

**REPORTS TO COUNCIL - FOR COUNCIL DECISION**

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<b>ITEM NUMBER</b>	13.3
<b>SUBJECT</b>	Public Exhibition of Draft Church Street North Development Control Plan (DCP)
<b>REFERENCE</b>	F2022/03176 - D09253542
<b>REPORT OF</b>	Senior Project Officer Land Use

**CSP THEME:** Innovative

**WORKSHOP/BRIEFING DATE:** 18 March 2024

**PURPOSE:**

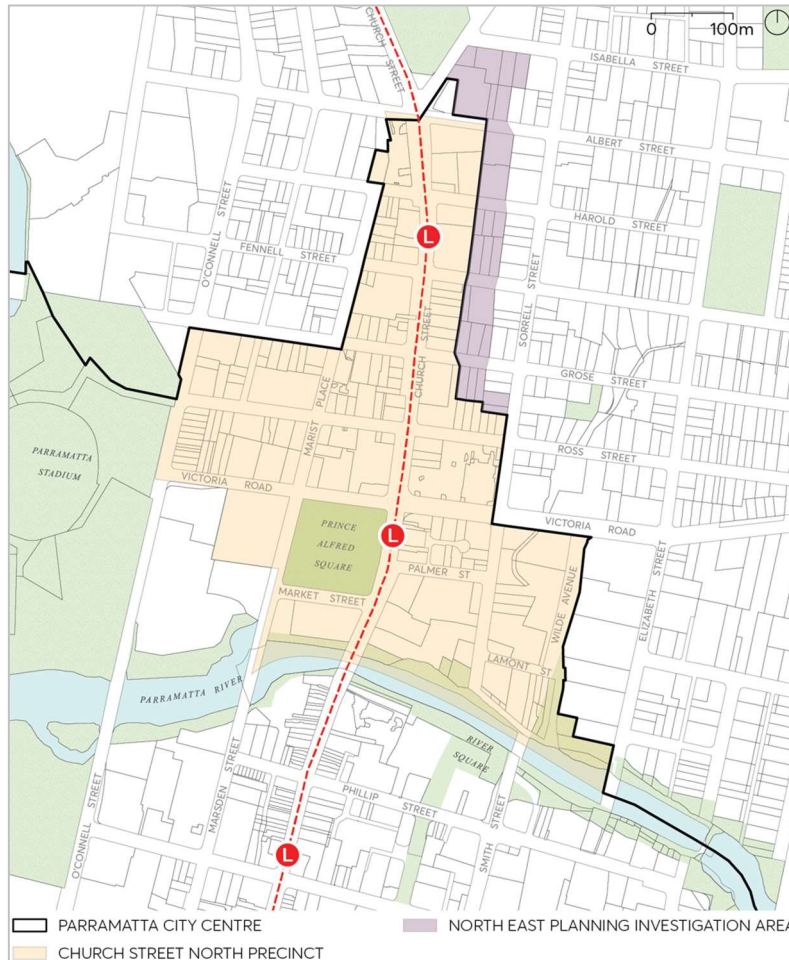
To seek Council endorsement for public exhibition of the draft Development Control Plan for the Church Street North area which has been prepared to support the Department of Planning, Housing and Infrastructure's *SEPP (Church Street North) 2023* which introduces new controls for this area into Council's LEP 2023.

**RECOMMENDATION**

- (a) That Council approve the draft Development Control Plan (draft DCP) for Church Street North at Attachment 3 for the purposes of public exhibition.
- (b) That the results of the public exhibition be reported to Council for its consideration to finalise the DCP controls to enable them to be in place as close as possible to 1 July 2024 when the new planning controls for the Church Street North Precinct come into force.
- (c) Further, that Council delegates authority to the Chief Executive Officer to make any changes of a minor, administrative and/or non-policy nature to the draft DCP during this process.

**BACKGROUND**

1. The area of the Parramatta City Centre located north of the river was removed from the Parramatta CBD Planning Proposal in October 2022 by the Department of Planning, Housing and Infrastructure ("the Department") when *Parramatta LEP 2011 (Amendment 56)* took effect.
2. The Department subsequently prepared a State Environmental Planning Policy to amend the *Parramatta LEP 2023* to introduce new planning controls for the land north of the river (refer to **Figure 1**). On 15 December 2023, the [\*SEPP \(Church Street North Precinct\) 2023\*](#) ("the SEPP") was published with a delayed commencement of 1 July 2024. A summary of the evolution of the City Centre LEP and DCP major milestones is provided at **Attachment 1**.



