

20 May 2024

Kiersten Fishburn
NSW Department of Planning, Housing and Infrastructure
4 Parramatta Square, 12 Darcy Street,
PARRAMATTA, NSW, 2150

Dear Kiersten

REQUEST FOR INDUSTRY SPECIFIC SEARS 2 - 10 VALENTINE AVENUE, PARRAMATTA – BUILD TO RENT HOUSING

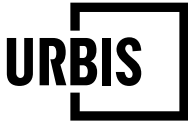
This letter has been prepared on behalf of Australian Unity (**the Applicant**). It provides a detailed description of the subject site and proposal, and requests industry-specific Secretary's Environmental Assessment Requirements ('**SEARs**') from the NSW Department of Planning, Housing and Infrastructure (**DPHI**), as a precursor to an initial 'Scoping Meeting' with key Departmental staff.

The proposal seeks to establish a new mixed-use build-to-rent (**BTR**) housing development at 2-10 Valentine Avenue, Parramatta (**the site**). Further details of the site are provided in **Section 2** and details of the proposal are included within **Section 3**.

The proposal is categorised as State Significant Development (**SSD**) in accordance with Schedule 1, Section 27 of the *State Environmental Planning Policy (Planning Systems) 2021* (**Planning Systems SEPP**) as it relates to BTR housing on land within the Central River City Region which has a capital investment value of greater than \$50 million. It is also noted that the tenanted component of the development is significantly greater than 60% of the capital investment value. Accordingly, a State Significant Development Application (**SSDA**) will be required to be lodged to the DPHI to facilitate the approval of the development.

The site that forms the subject to this SEARs Request is zoned E2 Commercial Centre under the *Parramatta Local Environmental Plan 2023* (**PLEP 2023**). Development for the purpose of shop-top housing is permissible pursuant to Section 72 of the *State Environmental Planning Policy (Housing) 2021* (the **Housing SEPP**) if it accommodates 50 dwellings that are located on the same lot. Further, development for the purpose of commercial premises (including office premises and retail premises) is permitted with consent on land zoned E2 Commercial Centre under the PLEP 2023. The BTR housing development will include retail uses and the BTR component is able to meet the applicable thresholds that apply under Section 72 of the Housing SEPP 2021. In consequence, the proposal is permissible with consent.

The project qualifies for the issue of the 'Industry-specific' SEARs, as outlined in the DPHI prepared *State Significant Development Guidelines – Preparing a Scoping Report* because it is not designated development, is not partly prohibited (or prohibited), and does not pertain to a concept development application.



This letter provides an overview of the proposal, sets out the statutory context, and identifies the key likely environmental and planning issues to be considered and assessed as part of the SSDA. It should be read in conjunction with the documents appended to this report:

- Architectural Concept Plans prepared by Curzon & Partners (**Attachment A**); and
- Estimated Cost of Development Statement prepared by Slattery (**Attachment B**).

1. APPLICANT DETAILS

The applicant details for the proposed development are listed in the following table.

Table 1 Applicant Details

Descriptor	Proponent Details
Full Name(s)	Australian Unity Investment Management Administration Pty Limited C/: Future Place Projects
Postal Address	Level 6, Aurora Place, 88 Phillip Street, Sydney NSW, 2000
ABN	76 115 442 969
Nominated Contact	Nikki Panagopoulos
Contact Details	Npanagopoulos@australianunity.com.au C/ Beau.Bartlett@futureplaceprojects.com

2. SITE DESCRIPTION

The site is located at 2 - 10 Valentine Avenue, Parramatta, within the City of Parramatta Local Government Area (**LGA**). It is approximately 19km north west of the Sydney CBD and 13km to the south east of the Liverpool CBD.

The site has an area of 3,937m² and is legally described as Lot 2 in DP 1119257, as **Figure 1**.

The site occupies the north eastern corner of Valentine Avenue and Parkes Street within the Parramatta CBD. It has a south western frontage to Valentine Avenue of approximately 90m and a southern frontage to Parkes Street of approximately 20m.

The existing development contained within the northern portion of the site at 10 Valentine Avenue consists of a 13-storey commercial office building. This commercial office building supports approximately 17,600m² of gross floor area and 25 basement car parking spaces. It is currently subject to construction works to facilitate a range internal and external upgrades approved under DA/319/2023.

The proposal occupies the south-eastern extent of the site in the location of the development approved under applications DA/841/2017 and DA/517/2019. Together these applications relate to the delivery of a 30 storey commercial tower which is yet to be constructed.

It is anticipated that the northern adjoining 13-storey office building at 10 Valentine Avenue will remain operational throughout the redevelopment of the BTR proposal.

