

**REPORTS TO COUNCIL - FOR COUNCIL DECISION**

---

<b>ITEM NUMBER</b>	13.9
<b>SUBJECT</b>	Gateway Request: Planning Proposal for North East Parramatta (North-East Planning Investigation Area)
<b>REFERENCE</b>	F2024/00282 - D09389629
<b>REPORT OF</b>	Team Leader Land Use Planning

**CSP THEME:** Innovative

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

**APPLICATIONS CONSIDERED BY  
SYDNEY CENTRAL CITY PLANNING PANEL:**

11 April 2024 – Site Specific Planning Proposal Review – 23-27 Harold Street & 53 Sorrell Street, Parramatta

**PURPOSE:**

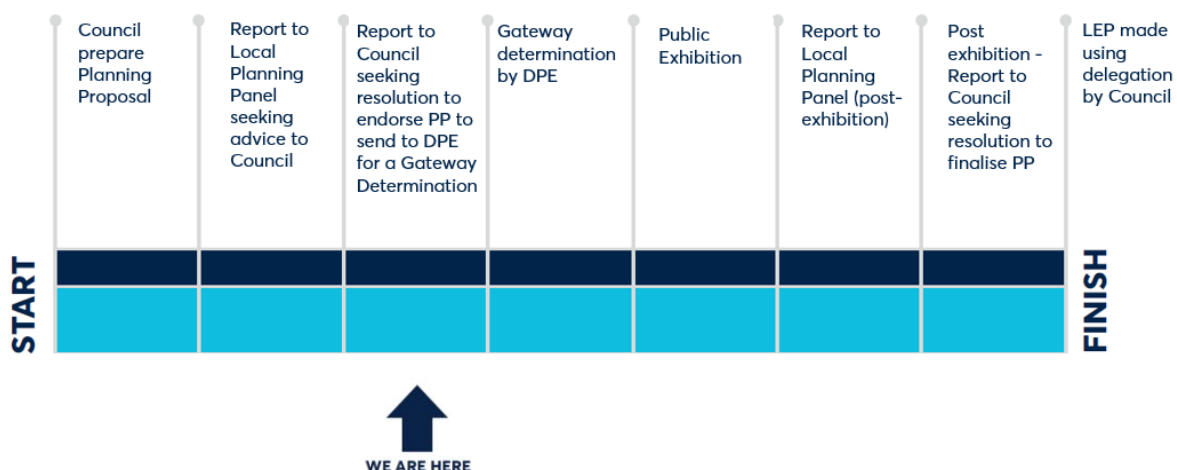
To seek Council's approval to forward the Planning Proposal for the land identified as the North-East Planning Investigation Area to the Department of Planning, Housing and Infrastructure for a Gateway Determination and to exhibit a supporting Development Control Plan.

**RECOMMENDATION**

- (a) That Council approve:
- i. The Planning Proposal at **Attachment 1** for the purposes of it being forwarded to the Department of Planning, Housing and Infrastructure to request the issuing of a Gateway Determination for the land identified as the North-East Planning Investigation Area which seeks the following changes to the *Parramatta Local Environmental Plan 2023*:
    - a. Increase the Maximum Floor Space Ratio from 0.8:1 to a range between 2:1 and 3.6:1; and
    - b. Increase the Maximum Height of Building from 11m to a range between 24m and 40m (approximately 6 – 12 storeys).
  - ii. The supporting draft DCP amendments at **Attachment 2** applying to the land in the North-East Planning Investigation Area for the purposes of public exhibition.
- (b) That Council advise the Department of Planning, Housing and Infrastructure that the CEO will be seeking to exercise her plan-making delegations for this Planning Proposal, as authorised by Council on 26 November 2012.
- (c) That Council authorise the CEO, if the Gateway determination is issued by the Department, to place the draft DCP amendments on public exhibition concurrently with the Planning Proposal.

- (d) That Council note the Parramatta Local Planning Panel’s (LPP) advice to Council (refer to **Attachment 4**) is consistent with Council officers’ recommendation in the report.
- (e) That Council delegate authority to the CEO to correct any minor anomalies of a non-policy and administrative nature that arise during the plan-making process.

**PLANNING PROPOSAL TIMELINE**



**SUMMARY**

1. The Planning Proposal seeks to amend Parramatta Local Environmental Plan 2023 (LEP) and Parramatta Development Control Plan 2023 (DCP) to enable an appropriate response to the changes to the planning controls that come into effect on 1 July 2024 for the Church Street North Precinct that were made by the State Government through a State Environmental Planning Policy (SEPP).
2. The proposed LEP and DCP amendments for the North-East Planning Investigation Area (NEPIA) respond to matters raised in the SEPP (Church Street North) 2023 (CSN SEPP) Finalisation Report and the outcomes from the NEPIA Planning Strategy exhibition providing a transition in heights and density from the Church Street North Precinct to the Sorrell Street Heritage Conservation Area to the east.
3. The Planning Proposal forms part of ‘Phase 1’ of the work program endorsed by Council on [20 November 2023](#) to review the planning controls for the ‘Planning Investigation Areas’ adjacent to the Parramatta City Centre.
4. The Planning Proposal for the NEPIA seeks to amend the FSR and HOB Maps of the LEP as per **Table 1** below. Supporting DCP controls are also proposed as outlined below and detailed in **Attachment 2**. The proposed controls for the NEPIA consider the CSN SEPP and feedback from community submissions made to the exhibition of the NEPIA Planning Strategy in 2021. The mapped changes are discussed further below in this report.

