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28 September 2018

Gateway Determination Review (PP_2017_COPAR_012_00) 55 Aird Street, Parramatta

The Planning Proposal was issued a Gateway determination on 28 November 2017. The Gateway determined that the matter should proceed subject to conditions.

Condition 1 stated:

1. *Prior to community consultation, Council is to update the planning proposal to:*
 - a. *Include a maximum Height of Building control and remove clause 7.6 (Airspace Operations);*
 - b. *Amend the Floor Space Ratio map to provide a maximum FSR of 10:1;*
 - c. *Ensure the sliding scale provisions of Clause 7.2 of the Parramatta LEP apply to the subject site;*
 - d. *Require a minimum commercial floorspace FSR of 1:1 (included as part of the 10:1 FSR) but remove reference to commercial floorspace incentives over the FSR of 1:1;*
 - e. *Remove the reference to High Performance Building Incentives;*
 - f. *Revise the Urban Design Report to reflect 1(a) – 1(e) above and the reduced car parking rates in accordance with Council's endorsed Strategic Transport Study for the Parramatta CBD (Council resolution on 10 April 2017).*

Council is to submit the updated planning proposal to the Department for endorsement prior to community consultation.

Conditions 1 (c), (d) and (e) are specifically the subject of this review.

Background

Current Controls

The following controls currently apply to the subject site:

- Zoned B4 Mixed Use;
- A maximum FSR of 4.2:1; and
- A maximum building height of 36 metres. Nearby land to the east of Church Street allows for a maximum building height of up to 126 metres.

Lodged Planning Proposal

A Planning Proposal was lodged on **24 August 2015** seeking:

To increase the FSR from 4.2:1 to 20:1 and height from 36 metres (11 storeys) to 120 metres (38 storeys).

A revised planning proposal was lodged in **March 2016** seeking an FSR of 15:1 (17.25:1 plus design excellence) and height of 120 metres.

Determined - 9 May 2016 and clarified on 13 June 2017

On **9 May 2016** Council resolved for the Planning Proposal to proceed as follows:

- To permit a maximum FSR of 10:1, with additional FSR achievable through design excellence (15% additional FSR) and high performance building provisions (0.5:1).
- Require 1:1 commercial FSR (included in base 10:1) with any commercial FSR above 1:1 excluded from the FSR calculation (allowing an additional 3:1 FSR).
- Apply no height limit but apply Clause 7.6 Airspace Operations to this site to require consideration of Federal Government airspace provisions.

On **13 June 2017**, Council clarified its position on the subject Planning Proposal. The resolution is included below:

- (a) *That for the avoidance of doubt, and following consultation with the mover and seconder of the motion of 9 May 2016 (being Councillors J P Abood and P Esber), this Council confirms that in adopting the resolution made on 9 May 2016, its intent was to:*
 - *Permit a base floor space ration of 10:1, with access to additional FSR through demonstrating compliance with the design excellence (15% additional FSR) and high performance building provisions (0.5:1);*
 - *Require 1:1 commercial floor space (included in the base 10:1), with any commercial floor space above 1:1 excluded from the FSR calculation (allowing an additional 3:1 FSR);*
 - *Apply no height limit but apply Clause 7.6 Airspace Operations to this site to require consideration of Federal Government airspace provisions.*
- (b) *That a revised reference design and Site Specific DCP reflecting a) above be prepared by the applicant and submitted to Council.*
- (c) *That the planning proposal as amended and revised reference design be forwarded to the Department of Planning and Environment for Gateway determination.*
- (d) *That Council advise the NSW Department of Planning and Environment that the CEO will be exercising the plan-making delegations for this planning proposal as authorised by Council on 26 November 2012.*
- (e) *That Council invite the applicant to submit a Voluntary Planning Agreement (VPA) consistent with the CBD Planning Proposal and Value Sharing Policy.*
- (f) *That the outcome of the VPA negotiations and the Draft DCP be reported to Council prior to exhibition of the draft VPA, draft DCP with both to be exhibited with the planning proposal.*
- (g) *Further, that Council authorise the CEO to correct any minor policy inconsistencies and any anomalies of an administrative nature relating to the Planning Proposal, Draft DCP and VPA documentation that may arise during the plan amendment process.*

Gateway Determination

A Gateway determination was issued on 28 November 2017.

