

## **1. A written explanation of the FSR-out clause,**

The Parramatta Central Business District Planning Proposal contains the proposed FSR out-clause and describes the provision as follows:

*“This Planning Proposal also introduces a new control to enable the maximum incentive FSR for a site to be achieved regardless of the site area stated in the FSR sliding scale control, provided certain conditions relating to design excellence, compliance with SEPP 65 and activated street frontages are met. Community Infrastructure would also still need to be provided where this clause is utilised. The clause is known as the ‘FSR out clause’ and the intent is to allow all sites, regardless of size, an opportunity to demonstrate the maximum FSR for a site can be achieved.”*

(extracted from the draft Parramatta CBD Planning Proposal)

The Department has not yet determined the Gateway for the planning proposal and therefore has not adopted a formal position on this draft provision.

## **2. A copy of the parking rates currently listed in the Parramatta Local Environmental Plan,**

The parking rates that are being adopted for all site-specific planning proposal in the Parramatta CBD are as follows:

*(6) The maximum number of car parking spaces for residential accommodation in the building is as follows:*

- (a) 0.1 space per studio apartment,*
- (b) 0.3 space per 1 bedroom apartment,*
- (c) 0.7 space per 2 bedroom apartment,*
- (d) 1 space per 3 bedroom apartment.*

*(7) The maximum number of car parking spaces for hotel or motel accommodation or commercial premises in the building is to be calculated using the following formula (but only if the building has a floor space ratio greater than 3.5:1):*

$$M = (G \times A) \div (50 \times T)$$

*where:*

*M is the maximum number of parking spaces, and*

*G is the gross floor area of all hotel or motel accommodation or commercial premises in the building in square metres, and*

*A is the site area in square metres, and*

*T is the total gross floor area of all buildings on the site in square metres.*

(extracted from Clause 7.13 of the Parramatta LEP 2011)

### 3. Clarification of the existing sliding-scale provisions under Clause 7.2.

The existing sliding-scale provisions in the Parramatta LEP are as follows, with the most relevant part being sub-clause (1)(a)-(c). As the subject site is less than 1000m<sup>2</sup>, column 2 of the table in subclause (1)(c) applies:

#### 7.2 Floor space ratio

(1) Despite clause 4.4, the maximum floor space ratio for buildings on land for which the maximum floor space ratio shown on the [Floor Space Ratio Map](#) is specified in Column 1 of the table to this subclause is the amount specified opposite that floor space ratio in:

(a) if the site area for the development is less than or equal to 1,000 square metres—Column 2 of the table, or

(b) if the site area for the development is greater than 1,000 square metres but less than 1,800 square metres—Column 3 of the table, or

(c) if the site area for the development is equal to or greater than 1,800 square metres—Column 4 of the table.

Column 1	Column 2	Column 3	Column 4
6:1	4:1	$(4 + 2X):1$	6:1
8:1	5:1	$(5 + 3X):1$	8:1
10:1	6:1	$(6 + 4X):1$	10:1

(2) For the purposes of Column 3 of the table to subclause (1):

$X = (\text{the site area in square metres} - 500)/1500$

(3) The maximum floor space ratio for any development that does not include residential accommodation on land identified as “Area 2” on the [Special Provisions Area Map](#) is as follows:

(a) if the floor space ratio for all development on land identified as “Area 1” on that map does not exceed 2:1—11:1,

(b) if the floor space ratio for all development on land identified as “Area 1” on that map exceeds 2:1—6:1.

(extracted from Clause 7.2 of the Parramatta LEP 2011)

### 4. The Commission seeks clarification over the status of the planning proposal in light of Council no longer supporting it and requesting its withdrawal

The Department’s position is that the planning proposal is still valid despite Council no longer supporting it. Subject to the outcome of the IPC decision, the Department, as delegate of the Greater Sydney Commission (GSC), has the ability to amend the gateway determination, in any manner it deems appropriate, including to not proceed with the planning proposal. The Department, as delegate of the GSC may also appoint an alternate planning proposal authority.