

PLANNING PROPOSAL

ITEM NUMBER	0.0
SUBJECT	Gateway Request for 57-83 Church Street PARRAMATTA
REFERENCE	F2024/00282 -
APPLICANT/S	Early Street Development Pty Ltd
OWNERS	JQZ Seventeen
REPORT OF	Project Officer; Project Officer

PURPOSE

To seek the Parramatta Local Planning Panel advice on a Planning Proposal for land at 57 – 83 Church Street, Parramatta for the purpose of seeking a Gateway Determination from the Department of Planning, Housing and Industry (DPHI).

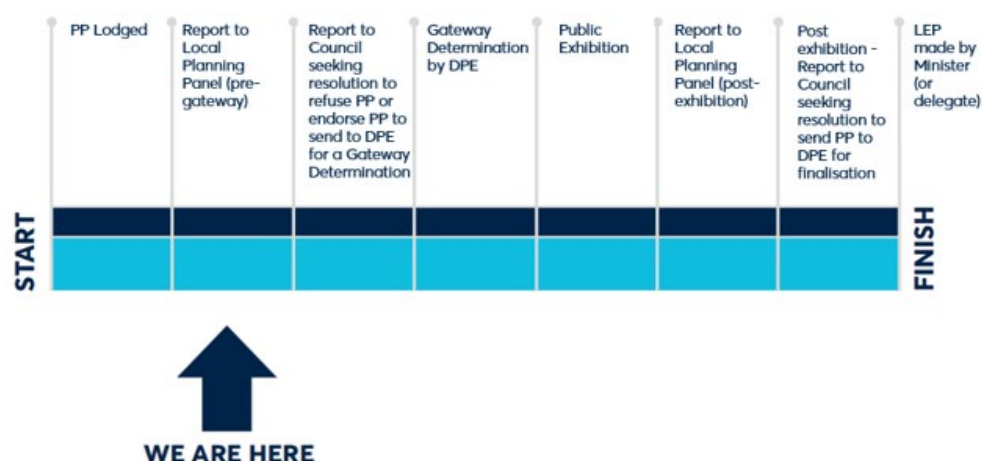
RECOMMENDATION

That the Parramatta Local Planning Panel (LPP) consider the following Council Officer recommendation in its advice to Council:

- (a) **That** Council approve for the purposes of seeking a Gateway Determination from the Department of Planning, Housing and Infrastructure (DPHI), the Planning Proposal for land at 57-83 Church Street, Parramatta (**Attachment 1**), which seeks the following amendments to the Parramatta Local Environmental 2023 (Parramatta LEP 2023):
 - i. Increase the Floor Space Ratio control from 7.2:1 to 8.4:1 for land at 83 Church Street, Parramatta (Site 1).
 - ii. Increase the Height of Buildings control from 90m to 118m (40 storeys) for land at 63 Church Street, Parramatta (Site 2).
 - iii. For Site 1 and 2, switch off the provisions within Clause 7.14 Competitive design process of the Parramatta LEP 2023 and apply the proposed Clause 7.29 (5) Site specific provisions to exempt any future application comprising of alterations and additions from the competitive design process to ensure compliance with the approved winning design excellence competition scheme.
 - iv. For Site 1, switch off Clause 7.24 Dual water systems of the Parramatta LEP 2023 and apply the proposed Clause 7.29 (6) to reflect the approval for this site which was granted before dual water systems were mandated.
 - v. For Site 1 and 2, amend Clause 7.29 Site specific provisions to revise the non-residential gross floor area requirement from 40% to 25% of total Gross Floor Area.
 - vi. To include a clause under Schedule 1 Additional permitted uses to allow residential basement carparking in the E2 Commercial Centre zone on Sites 1 and 2 and development for creative industries on Site 2.
- (b) **That** Council approve the draft amendments, as described in this report, to Parramatta Development Control Plan 2023 (DCP) associated with the land subject to this Planning Proposal for the purposes of public exhibition.
- (c) **That** Council request that DPHI provide it with authorisation to exercise its plan-making delegations for this Planning Proposal.

- (d) **That** the CEO be authorised to negotiate and draft the Planning Agreement consistent with the terms of the Letter of Offer (**Attachment 2**) provided by the landowner and that the Planning Agreement be placed on public exhibition concurrently with the Planning Proposal and the draft DCP.
- (e) **Further, that** Council authorises the CEO to correct any minor anomalies of a non-policy and administrative nature that may arise during the plan-making process.

PLANNING PROPOSAL TIMELINE



SUMMARY

1. This report seeks the advice of the Parramatta Local Planning Panel on a Planning Proposal at 57 – 83 Church Street Parramatta for the purpose of seeking a Gateway Determination from the Department of Planning, Housing and Industry (DPHI).
2. The Planning Proposal seeks to amend Parramatta LEP 2023 in order to develop the site for higher density development, alter the ratio of residential to non-residential floor space and include the dedication of a Community and Cultural Building to Council.

SITE DESCRIPTION & CONTEXT

3. The subject sites are known as 57 – 83 Church Street and comprises of three allotments. The following table describes the associated lot numbers and properties across the three sites:

Site Address	Lot Number and Deposited Plan	Land Size (sqm)
83 Church Street, Parramatta (Site 1)	Lot 100/DP1249271	7,136
63 Church Street, Parramatta (Site 2)	Lot 102/DP1249271	4,519
57 Church Street, Parramatta (Site 3)	Lot 15/DP651039, Lot 16/DP12623 and Lot 114/DP129484	1,953

The sites are shown below in **Figure 1**.



Figure 1: Subject Site at 57-83 Church Street, and 44 Early Street Parramatta.

4. The site is located within the Auto Alley Precinct at the southern gateway to the Parramatta City Centre, which was historically characterised by its high concentration of car sales yards.
5. Site 1 is bounded by the Great Western Highway to the north, Church Street to the east and Early Street to the south. Approval has been granted for demolition, tree removal, consolidation of lots, construction of a 10-storey hotel and two residential towers over a retail/commercial podium with associated landscaping and plaza works. Construction has commenced on Site 1 in accordance with DA/738/2016. Basement excavations are currently underway, and the site is surrounded by construction fencing to prevent public access.
6. Site 2 is bounded by Early Street to the north, Church Street to the east and Lansdowne Street to the south. A dilapidated three storey building occupies the eastern portion of the site fronting Church Street. The building is the former 'Holden House' car dealership within the Auto Alley Precinct. The western

portion of the site is occupied by a construction site office which services the construction at Site 1.

7. Site 3 is bounded by Lansdowne Street to the north and Church Street to the east and currently occupied by a construction site office which services the construction at Site 1. Site 3 is zoned RE1 Public Recreation and is to be developed and dedicated to Council as a public park in accordance with the timing set out in the previous Planning Agreement. It is noted that Site 3 is not subject to any amendments sought by the Planning Proposal.
8. The site is located 550m from Parramatta Station and 500m from Harris Park Station.
9. Jubilee Park is located approximately 200m to the east of the site. Jubilee Park is owned by the City of Parramatta Council and comprises public open space, play equipment, Harry Todd Band Hall and Jubilee Park Childcare Centre.

BACKGROUND

10. The site has an extensive planning history and been subject to past planning studies and applications for over a decade, including a site-specific Planning Proposal, Planning Agreement, Architectural Design Competition, Concept DA and Detailed DA.
11. A previous Planning Proposal (RZ/9/2011) was gazetted in September 2014 and rezoned the site to permit mixed-use development including residential, commercial and retail uses. The proposal also established building heights up to 118m and a maximum FSR of 7.2:1.
12. The previous Planning Proposal also introduced the site-specific clause 7.29 into the then Parramatta LEP 2011 that mandated a minimum 40% per site of GFA on Site 1 and 2 be used for non-residential purposes. The intent of this clause was to provide employment opportunities within the site.
13. Following gazettal of RZ/9/2011, the site was subject to an Architectural Design Competition and Concept Development Application (DA/706/2014). The Concept DA was approved by the then Sydney West Joint Regional Planning Panel in June 2016 and granted consent for the construction of seven buildings across Sites 1 and 2 comprising approximately 753 apartments and 39,000sqm of commercial and retail floor space, and dedication of land for road widening in Church Street, a public park on Site 3.
14. A detailed DA (DA/738/2016) was approved by the Sydney Central City Planning Panel in August 2017 and granted consent for:
 - *Site 1 - 83 Church and 44 Early Street: Demolition, tree removal, construction of a 11 storey non-residential building fronting Church Street, two residential towers (22 storey and 40 storey) containing a total of 538 apartments over 2 levels of retail/commercial podium at the rear of the site, with associated landscaping and plaza works.*
 - *Site 2 - 63 Church Street: Demolition, tree removal, construction of a 10 storey non-residential building fronting Church Street, and a mixed use tower containing 9 levels of non-residential floor space and 22 storeys*

comprising 235 apartments at the rear of the site, with associated landscaping and plaza works.