2. *Prior to community consultation, Council is to update the planning proposal to:*
 - a. *Include a maximum Height of Building control and remove clause 7.6 (Airspace Operations);*
 - b. *Amend the Floor Space Ratio map to provide a maximum FSR of 10:1;*
 - c. *Ensure the sliding scale provisions of Clause 7.2 of the Parramatta LEP apply to the subject site;*
 - d. *Require a minimum commercial floorspace FSR of 1:1 (included as part of the 10:1 FSR) but remove reference to commercial floorspace incentives over the FSR of 1:1;*
 - e. *Remove the reference to High Performance Building Incentives;*
 - f. *Revise the Urban Design Report to reflect 1(a) – 1(e) above and the reduced car parking rates in accordance with Council’s endorsed Strategic Transport Study for the Parramatta CBD (Council resolution on 10 April 2017).*

Council is to submit the updated planning proposal to the Department for endorsement prior to community consultation.

The Gateway supported an FSR on the site of 10:1 consistent with the FSR endorsed by Council. However, Council has also endorsed new sliding scale provisions under draft Clause 7.2 of the CBD Planning Proposal (still awaiting Gateway determination) that would allow the site to achieve the maximum FSR of 10:1 subject to meeting certain criteria.

CBD Planning Proposal

The CBD Planning Strategy was adopted by Council on 11 April 2016. At that time, the Strategy provided for the following in relation to this site:

- Height – No limit
- FSR – 10:1
 - Sliding scale provision – as the site is under 800sq.m (658sq.m), the FSR achievable is no greater than 6:1, unless certain criteria is achieved (“FSR out clause”).
- Bonuses:
 - Design excellence 15%
- **Total FSR achievable – 11.5:1**

Note: Council resolution of 10 September 2018 that “Council apply a high performing buildings bonus of 5% to mixed use developments with an FSR of at least 6:1”.

Total FSR achievable – 12:1

	EXISTING	LODGED	REVISED LODGEMENT	DETERMINED	CBD PLANNING STRATEGY (as of April 2016)	GATEWAY	COUNCIL POLICY UNDER CBD PLANNING PROPOSAL (as of September 2018)
FSR	4.2:1	20:1	15:1 (17.25:1 Plus 15% design excellence (DE))	10:1 Plus: <ul style="list-style-type: none"> 15% DE – 11.5:1 0.5:1 High perf building – 12:1 Commercial FSR: 1:1 included in base; and up to 3:1 commercial FSR bonus – 15:1 	10:1 (Subject to sliding scale and exemption provisions) Plus: <ul style="list-style-type: none"> 15% DE – 11.5:1 Commercial FSR: 1:1 included in base – no additional incentive. 	10:1 (Subject to sliding scale – no exemptions) – 6:1 Plus 15% DE – 6.9:1	10:1 (Subject to sliding scale and exemption provisions) Plus: <ul style="list-style-type: none"> 15% DE – 11.5:1 0.5:1 High perf building Commercial FSR: 1:1 included in base – no additional incentive.
HEIGHT	36 metres	120 metres	120 metres	NIL	No limit	To be determined and applied	No limit
TOTAL FSR	4.2:1	20:1	17.25:1	15:1	11.5:1	6.9:1	12:1

Key Issues

g. Ensure the sliding scale provisions of Clause 7.2 of the Parramatta LEP apply to the subject site:

In April 2016 the Council endorsed the CBD planning framework which included a new FSR sliding scale provision for sites under 800sq.m. This included new provisions under the existing Parramatta LEP 2011 Clause 7.2 to enable sites to achieve the maximum FSR if various requirements pertaining to design excellence, SEPP 65 compliance and street activation were achieved. This policy has been maintained by the Council to date and is contained in the draft CBD LEP provisions currently awaiting Gateway determination. This policy direction was in recognition that there may be circumstances where sites cannot viably and economically be amalgamated. To allow flexibility in the planning system, the Council resolved to include a 'Alternate FSR Clause' that *"allows any site to achieve the maximum FSR permitted by the maps subject to meeting the following criteria:*

- (a) the development has been subject to a competitive design process and exhibits design excellence as provided in clause 7.10; and*
- (b) if the development includes residential accommodation, that:*
 - (i) the development includes community infrastructure; and*
 - (ii) the development complies with State Environmental Planning Policy No 65—Design Quality of Residential Apartment Development and the Apartment Design Guide published by the NSW Department of Planning and Environment in July 2015; and*
- (b) the ground floor of all sides of the building facing the street and any other publicly accessible areas will be used for the purposes of business premises or retail premises.*

It is clearly the intent and currently endorsed position of the Council that the site should be allowed to achieve its maximum mapped FSR if it achieves and satisfies certain criteria. If it does not achieve this criteria it may not reach its maximum.