The site's location and a detailed description of its key attributes are provided in **Figure 1** and **Table 2**, respectively.

Figure 1 Site Location Plan

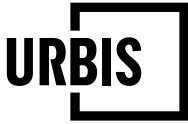


Source: Nearmap

Table 2 Site Description

Feature	Description
Street Address	2 - 10 Valentine Avenue, Parramatta
Legal Description	Lot 2 in DP 1119257
Land Configuration	It is rectangular in configuration and has a site area of 3,937m ²
Land Ownership	Australian Unity

Feature	Description
Existing Development	<p>The northern portion of the site (10 Valentine Avenue) consists of an existing 13-storey commercial office building.</p> <p>The south-eastern portion of the site (2 Valentine Avenue) is occupied by a six level above ground car park that provides 286 parking spaces. This carpark was proposed to be demolished and replaced with a 30-storey commercial tower as approved under DA/841/2017 and DA/517/2019. However, this SEARs letter relates to a new proposal that will replace this carpark with a new BTR development instead.</p>
Local Context	<p>The site is located adjacent to the Parramatta Railway Corridor which is positioned to the immediate north-east of the site. This railway corridor is identified as a State heritage item.</p>
Regional Context	<p>The site is positioned approximately 19km north west of the Sydney CBD and 13km to the south east of the Liverpool CBD. It is strategically located in the heart of Parramatta CBD.</p> <p>Parramatta CBD is Sydney’s second largest employment hub with more than 82,000 employees. By virtue of the site’s CBD location, it is situated close to key transformational commercial and infrastructural developments such as Westfield Parramatta, Parramatta Square and Parramatta Metro Station.</p> <p>The site is located to the immediate south east of Parramatta Railway Station. It is positioned approximately 440m south east of the planned Parramatta Metro Station and 2km south east of the planned Westmead Metro Station located on the eastern side of Hawkesbury Road.</p> <p>The site is accessible from Valentine Avenue which provides connections to Parkes Street and James Ruse Drive and the M4 Motorway.</p>
Site Access	<p>The site has a primary frontage to Valentine Avenue. The site is also accessible for pedestrians via Argyle Street via a ramp that connects to the site and Westfield Shopping Centre.</p>
Acid Sulfate	<p>The site is impacted by Class 4 and Class 5 acid sulfate soils.</p>
Flooding	<p>The southern portion of the site is flood affected and is identified on the PLEP’s <i>Floodplain Risk Management Map</i>. It is located within a high hazard and medium hazard flood area as it occupies land affected by the 1% annual exceedance probability (AEP) (1:100).</p>



Feature	Description
Aviation	The proposal sits within the maximum height limit of RL 243. Parramatta CBD is within the protected airspace of Bankstown Airport. The site's airspace limitations will be investigated further during the preparation of the SSDA application.
Bushfire	The site does not occupy bushfire prone land.

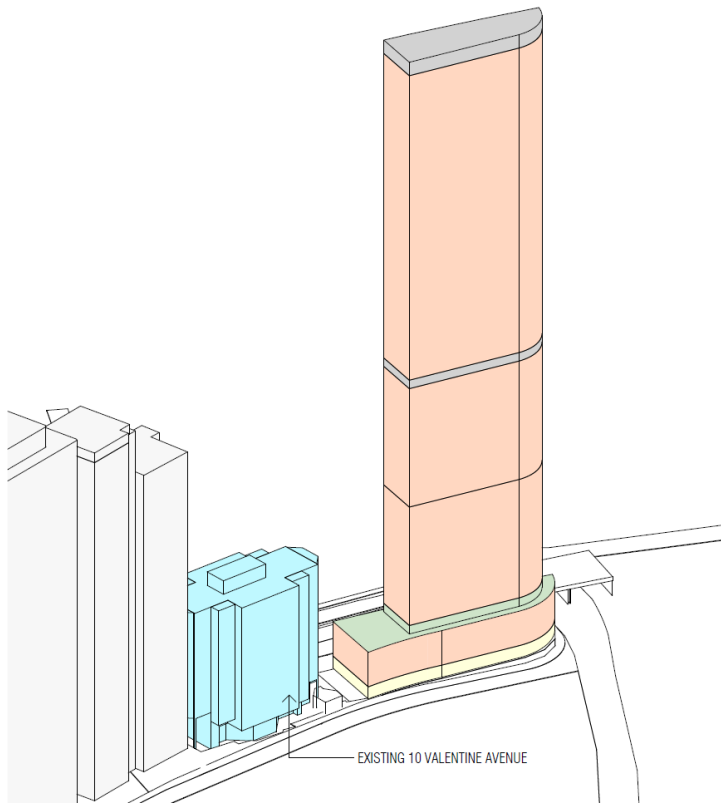
3. DEVELOPMENT DESCRIPTION

The key components of the proposed development are listed in the following table.

