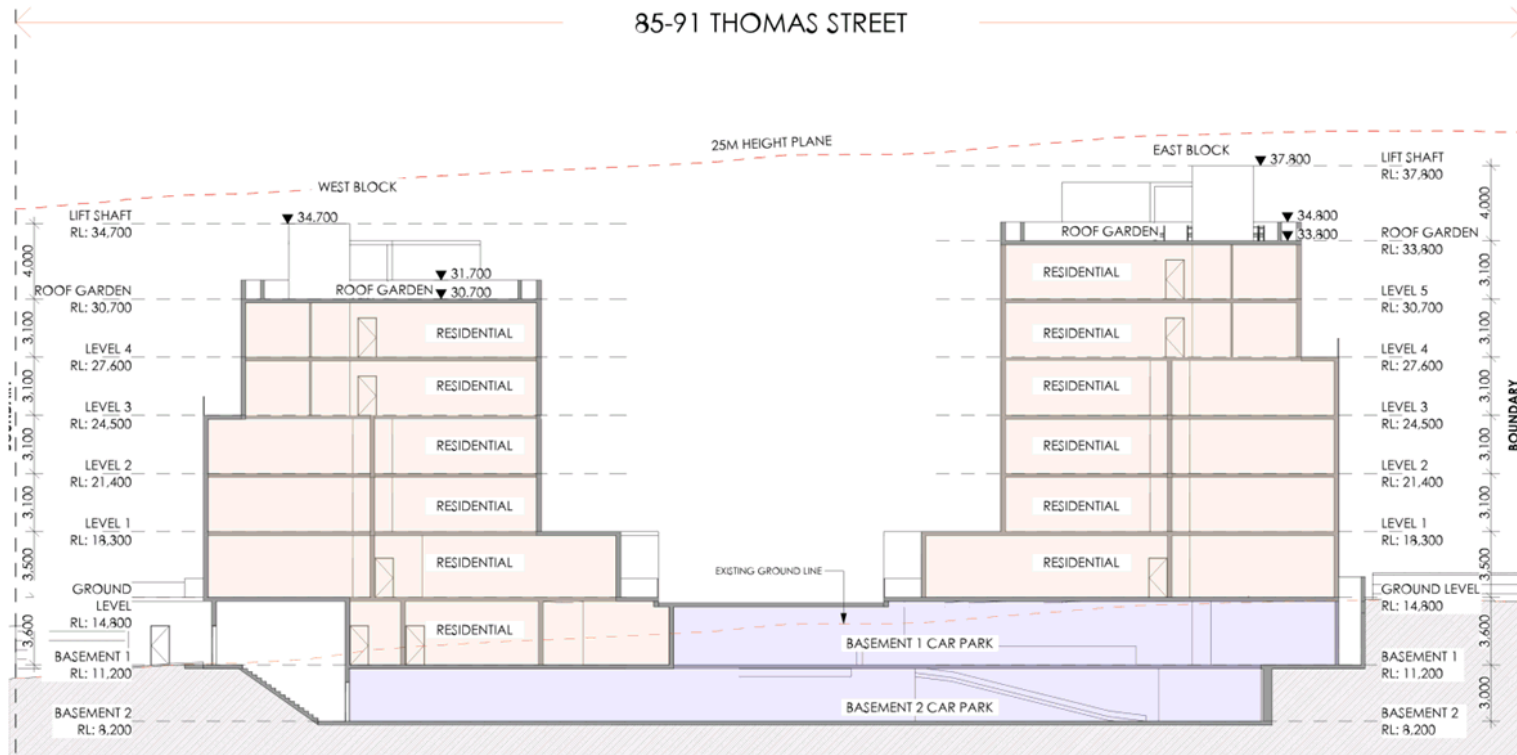
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CONQUEST
 PROPOSED RESIDENTIAL DEVELOPMENT
 85-91 THOMAS STREET, PARRAMATTA
 SECTION D