Condition 1(c) applies the sliding scale provisions of the existing Clause 7.2 of the Parramatta LEP 2011 to the subject site. As the site is less than 1000sq.m, future redevelopment will be unable to accommodate floorspace greater than 6:1, noting a design excellence process will allow for a final FSR of 6.9:1. An additional 340sqm would achieve a numerical standard for additional FSR but there is no evidence to suggest a different design outcome.

It is recommended that the Gateway either include the draft Clause 7.2 under the draft CBD Planning Proposal or include the exempt provisions or "FSR out clause" under the draft Clause 7.2 of the draft CBD Planning Proposal to the subject site. This will ensure any additional FSR will have to be interrogated through the requirements identified by the Clause and ensure a high standard outcome. It was clearly not the Council's intent to apply the current Clause under the LEP 2011.

h. Remove the reference to High Performance Building Incentives:

While the High Performing Building Bonus applies to mixed use developments containing 2,000sq.m commercial, the Planning Proposal originally provided a considerable amount of commercial floorspace in the centre of Parramatta. The Planning Team Report notes that *"this site will not achieve the desired*

outcome of large commercial floorplates unless it is amalgamated with the adjoining properties along Church Street to create a site area greater than 1,800sqm”.

Land economics does not support the amalgamation of fragmented land at this stage, and the Planning Proposal has demonstrated how significant commercial floorspace can be provided on a smaller floorplate. Yet, the Gateway enforces a minimum FSR of 1:1 commercial floorspace but prohibits any additional under the commercial floorspace incentives. The only impact greater commercial floorspace has is to create a taller building, to which the urban design report talks.

It is unclear why a taller building that provides additional commercial floorspace and is required to undergo a design excellence process would not be supported. The urban design report already presents a quality outcome, and the development outcome would be required to go through a further design competition process to ensure the outcome is acceptable. To therefore support a building somewhere between 11 and 25 storeys as acceptable yet anything taller is not acceptable is contradictory and clearly simply a restrictive policy.

Architectural design and built form outcome

The Department’s Planning Team Report suggests that the density should be restricted and not *“lose the opportunity for site amalgamations to occur which would improve this outcome”*. The Planning Team Report also goes on to say that *“without site amalgamation, the subject site is unable to achieve a floorplate that would be consistent with this draft Policy”*. The Gateway in allowing a proposal to proceed at a much lesser density has in fact supported the design concept for the site, yet the Gateway has penalised the land owner for having a constrained site and the inability to amalgamate with adjoining land owners who occupy successful businesses and are not incentivised by amalgamation

Notwithstanding, the floorplate has been endorsed by the Gateway under an maximum potential FSR of 6.9:1 and a corresponding height. In fact, the Council report states that a 25 storey height is an acceptable urban design outcome, however anything greater is not acceptable due to blank walls, for example. However, the Gateway advises that there is justification to enable a higher FSR to apply if the site were amalgamated, yet the urban design work has demonstrated that all sites can redevelop, that building separation complies with the ADG and allows for a dominate tower to develop on the prominent corner of Church and Aird Streets. Therefore, there clearly appears to be an inconsistent and contradictory approach to minimise the density on the site using a restrictive Policy.

The key factor to this proposal is that should the applicant choose not to apply under the exempt provisions of the draft Clause 7.2, then the site would only achieve 6:1 without design excellence. However, 10:1 can only be achieved under the circumstance of a design excellence process that will ensure the issues and concerns with design outcomes are addressed. It is unclear why 25 storeys seems to be a number that is acceptable, yet any greater is not acceptable notwithstanding the heights of buildings approved, proposed and permissible in the immediate vicinity, including 11-13 Aird Street, discussed below.

11-13 Aird Street

Council recently resolved, on 9 May 2016, to amend the LEP under delegation to increase the height and FSR for land at 11-13 Aird Street. The site is on the other side of Westfield and a similar size to 55 Aird Street.