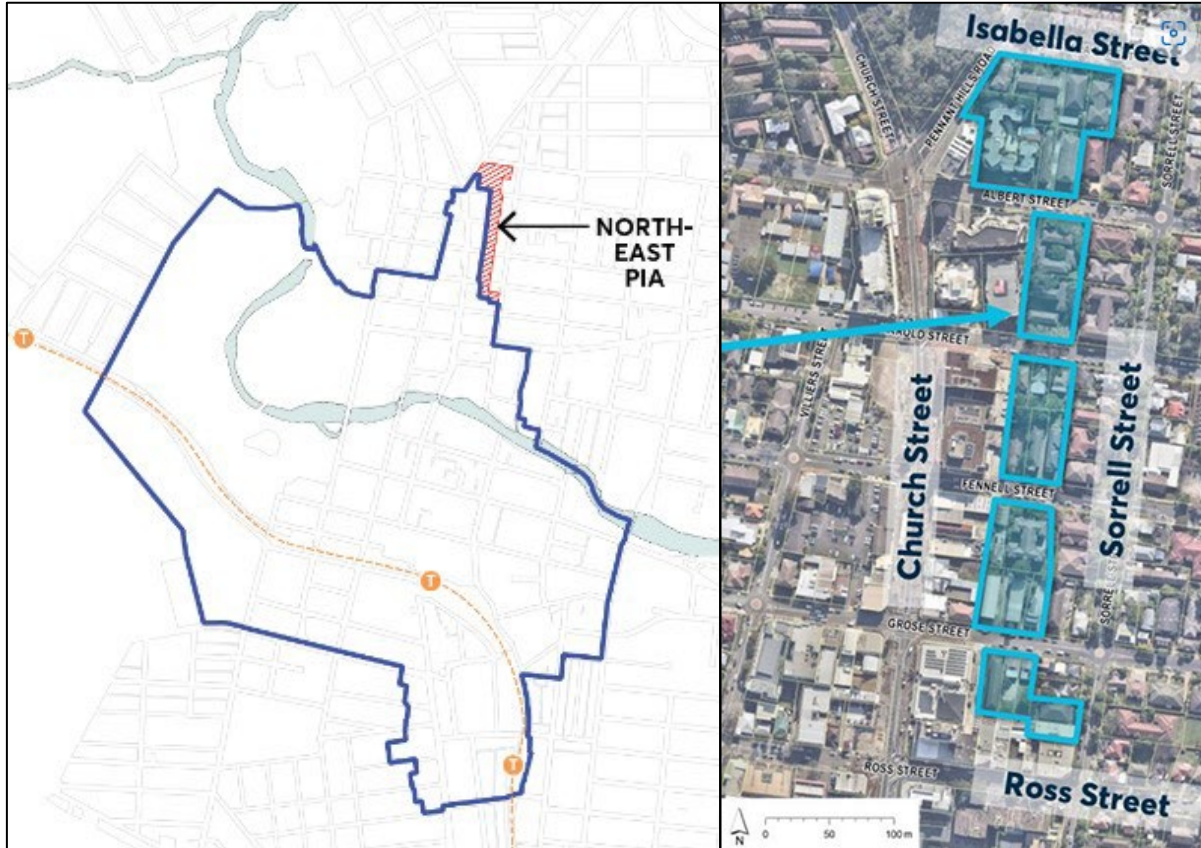
**Table 1:** Existing and proposed LEP controls for the NEPIA

Controls	Current	Proposed
Land Zoning	R4	No Change (R4)
Floor Space Ratio	0.8:1	2:1, 3:1, 3.6:1
Height of Buildings	11m	24m (6 storeys), 40m (12 storeys)