DESIGN	FWL
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PROJECT NO	P541
PP	17
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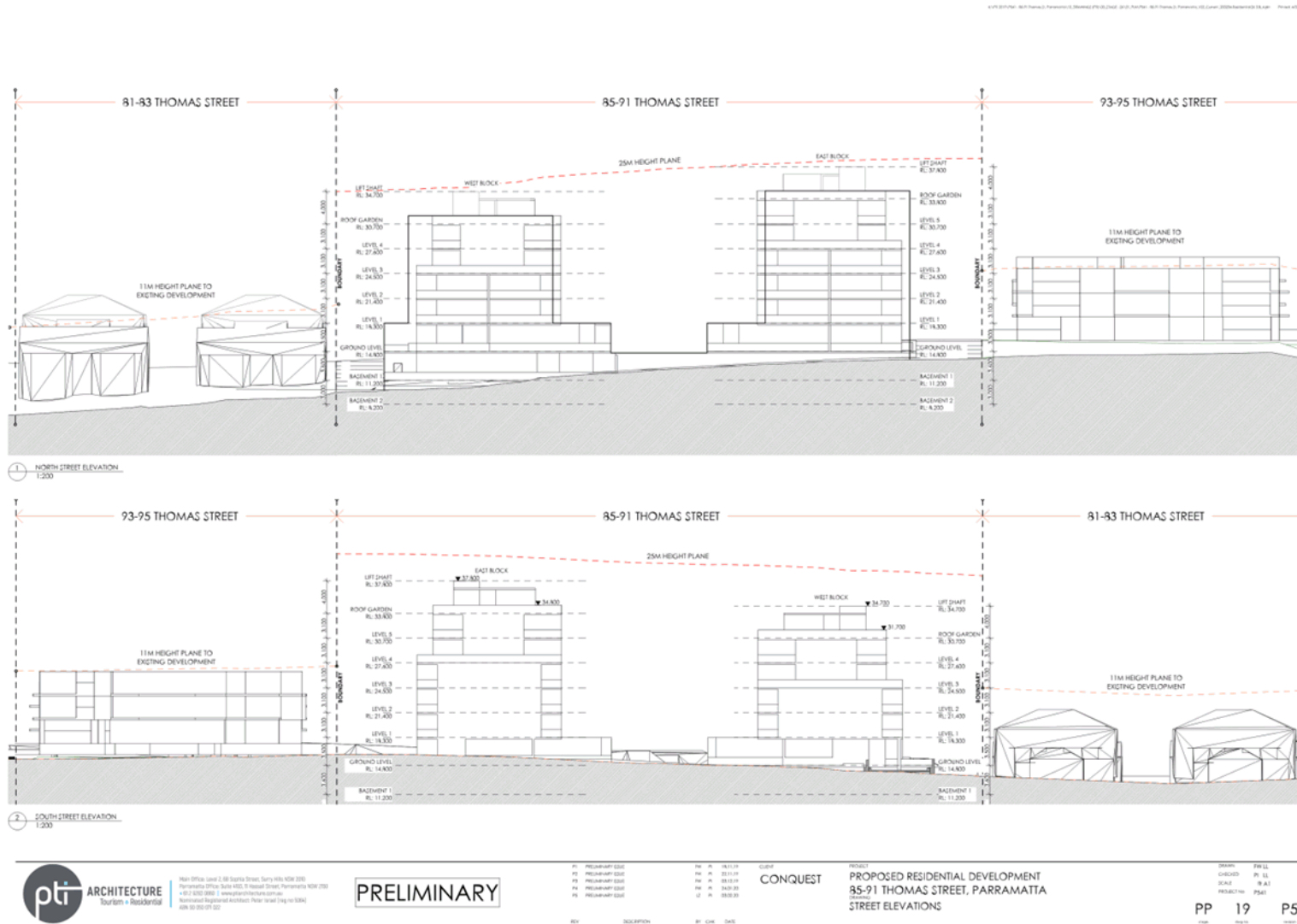
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CONQUEST
 PROPOSED RESIDENTIAL DEVELOPMENT
 85-91 THOMAS STREET, PARRAMATTA