The Planning Proposal provided for an increase in height from 36 metres to 102 metres and an increase in FSR from 4.2:1 to 10:1 – the FSR being the same as the planning proposal for Aird Street.

The Council's intention was that the site achieve a maximum FSR of 10:1. This was reflected in the VPA that Council entered into with the proponent, which in summary:

"6.1 Monetary Contribution

(a) Provided the Instrument Change occurs and the proposed amendment to the Parramatta LEP 2011 is published on the NSW Legislation website, the Developer will pay to Council a monetary contribution of \$709,050.00 or an amount calculated in accordance with the following formula, whichever is the greater:"

$$\begin{array}{r} \$709,050.00 \\ \times \\ \hline \text{The CPI at the time of payment} \\ \text{The CPI at the date of this agreement} \end{array}$$

"4. Description of the proposal (explanatory Note)"

The planning proposal seeks to increase the Maximum Building Height from 36 metres to 102 metres (approximately 34 storeys) and the Maximum Floor Space Ratio from 4.2:1 to 10:1 at 11-13 Aird Street, Parramatta. This figure is exclusive of the additional FSR and height that could be achieved under Clause 7.10 of the PLEP 2011 through a Design Excellence Competition process".

The LEP came into force when it was gazetted on the NSW Legislation website on 21 April 2017.

Council Meeting	Recommendation	Resolution								
11 April 2016	<p>Clause 7.2 Floor Space Ratio Omit subclauses 7.2 (1) and (2). Insert instead:</p> <p>(2) For the purposes of Column 3 of the Table to subclause (1): X = (the site area in square metres – 500)/800</p> <p>(2A) Despite clause 7.15 where development includes community infrastructure, the maximum floor space ratio for buildings on land for which the maximum floor space ratio shown on the Incentive 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:</p> <p>(a) if the site area for the development is less than or equal to 800 square metres—Column 2 of the table, or</p> <p>(b) if the site area for the development is greater than 800 square metres but less than 1,600 square metres—Column 3 of the table, or</p> <p>(c) if the site area for the development is equal to or greater than 1,600 square metres—Column 4 of the table.</p> <table border="1" data-bbox="997 828 1077 1724"> <tr> <td>Column 1</td> <td>Column 2</td> <td>Column 3</td> <td>Column 4</td> </tr> <tr> <td>10:1</td> <td>6:1</td> <td>(6+4Y):1</td> <td>10:1</td> </tr> </table> <p>(2B) For the purposes of Column 3 of the Table to subclause (2A): Y = (the site area in square metres – 800)/800</p> <p>(2C) Despite subclauses (1), (2), (2A) and (2B), the consent authority may grant consent to development seeking to achieve the maximum floor space ratio shown on the Incentive Floor Space Ratio Map, but only where:</p>	Column 1	Column 2	Column 3	Column 4	10:1	6:1	(6+4Y):1	10:1	<p>(a) That, consistent with Council's resolution made on 14 December 2015, Council endorses the Planning Proposal at Attachment 1 to amend the planning controls for the Parramatta CBD and forwards it to the NSW Department of Planning and Environment for Gateway determination.</p>
Column 1	Column 2	Column 3	Column 4							
10:1	6:1	(6+4Y):1	10:1							