## SITE DESCRIPTION

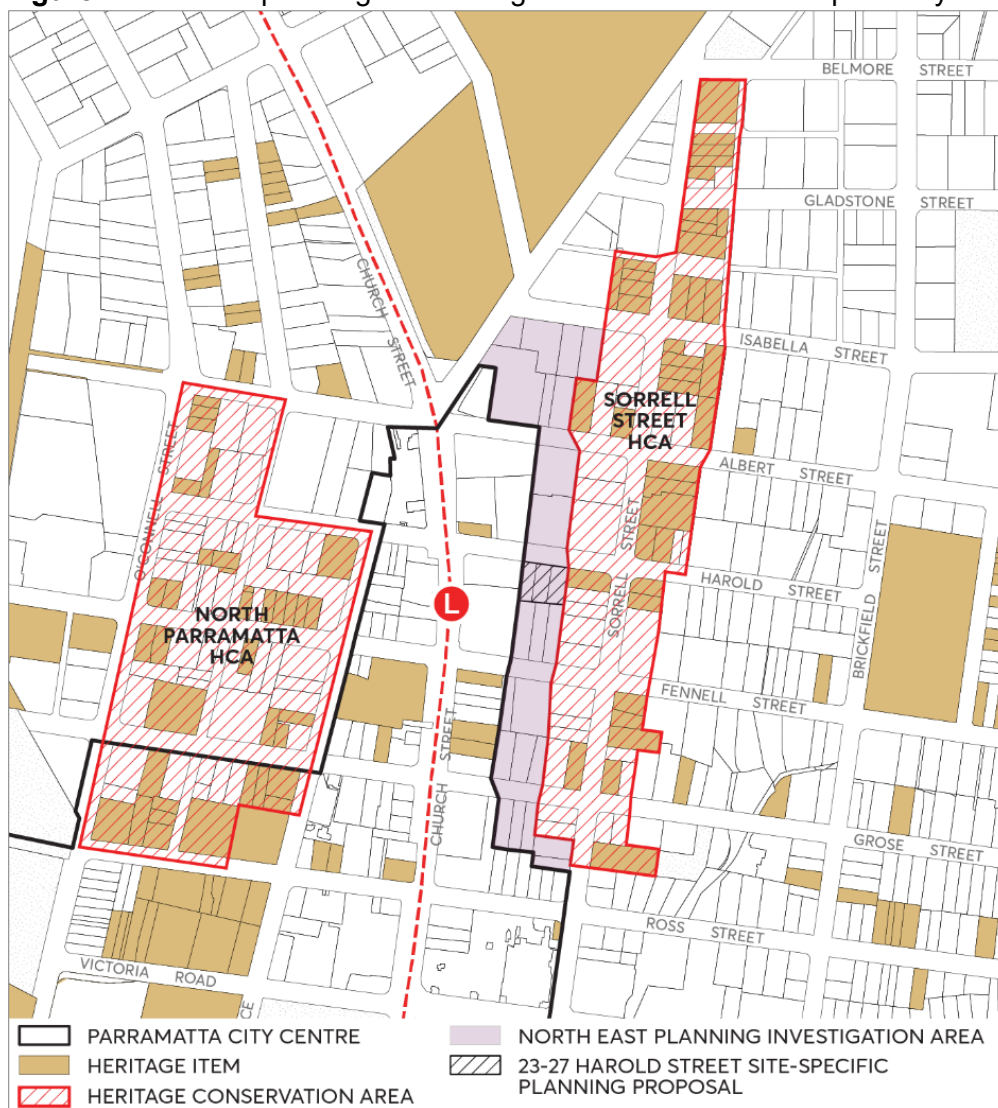
5. The North-East Planning Investigation Area (NEPIA) is a collection of 25 sites in the suburb of Parramatta adjacent to the east of the City Centre boundary as shown in **Figure 1** below.

**Figure 1:** Parramatta City Centre (left) and the North-East Planning Investigation Area Boundaries (right)



6. The sites included are:
- 17, and 36, 38 and 40 Albert Street
  - 1, 9, 11 and 17 Isabella Street
  - 20, 23, 25 and 27 Harold Street
  - 32, 33, 34, 34A and 37 Fennell Street
  - 35, 36, 37, 38, 39 and 40 Grose Street
  - 25 and 29 Sorrell Street
7. No sites within the NEPIA are heritage listed; however, as shown in **Figure 2** below, the NEPIA is adjacent to several heritage items and the Sorrell Street Heritage Conservation Area under Schedule 5 of the PLEP 2023.