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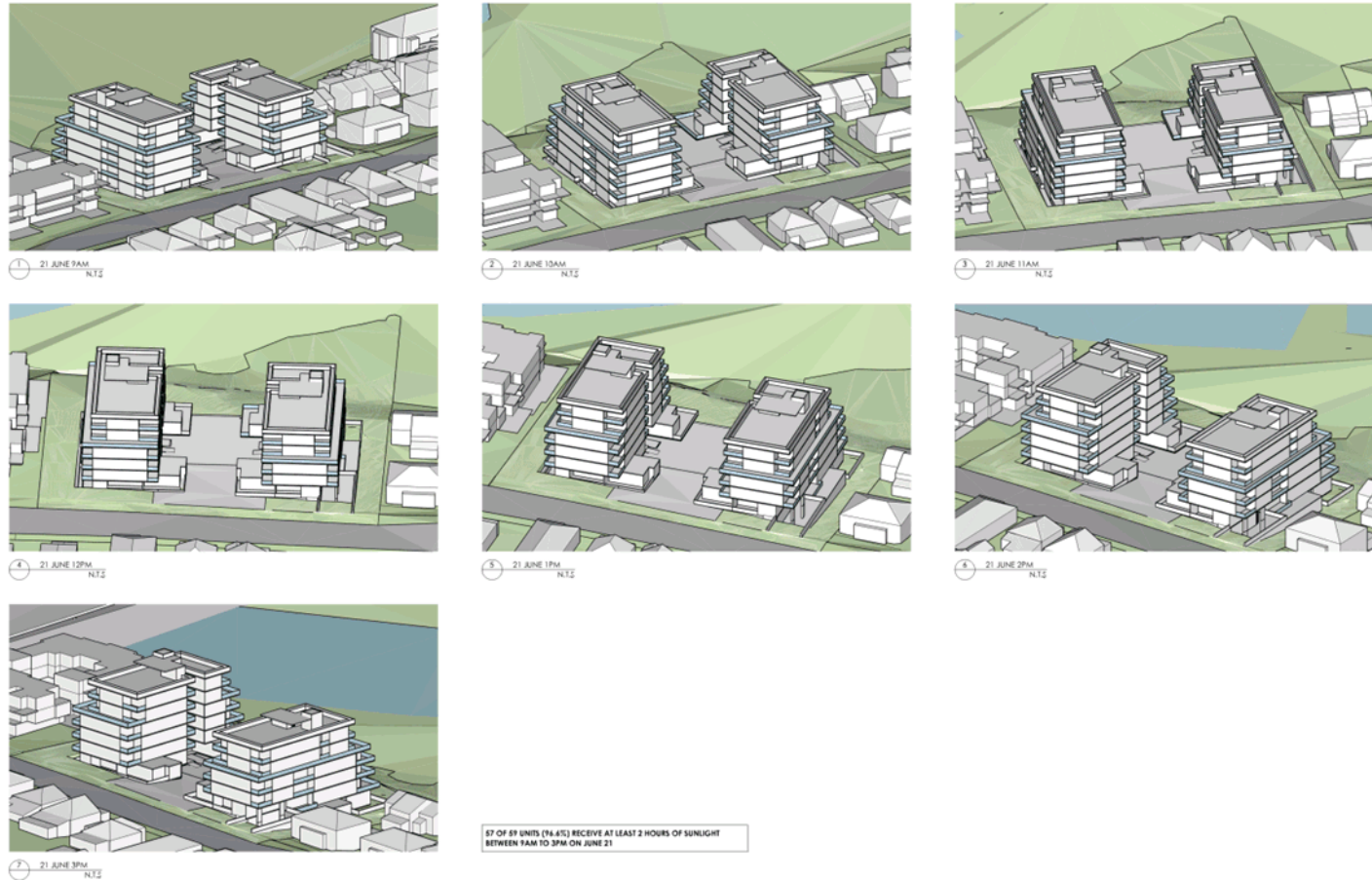
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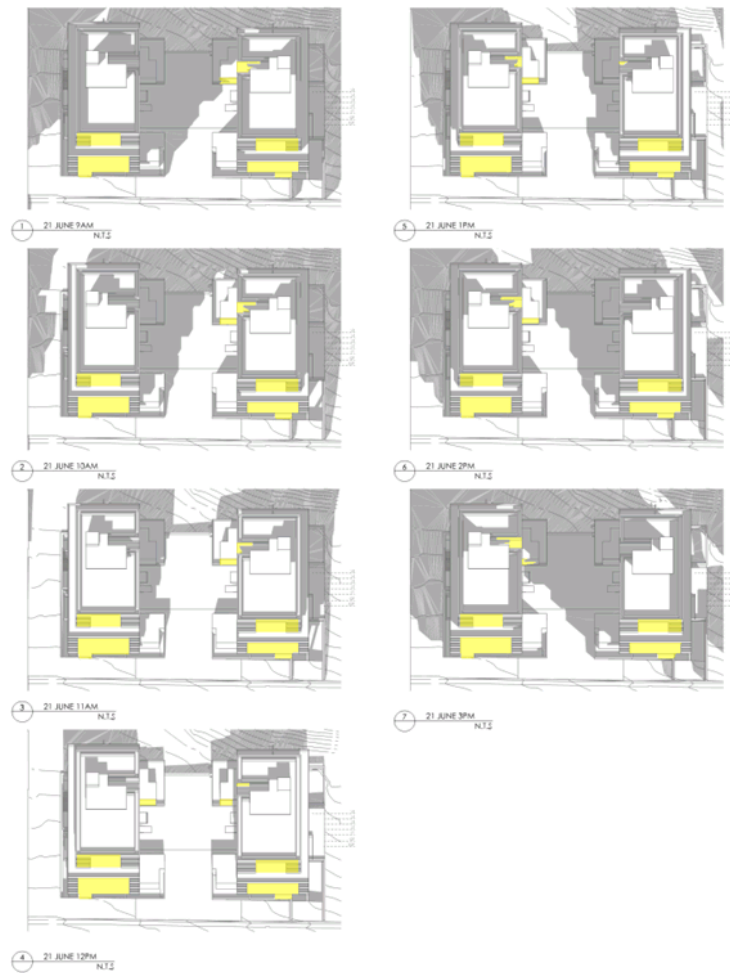
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CONQUEST
 PROPOSED RESIDENTIAL DEVELOPMENT
 85-91 THOMAS STREET, PARRAMATTA
 SOLAR ACCESS STUDY