	<p>(a) the development has been subject to a competitive design process and exhibits design excellence as provided in clause 7.10; and</p> <p>(b) if the development includes residential accommodation, that:</p> <p>(i) the development includes community infrastructure; and</p> <p>(ii) the development complies with State Environmental Planning Policy No 65—Design Quality of Residential Apartment Development and the Apartment Design Guide published by the NSW Department of Planning and Environment in July 2015; and</p> <p>(c) the ground floor of all sides of the building facing the street and any other publicly accessible areas will be used for the purposes of business premises or retail premises.</p> <p>(2D) In this clause, community infrastructure has the same meaning as in clause 7.15.</p> <p>Clause 7.11 Commercial premises in Zone B4 Mixed Use located in the vicinity of Zone B3 Commercial Core</p> <p>(1) The objective of this clause is to facilitate employment generating uses in specific parts of Zone B4 Mixed Use which are generally in the vicinity of Zone B3 Commercial Core.</p> <p>(2) This clause applies to Zone B4 Mixed Use as identified on the Additional Local Provisions Area Map.</p> <p>(3) The minimum floor space ratio for any commercial premises floor space of any development on land to which this clause applies is 1:1.</p> <p>(4) Any additional commercial premises floor space provided in excess of the minimum specified in subclause (3) will be exempt from the overall maximum floor space ratio specified in clauses 4.4, 7.2 or 7.15 (where community infrastructure is included with the development), but only where the site has a minimum area of 1,800 square metres.</p>
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	<p>(5) Conversion of any commercial premises floor space approved under subclause (4) to residential accommodation floor space is prohibited under this Plan.</p> <p>(6) In this clause, community infrastructure has the same meaning as in clause 7.15.</p> <p>Clause 7.16 Opportunity Sites</p> <p>(1) The objectives of this clause are:</p> <p>(a) to provide opportunities for tall, slender towers;</p> <p>(b) to encourage opportunities to improve the quality of the public domain; and</p> <p>(c) to facilitate opportunities to deliver additional community infrastructure.</p> <p>(2) This clause applies to Opportunity Sites as identified on the Opportunity Sites Map.</p> <p>(3) A building on land to which this clause applies is eligible for an amount of additional residential floor space (above that already permitted elsewhere under this Plan) equivalent to that which may be achieved by applying a floor space ratio of up to 3:1 to the development site.</p> <p>(4) The consent authority may grant consent to development involving the construction of a new building or alterations to an existing building on land to which this clause applies that incorporates the additional floor space as specified in subclause (3) above, but only if:</p> <p>(a) the development site is at least 40 metres wide at the front building line, has an area of at least 1,800 square metres; and</p> <p>(b) the development demonstrates an appropriate transition to any heritage items; and</p> <p>(c) the development includes community infrastructure to the satisfaction of the consent authority, whether or not provided on the development site or an alternative site nominated by the consent authority.</p> <p>(5) Development consent must not be granted to development under this clause unless:</p>
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	<p>(a) the development first includes:</p> <ul style="list-style-type: none"> (i) the additional height, floor space ratio and community infrastructure as provided under clause 7.15; and (ii) the 15% bonus floor space ratio and height for achieving design excellence under clause 7.10; and (iii) the 0.5:1 bonus floor space ratio for high performing buildings under clause 7.17; and <p>(b) the development includes additional community infrastructure under this clause to the satisfaction of the consent authority above that provided under clause 7.15.</p> <p>(6) Development consent must not be granted to development to which this clause applies unless a development control plan that provides for the matters in subclause (7) below has been prepared for the development site.</p> <p>(7) The development control plan must provide for all of the following:</p> <ul style="list-style-type: none"> (a) requirements as to the form and external appearance of proposed development so as to improve the quality and amenity of the public domain, (b) requirements to minimise the detrimental impact of proposed development on view corridors, (c) how the proposed development addresses the following matters: <ul style="list-style-type: none"> (i) the suitability of the land for development, (ii) the existing and proposed uses and use mix, (iii) any heritage issues and streetscape constraints, (iv) the impact on any conservation area, (v) the inclusion of community infrastructure, (vi) the location of any tower proposed, having regard to the need to achieve an acceptable relationship with other towers (existing or proposed) on the same site or on neighbouring sites in terms of separation, setbacks, amenity and urban form, (vii) the bulk, massing and modulation of buildings, (viii) street frontage heights,