Table 3 Project Details

Descriptor	Project Details
Project Area	The BTR development relates to the south-eastern extent of the site within Lot 2 DP 1119257. It has an area of approximately 3,937m ² .
Project Description	<p>Below are the key components that form part of this proposal:</p> <ul style="list-style-type: none"> ▪ Demolition of an existing six level above ground carpark; ▪ Site preparation and excavation works; ▪ Construction of a new mixed use BTR development with a maximum height of RL 243 comprising: <ul style="list-style-type: none"> - Basement: comprising 4 levels of parking; - Podium (Ground – Level 4): accommodating retail and residential amenities; - Tower element: accommodating BTR from Level 5 – Level 68: and ▪ Landscaping and associated public domain works.
Expected Capital Investment Value	\$50,000,000+ (excluding GST) – refer to ECD Statement submitted with this SEARs request at Attachment B .

Figure 2 3D Massing of Proposed Development



Source: Curzon + Partners

4. SUMMARY OF STATUTORY PLANNING CONSIDERATIONS

4.1. SSD QUALIFICATION

The proposed BTR development has a capital investment value of more than \$50 million. The tenanted component has a value of at least 60% of the estimated development cost and the proposal is permissible with consent in the zone. Accordingly, the proposal is designated as SSD pursuant to Schedule 1, Section 27 of the Planning Systems SEPP.

The site is zoned E2 Commercial Centre under the PLEP 2023. As per Section 72 of the Housing SEPP, the BTR component of the project is permissible with consent for the following reasons:

- The project will seek consent for a residential flat building and/or shop top housing, which is a form BTR development;
- The site is wholly zoned E2 Commercial Centre, refer to **Figure 3**, which is a prescribed zone for BTR under the Housing SEPP;
- The development will contain at least 50 dwellings that will be occupied, or are intended to be occupied by, individuals under residential tenancy agreements; and

- All dwellings will be located on the same lot, with this being Lot 2 in DP 1119257.

The Minister for Planning (or the Minister’s delegate) is the consent authority pursuant to Section 4.5(a) of the EP&A Act.

Figure 3 PLEP 2023 Land Zoning Map



Source: Urbis

4.2. ELIGIBILITY FOR INDUSTRY SPECIFIC SEARS

As above, the proposal is wholly permissible with consent pursuant to the Housing SEPP and satisfies the criteria for SSD under the Planning Systems SEPP. It is eligible for ‘industry specific’ SEARs because it is not

- Categorized as ‘designated development’ under Schedule 3 of the *Environmental Planning and Assessment Regulation 2021 (EP&A Regulation)*.
- Partly prohibited by an environmental planning instrument.
- Wholly prohibited by an EPI, to the extent permitted by the Act, section 4.38(5).
- A concept development application for State significant development.

4.3. KEY DEVELOPMENT STANDARDS

The following table provides an overview of the key development standards from the PLEP:

Table 4 Key PLEP development standards

Clause	Provision	Proposal
<u>Building Height</u> Clause 4.3, Clause 7.15, Clause 7.7	The clauses establish a maximum height for the southern portion of the site comprising: <ul style="list-style-type: none"> ▪ a maximum base height of RL211, ▪ a Design Excellence bonus FSR of up to 15% (31.65m) A sun access plane to Jubilee Park sets the maximum height for the northern part of the site.	The area subject of the BTR housing development is located to the southern portion of the site and is subject to a maximum height limit of RL 242.65. The Concept Plans prepared by Curzon and Partners provided at Attachment A provides an indicative scheme with a compliant maximum height of RL 242.25. The site of the subject SSDA does not relate to the northern portion of the site.
<u>FSR</u> Clause 7.3, Clause 7.25, Clause 7.40	The clauses establish a maximum permitted FSR of up to 12:1, comprising: <ul style="list-style-type: none"> ▪ a maximum base FSR of 10:1, ▪ a Design Excellence bonus FSR of up to 0.15:1, and ▪ a High Performing Building Design bonus of up to 0.05:1. 	The site is subject to a maximum FSR of 12:1 under this clause. The land subject to this SSDA has an area of approximately 3,937m ² and as such the maximum permitted gross floor area (GFA) of a BTR development on the site is 47,244m ² . The Concept Plans prepared by Curzon and Partners provided at Attachment A provides an indicative scheme with a total compliant GFA of 45,112m ² .
<u>Commercial FSR</u> Clause 7.40	In addition to the above, Clause 7.40(3) of the PLEP 2023 provides that a building on the subject site may exceed the applicable FSR (maximum 12:1 FSR) if the consent authority is satisfied the additional GFA will be used only for office premises.	This SSDA will seek consent for a mixed-use retail and BTR development and does not relate to development of office premises. The existing 13-storey office building in the northern portion of the site at 10 Valentine Avenue contains 17,600m ² of GFA. This GFA is not included within the total GFA for the land subject to the SSDA as it is subject to an unlimited FSR control.

