

# NOTICE OF COUNCIL MEETING

## PUBLIC AGENDA

An Ordinary Meeting of City of Parramatta Council will be held in PHIVE (COUNCIL CHAMBER) COUNCIL CHAMBER AT 5 PARRAMATTA SQUARE, PARRAMATTA on Monday, 26 February 2024 at 6.30PM.

Gail Connolly PSM  
CHIEF EXECUTIVE OFFICER

**REPORTS TO COUNCIL - FOR COUNCIL DECISION**

---

<b>ITEM NUMBER</b>	13.3
<b>SUBJECT</b>	Public Exhibition of Amendment to the Parramatta City Centre Local Infrastructure Contributions Plan - Church Street North Precinct
<b>REFERENCE</b>	F2022/03176 - D09293126
<b>REPORT OF</b>	Land Use Planning Manager

**CSP THEME:** INNOVATIVE

**WORKSHOP/BRIEFING DATE:** Monday, 19 February 2024

**PURPOSE:**

To seek Council endorsement to amend the Parramatta City Centre Local Infrastructure Contributions Plan to make land parcels within the “Church Street North Precinct” (the precinct) subject to amended contribution percentage rates for the purposes of public exhibition.

(The proposed amendment arises due to the recent finalisation of a State-led rezoning for the precinct that resulted in increases to floor space ratios and height of buildings controls to facilitate the delivery of approximately 1,800 additional dwellings).

**RECOMMENDATION**

- (a) That Council approve an amendment to the Parramatta City Centre Local Infrastructure Contributions Plan, for the purposes of public exhibition, that proposes an increase of the residential development contribution rate for the Church Street North precinct from 3% to 4% while retaining the 3% rate for development which does not include residential accommodation (Option 3 in the report).
- (b) That Council authorises the Chief Executive Officer to amend and publicly exhibit draft Parramatta City Centre Local Infrastructure Contributions Plan (Amendment No 3) in accordance with the Option 3 details contained in this report.
- (c) Further, that the results of the public exhibition and the final plan be reported to Council.

**BACKGROUND**

1. The Parramatta City Centre Local Infrastructure Contributions Plan (the “Contributions Plan”) is a key funding mechanism to enable delivery of local infrastructure within the Parramatta City Centre. The Contributions Plan allows Council to apply a condition of consent to development within the City Centre that requires monetary contributions that will be committed towards funding the items specified in the Works Schedule.
2. Currently, the Contributions Plan applies different percentage rates to parts of the City Centre, as set out in the **Table 1** and **Figure A** below. These

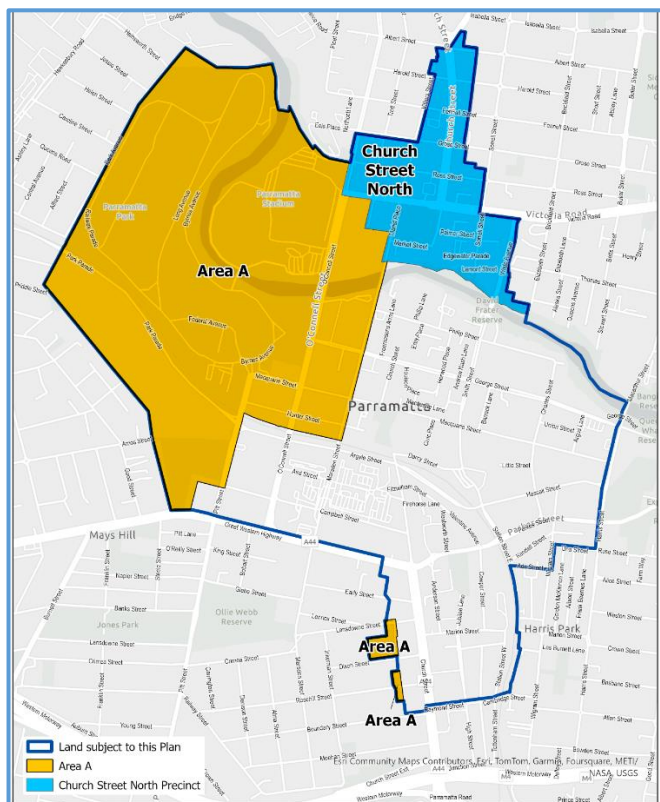
percentage rates reflect Council’s original intention to apply higher rates to those areas that received some form of increase in development yield under the Parramatta CBD Planning Proposal (“CBD Planning Proposal”).