15. DA/738/2016 has been subject to several modifications which have amended conditions of consent, the staging of construction and have sought minor design amendments to the approved layout.
16. An existing Planning Agreement between the landowner and Council is registered on the title of the land to deliver:
 - The embellishment and dedication of land at Site 3 comprising a total of 1,953sqm for use as a public open space
 - Embellishment and footpath widening along Church Street
 - Construction and dedication of a 200sqm commercial suite to Council
 - Provision of a pedestrian thoroughfare through Site 1 and 2
 - Cash contribution in accordance with the City Centre Contributions plan
17. It is proposed that the existing Planning Agreement be extinguished and replaced with the Planning Agreement proposed under the Letter of Offer (**Attachment 2**) associated with this Planning Proposal (**Attachment 1**).



Figure 2: Approved development under DA/738/2016

ADDITIONAL PLANNING CONSIDERATIONS

18. On 20 November 2019, Council considered a report on the Parramatta CBD Planning Proposal (CBD PP) and resolved to defer consideration of a number of areas zoned R4 High Density Residential, including an area known as the

Southern Planning Investigation Area (SPIA) forming the broader CBD PP at that time. The SPIA is located to the west of the subject site. The precinct was deferred to allow further development options to be investigated.

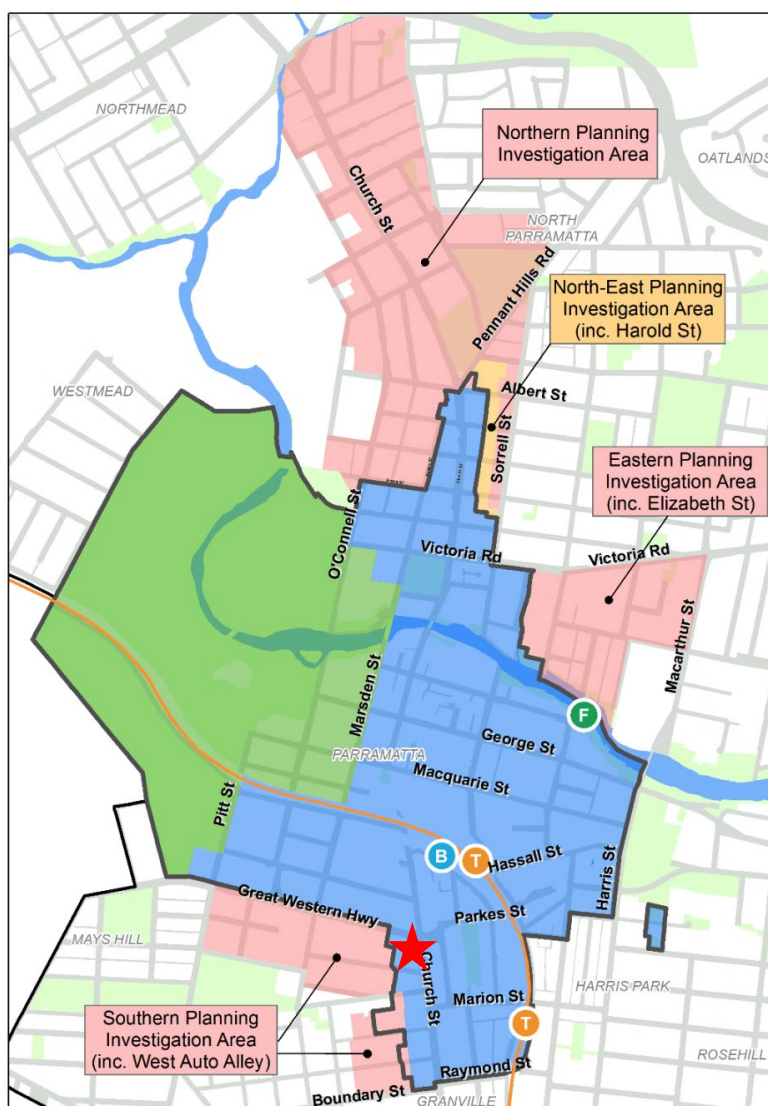


Figure 3: Southern Planning Investigation is shown to the west of the subject site (red star).

19. At the 20 November 2023 Council meeting, Council endorsed a phased work program for the Planning Investigation Areas that were deferred from the CBD PP. The SPIA forms 'Phase 2' of the program after the completion of planning work for 'Phase 1' being the North-East Planning Investigation Area.
20. To support the National Housing Accord's target of delivering 1.2 million new homes by mid-2029, the Federal Government released the Housing Support Program to provide funding support for local government. City of Parramatta Council was awarded \$860,000 to develop the Southern Parramatta CBD Master Plan for the SPIA. Work on this master plan will commence once the funding agreement has been executed. The master plan will introduce new planning controls to deliver additional dwellings within the SPIA area.

PLANNING PROPOSAL

21. The Planning Proposal seeks to facilitate a higher density mixed use development scheme than permitted under the current planning controls by

increasing the Height of Building and Floor Space Ratio controls. It will also introduce an additional permitted use on the site and site-specific provisions to facilitate the changes envisaged in the Urban Design Report (refer to **Attachment 3**). The proposal also includes a substantial public benefit offering, including a new cultural and community building and the previously secured public park and through-site links.

22. The Planning Proposal will provide a minimum of 25,376sqm of non-residential floor space across Sites 1 and 2 which will be used for a variety of commercial, retail, community and cultural uses which will generate employment opportunities. The non-residential floor area will be provided within Buildings L and F, and within the ground level and podiums of the residential buildings.
23. The site layout, building numbers and proposed built form is shown below within **Figure 4**.

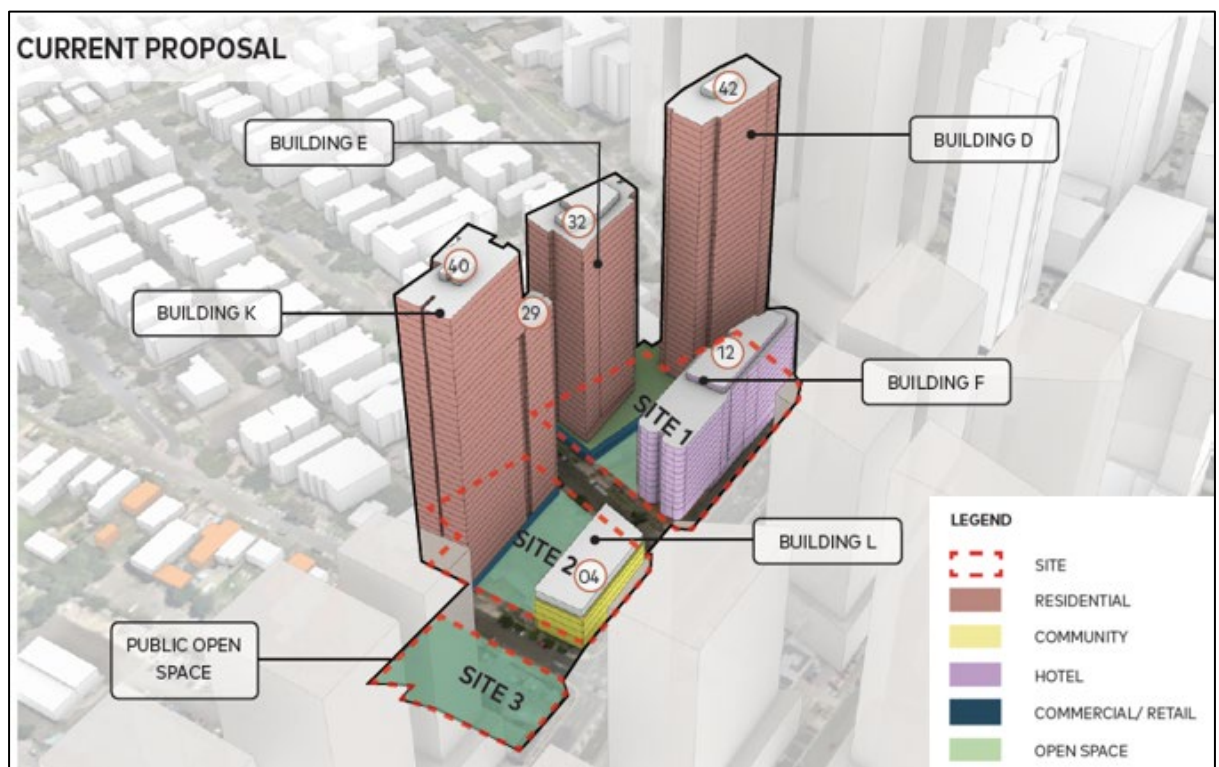


Figure 4: Site layout and proposed scheme

24. Table 1 summarises the instrument changes being sought under the Planning Proposal compared with the current controls under Parramatta LEP 2023.