PP	20	P5
DATE	DATE	DATE

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 International Registration Numbers: NSW: 19448 (Reg No) 19448
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PRELIMINARY

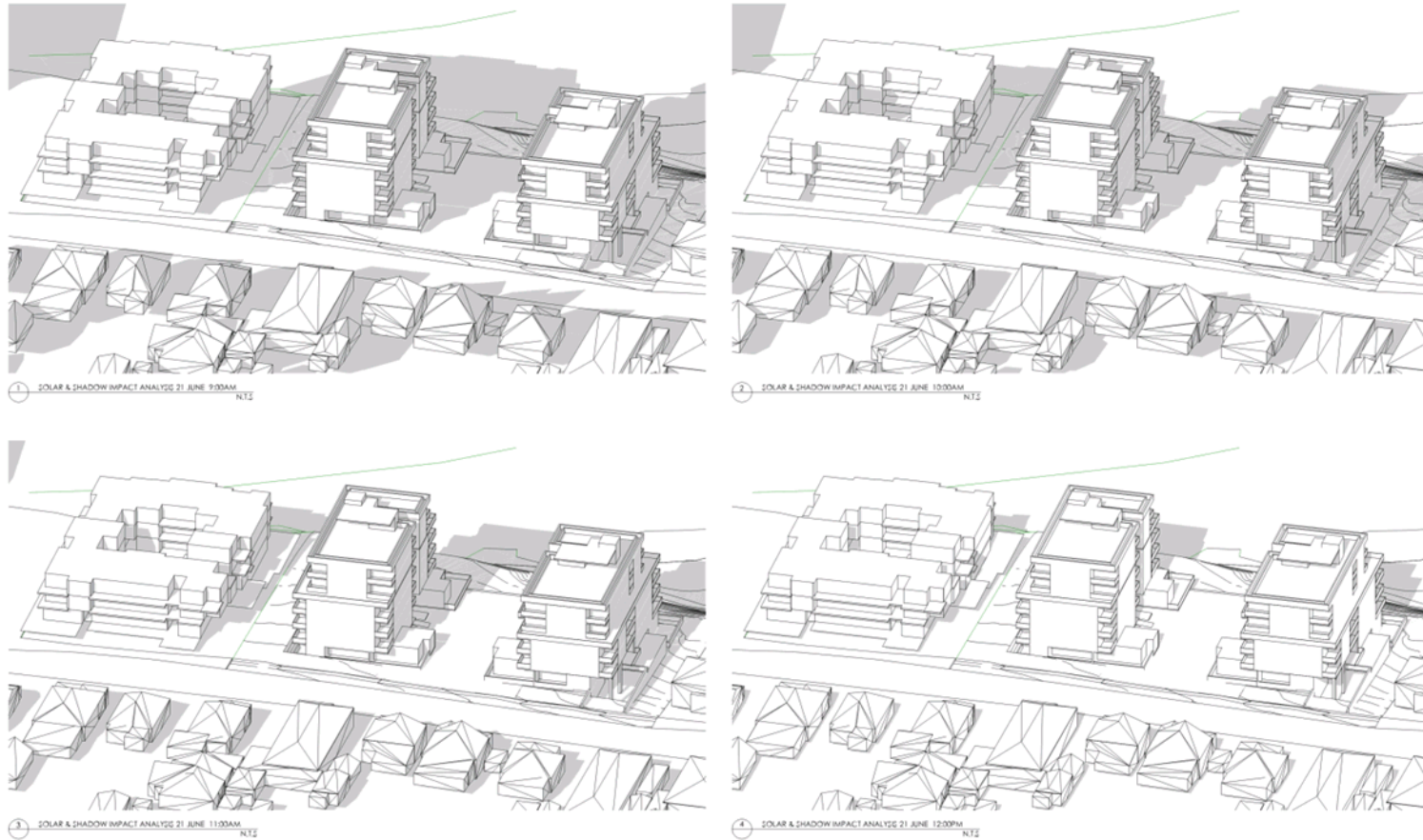
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CONQUEST
 PROPOSED RESIDENTIAL DEVELOPMENT
 85-91 THOMAS STREET, PARRAMATTA
 SOLAR ACCESS STUDY