	<b>Maximum percentage rate* for development exceeding \$250,000</b>
If the land is in “Area A” (including the Church Street North Precinct)	<b>3%</b> of the development cost for all development
If the land is not in “Area A”	<p><b>5%</b> of the development cost for residential accommodation</p> <p><b>5%</b> of the development cost for mixed-use development (being development including residential accommodation and other land uses)</p> <p><b>4%</b> of the development cost for other development (excluding residential accommodation).</p>

\* Rates enabled through Section 209 of the *Environmental Planning and Assessment Regulation 2021*.

**Table 1:** Current s7.12 contribution rates in the Parramatta City Centre Local Infrastructure Contributions Plan

3. Land within the Church Street North precinct (outlined in blue in **Figure A**, below) was:
  - a. originally part of the post-exhibition CBD Planning Proposal endorsed by Council on 15 June 2021 and sent to the Department of Planning, Housing and Infrastructure (“the Department”) to finalise; and
  - b. part of the supporting post-exhibition Contributions Plan endorsed by Council on 25 October 2021 and sent to the Department for Ministerial approval to amend the Regulation to enable application of the higher percentage rates to the area subject to the CBD Planning Proposal, being 5% for residential or mixed-use development and 4% for other development that excludes residential development.



**Figure A – Parramatta City Centre Local Infrastructure Contributions Plan 2022 Land Application Map, including the land within the Church Street North Precinct coloured blue.**

Finalisation of the CBD Planning Proposal, further State-led changes and implications for the Contributions Plan

4. A brief timeline of key events involving the finalisation of the CBD Planning Proposal and its relationship with the City Centre contributions plan, as well as further amendments initiated resulting from State-led rezonings is set out in Table 2, below.

Date	Action
6 May 2022	The Department approved the CBD Planning Proposal for finalisation, subject to removal of Phillip Street Block (land bounded by Phillip Street, Smith Street, the Parramatta River, and Charles Street) and Church Street North Precinct shown in Figure A with deferred commencement to come into effect on 14 October 2022.
early May 2022	Minister for Planning wrote to Council asking it to reconsider the contribution rate to be applied to the areas that were deferred from the CBD PP.
14 June 2022	Council approves revisions to the contributions plan to retain the 3% levy to land in the Phillip Street block and Church Street North precinct. The approved plan is re-submitted to the Department to progress their approvals and amendment to the Regulation.  Retention of the 3% rates to the removed areas was a holding position, pending future changes to the planning controls in the Phillip Street block or Church Street North by way of a Council-led or State-led rezoning process.
14 October 2022	The contributions plan comes into effect at the same time as Amendment 56. The request to amend the Regulation was approved and came into effect on the same day.

Between 16 December 2022 and 30 June 2023	During this period the Department reinstated new controls for the Phillip Street block and Council progressed an amendment to apply the new rates (4% and 5%) to land in the Phillip Street block
---	---

**Table 2:** *Timeline of events in the finalisation and commencement of Amendment 56 and the City Centre contributions plan and its amendments.*

### Finalisation of the Church Street North precinct controls

5. The Department undertook a state-led rezoning of controls in the Church Street North precinct. This review was completed and published in the *State Environmental Planning Policy (Church Street North Precinct) 2023* on 15 December 2023 (included at **Attachment 1**). The changes will come into effect on 1 July 2024.
6. The changes prepared in the rezoning include, in summary:
  - a. Increases to floor space ratio (FSR) controls – with the increased FSRs in the precinct ranging from 4:1 to 5:1.
  - b. Increases to height controls – with heights ranging between 28m (8 storeys) and 63m (20 storeys).
  - c. A 15% Design Excellence (DEX) bonus applied to both FSR and height controls where the development has successfully completed a competitive design competition process under clause 7.14 of Parramatta LEP 2023, consistent with controls applying to land elsewhere in the City Centre.
  - d. Further bonuses (on top of the 15% available in part c above), to height and FSR only on sites greater than 2,400sqm in area, which would increase FSRs by another 10% and heights of up to 15.5m
7. The changes to the planning controls for the Church Street North Precinct are lower than those proposed by the original CBD Planning Proposal, as summarised in Table 3, below. Not all sites will be able to achieve the maximums set out below due to individual site limitations or constraints and relationship to adjoining sites. Additionally, residential development on land within the Church Street North precinct will not be eligible for the High Performing Buildings bonus (per clause 7.25 in PLEP 2023) as none of the land has a maximum permissible FSR of 6:1 or greater.