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	<p>(ix) environmental impacts, such as sustainable design, overshadowing and solar access, visual and acoustic privacy, noise, wind and reflectivity,</p> <p>(x) the achievement of the principles of ecologically sustainable development,</p> <p>(xi) pedestrian, cycle, vehicular and service access and circulation requirements, including the permeability of any pedestrian network,</p> <p>(xii) the impact on, and any proposed improvements to, the public domain,</p> <p>(xiii) achieving appropriate interface at ground level between the building and the public domain,</p> <p>(xiv) the excellence and integration of landscape design,</p> <p>(xv) the incorporation of high quality public art into the fabric of buildings in the public domain or in other areas to which the public has access.</p> <p>Note. Section 83C of the Environmental Planning and Assessment Act 1979 provides that if an environmental planning instrument requires the preparation of a development control plan before any particular or kind of development is carried out on any land, that obligation may be satisfied by the making and approval of a staged development application in respect of that land.</p> <p>(8) In this clause: <i>community infrastructure</i> has the same meaning as in clause 7.15. <i>development site</i> means the Opportunity Site subject to the development that is seeking the additional floor space ratio under this clause. <i>Opportunity Site</i> means land identified as such on the Opportunity Sites Map.</p> <p>Clause 7.17 High Performing Buildings</p> <p>(1) The objectives of this clause are as follows:</p> <p>(a) to encourage high performing building design (namely the built form and layout) of large-scale office and retail development and mixed use development in the Parramatta City Centre that minimises the consumption of energy and water,</p> <p>(b) to provide increased amenity to occupants over the long term, and</p>
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	<p>(c) to ensure the increase in gross floor area is compatible with surrounding buildings in terms of bulk, height and amenity.</p> <p>(2) This clause applies to:</p> <p>(a) development for the purposes of office premises with a gross floor area of 10,000 square metres or greater; or</p> <p>(b) development for the purposes of retail premises with a gross floor area of 5,000 square metres or greater; or</p> <p>(c) development for the purposes of mixed use development, but only where:</p> <p>(i) the lot on which the development will be sited is at least 24 metres wide at the front building line and has a minimum site area of at least 1,800 square metres, and (ii) the lot on which the development will be sited has a maximum floor space ratio of at least 10:1, as shown on the Incentive Floor Space Ratio Map.</p> <p>(3) Before granting development consent to development under this clause, the consent authority must be satisfied that:</p> <p>(a) the part of any building used for the purposes of office premises or a mixed use development (but only where that mixed use development includes at least 2,000 square metres of commercial premises) complies with the following standards:</p> <p>(i) the energy target is a maximum 140 kg/m² per year for commercial premises, and</p> <p>(ii) the water target is a maximum 0.65 kL/m² per year for commercial premises</p> <p>(b) despite subclause 3(a), the part of any building used for the purposes of retail premises (including as a part of a mixed use development) with a gross floor area of 5,000 square metres or greater complies with the following standards:</p> <p>(i) the energy target is a maximum 100 kg/m² per year, and</p> <p>(ii) the water target is a maximum 0.95 kL/m² per year, and</p> <p>(c) the part of any building that is a dwelling used for the purposes of mixed use development complies with the following standards:</p>
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	<p>(i) the energy target is a minimum 10-point increase in the BASIX score compared to current requirements, and</p> <p>(ii) the water target is a minimum 10-point increase in the BASIX score compared to current requirements, and</p> <p>(d) a report prepared by a qualified consultant to the satisfaction of the Council verifies that, if all of the commitments relating to the building design (namely the built form and layout) listed in the report are fulfilled, the development will comply with both the energy and water targets which apply to the development under subclauses (3)(a), (b) or (c) above, as the case may require.</p> <p>(4) A mixed use development which complies with this clause is eligible for an amount of additional residential floor space (above that already permitted elsewhere under this Plan) equivalent to that which may be achieved by applying a floor space ratio of up to 0.5:1, subject to the consent authority being satisfied that this additional floor space does not adversely impact on neighbouring and adjoining land in terms of visual bulk and overshadowing.</p> <p>(5) This clause does not apply to land on which development to which clause 13 of State Environmental Planning Policy (Affordable Rental Housing) 2009 applies is to be carried out.</p> <p>(6) In this clause:</p> <p>BASIX means a rating under State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004.</p> <p>mixed use development means a building or place comprising commercial premises and dwellings.</p>	
Councillor workshop – 7 May 2018		
12 June 2018	<p>(a) That, in relation to the Draft Parramatta CBD Planning Proposal, Council resolve to amend draft Clause 7.2 Floor Space Ratio in the proposed Draft Parramatta CBD Planning Proposal to show the Incentive FSR Sliding Scale and Alternate Incentive FSR Clause as follows:</p> <p>TABLE: Draft Parramatta CBD Planning Proposal 2016</p>	<p>Council did not move the recommendation and also provided the following:</p> <p>(h) Further, that the High Performing Building bonus will apply to mixed use development sites with an FSR of 6:1 not 10:1.</p>