Table 1: Proposed Parramatta LEP 2023 Amendments

	Existing as per Parramatta LEP 2023 (Approved DA/738/2016)		Amendments sought under this Planning Proposal	
	Site 1	Site 2	Site 1	Site 2
Zoning	Part MU1 and Part E2	Part MU1 and Part E2	Part MU1 and Part E2 (no change)	Part MU1 and Part E2 (no change)
Height of Buildings	Part 36m and Part 118m (12 and 42 storeys)	Part 36m and 90m (10 and 32 storeys)	Part 36m and 118m (12 and 42 storeys)	Part 36m and Part 118m (4 and 40 storeys*)
Floor Space Ratio	7.2:1	6.4:1	8.4:1 (+1.2)	6.4:1 (no change)
Dwelling Yield	479	235	539 (+60 dwellings)	383 (+148 dwellings)**
Residential GFA	40,249sqm	18,392sqm	46,259sqm (+6,010sqm)	32,132sqm (+13,740sqm)
Non-residential GFA	22,613sqm	16,503sqm	22,613sqm (no change)	Minimum 3,455sqm (-13,048sqm)
Clause 7.29 Church and Early Streets, Parramatta	<ul style="list-style-type: none"> At least 40% of the GFA on Site 1 is to be used for non-residential purposes. The FSR on Site 1 will not exceed 7.2:1 if the development includes a basement for commercial purposes. 	<ul style="list-style-type: none"> At least 40% of the GFA on Site 2 is to be used for non-residential purposes. 	<ul style="list-style-type: none"> At least 25% of the GFA across Sites 1 and 2 are to be used for non-residential purposes. Clause 7.14 Competitive design process does not apply to the land to which this part applies if the application comprises only alterations and additions to a building that is the winner of a design competition. Clause 7.24 Dual water systems does not apply to 	<ul style="list-style-type: none"> At least 25% of the GFA across Sites 1 and 2 are to be used for non-residential purposes. Clause 7.14 does not apply to the land to which this part applies if the application comprises only alterations and additions to a building that is the winner of a design competition.

			the land on Site 1 that comprises only alterations and additions to a building.	
Additional Permitted Uses	None	None	<p><i>26 Use of certain land at Early and Church Street, Parramatta</i></p> <p><i>(1) This clause applies to land identified as “26” on the Additional Permitted Uses Map, comprising Lot 10, DP 733044, Lot B, DP 304570, and Lot 20, DP 732622.</i></p> <p><i>(2) Development for the purposes of residential flat buildings is permitted with development consent if –</i></p> <p><i>a) No dwellings are permitted on the land zoned E2 Commercial Centre, and</i></p> <p><i>b) Development on land zoned E2 Commercial Centre to support residential flat buildings that are located on the land is limited to the basement.</i></p> <p><i>(3) Development for the purposes of creative industries is permitted with development consent in the E2 Commercial Centre zone.</i></p>	<p><i>26 Use of certain land at Early and Church Street, Parramatta</i></p> <p><i>(1) This clause applies to land identified as “26” on the Additional Permitted Uses Map, comprising Lot 10, DP 733044, Lot B, DP 304570, and Lot 20, DP 732622.</i></p> <p><i>(2) Development for the purposes of residential flat buildings is permitted with development consent if –</i></p> <p><i>a) No dwellings are permitted on the land zoned E2 Commercial Centre, and</i></p> <p><i>b) Development on land zoned E2 Commercial Centre to support residential flat buildings that are located on the land is limited to the basement.</i></p> <p><i>(3) Development for the purposes of creative industries is permitted with development consent in the E2 Commercial Centre zone.</i></p>

* The difference (in stories) between Site 1 and 2 is due to the increased floor to ceiling heights within the podium level of Building K that enables future transformation into commercial floor space.

** Dwelling number increase is a result of the redistribution of non-residential floor area to residential floor area through amendments to Clause 7.29. Overall, there is no change in FSR on Site 2.

25. **Table 2** below shows the map changes being sought under this Planning Proposal compared to the current mapping in the Parramatta LEP 2023.

Existing Control	Proposed Control
Height of Buildings	
<p>Parramatta Local Environmental Plan 2023 Height of Buildings Map Current Building Height Maximum Building Height (m)</p> <ul style="list-style-type: none"> 0 - 3.6 11 - 11.9 12 - 12.9 35 - 39.9 60 - 79.9 80 - 99.9 100 - 124.9 175 - 199.9 	<p>Parramatta Local Environmental Plan 2023 Height of Buildings Map Proposed Building Height Maximum Building Height (m)</p> <ul style="list-style-type: none"> 0 - 3.6 11 - 11.9 12 - 12.9 35 - 39.9 60 - 79.9 80 - 99.9 100 - 124.9 175 - 199.9 <p>Land dedicated for road widening removed</p>
Floor Space Ratio	



Table 2: Parramatta LEP Maps showing current and proposed Height of Buildings and Floor Space Ratio controls

Height of Buildings and Floor Space Ratio

26. A comparison of the approved building height and floor space ratios against the proposed scheme is shown below in **Figures 5 and 6**.

SITE 1

27. The proposed increase of FSR from 7.2:1 to 8.4:1 on Site 1 seeks to allow an additional 10 storeys of residential apartments to be delivered on Building E. The addition of the residential GFA will increase the height by 32m (10 storeys) whilst maintaining compliance with the mapped height limit of 118m (42 storeys).
28. The construction of the additional 10 storeys will require the submission of a new Development Application on Site 1, as an addition and alteration to the previous approved building. As land dedication for road widening along Church Street has been undertaken, the updated FSR maps reflects the reduced site area of Site 1.



Figure 5: Approved Building Massing

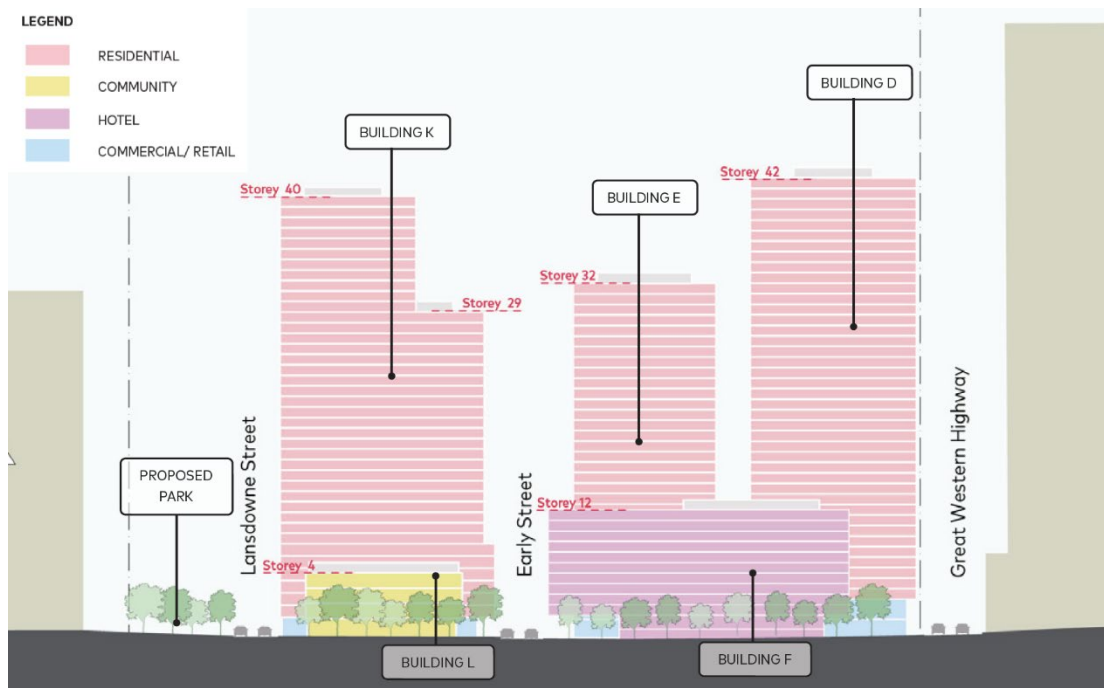


Figure 6: Proposed Building Massing

SITE 2

29. Amendments to the Height of Buildings Map from 90m to 118m (40 storeys) for Site 2 is proposed to reflect the intended built form outcome of the urban design report. As depicted in **Figure 5 and 6** above, the increase in building height is required to facilitate the redistribution of commercial GFA from Building L to increase residential density on Building K, while maintaining a podium floor to ceiling height within Building K that can accommodate residential or commercial development.
30. The increase in height and redistribution of the floor space from Building L (fronting Church Street) to Building K (rear of Site 2) provides the opportunity for tower articulation resulting in improved views to sky and a stepped, slender tower form. It also reduces overshadowing to the open space to the south on the park at Site 3.
31. Additionally, the above provision allows the entirety of Building L to be dedicated to Council, in stratum, which otherwise would be dedicated as strata lots which would complicate management and operational considerations related to shared ownership.