**Figure 2:** Relevant planning and heritage considerations within proximity of the NEPIA.

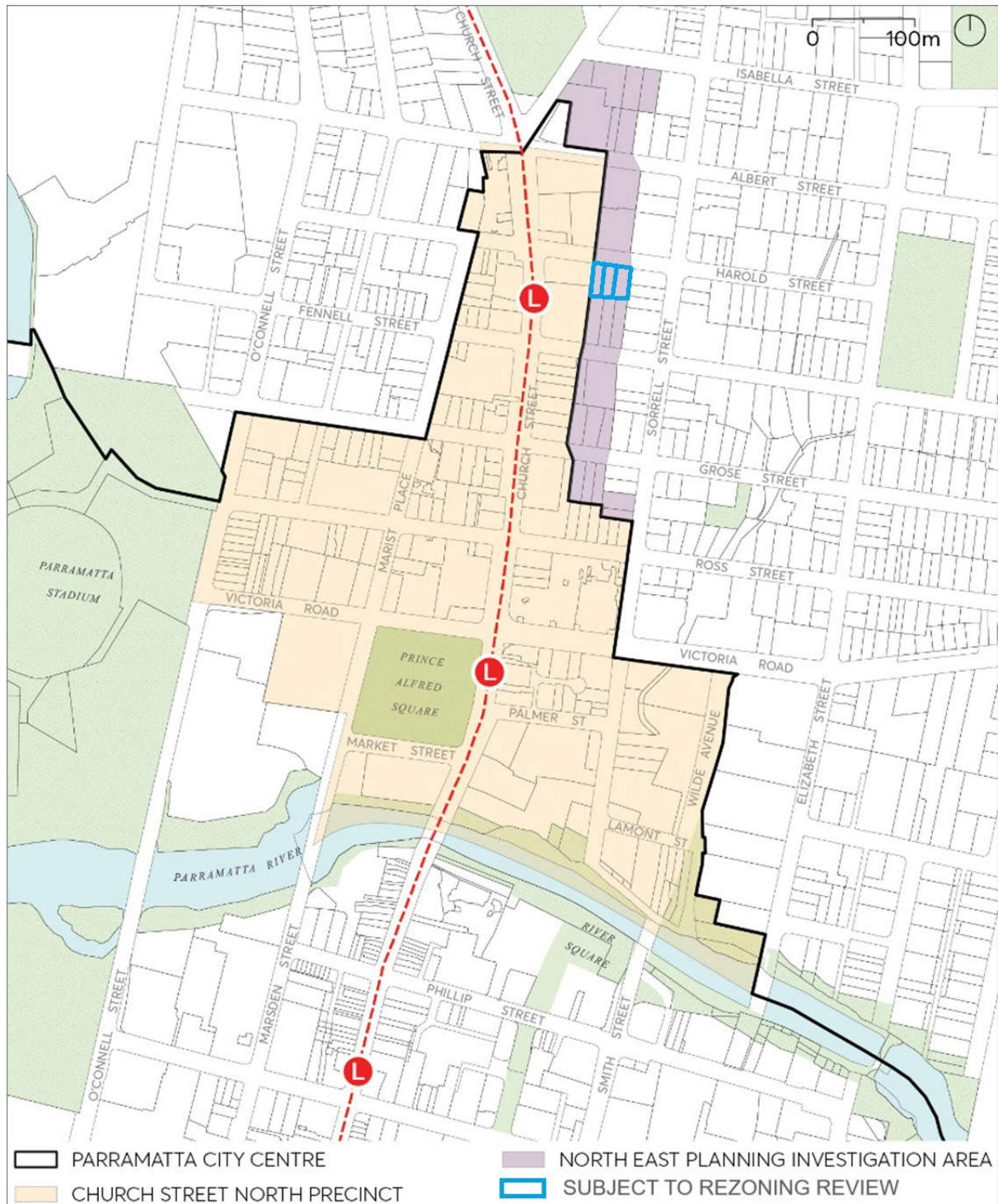


**BACKGROUND**

8. On 20 November 2019, Council considered a report on the Parramatta CBD Planning Proposal (CBD PP) and resolved to defer a number of areas, including the NEPIA from the broader CBD PP Planning Proposal it was considering at that time. This area was deferred to allow further options to be considered.
9. In June 2020, Council resolved to prepare a Planning Strategy for the NEPIA in response to a number of planning proposals that were submitted for parcels in the area. Public exhibition of the Planning Strategy occurred from March to April in 2021 and an overview of submissions received, and Council officer’s responses are detailed in **Attachment 3**.
10. In finalising the CBD PP now formally known as *Parramatta Local Environmental Plan 2011 (Amendment No 56)*, the Department removed the area north of the Parramatta River (known as Church Street North Parramatta (refer to **Figure 3**)) from the CBD PP to undertake a State-led *planning process*.
11. In December 2023, the Department finalised a State Environmental Planning Policy (Church Street North Precinct) (‘CSN SEPP’) for the land north of the river that was previously removed from the CBD PP. As shown in **Figure 3**, the NEPIA

is not subject to planning work by the State Government and thus Council can re-commence planning and technical investigation for the NEPIA.

**Figure 3:** 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



## OTHER RELEVANT PLANNING MATTERS

12. The western boundary of the NEPIA adjoins the Church Street North Precinct. The Department prepared [SEPP \(Church Street North Precinct\) 2023](#) (CSN SEPP) which introduces new planning controls for the land north of the river (refer to **Figure 3**) and is set to commence on 1 July 2024. A separate process is currently underway to progress amendments to the DCP to provide appropriate DCP controls that respond to, and correlate with, the CSN SEPP amendments.
13. Additionally, a proponent led site-specific planning proposal located within the NEPIA at 23-27 Harold Street (and 53 Sorrell Street), Parramatta (see blue area in **Figure 3**) was subject to a gateway review. This planning proposal sought to amend the current planning controls by increasing the floor space ratio (FSR) from 0.8:1 to 5:1 and increasing the maximum building height from 11m to 60m. These controls exceed those proposed in the North East Planning Investigation Area (NEPIA) which is the subject of this report.
14. The Strategic Planning Panel of the Sydney Central City Planning Panel considered the rezoning review at a meeting on [11 April 2024](#), and determined that the proposal should proceed to Gateway determination, but only subject to the proposal being amended to align with the draft NEPIA proposal which recommends a maximum FSR of 3.6:1 and maximum height of 40m (12 storeys) for the site. The Panel also required the removal of No. 53 Sorrell Street, Parramatta from the proposal as it is located outside of the NEPIA boundary.