	<table border="1"> <thead> <tr> <th data-bbox="225 1507 375 1731">Incentive FSR Shown on Map</th> <th data-bbox="225 1290 375 1507">Site is less than or equal to 1,000m²</th> <th data-bbox="225 1066 375 1290">Site is greater than 1,000m² but less than 1,800m²</th> <th data-bbox="225 842 375 1066">Site is equal to or greater than 1,800m²</th> </tr> </thead> <tbody> <tr> <td data-bbox="375 1507 422 1731">4:1</td> <td data-bbox="375 1290 422 1507">3:1</td> <td data-bbox="375 1066 422 1290">(3+1X):1</td> <td data-bbox="375 842 422 1066">4:1</td> </tr> <tr> <td data-bbox="422 1507 470 1731">6:1</td> <td data-bbox="422 1290 470 1507">4:1</td> <td data-bbox="422 1066 470 1290">(4+2X):1</td> <td data-bbox="422 842 470 1066">6:1</td> </tr> <tr> <td data-bbox="470 1507 502 1731">10:1</td> <td data-bbox="470 1290 502 1507">6:1</td> <td data-bbox="470 1066 502 1290">(6+4X):1</td> <td data-bbox="470 842 502 1066">10:1</td> </tr> </tbody> </table> <p data-bbox="502 1041 534 1668">Where X = (the site area in square metres – 1000)/800</p> <p data-bbox="534 842 614 1668"><u>Current out-clause (PLEP 2011, Cl. 7.10 Design excellence, section (5) with minor terminology modification:</u></p> <p data-bbox="614 842 726 1668">(5) Development consent must not be granted to the following development to which this clause applies unless a competitive design process has been held in relation to the proposed development:</p> <p data-bbox="726 842 917 1668">(b) development on a site greater than 1,000 square metres and up to 1,800 square metres seeking to achieve the maximum floor space ratio identified on the Incentive Floor Space Ratio Map, where amalgamation with adjoining sites is not physically possible.</p>	Incentive FSR Shown on Map	Site is less than or equal to 1,000m ²	Site is greater than 1,000m ² but less than 1,800m ²	Site is equal to or greater than 1,800m ²	4:1	3:1	(3+1X):1	4:1	6:1	4:1	(4+2X):1	6:1	10:1	6:1	(6+4X):1	10:1	
Incentive FSR Shown on Map	Site is less than or equal to 1,000m ²	Site is greater than 1,000m ² but less than 1,800m ²	Site is equal to or greater than 1,800m ²															
4:1	3:1	(3+1X):1	4:1															
6:1	4:1	(4+2X):1	6:1															
10:1	6:1	(6+4X):1	10:1															
<p data-bbox="997 1601 1029 2049">22 August 2018 – Councillor workshop</p> <p data-bbox="1029 1742 1077 2049">10 September 2018</p>	<p data-bbox="1029 831 1109 1742">(b) That Council resolve in accordance with Options C1, C2 or C3 in relation to Issue C – Performance provisions relating to Opportunity Site bonus FSR</p> <p data-bbox="1109 831 1220 1742">(d) That Council resolve in accordance with Options E1, E2 or E3 in relation to Issue E – Application of the proposed High Performing Buildings Bonus to sites with an FSR less than 10:1</p>	<p data-bbox="1029 172 1141 831">(b) That Council resolve in accordance with Option C3 in relation to Issue C – Performance provisions relating to Opportunity Site bonus FSR.</p> <p data-bbox="1141 172 1220 831">Option C3: Adopt the following recommendation arising out of workshop outcomes:</p> <p data-bbox="1220 172 1380 831">(a) That, in relation to the Draft Parramatta CBD Planning Proposal, Council resolve to amend Clause 7.16 Opportunity Sites to include additional provisions to address site isolation, impacts on</p>																

<p>historic streetscapes, and adding minimum site depth requirements as follows:</p> <ul style="list-style-type: none">• 35m, where the site is a corner site with at least two street frontages; or• 40m, in all other situations.	<p>(b) That, in relation to the resolved site-specific planning proposal for 286-300 Church Street, Parramatta, Council resolve to not retrospectively apply the above new provisions to this site-specific planning proposal.</p>	<p>(b) That Council resolve in accordance with Option E3 in relation to Issue E – ‘Application of the proposed High Performing Buildings Bonus to sites with an FSR less than 10:1’ with part (a) being amended to read: That Council apply a high performing buildings bonus of 5% to mixed use developments with an FSR of at least 6:1.</p>
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