<b>Controls, including applicable bonuses</b>	<b>State-led Church Street North Precinct rezoning</b>	<b>Previous CBD Planning Proposal (rejected by the Department)</b>
Maximum possible height	88m (28 storeys) (inc DEX and amalgamation)	92m (30 storeys) (inc DEX)
Maximum possible FSR	6.25:1 (inc DEX and amalgamation)	7.2:1 (inc DEX and High Performing Buildings)
Estimated gross floor area (GFA) at 2/3 take-up	222,070 sqm	280,840 sqm
Estimated additional dwellings	1,800	2,500

**Table 3:** *Comparison of planning controls for the Church Street North Precinct*

8. The changes between the controls represent approximately a 20% reduction in development potential when comparing differences in gross floor area based on

estimates between the CBD Planning Proposal and the finalised Church Street North Precinct controls prepared by the Department, as set out in Table 3, above.

9. The Department's finalisation report (direct link: [https://shared-drupal-s3fs.s3.ap-southeast-2.amazonaws.com/master-test/fapub\\_pdf/Finalisation+Report+\(3\).pdf](https://shared-drupal-s3fs.s3.ap-southeast-2.amazonaws.com/master-test/fapub_pdf/Finalisation+Report+(3).pdf)) indicated that Council would undertake a review of the City Centre contributions plan to take account of the changes from the rezoning and the demand for local infrastructure. As the changes are due to come into effect on 1 July 2024, any amendment of the Contributions Plan and Regulation needs to be completed and in effect on the same day to minimise income foregone from development applications lodged shortly after the commencement of the new controls. This is because the contribution plan in place at the time of lodging the Development Application is the plan that will be conditioned.

## ISSUES/OPTIONS/CONSEQUENCES

### Rationale for the amendment

10. The rationale for the proposed amendments to the Contributions Plan to apply increased contribution levies to the Church Street North precinct are, mainly:
  - a. To ensure consistency with the expressed position from the Council report of 14 June 2022 that contributions rates should be reviewed if planning controls from the areas originally deferred from the Parramatta CBD Planning Proposal are amended to increase the development potential. The increase in development capability in the Church Street North precinct warrants an increase from the 3% s7.12 levies currently applying to that area. This approach is principally consistent with the previous amendments to the Phillip Street block undertaken in early 2023.
  - b. The mooted increase of 1,800 additional dwellings in Church Street North, while less than that originally proposed under the Parramatta CBD Planning Proposal, will create additional demands for Council provision of local infrastructure.
11. A separate amendment to the City Centre Contributions Plan (Amendment No 2) is currently in progress, having commenced public exhibition on Monday 29 January 2024. This amendment changes some operational matters pertaining to the contributions plan, in summary:
  - a. changes to the timing of payment of the development contributions levy;
  - b. improved guidance to ensure that registered certifiers meet their legislative obligations when issuing relevant certificates in relation to development contributions;
  - c. clarification that Council determines the contribution amount payable; and
  - d. other minor housekeeping amendments of an administrative nature.
12. This amendment will not impact those proposed housekeeping changes (in Amendment No 2), and the draft document to be publicly exhibited will include those changes on the presumption that Amendment 2 is adopted in full. If

Amendment 2 has changes made as part of its finalisation process, this draft document will also be amended to ensure synchronicity.

13. The Regulation also needs to be amended as it identifies the land to which the increased rates can be imposed. If the Regulation is not also amended then Council cannot charge the higher rates to future development within the Church Street North precinct despite removing it from “Area A” in this draft Plan. The amendment to the Regulation, which is subject to Ministerial approval, would be requested following the exhibition if endorsed by Council.

#### Establishing Contributions Rates for the Church Street North Precinct

14. Establishing the s7.12 levies for the Parramatta City Centre were initially informed by independent development feasibility testing in 2021. Before the Department removed land from the CBD Planning Proposal, the Church Street North precinct was originally included within the draft City Centre Contributions Plan to apply s7.12 levies of 5% for development that included residential accommodation and 4% for other development that did not include residential accommodation. The feasibility analysis was based on the CBD Planning Proposal controls, which at that time proposed FSRs of up to 7.2:1 for the Church Street North precinct, including all incentives applicable to the area. The feasibility analysis at that time advised that the 5% and 4% levies were viable, albeit at the bottom end of the viability benchmarking.
15. In contrast, none of the FSRs for the Church Street North precinct are greater than 7.2:1 including all bonuses following the finalisation of the Department-led rezoning. In that regard, attempting to apply the full 5% and 4% contributions rates could compromise development viability benchmarking based on the independent study previously undertaken.
16. Consequently, Council officers considered three options for the Church Street North Precinct set out in Table 4 below.