PP 21 P5
 100/1011 - Parramatta

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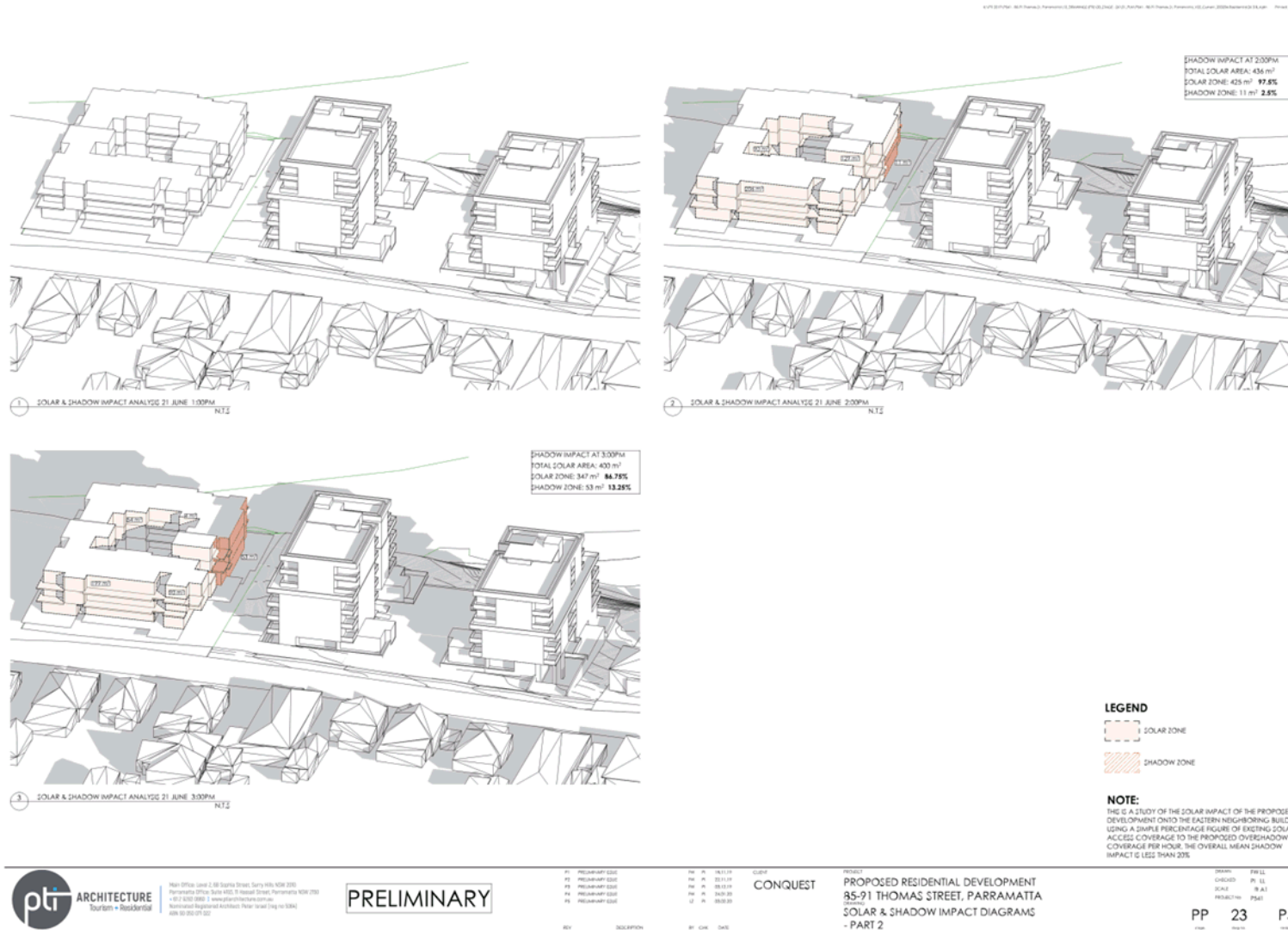
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Reference Design - 4 February 2020

GFA & FSR CALCULATIONS

PROJECT NO.: P541
 ADDRESS: 85-91 Thomas St, Parramatta
 REVISION/ DATE:

LEVELS

	1 BED	2 BED	3 BED	TOTAL
B1	2	1	-	3
GL	-	5	5	10
L1	2	10	-	12
L2	2	10	-	12
L3	2	7	1	10
L4	2	4	2	8
L5	1	2	1	4

11	39	9	59
19%	66%	15%	100%

GFA CALCULATION (sqm)

USE	BUILDING A	BUILDING B	TOTAL
RESIDENTIAL	213	-	213
RESIDENTIAL	505	530	1,035
RESIDENTIAL	482	482	964
RESIDENTIAL	482	482	964
RESIDENTIAL	334	482	816
RESIDENTIAL	334	334	668
RESIDENTIAL	-	334	334

GFA (sqm)	2,350	2,644	4,994
USE MIX	47%	53%	100%

FSR CALCULATION

DESCRIPTION	
SITE AREA (sqm)	6,322
MAXIMUM RESIDENTIAL FSR	0.8:1
MAXIMUM COMMERCIAL FSR	N/A
PROPOSED RESIDENTIAL FSR	0.8:1
PROPOSED COMMERCIAL FSR	N/A
TOTAL FSR	0.8:1