4.4. DESIGN EXCELLENCE

The design excellence provisions of Part 7, Division 3 of the PLEP 2023 apply to the site and the proposed development. Early engagement with Government Architect NSW (**GANSW**) and Parramatta City Council (**Council**) has occurred in relation to undertaking an architectural design competition. In this regard, at the time of writing this Industry-specific SEARS Request a Design Excellence Strategy (**DES**) has been endorsed and the Design Competition Brief is being prepared.

An architectural design competition is to be undertaken prior to the lodgement of the EIS/SSDA. It is intended that the Industry-specific SEARS, once received, will be appended to the Design Competition Brief for information.

4.5. OTHER APPROVALS

The application will consider the requirements of the *Biodiversity Conservation Act 2016*. As the site accommodates native vegetation, a Biodiversity Development Assessment Report (**BDAR**) or waiver will be prepared as part of the SSD application.

4.5.1. Approvals Not Applicable

The following statutory approvals are not required:

- Approval under the *Environment Protection and Biodiversity Conservation Act 1999* as the proposal will not impact on any of the matters of national environmental significance.
- Approval under the *Rural Fires Act 1997* given the site is not identified as being bushfire prone land.

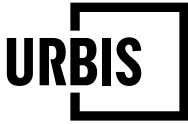
4.6. MANDATORY MATTERS FOR CONSIDERATION

The following EPIs are relevant to the project and will be considered as part of the SSDA:

- *State Environmental Planning Policy (Housing) 2021*
- *State Environmental Planning Policy (Planning Systems) 2021*
- *State Environmental Planning Policy (Transport and Infrastructure) 2021*
- *State Environmental Planning Policy (Resilience and Hazards) 2021*
- *State Environmental Planning Policy (Housing) 2021*
- *State Environmental Planning Policy (Industry and Employment) 2021*
- *Parramatta Local Environmental Plan 2023*

5. ENGAGEMENT

The Proponent and the project team have undertaken early consultation. The Proponent and its representatives met with the DPPI on the 21 February 2024, GANSW on the 24 January 2024, and the Council on the 6 February 2024 to discuss proposed development as described within this letter.



Further engagement will be undertaken as part of the project, which will be in accordance with the *Undertaking Engagement Guidelines for State Significant Projects* (October 2022). The proponent will undertake engagement with the following stakeholders:

- Department of Planning, Housing and Infrastructure;
- NSW Government Architect;
- City of Parramatta Council;
- Transport for NSW;
- Heritage NSW;
- First Nations Stakeholders;
- Service providers; and
- Local Community.

The SSDA process will provide further opportunities for community input and for the proponent to respond to any issues raised. The Proponent and the project team is committed to on-going dialogue with the relevant stakeholders, Council and government agencies throughout the development assessment process.

OVERVIEW

This letter has been prepared by Urbis to enable DPHI to issue industry-specific SEARs for the State Significant development (**SSD**) comprising a mixed use development proposal for BTR housing and ground floor commercial premises, located at 2 - 10 Valentine Avenue, Parramatta.

Industry-specific SEARs only apply to SSD applications other than those that:

- Would be designated development but for the Act, Section 4.10(2), or
- Are partly prohibited by an environmental planning instrument, or
- Are wholly prohibited by an EPI, to the extent permitted by the Act, Section 4.38(5), or
- Are a concept development application for State significant development.

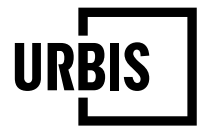
Urbis can confirm that none of the above apply to the subject proposal which has prompted this Industry-specific SEARs request.

If you require further information, please do not hesitate to contact me to discuss.

Kind regards,

A handwritten signature in black ink, appearing to read "Murray Donaldson".

Murray Donaldson
Director, Planning
+61 2 8233 9953



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Enclosed: Appendix A: Architectural Plans prepared by Curzon + Partners
 Appendix B: CIV Letter prepared by Slattery