Development	<b>Option 1</b> No change to current contribution rates	<b>Option 2</b> Apply s7.12 levies as per City Centre Contributions Plan 2022 for land not in Area A	<b>Option 3 (Recommended)</b> <b>Levies adjusted downwards by 20% based on reduction in GFA (rounded to whole number)</b>
Residential accommodation where the total development cost is over \$250,000	3%	5%	<b>4%</b>
Mixed-Use development (development including residential accommodation and other land uses) where the total development cost is over \$250,000	3%	5%	<b>4%</b>
Other development (excluding residential accommodation) where the total development cost is over \$250,000	3%	4%	<b>3%</b>

Any development where the development cost is \$250,000 or less	Nil	Nil	Nil
---	-----	-----	-----

**Table 4 – Options**

17. Option 1 proposes no change to the contributions plan, and retain the current 3% rates to the Church Street North Precinct; and has the following advantages and disadvantages:

<b>Option 1:</b> Retain the current contributions rates for the Church Street North precinct (status quo)	
Advantages	Disadvantages
<ul style="list-style-type: none"> <li>No amendment to the contributions plan or Regulation will be required.</li> </ul>	<ul style="list-style-type: none"> <li>Inconsistent with the policy position to review contributions rates as a result of changes to planning controls that result in increases in development capability within the City Centre</li> </ul>
	<ul style="list-style-type: none"> <li>Retention of the current rates does not address additional demands for local infrastructure from the anticipated 1800 extra dwellings anticipated in the Church Street North precinct.</li> </ul>
	<ul style="list-style-type: none"> <li>No additional income will be received compared to Options 2 or 3 where higher percentage rates are applied.</li> </ul>

**Table 5: Advantages and Disadvantages of reinstating the 5% and 4% percentage rates to the Church Street North precinct**

18. 'Option 2' proposes applying the rates which currently apply to land not in Area A within the City Centre to land within the Church Street North Precinct – being 5% for development that contains residential accommodation or mixed-use development, and 4% for any development that does not include residential accommodation. This option is consistent with the original contributions plan for the City Centre; and has the following advantages and disadvantages:

<b>Option 2:</b> Apply s7.12 levies as per City Centre Contributions Plan 2022 for land not in Area A	
Advantages	Disadvantages
<ul style="list-style-type: none"> <li>Consistent rates with the remainder of the City Centre and will be easier to administer</li> </ul>	<ul style="list-style-type: none"> <li>These rates have not been tested in terms of development feasibility for the new controls. Based on work previously undertaken, reinstating the levies is likely to be marginal or potentially unviable based on the reductions in development potential from the Church Street North controls as the maximum FSR achievable in this precinct is lower than 7.2:1 FSR that was tested previously.</li> </ul>
<ul style="list-style-type: none"> <li>Amendment to the Regulation should be more straightforward as contributions rates already applied</li> </ul>	<ul style="list-style-type: none"> <li>Perception that adopting these rates may slow down delivery of development in the area, despite</li> </ul>



under Section 209 to the City Centre are being expanded to the Church Street North precinct	being consistent with the remainder of the City Centre.
<ul style="list-style-type: none"> <li>Consistent with the policy position to review contributions rates as a result of changes to planning controls that result in increases in development capability within the City Centre</li> </ul>	<ul style="list-style-type: none"> <li>Further work will be needed to commission a development feasibility analysis to support applying these rates, having regard to the reduction in development capacity within the precinct. This risks delaying the implementation of the plan which could forego additional income to funding local infrastructure if a development application was lodged before the plan amendment comes into force.</li> </ul>
<ul style="list-style-type: none"> <li>Maximises income through contributions to fund local infrastructure, and reduces the funding gap between income and infrastructure identified for provision in the City Centre.</li> </ul>	

**Table 6:** Advantages and Disadvantages of reinstating the 5% and 4% percentage rates to the Church Street North precinct