**Figure 1** – Relationship between the forthcoming Parramatta City Centre boundary, the Department’s Church Street North Precinct (as per the SEPP); as well as the North East Planning Investigation Area.

3. The SEPP amends *Parramatta LEP 2023* as follows:
  - a. Amends various clauses in Part 7 Additional local provisions – Parramatta City Centre along with any supporting maps (where necessary) to address changes to zoning, building heights, floor space ratios, heritage, end of journey facilities, high performing building design, sun access, car parking, land reservation acquisitions, relevant authorities, active frontages, dual water, and floodplain risk management.
  - b. Introduces a new local provision (as clause 7.46 Church Street North Precinct) for additional height and FSR for sites that meet certain criteria.
  - c. Addresses several LEP housekeeping matters which the Department initiated and led.

More detail on the changes is provided at **Attachment 2**.

4. The above forthcoming changes to *PLEP 2023* require Council to have appropriate DCP controls in place that respond to, and correlate with, the SEPP amendment, as close to the 1 July 2024. The section below details the proposed DCP changes.

5. A separate Council report on the North East Planning Investigation Area (NE PIA) which abuts the Church Street North Precinct as shown in **Figure 1** is anticipated in the coming weeks.

## CHURCH STREET NORTH PRECINCT DCP AMENDMENT

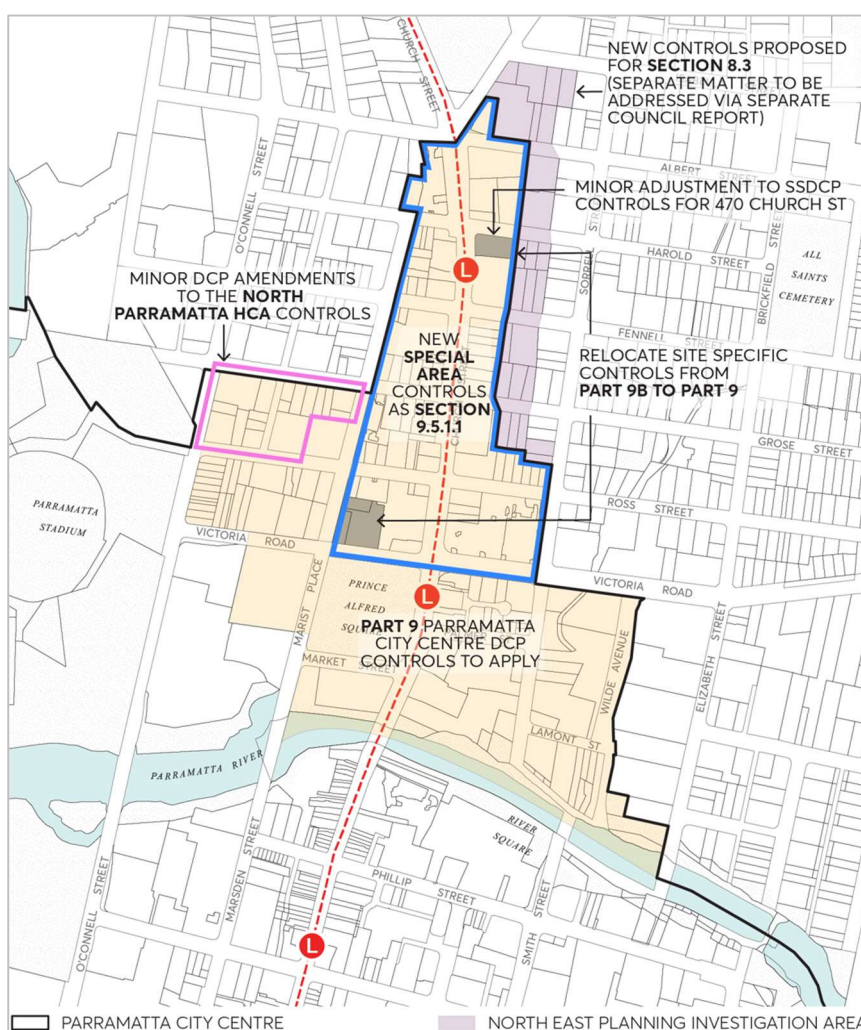
6. This DCP amendment involves clarifying the existing controls that will apply to different parts of the City Centre on account of the SEPP, as well as preparing new controls to support the SEPP. The Church Street North DCP amendment requires:
  - a. Amending Part 9 – Parramatta City Centre:
    - i. To provide clarity for applicants regarding how Part 9 may apply to a site and its relationship with other parts of the DCP.
    - ii. To ensure all maps in Sections 9.1, 9.4 and 9.5 include the Church Street North Precinct.
    - iii. To provide new special area controls that respond to the forthcoming new heights and FSRs for some blocks fronting Church Street (detailed in the section below and shown edged blue in Figure 2).
    - iv. To identify a new area of civic space fronting Church Street in the block bounded by Harold, Church, Fennell and Villiers Streets (this is detailed in the section below).
    - v. To make a minor adjustment to the site specific controls for the site at 470 Church Street to create an appropriate transition to the North East Planning Investigate area which flanks the Church Street North Precinct to the east.
    - vi. To identify through site links to improve pedestrian permeability (this is detailed in the section below).
  - b. Amending Part 9B to remove the current controls that apply to Church Street North and amend the way the controls in this section are presented to reflect this change. There are no changes to any controls or policy for any sites currently covered in Part 9B outside of the Church Street North Precinct. Maps and information are to be amended to reflect the relocation of controls for Church Street North Precinct otherwise all the controls remain unchanged.
  - c. Amending some of the DCP controls in Section 7.10.1 North Parramatta Conservation Area on account of the southern portion of the North Parramatta HCA (between Grose and Ross Streets) being rezoned via the SEPP from the R2 and R3 zones to the MU1 zone. This introduces non-residential uses to this area requiring minor adjustments to the controls (refer to the area edged purple in **Figure 2**).