CAR PARKING CALCULATION

LEVEL	RESIDENTIAL	VISITORS	CAR SPACES
B1	45	0	45
B2	16	0	16
TOTAL	61	0	61



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 Parramatta Office: Suite 202, 85-91 Thomas Street, Parramatta NSW 2150
 +61 2 9551 9883 | www.ptiarchitecture.com.au
 National Registration Numbers: NSW: 19416 (1/2014)
 AWA 50 001 071 007

PRELIMINARY

REV DESCRIPTION BY DATE
 P1 PRELIMINARY D20
 P2 PRELIMINARY D20
 P3 PRELIMINARY D20
 P4 PRELIMINARY D20
 P5 PRELIMINARY D20
 CONQUEST

PROPOSED RESIDENTIAL DEVELOPMENT
 85-91 THOMAS STREET, PARRAMATTA
 GFA + FSR SCHEDULE

PP 24 P5
 PREP BY DATE
 CHECKED BY DATE
 SCALE BY DATE
 PROJECT NO. P541

Item 6.1 - Attachment 2

Reference Design - 4 February 2020

UNIT SCHEDULE (qty)										AREA SCHEDULE (m2)						STORAGE SCHEDULE (m3)					SOLAR ACCESS SCHEDULE (qty)			NATURAL CROSS VENTILATION SCHEDULE (qty)
UNIT NO.	STUDIO	1 BED, 1 BATH	2 BED, 1 BATH	2 BED, 2 BATH	3 BED, 1 BATH	3 BED, 2 BATH	3 BED, 3 BATH	TOTAL	ADAPTABLE	CAR SPACE	UNIT	PRIVATE OPEN SPACE	TOTAL	MIN. UNIT	MIN. PRIVATE OPEN SPACE	WITHIN UNIT	OUTSIDE OF UNIT	TOTAL	MIN REQ	% OF MIN REQUIRED WITHIN UNIT	LIVING SPACE	PRIVATE OPEN SPACE	NO DIRECT SUNLIGHT TO UNIT	NATURALLY CROSS VENTILATED
B01					1					1	75	56	131	75	15	4	4	8	8	50%	1	1		1
B02		1								1	53	17	70	50	15	3	3	6	6	50%			1	
B03		1								1	61	16	77	50	15	3	3	6	6	50%			1	
A.G01				1						1	77	18	95	75	15	4	4	8	8	50%	1	1		
A.G02							1			1	96	32	128	95	15	5	5	10	10	50%	1	1		1
A.G03				1						1	78	20	98	75	15	4	4	8	8	50%	1	1		
A.G04			1							1	75	41	116	75	15	4	4	8	8	50%	1	1		1
A.G05						1				1	97	78	175	95	15	5	5	10	10	50%	1	1		1
B.G01						1				1	98	32	130	95	15	5	5	10	10	50%	1	1		1
B.G02						1				1	100	36	136	95	15	5	5	10	10	50%	1	1		1
B.G03				1		1				1	78	20	98	75	15	4	4	8	8	50%	1	1		1
B.G04				1						1	75	41	116	75	15	4	4	8	8	50%	1	1		1
B.G05						1				1	97	78	175	95	15	5	5	10	10	50%	1	1		1
A.101				1						1	78	11	89	75	10	4	4	8	8	50%	1	1		1
A.102				1						1	78	11	89	75	10	4	4	8	8	50%	1	1		1
A.103		1								1	53	9	62	50	8	3	3	6	6	50%	1	1		1
A.104				1						1	78	14	92	75	10	4	4	8	8	50%	1	1		1
A.105				1						1	75	27	102	75	10	4	4	8	8	50%	1	1		1
A.106				1						1	75	27	102	75	10	4	4	8	8	50%	1	1		1
B.101				1						1	78	11	89	75	10	4	4	8	8	50%	1	1		1
B.102				1						1	78	11	89	75	10	4	4	8	8	50%	1	1		1
B.103		1								1	53	9	62	50	8	3	3	6	6	50%	1	1		1
B.104				1						1	78	14	92	75	10	4	4	8	8	50%	1	1		1
B.105				1						1	75	27	102	75	10	4	4	8	8	50%	1	1		1
B.106				1						1	75	27	102	75	10	4	4	8	8	50%	1	1		1
A.201				1						1	78	11	89	75	10	4	4	8	8	50%	1	1		1
A.202				1						1	78	11	89	75	10	4	4	8	8	50%	1	1		1
A.203		1								1	53	9	62	50	8	3	3	6	6	50%	1	1		1
A.204				1						1	78	14	92	75	10	4	4	8	8	50%	1	1		1
A.205				1						1	75	27	102	75	10	4	4	8	8	50%	1	1		1
A.206				1						1	75	27	102	75	10	4	4	8	8	50%	1	1		1
B.201				1						1	78	11	89	75	10	4	4	8	8	50%	1	1		1
B.202				1						1	78	11	89	75	10	4	4	8	8	50%	1	1		1
B.203		1								1	53	9	62	50	8	3	3	6	6	50%	1	1		1
B.204				1						1	78	14	92	75	10	4	4	8	8	50%	1	1		1
B.205				1						1	75	27	102	75	10	4	4	8	8	50%	1	1		1
B.206				1						1	75	27	102	75	10	4	4	8	8	50%	1	1		1