19. 'Option 3 (recommended)' proposes an increase to the s7.12 contribution rates for the Church Street North Precinct, but less than the rates which currently apply to City Centre Contributions Plan 2022 for land not in Area A. The controls developed by the Department in their state-led rezoning (see **Attachment 1**) theoretically reduce gross floor area within the precinct by approximately 20% compared to the original CBD Planning Proposal.
20. 'Option 3– Adopting a reduced rate of 4% for development that has residential accommodation, including mixed-use development, and retaining the 3% levy for other development – has the following advantages and disadvantages:

<b>Recommended option:</b> Levies adjusted downwards by 20% based on reduction in GFA	
Advantages	Disadvantages
<ul style="list-style-type: none"> <li>Reflective of the approximately 13% reduction in development capability of the new controls applying to the Church Street Precinct compared to those under the Parramatta CBD Planning Proposal. Potentially more acceptable to the development industry as adjustments are comparable.</li> </ul>	<ul style="list-style-type: none"> <li>Application of these rates have not been tested in terms of development feasibility for the new controls however, they are reflective of the approximate 20% reduction in GFA</li> </ul>
<ul style="list-style-type: none"> <li>Consistent with the policy position to review contributions rates as a result of changes to planning controls that result in increases in development capability within the City Centre</li> </ul>	<ul style="list-style-type: none"> <li>Amendment of the Regulation will be complicated slightly by introducing a new "Area" control and percentage rates for the Church Street North precinct.</li> </ul>
<ul style="list-style-type: none"> <li>Increases income through contributions to fund local infrastructure, although by not as much as the alternate option and reduces the funding gap between</li> </ul>	<ul style="list-style-type: none"> <li>The recommended option will introduce a new (third) set of percentage rates for the City Centre, thereby increasing complexity for the plan's administration.</li> </ul>

income and infrastructure identified for provision in the City Centre.	
--	--

**Table 7:** Advantages and Disadvantages of adopting a reduced 4% and 3% rates to the Church Street North precinct

### Theoretical income

21. Given the spatial location of the Church Street North precinct in relation to other parts of the City Centre, the predominant development type is anticipated to be residential, with small amounts of commercial generally on the ground floor of a mixed-used building. Development of a wholly commercial building is not anticipated in this area as, compared to other parts of the City Centre, there are no incentives in terms of bonuses for the provision of wholly commercial or office buildings.
22. Based on a theoretical development capacity of potential sites, a gross floor area is estimated at 23,600sqm of commercial floor space and 198,400sqm of residential floor space. The assumptions for this floor space are based on yield modelling approaches consistent with those undertaken by the CBD Planning Proposal to identify developable sites and apply a 2/3 take-up rate of the overall yields across the precinct. Based on this modelling, development potential within the precinct would be approximately 980 additional jobs and 1,980 additional dwellings, which, in turn, is close to the 1,800 additional dwellings cited by the Department in their finalisation report.
23. An estimated development cost on this yield is around \$95M commercial and \$892M residential allocation, for a total of \$987M development cost.
24. Table 8, below, compares estimates in income for the three options. These assume that development in the Church Street North precinct will be predominantly residential or mixed-use development.

	Commercial development	Mixed Use and Residential Development	Increase in Income Compared to Existing 3% rates
Option 1 - 3% for all development (No change)	Nil	\$29.61M	Nil
Option 2 – 5% residential and mixed use, 4% commercial	Nil	\$49.35M	\$19.74M
<b>Option 3 – 4% residential and 3% commercial</b>	<b>Nil</b>	<b>\$39.48M</b>	<b>\$9.87M</b>

**Table 8 – Estimated income comparison based on application of percentage rates for each option.**

25. Implementation of the 'Option 2' achieves the greatest estimated income for the precinct, of nearly \$50M. There is approximately a \$10 million difference in income estimates between each of the options.

26. When considering the difference (gap) between the apportionable component to new development of \$1.198B and the income estimated in the City Centre Contribution Plan Amendment 1 of \$582M over the 40-year planning period, at that time the funding gap was estimated at \$616M. Depending on the option chosen by Council, the overall funding gap will be reduced further, by between \$10M and \$20M. If any option is chosen, including the status quo, a significant funding shortfall will still occur between the income anticipated and the apportionable component to new development.