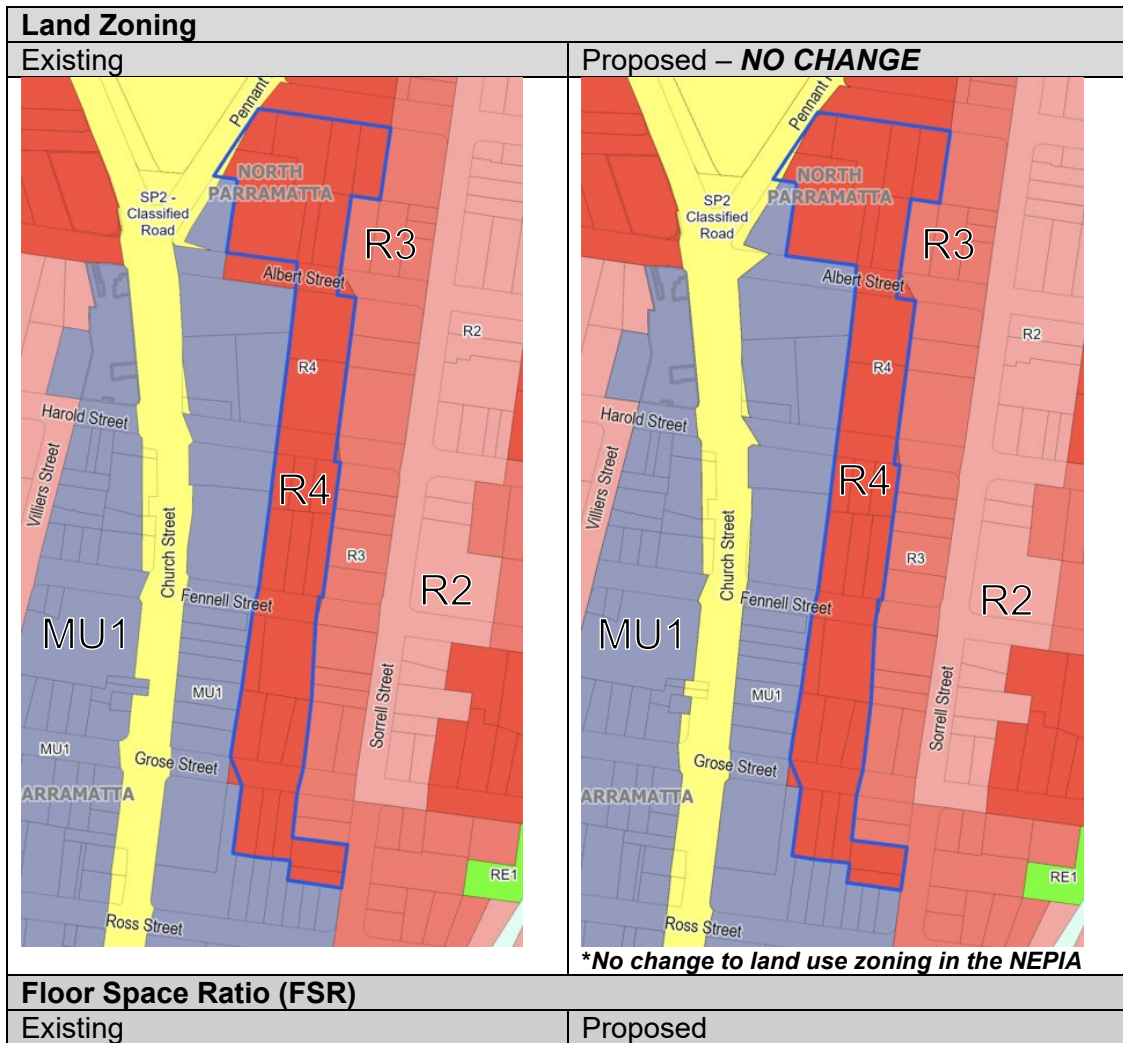
### NEPIA Planning Strategy

15. As referred to above, Council endorsed a Planning Strategy for the NEPIA which sought feedback from the community on six built form options. A total of 194 submissions were received in response to the public exhibition.
16. Key themes in the submissions included heritage impacts, scale and density, infrastructure pressures, traffic/ parking, character and overshadowing. **Attachment 3** provides an analysis of the submissions and Council officer responses to the key themes.

## DESCRIPTION OF PLANNING PROPOSAL

17. The Planning Proposal (**Attachment 1**) seeks the following amendments to the LEP:
  - Increase the Maximum Floor Space Ratio from 0.8:1 to a range between 2:1 and 3.6:1
  - Increase the Maximum Height of Building from 11m to a range between 24m and 40m
18. No change is proposed to the land use zoning controls for the NEPIA.
19. The mapped amendments to land zoning, floor space ratio and height of buildings from existing to proposed are shown below.