Non-residential Gross Floor Area and Jobs

- The Planning Proposal seeks to reduce the quantum of non-residential floor space from 40% of the GFA on Site 1 and Site 2, to 25% over both Site 1 and Site 2's total GFA to accommodate higher density residential development in response to high commercial floor space vacancy rates within the Parramatta City Centre.
32. The rezoning of the site in 2011 which established the 40% requirement for non-residential GFA relied upon 5,694sqm of this GFA being delivered as a basement level supermarket. During the assessment of the approved DA, it was revealed that the site's flood affectation restricted the provision of

basement level commercial floor space due to a high level of risk to life and property.

33. There is also a State-wide priority to delivery housing within rezoning schemes to address the current housing affordability crisis and supply shortage. As such, this Planning Proposal seeks to increase the proportion of residential floor space and reduce the overall quantum of non-residential floor space from 40% of the GFA of Site 1 and Site 2 to 25% of the overall GFA across both sites.
34. The Planning Proposal proposed a reduction in non-residential floor space and estimated jobs is detailed in **Table 3**.

	Previous Planning Proposal	Approved DA	Current Planning Proposal
Non-Residential Floor Area (sqm)	Minimum 34,764sqm	39,101sqm	Minimum 25,941sqm
Estimated jobs	1,922	N/A – The number of jobs were not specified in the approved DA.	430
Supermarket jobs	213	0	0
Cultural and Community Centre Jobs	0	0	91

Table 3: Floor Area & Estimated Jobs Change

35. It is therefore proposed to amend the existing site-specific clause 7.29 to replace the existing rate of non-residential floor space of 40% with a new rate of 25%.

Design Excellence

36. For Site 1 and 2, the Planning Proposal seeks to switch off the provisions within Clause 7.14 Competitive design process of the Parramatta LEP 2023 and apply the proposed Clause 7.29 (5) Site specific provisions to exempt any future application comprising of alterations and additions from the competitive design process to ensure compliance with the approved winning design excellence competition scheme.
37. As described earlier, both sites have been the subject of an Architectural Design Competition and a subsequent detailed DA was approved by the Sydney Central City Planning Panel. Currently under clause 7.14 of the Parramatta LEP 2023, any development on land within the Parramatta City Centre would be subject to a new competitive design competition as highlighted in the clause.

38. The relevant provisions of Clause 7.14 which apply to the site are highlighted in **bold** and states:

- (1) *This clause applies to the following development to which this Division applies—*
 - (a) *development involving a building that has, or will have, a height above ground level (existing) of more than—*
 - (i) *for development on land identified as “Area A” on the [Special Provisions Area Map](#)—55m, or*
 - (ii) ***otherwise—40m,***
 - (b) *development involving a building to which clause 7.3(4) applies,*
 - (c) *development involving a building on land, other than land identified as “Area A” on the [Special Provisions Area Map](#), that—*
 - (i) *will have a floor space ratio of at least 3:1, and*
 - (ii) *involves or adjoins a heritage item,*
 - (d) *development on land identified as “Area A” on the [Special Provisions Area Map](#) if—*
 - (i) *the site area is more than 1,000m² but no more than 1,800m², and*
 - (ii) *the development seeks to use the maximum permissible FSR, and*
 - (iii) *it is not physically possible to amalgamate the site with adjoining sites,*
 - (e) *development with an estimated development cost of more than—*
 - (i) *for development on land identified as “Key site” on the [Key Sites Map](#)—\$10 million, or*
 - (ii) *otherwise—\$100 million,*
 - (f) *development for which the applicant has chosen to participate in a competitive design process.*
- (2) ***Development consent must not be granted to development to which this clause applies unless a competitive design process has been held in relation to the development.***
- (3) *A competitive design process is not required if the consent authority is satisfied—*
 - (a) *a competitive design process is unreasonable or unnecessary in the circumstances, and*
 - (b) *the development—*
 - (i) *involves only alterations or additions to an existing building, and*
 - (ii) *does not significantly increase the height or gross floor area of the building, and*
 - (iii) *does not have a significant adverse impact on adjoining buildings or the public domain, and*
 - (iv) *does not significantly alter an aspect of the building when viewed from a public place.*
- (4) *This clause does not apply to the following development—*
 - (a) *development in relation to which the Planning Secretary had, immediately before 18 December 2015, issued a certificate under [Parramatta City Centre Local Environmental Plan 2007](#), clause 22B(5),*
 - (b) *development the subject of a concept development application for which development consent may be granted on the determination of the concept development application.*

39. Subclause 1(a)(ii) applies to the site as the site is within the Parramatta CBD, and any future application to increase the height of the buildings would result in the buildings exceeding 40m in height.
40. Regarding subclauses (3)(a) and 3(b)(i-iv), these subclauses would not apply to any future application which would give effect to the envisaged increase in height and FSR because the applications would be inconsistent with subclause (3)(b)(ii) in that adding an additional 10 storeys on Building E and increasing the height of Building K by 9 storeys is not insignificant and therefore would not be exempt from this provision at the Development Application stage.
41. The proposed insertion of Clause 7.29 (5) seeks to ensure that any future development application or modification will not be subject to a completely new design excellence competition process, and reads as follows:
 - (5) Clause 7.14 does not apply to the land to which this part applies if the application comprises only alterations and additions to a building that is already the winner of a design competition.
42. This is reasonable, as the architects from the original design excellence competition LA/386/2013 (AJC and Turner Studios) have been retained on the project and will ensure that any future development application or modification application that seeks to fulfil the envisaged increase in height and FSR is consistent with the winning design excellence competition principles for the site, as evidenced in the Urban Design Report (**Attachment 3**).
43. Furthermore, any application on the site will still be required to comply with clause 7.13 Design excellence of the Parramatta LEP 2023.

Dual Water Systems

44. The Planning Proposal seeks to introduce a site-specific provision to the Parramatta LEP 2023 relating to the applicability of dual water systems on Site 1.
45. Clause 7.24 Dual water systems was introduced as part of the gazettal of the Parramatta CBD Planning Proposal in October 2022 which states:
 - (1) *The objective of this clause is to ensure the security of water supply in Parramatta City Centre.*
 - (2) *Development consent must not be granted to the erection of a building unless the consent authority is satisfied the building uses a dual water reticulation system containing pipes for potable water and recycled water for all inside and outside water uses.*
46. The Planning Proposal intends to switch off the above Clause 7.24 with a site-specific provision to allow any future applications for buildings on Site 1 to be exempt from providing dual water systems. This is because Development Consent for the current approval on Site 1 was granted before the implementation of Clause 7.24 dual water systems. It is therefore impractical to require compliance with this clause, as construction of buildings on Site 1 has already commenced.
47. The proposed site-specific provision is as follows:
 - (6) *Clause 7.24 does not apply to the land on Site 1 that comprises only alterations and additions to a building.*