## CONSULTATION & TIMING

### Stakeholder Consultation

27. The changes to the Contributions Plan are proposed to be publicly exhibited for a period of 28 days. As required by *Section 213 of the Environmental Planning and Assessment Regulation 2021*, details of the exhibition including the draft Contribution Plan will be made available on Council's website through the Participate Parramatta portal. Copies of the draft Plan will be made available at the Customer Service Centre and central library branch at Phive.
28. Additionally, landowners within the Church Street North precinct (as identified in Figure B of this report) will be notified by mail advising of the public exhibition. As this proposed amendment does not alter other operational aspects of the Contributions Plan, nor does it seek to change the Works Schedule, wider consultation is not recommended given the nature and time-sensitivity of this amendment to have it in place by 1 July 2024.

### Councillor Consultation

29. The following Councillor consultation will be undertaken in relation to this matter:

Date	Councillor	Councillor Comment	Council Officer Response	Responsibility
19 February 2024	Standard briefing session prior to Council meeting	Report finalised prior to briefing session	Report finalised prior to briefing session	Group Manager – City Strategic Planning

30. A further report will be brought to Council following the exhibition of the draft Plan.

## LEGAL IMPLICATIONS FOR COUNCIL

31. There are no legal implications for Council associated with this report.

## FINANCIAL IMPLICATIONS FOR COUNCIL

32. If Council resolves to approve this report in accordance with the recommendation, there are no unbudgeted financial implications for Council's

budget. Costs associated with the public exhibition of the contributions plan will be funded from existing Strategic Land Use Planning budget allocations.

33. It should be noted that if the Contributions Plan comes into effect along with the changes to the Regulation, an estimated increase in contributions income of an additional \$9.87M if Option 3 (Recommended) is chosen; an additional \$19.74M if Option 2 is chosen. If Option 1 is chosen (i.e. the status quo), there will be no increase to the income anticipated above the approximately \$30M estimated by applying the current 3% rates to future development in the precinct.
34. The table below summarises the financial impacts on the budget arising from approval of this report.

	FY 22/23	FY 23/24	FY 24/25	FY 25/26
<b>Revenue</b>				
Internal Revenue				
External Revenue				
<b>Total Revenue</b>	NIL	NIL	NIL	NIL
<b>Funding Source</b>	NIL	NIL	NIL	NIL
<b>Operating Result</b>				
External Costs				
Internal Costs				
Depreciation				
Other				
<b>Total Operating Result</b>	NIL	NIL	NIL	NIL
<b>Funding Source</b>	NIL	NIL	NIL	NIL
<b>CAPEX</b>				
CAPEX				
External				
Internal				
Other				
<b>Total CAPEX</b>	NIL	NIL	NIL	NIL

Janelle Scully  
**Land Use Planning Manager**



Robert Cologna  
**Group Manager, Strategic Land Use Planning**

Jennifer Concato  
**Executive Director City Planning and Design**

John Angilley  
**Executive Director Finance & Information**

Gail Connolly  
**Chief Executive Officer**

**ATTACHMENTS:**

- 1  State Environmental Planning Policy Amendment (Church Street  
 North Precinct) 2023

5  
Pages

**REFERENCE MATERIAL**



# State Environmental Planning Policy Amendment (Church Street North Precinct) 2023

under the

Environmental Planning and Assessment Act 1979

Her Excellency the Governor, with the advice of the Executive Council, has made the following  
State environmental planning policy under the *Environmental Planning and Assessment Act 1979*.

PAUL SCULLY, MP  
Minister for Planning and Public Spaces

State Environmental Planning Policy Amendment (Church Street North Precinct) 2023 [NSW]

---

## State Environmental Planning Policy Amendment (Church Street North Precinct) 2023

under the

Environmental Planning and Assessment Act 1979

### 1 Name of policy

This policy is *State Environmental Planning Policy Amendment (Church Street North Precinct) 2023*.

### 2 Commencement

This policy commences on 1 July 2024 and is required to be published on the NSW legislation website.

### 3 Repeal of policy

This policy is repealed at the beginning of the day following the day on which this policy commences.

### 4 Maps

The maps adopted by *Parramatta Local Environmental Plan 2023* are amended or replaced, as the case requires, by the maps approved by the Minister on the making of this policy.

State Environmental Planning Policy Amendment (Church Street North Precinct) 2023 [NSW]  
Schedule 1 Amendment of Parramatta Local Environmental Plan 2023

## Schedule 1 Amendment of Parramatta Local Environmental Plan 2023

**[1] Clause 5.1 Relevant acquisition authority**

Insert at the end of clause 5.1(2), table—

Zone E2 Commercial Centre and marked “Regional cycleway”	Council
Zone MU1 Mixed Use and marked “Regional cycleway”	Council

**[2] Clause 7.3 Floor space ratio**

Omit “, “Area 8”” from clause 7.3(1).