**Figure 2** below illustrates broadly where the existing Part 9 controls will apply and where new controls in Part 9.5.1.1 are required.

7. The proposed amendments to each Section of the DCP being recommended for exhibition are shown in blue font in **Attachment 3**. Also, explanatory notes have

been included throughout Part 9 to explain which existing controls in Part 9 are being ‘switched on’ for the Church Street North Precinct.

8. It is important to note that when the Draft City Centre DCP controls were exhibited in late 2021, the existing DCP controls contained in Part 9 applied across the entire Parramatta City Centre because they correlated with the CBD Planning Proposal which at the time included the Church Street North precinct. Should Council endorse the exhibition of the controls as discussed in this report, it means that the exhibition of the controls in Part 9 largely constitutes their second exhibition.
9. Furthermore, as suggested by the Department, Council Officers in preparing the DCP amendments have considered the Department’s [Finalisation Report](#) for the Church Street North Precinct and the corresponding [urban design study](#) prepared by the Department’s consultants, Hassall in 2023.



**Figure 2 – Broad illustration of how the Part 9 DCP controls will apply to the Church Street North Precinct area.**

**Justification for the new Church Street North Special Area DCP controls in Section 9.5.1.1 of the DCP (edged blue in Figure 2 above)**

*Responding to the new SEPP controls*

10. In response to new heights, FSRs and place-based bonus mechanisms in the SEPP, special DCP controls have been drafted for the Church Street North

Special Area as indicated in **Figure 2**. Special area controls are considered necessary in this location where heritage sensitivities are the greatest, and include objectives and controls for:

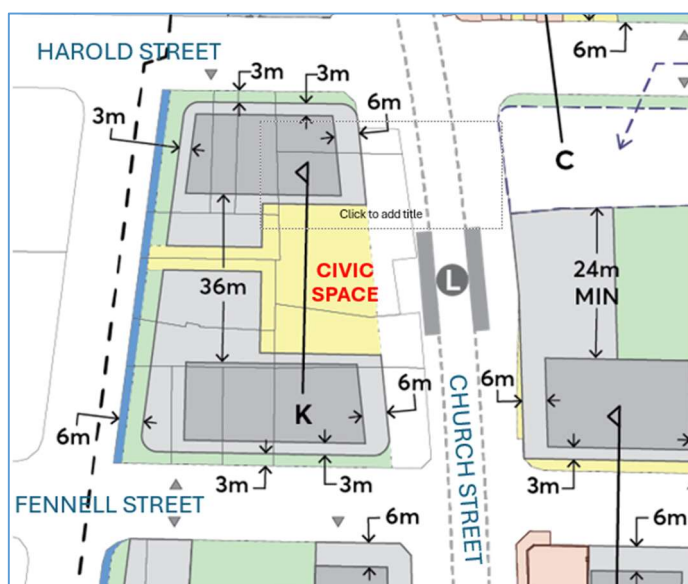
- Heritage transition achieved through specified setbacks and street wall heights,
- Street setbacks defined by prevailing heritage alignments,
- Curtilage and preferred design response for heritage items within the precinct,
- Tower separation to enable views to sky when observed from both the Sorrell Street HCA (east) and North Parramatta HCA (west),
- Identified through-site-links and laneways, and
- Preferred amalgamation pattern to realise the objectives of the special area.

#### *Unifying development across the precinct*

11. To respond to the heritage setting and transition to the HCA's, consistent tower separation and building setbacks along the east-west streets are proposed for both the Church Street North precinct and the NE PIA.

#### *Potential new civic space*

12. As part of the new special area controls, a site on the western side of Church Street between Harold Street and Fennell Street has been identified as a potential location for a future civic space due to its proximity to the Parramatta Light Rail stop as indicated in **Figure 3**. This site is also predominately in Council or State Government ownership and may be delivered alongside community floorspace. The Parramatta Community Infrastructure Strategy 2020 identifies the need for 1,500sqm of multi-purpose community space in this locality and notes an open space deficit proportionate to the anticipated population growth for this area. This civic space does not hinder the achievement of the forthcoming FSR control on either landholding.



**Figure 3** – Proposed new civic space (extract from Draft DCP controls with labels)

13. To assist with the delivery of this civic space, a future amendment to the Height of Buildings Map in Council's LEP which will allocate a 0 metre height limit in the location of the proposed civic space is intended. This will be programmed into

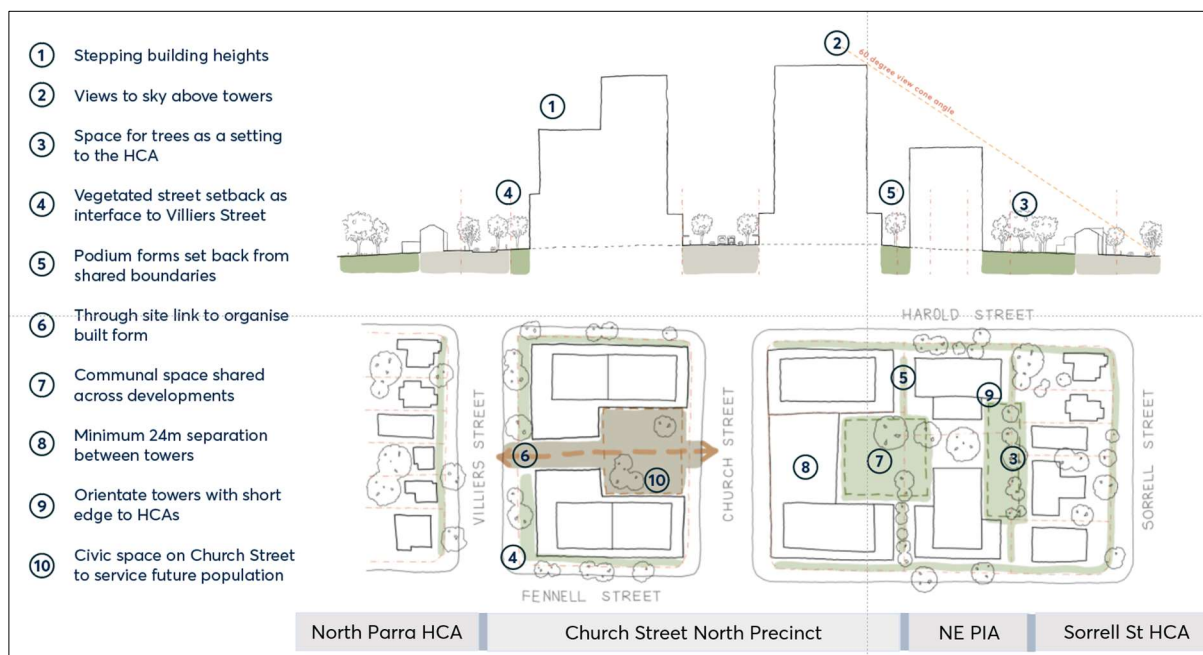
the Land Use Planning Team’s project workplan and consultation with landowners will be undertaken.