48. However, it is reasonable for Buildings K and L on Site 2 to comply with Clause 7.24 of the Parramatta LEP 2023, as construction has not yet commenced on this site and the buildings can practically comply with these requirements. Furthermore, compliance with design excellence and Clause 7.29 will ensure that the building (L) dedicated to Council will be constructed to achieve Council's objectives towards net zero and to be climate positive as outlined in its Environmental Sustainability Strategy (2024-2033).
49. To enable the delivery of the additional residential apartments, rebalancing of commercial floor area and the provision of a Community and Cultural Building, the developer will be required to submit a new Development Application for Site 1 and a modification application to the current approval for Site 2. In consideration of the design excellence competition, dual water and commercial floor area & floor space ratio statements within this report, Clause 7.29 is to be amended as follows (~~strikeout text~~ is text to be deleted and **bold text** is to be added):
- (1) This clause applies to the following land at Parramatta—
 - (a) ~~Lot 10, DP 733044~~ **Lot 100, DP1249271**, 83 Church Street ~~and Lot B, DP 304570, 44 Early Street (Site 1),~~
 - (b) ~~Lot 20, DP 732622,~~ **Lot 102, DP1249271** 63 Church Street (**Site 2**).
 - (2) The objectives of this clause are to ensure that development on the land—
 - (a) provides employment opportunities in the precinct by ensuring that a minimum proportion of the available floor space is provided for commercial purposes, and
 - (b) the scale and bulk of the development does not adversely impact the amenity of the precinct.
 - (3) Development consent must not be granted to development, including staged development, involving the erection of a building on Site 1 **and Site 2** unless the consent authority is satisfied—
 - (a) at least ~~40~~**25%** of the combined gross floor area of **Site 1 and 2** ~~of Site 1~~ will be used for purposes other than residential accommodation or serviced apartments, and
 - ~~(b) the floor space ratio of Site 1 will not exceed—~~
 - ~~(i) if the development includes a basement to be used for commercial purposes—7.2:1, or~~
 - ~~(ii) otherwise—6.4:1, and~~
 - (c) the gross floor area of each storey of a building on **Site 1** above a height of 40m will not exceed 700m².
 - ~~(4) Development consent must not be granted to development, including staged development, involving the erection of a building on Site 2 unless the consent authority is satisfied at least 40% of the gross floor area of Site 2 will not be used for residential accommodation or serviced apartments.~~
 - (5) Clause 7.14 does not apply to the land to which this part applies if the application comprises only alterations and additions to a building that is the winner of a design competition.**
 - (6) Clause 7.24 does not apply to the land on Site 1 that comprises only alterations and additions to a building.**

Schedule 1 Additional Permitted Uses

50. The proposed inclusion of an Additional Permitted Use under Schedule 1 of the Parramatta LEP 2023 seeks to enable development for the purposes of creative industries and carparking for residential flat buildings within the E2 Commercial Centre zone, provided that any development for car parking within the E2 zone is limited to basement levels only and does not permit dwellings to be constructed within this zone.
51. Schedule 1 Additional Permitted Uses of the Parramatta LEP 2023 will be amended to insert the following:
- 26 Use of certain land at Early and Church Street, Parramatta***
- (1) This clause applies to land identified as “26” on the Additional Permitted Uses Map.
 - (2) Development for the purposes of residential flat buildings is permitted with development consent if –
 - (a) No dwellings are proposed on the land zoned E2 Commercial Centre
 - (b) Development on land zoned E2 Commercial Centre to support residential flat buildings that are located on the land is limited to the basement.
 - (3) Development for the purposes of creative industries is permitted with development consent in the E2 Commercial Centre zone.
52. The reallocation of commercial car parking to residential has resulted in some parking spaces being located within the E2 portion of the site. Residential carparking is currently prohibited within the E2 zone. The above clause will enable the full site footprint to be used for both commercial and residential carparking, reducing the level of basement excavation required as the carparking can be spread over a wider footprint.
53. The inclusion of ‘creative industries’ as an Additional Permitted Use has been proposed to expand the possible future use of Building L on Site 2. This building will be dedicated to Council in its entirety, and it is Council officers’ position that a potential future use for part of the building could include an artist studio, exhibition space or similar. ‘Creative industries’ are compatible in the site’s context and will be entirely contained within Building L, away from residential receivers within the development.

LOCAL AND STRATEGIC MERIT CONTEXT

State Planning Policies and Strategies

Housing Delivery

54. The Minister for Planning and Public Spaces has written to all councils and planning panels asking them to *‘prioritise the delivery of housing when assessing development applications and rezoning schemes, so that the entire planning system is geared to addressing the housing shortfall’*. The Minister further asks that *‘...council teams prioritise the opportunity to deliver homes as part of merit considerations where, on balance, dwelling numbers may warrant a scale or built form that is different to or greater than the outcome originally anticipated’* (see **Attachment 4**).

55. The Minister also advises in his letter that updated region and cities' plans are being prepared by DPHI, and that in the meantime a strategic merit assessment should be applied to Planning Proposals which will be used to confirm if the proposal can satisfy relevant regional, district, and local strategies. A summary of how the subject Planning Proposal is consistent with the relevant policies is provided below, with **Attachment 1** providing a full assessment of the Proposal's consistency against relevant State Planning Policies and Ministerial Directions.

Greater Sydney Region Plan and Central City District Plan

56. The Planning Proposal is generally consistent with relevant state policies and planning strategies including the Greater Sydney Region Plan, Central City District Plan, and Ministerial Directions under Clause 9.1 of the Environmental Planning and Assessment Act 1979.
57. This Planning Proposal contributes to the overall planning directions, objectives and priorities described in state plans and policies. The intent of this planning proposal addresses the priorities and objectives outlined in the Greater Sydney Region Plan (GSRP) and Central City District Plan (CCDP).
58. Objectives 3, 6, 10 of The Greater Sydney Region Plan: A Metropolis of Three Cities include *"infrastructure adapts to meet future need", "services and infrastructure meet communities' changing needs" and Greater housing supply*". The Planning Proposal satisfies these objectives as it will immediately increase housing supply and facilitate the delivery of community infrastructure that will be flexible in its use. A key goal of this proposal is to provide additional housing within the Parramatta City Centre whilst allowing for development of diverse and mixed-use buildings to address changing needs within the high growth precinct.
59. The Planning Proposal is consistent with the planning priorities described in the CCDP with particular focus on N3, N9 and N17. The Planning Agreement associated with this proposal includes the provision of a Community and Cultural Hub and additional open space in the form of an urban park along Lansdowne Street which targets these key priorities. The planning priorities are below:
- *N3: Provide services and social infrastructure to meet people's changing needs*
 - *N9: Delivering integrated land use and transport planning and a 30-minute city*
 - *N17: Delivering high quality open space*

Local Strategies

Local Strategic Planning Statement

60. The Parramatta City Centre is identified as a strategic centre and a high growth precinct in Parramatta's LSPS which the land subject to this Planning Proposal is located. The LSPS provides a housing target of 7,180 dwellings and jobs target of 85,600 for the Parramatta CBD by 2036. This Planning Proposal will

contribute to housing targets by delivering 208 additional dwellings as part of the proposal.

61. The Planning Proposal is consistent with Council's Planning Priorities listed within the LSPS. In particular, the proposal is consistent with Planning Priorities 1, 4, 6, 7 and 11. Refer to the Planning Proposal at **Attachment 1** for further details regarding alignment with the LSPS.

Local Housing Strategy (LHS)

62. The land subject to this Planning Proposal is located within the Parramatta City Centre growth precinct and facilitates contributions of additional housing towards the goals outlined in Parramatta's LHS. The Planning Proposal aligns with the LHS as it sequences housing delivery and transport infrastructure with identified growth precincts (Parramatta City Centre). The site being located within 800m from Harris Park Station and the Parramatta Transport Interchange makes it consistent with the objectives of the LHS.

Community Infrastructure Strategy

63. Council's Community Infrastructure Strategy (CIS) outlines the long-term strategy for the provision of community infrastructure. The CIS identifies potential community facility and open space infrastructure in the Parramatta LGA and recommends the delivery of a new community hub to service the south of the Parramatta City Centre.
64. The Planning Proposal and associated Planning Agreement will address the recommendation by providing a Community and Cultural Building (Building L) which will be fully dedicated to Council and constructed as a permanent home for the Parramatta Artists Studio alongside office space, a community hall space and two ground floor retail tenancies. The Cultural and Community Building is in addition to the previously secured elements of the existing Planning Agreement including the embellishment and dedication of a public park on Site 3 to support the density in the southern part of the City Centre and fulfil the objectives of the CIS.

A Cultural Plan for Parramatta CBD

65. Council's Culture and Our City – A Cultural Plan for Parramatta's CBD provides a vision for making Parramatta a culture destination. The four goals of the strategy are:
 - Always was, always will be a Gathering Place
 - Diversity is our Strength
 - Ideas and Imagination are the heartbeat of our City
 - By Design, our City Incubates Creativity, Industry and New Knowledge
66. The Cultural Plan outlines Parramatta Artists Studio (PAS) as a "key arts development organisation providing vital studio spaces to artists from across disciplines and career stages. Through its residency, commissioning and community-engaged programs, Parramatta Artists Studios significantly contributes to artists' careers as well as connecting artists and communities locally and beyond."

67. The development of the Parramatta Metro Station had resulted in the temporary relocation of the PAS to Granville.
68. The Planning Proposal and associated Planning Agreement will deliver a Cultural and Community Building as a new, expanded and permanent home for PAS that will provide a variety of spaces, encouraging dialogue and production across multiple arts and cultural forms.