**[3] Clause 7.3(2), table**

Insert in appropriate order—

4.5:1	3.25:1	(3.25 + 1.25X):1
5:1	3.5:1	(3.5 + 1.5X):1

**[4] Clause 7.4 Floor space ratio—Parramatta Park and Park Edge Highly Sensitive Area**

Omit “, other than land identified as “Area 11” on the Special Provisions Area Map” from clause 7.4(2).

**[5] Clause 7.5 Additional floor space ratio—“Area 3” and “Area 5”**

Omit “has a footprint of” from clause 7.5(4)(b). Insert instead “is”.

**[6] Clause 7.5(4)(c)**

Omit the paragraph. Insert instead—

- (c) each floor that is more than 105m above ground level (existing) is less than 40m by 40m, as measured to the external face of the external walls and including balconies, and

**[7] Clause 7.7 Sun access**

Omit “and Jubilee Park” from clause 7.7(1)(a).

Insert instead “, Jubilee Park, Prince Alfred Square and the Parramatta River foreshore”.

**[8] Clause 7.7(3)(e) and (f)**

Insert after clause 7.7(3)(d)—

- (e) for Prince Alfred Square—between 11am and 2pm,  
(f) for the Parramatta River foreshore—between 11am and 2pm.

**[9] Clause 7.7(4)**

Omit “in Parramatta Square, between 1pm and 2pm on 21 March and 23 September in any year (the *relevant period*), on the land”.

Insert instead “, between 1pm and 2pm on 21 March and 23 September in any year (the *relevant period*), on the land in Parramatta Square”.



State Environmental Planning Policy Amendment (Church Street North Precinct) 2023 [NSW]  
Schedule 1 Amendment of Parramatta Local Environmental Plan 2023

**[10] Clause 7.7(6A)**

Insert after clause 7.7(6)—

- (6A) This clause prevails over another provision of this part to the extent of an inconsistency.

**[11] Clause 7.22 Managing heritage impacts**

Insert after clause 7.22(2)(c)—

- (d) land identified as “Area C” or “Area D” on the Special Provisions Area Map.

**[12] Clause 7.22(3)(d)**

Omit “heritage item or heritage conservation area on, or adjacent to, the land”.

Insert instead “relevant heritage item or heritage conservation area”.

**[13] Clause 7.22**

Insert at the end of the clause, with appropriate subclause numbering—

A reference to a heritage conservation area in subclause (3) is taken, in relation to land referred to in subclause (2)(d), to include the North Parramatta Conservation Area and Sorrell Street Conservation Area.

**[14] Clause 7.42 5 Aird Street and 12 Hassall Street, Parramatta**

Omit “Key Sites Map” wherever occurring. Insert instead “Special Provisions Area Map”.

**[15] Part 7, Division 6**

Insert at the end of the division, with appropriate clause numbering—

**Church Street North Precinct**

- (1) This clause applies to the erection of a building on land identified as “Area C” on the Special Provisions Area Map that—
  - (a) has a site area of at least 2,400m<sup>2</sup>, and
  - (b) uses the additional height and floor space ratio permitted under clause 7.15(2).
- (2) The building may exceed the applicable FSR by up to 10% if the consent authority is satisfied of the following—
  - (a) each floor that is more than 60m above ground level (existing) will not exceed 35m by 35m, as measured to the external face of the external walls and including balconies,
  - (b) all heritage items on the site will be repaired, restored or reconstructed as part of the development,
  - (c) there will be an appropriate transition in bulk and scale to neighbouring heritage items and heritage conservation areas and the Parramatta River foreshore,
  - (d) the development minimises adverse impacts on significant view corridors, including to Church Street and Prince Alfred Square.
- (3) A building that exceeds the applicable FSR in accordance with subclause (2) may exceed the maximum height permitted under clause 7.15(2) by up to 15.5m.

State Environmental Planning Policy Amendment (Church Street North Precinct) 2023 [NSW]  
Schedule 1 Amendment of Parramatta Local Environmental Plan 2023

---

- (4) If the building includes above ground car parking, the amount of gross floor area by which the development exceeds the applicable FSR must not be included in calculating the maximum number of car parking spaces permitted under Division 4.