**Figure 4:** Current and proposed amendments to PLEP 2023 maps





**Height of Buildings (HOB)**

**Existing**

**Proposed**

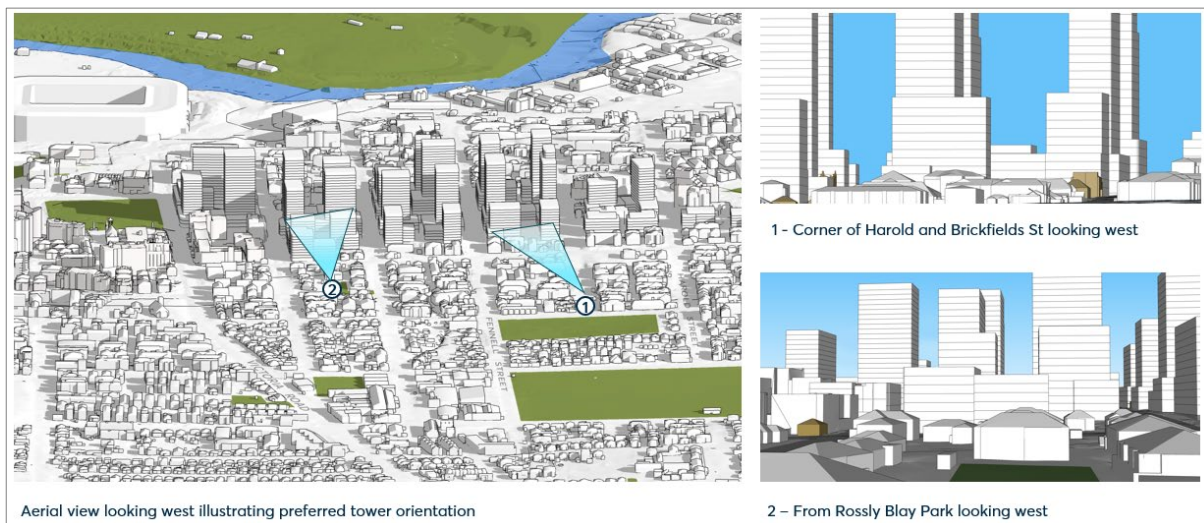




20. The recommended height of building controls for the NEPIA are based on:

- the ‘viewshed’ approach detailed in the Department-commissioned consultant study that informed mapped building heights in the CSN SEPP. Applying a 60-degree field of view sightline, views to sky are maintained above buildings providing a transition in height and protecting the setting of the heritage conservation area.
- creating a mapped skyline strategy which steps down from the concentrated height on Church Street towards the Sorrell Street HCA, but also northwards towards the surrounding low-scale residential areas of North Parramatta, as per **Figures 5 and 6**.
- an acknowledgement of sites within the CSN Precinct north of Harold Street that are unlikely to redevelop due to large, 6- to 8-storey residential strata subdivisions.

**Figure 5:** Council officer modelling showing how the stepped height of buildings as well as the inter building separation with views to sky creates the transition between the Church Street North Precinct and the sites within the NEPIA. Note that sites on Church Street North have been modelled to include potential design excellence and place based bonuses. View 1 and 2 are taken from the public domain using 60 degree human view cone and illustrate that when bonuses are applied, the tops of towers can no longer be perceived. This reinforces the importance of combining principles of height transition with other methods of transition in the NEPIA.



21. The recommended FSR controls for the NEPIA are based on:

- Achieving workable FSRs that align with the proposed height of building controls.
- Reinforcing the height transition through inter building setbacks, street setbacks, building orientation, and location of landscape areas (see **Figure 7**).
- Creating workable residential floor plates within a slender tower form and podium, with space for deep soil and communal open space.

## AMENDMENTS TO THE DCP

22. To support the proposed amendments to the LEP outlined above, amendments are proposed to Part 8, Section 8.3 Neighbourhood Precincts in *Parramatta DCP 2023*.
23. New controls under Section 8.3.10 North-East Parramatta have been drafted regarding desired future character, minimum site requirements, building envelope, residential apartment design quality, deep soil and landscaping, heritage relationships and transition, parking design and vehicular access and floodplain risk management. Detailed controls can be found in **Attachment 2**.
24. The proposed controls in the draft DCP include the introduction of a maximum parking rate for the NEPIA in accordance with Council's Integrated Transport Plan 2021, further details can be found in **Attachment 1**.
25. The controls as drafted for the DCP, are needed for future development to consider heritage sensitivities and provide transition between the Sorrell Street HCA and forthcoming new LEP controls for the Church Street North precinct.

**Figure 6:** Area specific DCP controls are proposed to achieve the Structure Plan for the North East PIA (buildings coloured red) and part of the Church Street North precinct (buildings coloured yellow).