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 AIN 50 002 074 027

PRELIMINARY

REV DESCRIPTION BY DATE
 P1 PRELIMINARY DSD
 P2 PRELIMINARY DSD
 P3 PRELIMINARY DSD
 P4 PRELIMINARY DSD
 P5 PRELIMINARY DSD
 CONQUEST

PROPOSED RESIDENTIAL DEVELOPMENT
 85-91 THOMAS STREET, PARRAMATTA
 ADG COMPLIANCE SCHEDULE

PROJ: P1811
 SHEET: P5
 SCALE: P5
 P5
 P5



17 March 2020

City of Parramatta Council

PO Box 32

Parramatta NSW 2124

RE: PLANNING PROPOSAL – 85-91 THOMAS STREET PARRAMATTA – VOLUNTARY PLANNING AGREEMENT

I write on behalf of our client in relation to the above planning proposal, and in particular in response to recent discussions that the reference design for the planning proposal is acceptable to Council and capable of being reported to the LPP and the elected Council.

We confirm that our client is prepared to enter into a VPA.

As you are aware a formal VPA offer was made in correspondence prepared by Mills Oakley and dated 18 December 2019. That offer related to land zoned RE1 within the subject site. That offer stands.

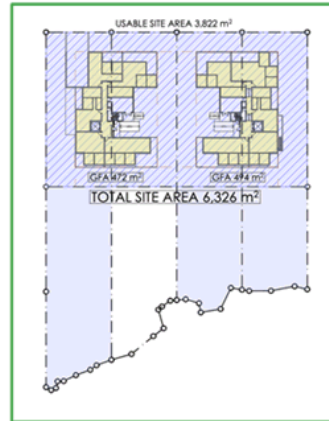
Given recent discussions with Council, I advise that our client is willing to extend that VPA offer to include the dedication of land adjacent to the RE1 land, that fronts the River, and that is not required for development purposes.

The timing and manner of the land dedication is to be discussed and carefully structured in the VPA to ensure that the FSR for the development is calculated over the parent parcel. In this regard it may be appropriate for the dedication to occur as part of an approved Development Application that would include the subdivision of the land and at the same time confirm that the GFA calculation includes the parent parcel.

The diagram below assists in confirming the RE1 land (blank) and the adjoining 3 parcels of R4 land fronting the river.

VPA Offer
Thomas Street Planning Proposal
PAGE 1





I look forward to this offer being reported to the LPP and the elected Councillors and to subsequently working out the detail of the VPA in a collaborative manner.

Regards,

Adam Byrnes
Think Planners Pty Ltd
PO BOX 121
WAHROONGA NSW 2076



31 July 2018

General Manager
City of Parramatta Council
PO Box 32
Parramatta NDW 2124

**ADVICE RELATING TO OVERSHADOWING ON COASTAL SALTMARSH
AND MANGROVE COMMUNITIES AT 85-91 THOMAS STREET,
PARRAMATTA**

Cumberland Ecology
PO Box 2474
Carlingford Court 2118
NSW Australia
Telephone (02) 9868 1933
Mobile 0425 333 466
Facsimile (02) 9868 1977
Web: www.cumberlandecology.com.au

In November my company, Cumberland Ecology prepared a report titled:

85-91 Thomas Street, Parramatta - Assessment of the Effects of Shading on Mangrove and Saltmarsh Vegetation Communities for Builtcom Constructions Pty Ltd.

The purpose of this letter to you is to summarise the implications of research results that were provided in that report to DPI Fisheries.

DPI Fisheries reviewed a development proposal for 85-91 Thomas Street, Parramatta (the subject site) and noted that the proposed height of the building was such that it could result in harmful shading of mangroves and saltmarsh communities located immediately to the south of the subject land, along the Parramatta River.

Cumberland Ecology staff consulted with DPI Fisheries to gain a clear understanding of the issue raised, and to agree upon a research project that could clarify the nature and extent of potential impacts (harm) that could be caused by shading if the proposal was approved and built.

Studies were made of the condition of mangroves and saltmarsh at a number of sites around Sydney, including along the Parramatta River to see if these communities could grow and survive within shaded sites that received at least as much shading as could be caused by the proposal. The research also factored in the seasonality of shading and daily duration of shading.

The research was successful in demonstrating that the proposal would have only minimal shading during a part of the year upon the nearby mangroves and saltmarsh communities along the Parramatta River. It also clearly showed that such communities could withstand a degree of shading without apparent significant impacts.