*Make minor changes to the controls affecting 470 Church Street*

- 14. The existing site specific controls for the site at 470 Church Street (proposed to be relocated to a new section 9.10.20) requires minor adjustments to ensure they correlate with the proposed new section 9.5.11 Church Street North, in which this site is located, and enable a transition to the NEPIA (part of a separate DCP amendment) in respect to the prevailing east-west heritage street alignment.
- 15. The proposed change to the site specific controls involves amending the setback of the podium to Harold Street (from 0 metres to 3 metres) and the eastern (side) boundary adjoining the NEPIA (from 0 metres to 4.5 metres) as indicated in **Attachment 3** (Section 9.10.20). These changes do not affect the tower footprint nor impact on the ability to achieve the prescribed FSR. Consultation with the landowner will be undertaken as part of the engagement process.

*Public domain and through-site links*

- 16. A number of desired through-site-links have been identified in the new special area controls one of which is indicated in **Figure 4**. Through site links are supported by the preferred amalgamation pattern and building setback controls. Through site links are to be designed and where possible used as publicly accessible spaces.



**Figure 4** – Unifying development across the precinct through building heights and setbacks and indicative civic space near the light rail stop.

**PROPOSED ENGAGEMENT APPROACH**

- 17. Once the draft DCP controls are endorsed by Council for exhibition purposes, the proposed draft DCP controls will be exhibited immediately. This will minimise the time between the SEPP taking effect and the new DCP controls taking effect.

18. The proposed engagement approach for the exhibition of the proposed controls is as follows:
- a. a 28-day exhibition period, consistent with Council's Engagement Strategy 2022-2024, the *Environmental Planning and Assessment Act 1979* and *Environmental Planning Regulations 2021*.
  - b. Frequently asked questions
  - c. Public notice and social media
  - d. Webpage promotion via Participate Parramatta
  - e. Letters to landowners situated within the precinct, including the landowner of 470 Church Street.
  - f. Notification email to identified stakeholders that have made submissions or shown interest in the CBD PP/DCP or the SEPP (Church Street North) 2023 during development and finalisation stages.
  - g. Online submission portal and formal submission process.

## NEXT STEPS

19. Should council endorse the draft DCP controls for exhibition, the next steps are:
- a. Place the draft DCP controls on exhibition and exhibit for 28 days;
  - b. Program an amendment to the Height of Building Map in the case of the block bounded by Harold, Church, Fennell and Villiers Streets which identifies a new area of Civic Space;
  - c. Review the submissions received during the exhibition period;
  - d. Make any changes to the draft DCP if required; and
  - e. Report back to council for finalisation seeking Council's endorsement - anticipated in July 2024.

## CONSULTATION & TIMING

### Councillor Consultation

20. The following Councillor consultation has been undertaken in relation to this matter:

Date	Councillor	Councillor Comment	Council Officer Response	Responsibility
18 March 2024	All invited	General discussion matters only	N/A	Group Manager – City Strategic Planning

## LEGAL IMPLICATIONS FOR COUNCIL

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

## FINANCIAL IMPLICATIONS FOR COUNCIL

22. If Council resolves to endorse 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 DCP will be funded from existing Strategic Land Use Planning budget allocations.
23. The table below summarises the financial impacts on the budget arising from approval of this report.

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

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**ATTACHMENTS:**

- |   |   |           |
|---|---|-----------|
| 1 | Major milestones in the Parramatta City Centre LEP and DCP Processes          | 4 Pages   |
| 2 | Summary of changes to the Parramatta LEP 2023 by the Church Street North SEPP | 4 Pages   |
| 3 | Draft Church Street North DCP Amendments - Consolidated                       | 115 Pages |



**REFERENCE MATERIAL**