ANALYSIS OF PLANNING PROPOSAL

Urban Design, Built Form and Public Domain

69. On Site 1, the Planning Proposal would facilitate an increase of 10 storeys to Building E (total 32 residential storeys). On Site 2 the Planning Proposal would facilitate an increase of 9 storeys to Building K (maximum 40 residential storeys). Building L would be reduced by 6 storeys (to 4 storeys) and proposed to be wholly dedicated to Council for Community and Cultural purposes. Buildings D and F on Site 1 are not altered from the approval as they are under construction (approved by DA/738/2016).
70. As part of the design excellence competition that was carried out in 2014, a series of winning criteria was established for the site. A key design excellence principle established by the jury of the competition was to ensure that each building demonstrates variation in its height so as to avoid a 'wall-like' effect on the skyline. The proposed building massing in this Planning Proposal has maintained consistency with the winning design excellence principles.
71. The height of Building K will increase from the approved 32 storeys to a maximum of 40 storeys. Additional storeys above the approved 32 storeys will be modulated and stepped in on a smaller floor plate in order to enable a more slender tower form, reduce visual bulk and scale and maintain height differentiation in the skyline (as shown in **Figure 7**) which ensures consistency with the winning design excellence competition criteria. It is recommended that the draft SSDCP controls be amended to facilitate this intended built form. As a result, the skyline is varied, views to sky are enhanced and the principles of the Design Excellence Competition are upheld.
72. **Figure 7** below shows the key changes made through height adjustments and redistributing GFA across both Sites 1 and 2. It outlines the reduction of Building L from 10 to 4 storeys, increasing the provision of housing stock by extending the height of Building E. As shown in cell '3', the height of Building K is extended to offset the GFA that is removed from Building L (cell '1').

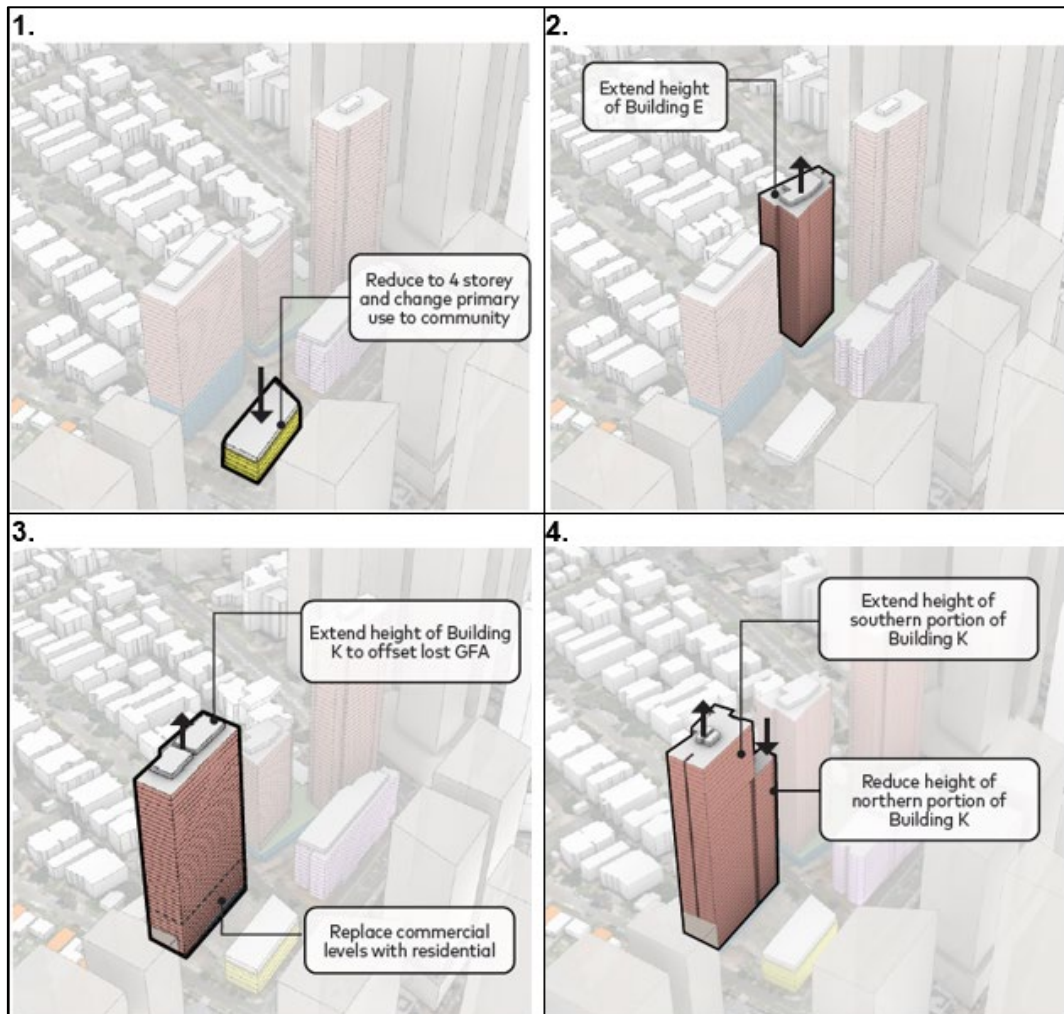


Figure 7: Proposed redistribution of floor space across the development

73. Furthermore, retaining the development outcomes of the Design Competition is enforced through the amendment to Clause 7.29 where any amending DA or modification application requires consistency with Clause 7.13 ensuring design excellence is maintained.
74. An artist impression that shows the proposed site arrangement and building forms is detailed in **Figure 8**.



Figure 8: Artist's impression of the scheme resulting from the Planning Proposal

75. Consideration of any changes to the public domain and through-site links on the subject land will be completed at the Development Application or Modification stage for any future applications.

Economic Impact

76. The proposed development is the first of its kind within the Auto Alley corridor and southern CBD and is seen as the catalyst to springboard the redevelopment of Church Street towards the M4. The Parramatta CBD is currently experiencing high commercial office vacancy rates, with rates expected to remain above 20% over the five-year medium term as evidenced in the supporting Economic Assessment (**Attachment 5**). This is largely because of the COVID-19 pandemic and subsequent fundamental change in the way people work, resulting in less demand for commercial office space in the current market. At this time, as the site is under construction, it is unlikely that the quantum of commercial office space under the existing site-specific clause will be fully occupied within the future development. It is important to also note that the Housing SEPP provisions allow build-to-rent on commercial zoned land.
77. The applicant initially proposed to reduce the quantum of non-residential GFA to 20% of the total GFA of Sites 1 and 2. This was considered to be an unsupportable reduction, and it was important to retain a higher level of employment generating land uses on the site. Following consultation with the applicant, it was determined that an appropriate amount of non-residential GFA to be delivered across Site 1 and 2 is 25%. If the Planning Proposal was to reduce the non-residential GFA to 20%, this would have resulted in approximately 1,600m² of commercial floor area, equivalent to two storeys of the Cultural and Community Building.

78. The approved development under construction will deliver a new 5-star hotel (Building F on Site 1), with the confirmed operator being the Marriott Group. The hotel development will be a key contributor to Parramatta's visitor economy and will help service domestic and international visitors to Parramatta, Sydney Olympic Park and the forthcoming Western Sydney International Airport that is due to open in late 2026. The hotel will not only generate primary jobs but will also generate subsidiary jobs through uses associated with the hotel such as catering companies, event management and corporate conferences.
79. The addition of the Cultural and Community Building will establish an emerging character for the southern CBD as a destination for arts and cultural spaces. The fringe location of the site presents an opportunity to deliver alternative land uses that will complement commercial office space, generating employment opportunities and boost Parramatta's cultural economy.
80. Council officers have considered these impacts in the Planning Proposal and given the current market conditions, the site being under construction and the provisions of the Housing SEPP allowing build to rent on commercial zoned land, the provision of a Community and Cultural Building, a new 5-star hotel offering, and other commercial uses including diverse retail offerings, the Planning Proposal adequately balances the economic impacts of the proposal while noting the delivery of additional dwellings.
81. Overall, the decrease in the quantum of non-residential floor space in this instance is supportable for the following reasons:
- The basement levels of the buildings cannot accommodate the 5,694sqm of supermarket floor area due to flooding constraints as detailed in the assessment of the approved scheme (DA/738/2016);
 - The site is under construction and its location on the fringe of the Parramatta CBD means it is unlikely that the already approved commercial floor space will be utilised in the short and medium term;
 - The economic analysis by Urbis (**Attachment 5**) indicates that vacancy rates for commercial floor space are unlikely to lower in the medium term;
 - Diversification of land uses through the inclusion of creative industries are well-suited for this location in the Parramatta CBD;
 - Continues to retain non-residential GFA, particularly along Church Street, by providing an alternative use to the provisions under the State Environmental Planning Policy (Housing) 2021 that permits build-to-rent on E2 land; and
 - The Minister for Planning and Public Spaces has requested public authorities and planning panels to prioritise the delivery of housing.