DPI Fisheries reviewed the report prepared by Cumberland Ecology and agreed with the findings made in relation to the two vegetation communities. DPI's comment (cced to Parramatta Council) on Wednesday, 13 December 2017 12:21 PM via email was:

DPI Fisheries has considered this report and does not see any reason for potential shading issues on mangrove and saltmarsh species to prevent the lodgement of this development, as currently proposed, as a planning proposal.

In conclusion, Cumberland Ecology and DPI Fisheries agree that the proposed development at 85-91 Thomas Street, Parramatta agree that no significant ecological impacts are likely as a result of the proposal upon mangroves and saltmarsh. There is therefore no ecological reason why the proposed development should not be approved.

The contact at DPI was Carla Ganassin and her email response is attached in Appendix A:

Carla Ganassin | Fisheries Manager | Aquatic Ecosystems Unit
NSW Department of Primary Industries | Fisheries NSW
Block E, Level 3, 84 Crown Street, Wollongong NSW 2500
T: 02 4222 8342 | F: 02 4225 9056 | E: carla.ganassin@dpi.nsw.gov.au
W: www.dpi.nsw.gov.au

In conclusion, we remain of the view that the proposed development will not have a significant impact upon either mangroves or saltmarsh and there is no reason the building height should be reduced. Should you wish for further clarification, please do not hesitate to contact me on 9868 1933.

Yours sincerely

A handwritten signature in cursive script that reads "David Robertson".

Dr. David Robertson
Director
david.robertson@cumberlandecology.com.au
cc: gitanjali.katrak@cumberlandecology.com.au



Appendix A

85-91 Thomas Street, Parramatta - DPI
Email Response

Angela Mees

Subject: FW: FW: Thomas St - Final Report

From: Carla Ganassin [<mailto:carla.ganassin@dpi.nsw.gov.au>]
Sent: Wednesday, 13 December 2017 12:21 PM
To: Angela Mees; David Robertson
Cc: KKuo@cityofparramatta.nsw.gov.au
Subject: Re: FW: Thomas St - Final Report

Dear Angela,

Re: Advice relating to impact of overshadowing on saltmarsh and mangrove communities from a potential proposal to increase building height at [85-91 Thomas Street, Parramatta](#)

DPI Fisheries has received the following final report on the above matter via emailed download on 22 November 2017.

- '[85-91 Thomas Street, Parramatta](#) - Assessment of the Effects of Shading on Mangrove and Saltmarsh Vegetation Communities for Conquest Group of Companies' (Cumberland Ecology, November 2017)

DPI Fisheries has considered this report and does not see any reason for potential shading issues on mangrove and saltmarsh species to prevent the lodgement of this development, as currently proposed, as a planning proposal. It is noted that the November 2017 version of this document includes reference to the findings of the shading experiment on saltmarsh species contained within the Clark and Hannon paper.

Please note that DPI Fisheries consideration of this matter at this stage has strongly considered the:

- site specific saltmarsh and mangrove species composition and distribution, and
- site specific nature of the shading created by the proposed building which is relatively isolated from other nearby tall buildings.

In an email to Cumberland Ecology dated 9 November 2017, DPI Fisheries recommended that the seasonal shading example from Bobbin Head could be added to any information submitted with the planning proposal for this site. As it provides an example of shading of a comparable scale and seasonal nature to that likely to be created by this proposal. This example should demonstrate the following:

- the nature and extent of shading at the site (i.e. solid or dappled)
- the extent of shading, i.e. approximate area and any daily or seasonal changes to the shading
- the species compositions and condition of mangrove and saltmarsh habitat within the shaded area, and
- whether there is any difference in the species composition and condition within shaded areas compared to unshaded areas.

DPI Fisheries will provide the final (and next) comment on this matter once it is submitted as a planning proposal.

Regards,

Carla Ganassin | Fisheries Manager | Aquatic Ecosystems Unit
 NSW Department of Primary Industries | Fisheries NSW
 Block E, Level 3, 84 Crown Street, Wollongong NSW 2500
 SEND MAIL TO: Locked Bag 1 | Nelson Bay NSW 2315
 T: 02 4222 8342 | F: 02 4225 9056 | E: carla.ganassin@dpi.nsw.gov.au
 W: www.dpi.nsw.gov.au

Conserve, Share, Provide

PERMIT APPLICATION FORMS & FISH HABITAT PROTECTION POLICIES AT:
www.dpi.nsw.gov.au/fisheries/habitat/protecting-habitats/toolkit
 EMAIL COMPLETED APPLICATIONS TO: ahp.central@dpi.nsw.gov.au
 APPLICATION PROCESSING TIMES (from date received): 28 days for Permits & Consultations; 40 days for IDA Referrals