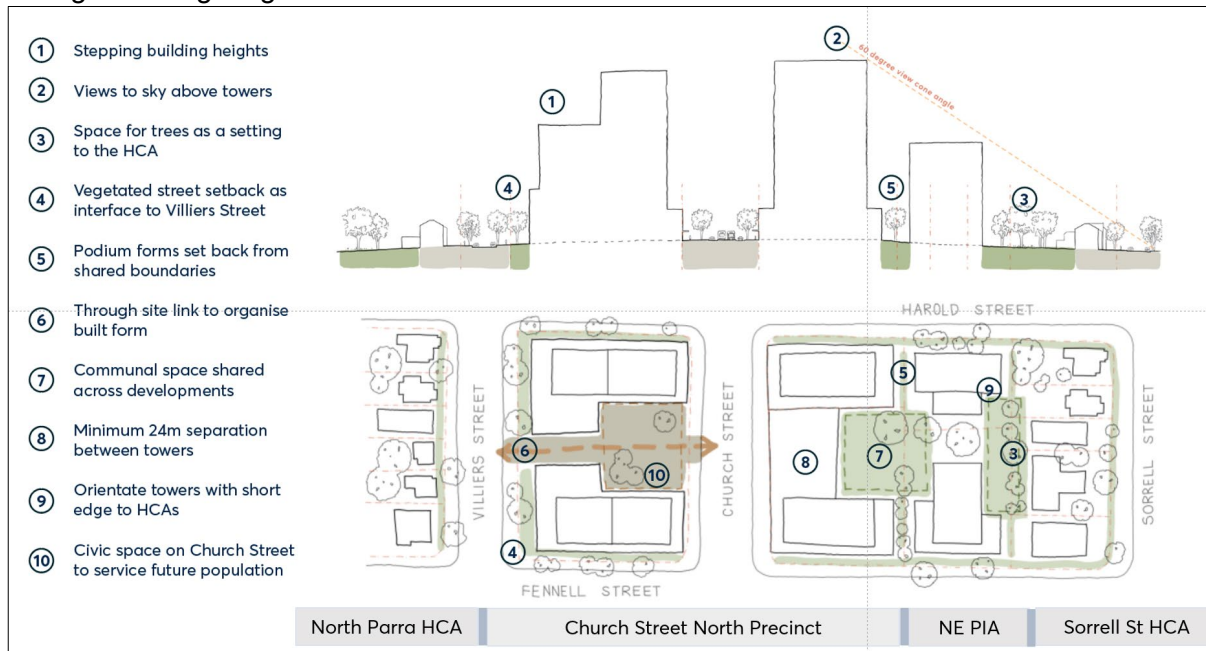
26. Given the NEPIA consists only of R4 High Density Residential zoned land, the following Parts of the DCP will continue to apply in addition to the new site-specific provisions proposed under Part 8: Part 2: Design in Context, Part 3: Residential Development, Part 5: Environmental Management, Part 6: Traffic and Transport and Part 7: Heritage and Archaeology.
27. Although the proposed amendments were considered holistically with the Church Street North Precinct, the proposed LEP and DCP controls have been drafted so that they apply independently of the CSN SEPP area.

## PLANNING PROPOSAL ASSESSMENT

28. The Planning Proposal in **Attachment 1** has been prepared in accordance with the *Environmental Planning and Assessment Act 1979* (EP&A Act) and the Department's *A Guide to Preparing Planning Proposals*. The Planning Proposal demonstrates consistency against the relevant local strategic plans, State planning policies and Ministerial Directions.
29. The LPP report in **Attachment 4** includes Council Officers' assessment of the Planning Proposal based on strategic merit and site-specific planning issues. The LPP report specifically addresses the following considerations in detail:
  - Urban Design and Heritage Matters (including discussion on the CSN SEPP and how the Department's CSN *Finalisation Report 2023* informed the recommended design principles and strategies for the Planning Proposal).
  - Transport
  - Traffic, Parking and Access
  - Flooding
30. Previous Council commissioned heritage studies (as discussed in the [NEPIA Planning Strategy](#)) are superseded by the SEPP process for the Church Street North Precinct and the recommended principles and strategies in the Department's *Finalisation Report 2023* developed by specialist urban design and heritage input.
31. The recommendations for NEPIA are based on **comprehensive approach to transition** as required by the Department that includes a combination of both

building height and site planning. The method for transition includes stepping in building height from Church Street properties to the Sorrell Street HCA, but also includes further design principles (see **Figure 7**) detailed in the LPP Report in **Attachment 4**.

**Figure 7:** Methods for achieving transition and unifying development across the precinct through building heights and setbacks between Church Street and the Sorrell Street HCA.



## PARRAMATTA LOCAL PLANNING PANEL

32. The matter was considered by the Parramatta Local Planning Panel (LPP) at its meeting on 16 April 2024 (report and minutes in **Attachment 4**) and the LPP provided the following recommendation to Council:

a) *That Council approve:*

i) *The Planning Proposal at **Attachment 1** for the purposes of seeking a Gateway Determination from the Department of Planning, Housing and Infrastructure, for the land identified as the North East Planning Investigation Area which seeks the following changes to the Parramatta Local Environmental Plan 2011:*

a. *Increase the Maximum Floor Space Ratio from 0.8:1 to a range between 2:1 and 3.6:1.*

b. *Increase the Maximum Height of Building from 11m to a range between 24m and 40m (approximately 6 – 12 storeys).*

ii) *The supporting draft DCP amendments at **Attachment 2** applying to the land in the North East Planning Investigation Area for the purposes of public exhibition.*

b) *That Council advise the Department of Planning, Housing and Infrastructure that the CEO will be seeking to exercise its plan-making delegations for this Planning Proposal, as authorised by Council on 26 November 2012.*

- c) *That Council authorise the CEO if the Gateway determination is issued by the Department, that the draft DCP amendments are placed on public exhibition concurrently with the Planning Proposal.*
- d) *That Council delegates authority to the CEO to correct any minor anomalies of a non-policy and administrative nature that arise during the plan-making process.*

33. The Panel's advice to Council is consistent with the Council Officer's recommendation in this report.

## **PLAN MAKING DELEGATIONS**

34. Plan making delegations were announced by the then Minister for Planning and Infrastructure in October 2012 allowing councils to make LEPs of local significance. On 26 November 2012, Council resolved to accept the delegation for plan making functions, and for these functions be delegated to the Chief Executive Officer.
35. It is recommended that Council request to the Department to exercise its plan making delegations for this Planning Proposal. This means that after the Planning Proposal has received a Gateway Determination, complied with any conditions (including any requirements for public exhibition), Council officers can deal directly with the Parliamentary Counsel on the legal drafting and finalisation of the amendment to the LEP facilitated by this Planning Proposal.