Social Impact

82. The delivery of a public park under the existing Planning Agreement and the proposed dedication of Community and Cultural Hub building (Building L) are deemed to offer significant public benefit and support the proposed density on the site and surrounding area.
83. The Community and Cultural building addresses the Community Infrastructure Strategy (CIS) by delivering approximately 2,500sqm within a four-storey building to be used for a variety of purposes such as creative uses, office space,

community hall and meeting spaces. By allowing these uses at this site, it unlocks the potential for Council to address other community needs at the Marion Street Carpark which is also identified within the CIS.

Flooding

84. The site is identified as being flood prone on the Floodplain Risk Management Map in the Parramatta LEP 2023. The Planning Proposal has been assessed against the 2024 Parramatta Flood Study that was adopted by Council on 11 June 2024.
85. The site subject is within proximity to Clay Cliff Creek and affected by 1% Annual Exceedance Probability (AEP) and Probable Maximum Flood (PMF) which requires consideration of mitigation measures in relation to these flood events.
86. The applicant submitted a Flood Planning Statement which determines that the 2024 Parramatta Flood Study does not change the required mitigation measures from the approved to the proposed scheme. The proposed scheme provided as part of this Planning Proposal package complies with the Flood Planning Level requirements based on the new Flood Study.
87. Any future development on the site will need to respond to the Flood Risk Development Manual and the relevant controls contained within the Parramatta LEP 2023 and Parramatta DCP 2023.
88. Council's Catchment Engineer has reviewed the proposal and the submitted Flood Planning Statement (**Attachment 6**) and raises no objections to the proposal.

Traffic and Transport

89. The Planning Proposal seeks to deliver an increased number of residential dwellings and reduction in commercial floor area. The required number of carparking spaces is different to that of the existing Development Application, as the parking rates were reduced with the implementation of Parramatta City Centre LEP 2023.
90. The parking controls under Parramatta LEP 2011, which were in place at the time of determining the DA/738/2016 are higher than the current parking rates under Parramatta LEP 2023. The following table provides a comparison of the applicable parking rates:

	Approved Parking Rates (Parramatta LEP 2011)	Proposed Parking Rates (Parramatta LEP 2023)
Residential flat buildings	A maximum of 1 parking space to be provided for every dwelling plus 1 parking space to be provided for every 5 dwellings for visitors	The sum of the following— (a) 0.1 space for each studio dwelling, (b) 0.3 space for each dwelling containing 1 bedroom, (c) 0.7 space for each dwelling containing 2 bedrooms, (d) 1 space for each dwelling with 3 or more bedrooms

Retail	A maximum of 1 parking space to be provided for every 30 square metres of gross floor area	Car Parking Formula* $M = (G \times A) \div (50 \times T)$
Commercial	A maximum of 1 parking space to be provided for every 100 square metres of gross floor area	Car Parking Formula $M = (G \times A) \div (50 \times T)$
Hotel	A maximum of 1 parking space to be provided for every 5 hotel rooms or suites plus 1 parking space to be provided for every 3 employees	The sum of the following— (a) 1 space for every 4 bedrooms up to and including 100 bedrooms, (b) 1 space for every 5 bedrooms above 100 bedrooms
Community**	Car Parking Formula $M = (G \times A) \div (50 \times T)$	Car Parking Formula $M = (G \times A) \div (50 \times T)$

*where—

M is the maximum number of car parking spaces.

G is the gross floor area of certain premises in the building, as specified in the provision in which the formula is used.

A is the site area.

T is the total gross floor area of all buildings on the site.

**Parramatta LEP 2023 does not have a specific parking rate for a community hall use, as such car parking requirement for the community hall has been assessed based on a commercial use using the car parking formula providing in LEP 2023 with the site area being 4,742m² and a total gross floor area of 34,896m².

91. The Traffic and Parking Assessment (**Attachment 7**) includes a comprehensive assessment of the parking that will be provided as part of any future DA or modification on the site. The assessment affirms that, notwithstanding the uplift in residential dwellings, the proposed level of carparking is satisfactory.
92. The exact allocation of car parking spaces to each land use on the site will be finalised at the DA stage, however the submitted Traffic and Parking Assessment has satisfied Council's Traffic Officer that the Planning Proposal can facilitate a compliant car parking layout.

Wind Tunnel Impacts

93. A detailed wind impact assessment will need to be provided at the DA stage to appropriately manage wind behaviour.

PLANNING AGREEMENT

94. The Planning Proposal is accompanied by a Letter of Offer (**Attachment 2**) which proposes to deliver the following public benefits at a value estimated by the applicant to be \$26,543,384.00:
 - Dedicate Building L as a Community and Cultural Building comprising of:
 - Basement carparking comprising 34 spaces;
 - Retail tenancy comprising of a total 131sqm in a cold shell fit-out;
 - One ground floor community hall comprising a total 555sqm in a warm shell fit-out;
 - Three level commercial office space comprising of 1,723sqm (including balcony areas) to an agreed level of fit-out
 - Dedicate a fully embellished open space public park on Site 3 totalling approximately 1,953sqm.

- Design, construction and embellishment of footpaths and through-site links across Site 1 and 2 facilitating north-south movement between the buildings fronting Church Street and to the rear of the site.
 - Embellish and make accessible via public easements to be held by Council to provide thoroughfares on Site 1 and 2.
 - Include a monetary contribution equivalent to the Section 7.11 Contributions, enabling Council to directly allocate this funding to the fit-out of Building L.
95. It is noted that an existing Planning Agreement between the landowner and Council is registered on the title of the land, which was to deliver the following items at a total value of \$15,142,695:
- Embellishment and dedication of land at Site 3 comprising a total of 1,953sqm for use as a public open space;
 - Embellishment and footpath widening along the Church Street frontage of the land;
 - Provision of a pedestrian thoroughfare through Site 1 and 2;
 - The construction and dedication of a commercial suite comprising 200sqm to Council; and
 - Payment of a \$7.3 million cash contribution to Council's City Centre Section 94A (7.12) Plan
96. This Planning Proposal seeks to extinguish the existing Planning Agreement and replace it with a new Planning Agreement. Whilst the existing development consent includes a Planning Agreement, it provides for a limited contribution toward community facilities. The CIS identifies a lack of community hubs within the Parramatta LGA. This is addressed by revising the original dedication of a commercial suite (200sqm) to Council by increasing the offering to a four storey Community and Cultural Building.
97. A preliminary assessment of the Letter of Offer by Council Officers concludes that in principle the items offered are acceptable and satisfy major Council objectives related to community and social infrastructure provision.

DEVELOPMENT CONTROL PLAN

98. Site-specific planning provisions for the site were included in the Parramatta Development Control Plan (DCP) 2011. These controls were adopted as Section 9.10.2 in the 'Harmonisation' DCP (Parramatta DCP 2023) which consolidated and updated controls for the Parramatta LGA.
99. The changes sought as part of this Planning Proposal can primarily achieve the future desired character and compliance with the controls as set out in Section 9.10.2. The Planning Proposal requires some amendments to the DCP to facilitate the built form shown in the urban design report and the approved development application.

100. A draft DCP amendment will be prepared to accompany the exhibition of the Planning Proposal. The amendment will ensure consistency with the urban design report by providing:
- Removal of references to 44 Early Street due to lot amalgamation with 83 Church Street
 - Updated building height figures in Figure 9.10.2.3
 - Updated building footprints in Figure 9.10.2.3
 - Removed reference to a basement level supermarket on Site 1 in Figure 9.10.2.4
 - Relabelled Figure 9.10.2.4 – Building Form Control Section (Northern Side) to Figure 9.10.2.4 – North-South Section for clarity
 - Updated the Figure 9.2.10.4 to reflect the urban design report
 - i. Building F (Hotel) is coloured as commercial/hotel
 - ii. Building F is 12 levels not 10 levels
 - iii. Podium levels are commercial
 - iv. Building D is updated to 42 levels

PLAN MAKING DELEGATIONS

101. Should Council resolve to endorse the Planning Proposal to proceed, it is recommended that Council request that it exercise its plan-making delegations. This means that once the Planning Proposal has been to Gateway, undergone public exhibition and been adopted by Council, Council officers will deal directly with the Parliamentary Counsel Office on the legal drafting and mapping of the amendment. The LEP amendment is then signed by the CEO before being notified on the NSW Legislation website.

CONSULTATION & TIMING

102. The Planning Proposal and supporting documents were referred internally to various Council staff and teams including:
- City Design Unit
 - Traffic and Transport Team
 - Social/Cultural Team
 - Economic Development Team
 - Flooding and Catchment Engineers
 - Social and Community Services Team
103. No public consultation has yet been undertaken relating to this Planning Proposal. Should Council resolve to proceed with the Planning Proposal, it and all related information, will be submitted to the DPHI for Gateway Determination. Community Consultation will be undertaken as required by the Gateway Determination.

FINANCIAL IMPLICATIONS FOR COUNCIL

104. Should Council resolve to proceed with the Planning Proposal, the costs incurred in conducting the community consultation are covered by the fees associated with the submission of the Planning Proposal by the applicant.

105. The Planning Proposal is accompanied by a Letter of Offer which proposes that the applicant enter into an agreement to deliver community infrastructure. The financial implications of the offer will be presented to Council.

CONCLUSION AND NEXT STEPS

106. This report recommends that the Planning Proposal for 57-83 Church Street, Parramatta be submitted to the DPHI for Gateway assessment.
107. It is recommended that Council endorse the preparation of a draft Planning Agreement for 57-83 Church Street, Parramatta based on the submitted Letter of Offer, and that the Chief Executive Officer be authorised to prepare the legal drafting.
108. It is recommended that Council endorse preparation of the amendments related to the site-specific DCP (SSDCP) for land at 57-83 Church Street Parramatta, to be made to the Parramatta DCP 2023.
109. Council will be requested to consider the merits of the proposal following the Parramatta Local Planning Panel's consideration of same. If approved, the Planning Proposal, draft Planning Agreement and draft SSDCP will be publicly exhibited concurrently for 57-83 Church Street, Parramatta when the Gateway determination is issued. Darren Ung

Project Officer

Liam Spinks

Project Officer

Belinda Borg

Team Leader Land Use Planning

Jennifer Concato

Executive Director City Planning and Design

ATTACHMENTS:

1	Attachment 1 - Planning Proposal	53 Pages
2	Attachment 2 - Letter of Offer	6 Pages
3	Attachment 3 - Urban Design Report	53 Pages
4	Attachment 4 - Letter Correspondence from the Minister for Planning and Public Spaces	2 Pages
5	Attachment 5 - Economic Assessment Report	45 Pages
6	Attachment 6 - Flood Assessment Report (separately enclosed)	36 Pages
7	Attachment 7 - Traffic and Parking Assessment Report	15 Pages

REFERENCE MATERIAL



**CITY OF
PARRAMATTA**

MINUTES

**Parramatta Local Planning Panel
Tuesday, 26 November 2024
3.30pm**

**Level 3, PHIVE
Parramatta Square, Parramatta**

PANEL MEMBERS

Elizabeth Kinkade PSM (Chairperson)
Dr Nicholas Brunton (Expert Member)
Greg Flynn (Expert Member)
Frederick Lee (Community Member)

STAFF MEMBERS

A/Group Manager Major Projects and Precincts Major Projects & Precincts – Michael Rogers, Team Leader Land Use Planning Major Projects and Precincts – Belinda Borg, Team Leader Development Support – Sarah Irani, ICT Service Team Officer – Efty Edmy, Project Officer - Liam Spinks, Business Support Officer – Zane de Belin

APPLICANT ATTENDEES

Jeremy Hung – Head of Development, JQZ (Developer)
David Fok – Architect, JQZ (Developer)
Adrian Villella – Director, Urbis (Planner)
Sebastian Aguilar – Senior Consultant, Urbis (Planner)
Brian Mariotti – Director, AJC Architects (Architect of Masterplan & Site 1)
Duncan Corrigan – Director, AJC Architects (Architect of Masterplan & Site 1)
Stephen Cox – Director, Turner Architects (Architect of Site 2)
Brian Fong – Associate Director, Turner Architects (Architect of Site 2)
Michael Lee – Director, MLA Transport Planning (Traffic Consultant)

1. ACKNOWLEDGEMENT TO TRADITIONAL OWNERS OF LAND

The Chairperson, acknowledged the Burramattagal people of The Darug Nation as the traditional land owners of land in Parramatta and paid respect to their ancient culture and to their elders past, present and emerging.

2. WEBCASTING ANNOUNCEMENT

The Chairperson advised that this public meeting is being recorded. The recording will be archived and made available on Council's website.

3. APOLOGIES

There were no apologies made to this Local Planning Panel.

4. DECLARATIONS OF INTEREST

There were no declarations of interest made to this Local Planning Panel.

4A. PUBLIC SPEAKERS

There were no public speakers registered to this Local Planning Panel.

5. REPORTS - PLANNING PROPOSALS

- 5.1 **SUBJECT** Gateway Request for 57-83 Church Street PARRAMATTA
 REFERENCE F2024/00282 -
 APPLICANT/S Early Street Development Pty Ltd
 OWNERS JQZ Seventeen
 REPORT OF Project Officer

PANEL'S ADVICE

- A. The Parramatta Local Planning Panel support the Council officer's recommendation as follows:
- (a) Council approve, for the purposes of seeking a Gateway Determination from the Department of Planning, Housing and Infrastructure (DPHI), the Planning Proposal for land at 57-83 Church Street, Parramatta (**Attachment 1**), which seeks the following amendments to the Parramatta Local Environmental 2023 (Parramatta LEP 2023):
- i. Increase the Floor Space Ratio control from 7.2:1 to 8.4:1 for land at 83 Church Street, Parramatta (Site 1).
 - ii. Increase the Height of Buildings control from 90m to 118m (40 storeys) for land at 63 Church Street, Parramatta (Site 2).
 - iii. For Site 1 and 2, switch off the provisions within Clause 7.14 Competitive design process of the Parramatta LEP 2023 and apply the proposed Clause 7.29 (5) Site specific provisions to exempt any future application comprising of alterations and additions from the competitive design process to ensure compliance with the approved winning design excellence competition scheme.
 - iv. For Site 1, switch off Clause 7.24 Dual water systems of the Parramatta LEP 2023 and apply the proposed Clause 7.29 (6) to reflect the approval for this site which was granted before dual water systems were mandated.
 - v. For Site 1 and 2, amend Clause 7.29 Site specific provisions to revise the non-residential gross floor area requirement from 40% to 25% of total Gross Floor Area.
 - vi. To include a clause under Schedule 1 Additional permitted uses to allow residential basement carparking in the E2 Commercial Centre zone on Sites 1 and 2 and development for creative industries on Site 2.

- (b) That Council approve the draft amendments, as described in this report, to Parramatta Development Control Plan 2023 (DCP) associated with the land subject to this Planning Proposal for the purposes of public exhibition.
- (c) That Council request that DPHI provide it with authorisation to exercise its plan-making delegations for this Planning Proposal.
- (d) That the CEO be authorised to negotiate and draft the Planning Agreement consistent with the terms of the Letter of Offer (**Attachment 2**) provided by the landowner and that the Planning Agreement be placed on public exhibition concurrently with the Planning Proposal and the draft DCP.
- (e) That Council authorises the CEO to correct any minor anomalies of a non-policy and administrative nature that may arise during the plan-making process.

B The Panel provides the following further advice:

1. The Panel recommends Council review the Concept Development Consent ensuring any relevant provisions have been considered and if required are incorporated into the Draft Development Control Plan.
2. The Panel notes that pedestrian and cycle connectivity from the Southern Planning Investigation Area to the CBD and Transport nodes requires further consideration.
3. The Panel wishes to thank Staff on their excellent paper and work on the Planning Proposal.

REASONS FOR ADVICE

1. The planning history of the site, existing development consents, the suitability of the location, and the opportunity to provide much needed housing support the proposed increase in height and floor space ratio for certain building envelopes and sites.
2. The Site's strategic location within walking distance to two heavy rail stations and a major bus interchange is appropriate to support a higher residential density.
3. The Economic Impact Assessment indicates that, given the site-specific analysis of commercial floor space, the currently approved quantum of commercial floor space will be underutilised, hence the increased residential GFA is considered appropriate in this location.

MINUTES – Parramatta Local Planning Panel – 26 November 2024

4. There is a significant increase in public benefit resulting from the proposal, being the delivery of a community and creative building and public park.

Voting 4-0 (unanimous)

The meeting closed at 4:10 pm.



Chairperson