## **PROPOSED ENGAGEMENT APPROACH**

36. Once the draft DCP controls are endorsed by Council for exhibition purposes, and Gateway has been issued by the Department, the proposed draft DCP controls will be exhibited concurrently with the Planning Proposal.
37. The proposed engagement approach for the exhibition of the proposed controls is as follows:
- 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*.
  - Frequently asked questions,
    - i. Include in the exhibition documentation and visual representation of the height and FSR that may be achieved under the State Government's exhibited Low- and Mid-Rise Housing Reforms as per Councillor suggestion during workshop,
  - Public notice and social media,
  - Webpage promotion via Participate Parramatta,
  - Letters to landowners situated within the precinct,
  - 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,
  - Online submission portal and formal submission process.

## CONSULTATION & TIMING

### Councillor Consultation

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

Date	Councillor	Councillor Comment	Council Officer Response	Responsibility
18 March 2024	Councillor briefing -all invited	In relation to the NEPIA, include in the exhibition documentation and visual representation of the height and FSR that may be achieved under the State Government's exhibited Low and Mid Rise Housing Reforms.	Council's website which includes FAQs that form the NEPIA notification will include the required information.	Group Manager – City Strategic Planning

### LEGAL IMPLICATIONS FOR COUNCIL

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

### FINANCIAL IMPLICATIONS FOR COUNCIL

40. If Council resolves to endorse this report in accordance with the proposed recommendations, there are no unbudgeted financial implications for Council's budget. Costs associated with the public exhibition of the Planning Proposal and the DCP will be funded from existing Strategic Land Use Planning budget allocations.

### CONCLUSION AND NEXT STEPS

41. Council officers recommend Council approve the Planning Proposal at **Attachment 1** to:

- a) ensure the necessary planning controls are in place to allow an uplift in density in the NEPIA more suitable for the R4 High Density Residential zoning in proximity to transport infrastructure and the City Centre;
- b) provide an appropriate transition between the Sorrell Street HCA and the forthcoming LEP controls in the Church Street North Precinct;
- c) complete 'Phase 1' of the Planning Investigation Areas work program as endorsed by Council.

42. This report additionally recommends that if the Planning Proposal at **Attachment 1** is endorsed, Council approves the DCP amendment at **Attachment 2** for public exhibition concurrent with the Planning Proposal.

43. It is recommended that Council forward the Planning Proposal at **Attachment 1** to the Department for a Gateway Determination.

Issa Trad  
**Team Leader Land Use Planning**

Diane Galea  
**Team Leader Infrastructure Planning**

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:**

- |          |  |          |
|----------|--|----------|
| <b>1</b> | North-East Planning Investigation Area Planning Proposal | 47 Pages |
| <b>2</b> | Proposed DCP Amendments                                  | 17 Pages |
| <b>3</b> | NEPIA Planning Strategy Community Engagement Report      | 11 Pages |
| <b>4</b> | Local Planning Panel Minutes and Report                  | 22 Pages |

**REFERENCE MATERIAL**

## Attachment 1 – North-East Planning Investigation Area Planning Proposal (27 May 2024)

**Item 13.9** – Gateway Request: Planning Proposal for North East Parramatta (North-East Planning Investigation Area)

27 May 2024 Council Meeting

This attachment can be viewed here:

[https://businesspapers.parracity.nsw.gov.au/Open/2024/05/OC\\_27052024\\_AGN\\_955\\_AT.PDF](https://businesspapers.parracity.nsw.gov.au/Open/2024/05/OC_27052024_AGN_955_AT.PDF)

Refer to **page 581**.

## Attachment 2 – Proposed DCP Amendments (27 May 2024)

**Item 13.9** – Gateway Request: Planning Proposal for North East Parramatta (North-East Planning Investigation Area)

27 May 2024 Council Meeting

This attachment can be viewed here:

[https://businesspapers.parracity.nsw.gov.au/Open/2024/05/OC\\_27052024\\_AGN\\_955\\_AT.PDF](https://businesspapers.parracity.nsw.gov.au/Open/2024/05/OC_27052024_AGN_955_AT.PDF)

Refer to **page 628**.

## Attachment 3 – NEPIA Planning Strategy Community Engagement Report

**Item 13.9** – Gateway Request: Planning Proposal for North East Parramatta (North-East Planning Investigation Area)

27 May 2024 Council Meeting

This attachment can be viewed here:

[https://businesspapers.parracity.nsw.gov.au/Open/2024/05/OC\\_27052024\\_AGN\\_955\\_AT.PDF](https://businesspapers.parracity.nsw.gov.au/Open/2024/05/OC_27052024_AGN_955_AT.PDF)

Refer to **page 645**.

## Attachment 4 – Local Planning Panel Minutes and Report

**Item 13.9** – Gateway Request: Planning Proposal for North East Parramatta (North-East Planning Investigation Area)

27 May 2024 Council Meeting

This attachment can be viewed here:

[https://businesspapers.parracity.nsw.gov.au/Open/2024/05/OC\\_27052024\\_AGN\\_955\\_AT.PDF](https://businesspapers.parracity.nsw.gov.au/Open/2024/05/OC_27052024_AGN_955_AT.PDF)

Refer to **page 656**