

Summary of Proposal

The City of Parramatta Council is exhibiting a Planning Proposal for the land at 353A-353C Church Street and part of 351 Church Street, Parramatta (the Riverside Theatre site) (See Figure 1).

The Planning Proposal intends to implement the necessary height and building envelope controls to allow for the concept design and redevelopment project for the Riverside Theatre to progress. This is to deliver a modernised and expanded cultural facility that meets the needs of the current and future population of the City of Parramatta and Greater Sydney.

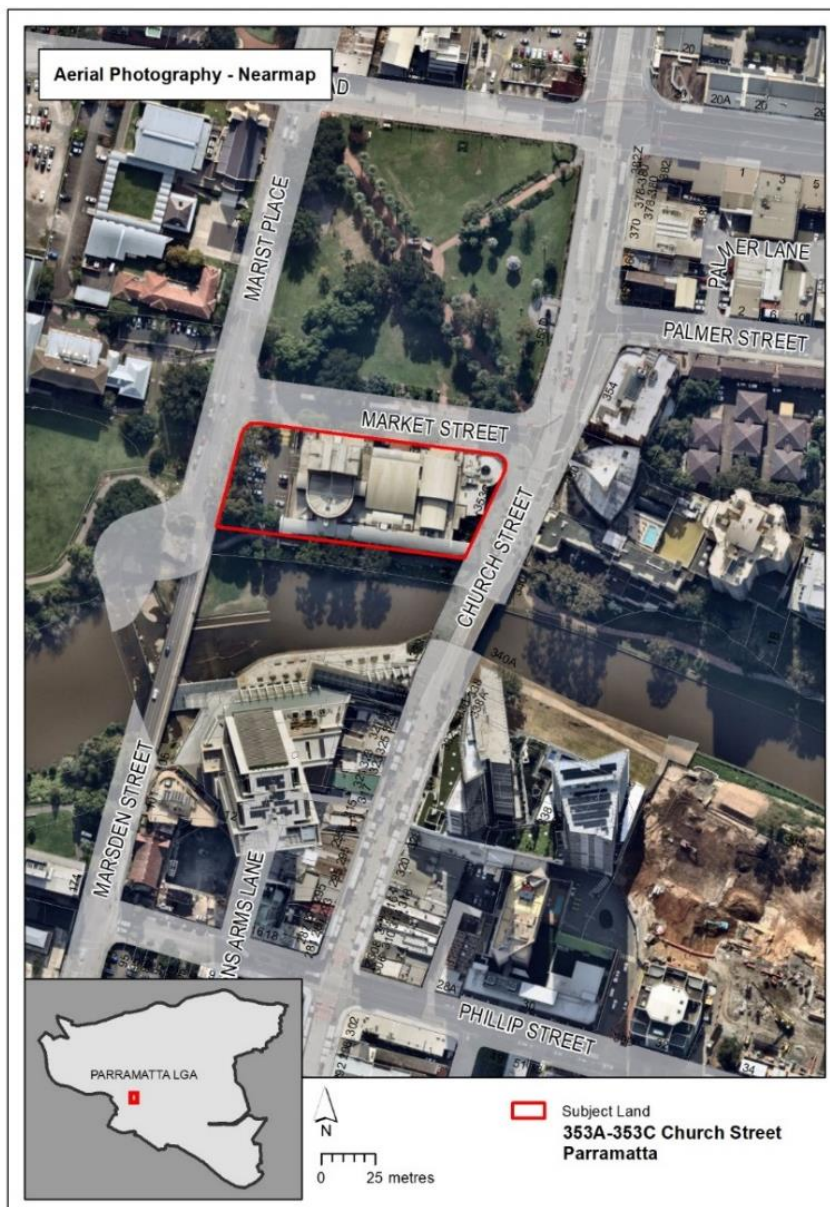


Figure 1 – Site subject to the Riverside Theatre Planning Proposal

The Planning Proposal was endorsed by Council on 26 September 2022 and forwarded to the Department of Planning and Environment for a Gateway

Determination. A Gateway Determination was issued on 16 November 2022 advising the Planning Proposal should proceed, subject to conditions.

The Planning Proposal seeks the following amendments to the Parramatta Local Environmental Plan 2011:

- Increase the Maximum Height of Building (HOB) from 15m to 28m;
- Introduce a Site-Specific Clause that:
 - prevents new development generating any additional overshadowing to the southern side of the Parramatta River Foreshore between 12pm and 2pm;
 - requires active street frontages;
 - specifies a maximum Design Excellence bonus of 15%.

No changes are proposed to the existing B4 Mixed Use zone or existing 3:1 FSR control.

The increase in HOB from 15m to 28m is considered a modest increase (particularly given the existing Riverside Theatre building has structural elements at 25m).

The adjustment is needed to provide the necessary framework to allow for the Riverside redevelopment to progress following the site's removal from the Parramatta City Centre Planning Proposal at finalisation.

Council is not the local plan-making authority for this Planning Proposal, and the Department of Planning and Environment will be responsible for the finalisation and making of the plan.

Frequently Asked Questions

What is a “Planning Proposal”?

A planning proposal (also known as a rezoning application) is a document that explains proposed changes to land use planning controls that are found in a Local Environmental Plan (LEP)*.

A planning proposal details how the controls are proposed to change, for example by increasing building heights or floor space ratios to allow for more development in a particular area.

It also sets out the justification for why these changes are suitable for the site and an assessment of the potential impacts of the proposal and how they should be resolved if it is approved. Planning proposals are usually supported by extensive technical information to help with the assessment such as studies on flooding, traffic, urban design, and social impact assessments.

A planning proposal can be prepared by anyone, but usually it is either a landowner, developer, or Council.

**A local environmental plan (LEP) is a legal document that guides planning decisions by local governments. It is prepared by Council and approved by the State Government. The LEP is an important planning tool that helps shape the future of our area and ensures development is done appropriately. Controls in an LEP include such things as land use zones, building heights, floor space ratios, flood risk management controls and also heritage protections.*

Why is a Planning Proposal needed?

The Riverside Theatre is a critical anchor performing arts facility located within the Parramatta CBD. Constructed in 1988, the current Riverside Theatre building is not fit for purpose to serve the growing community.

The redevelopment of the Riverside Theatre to deliver a modernised and expanded performance space is an important infrastructure priority reflected in Council's A Cultural Plan for Parramatta's CBD 2017-2022. Council has progressed with the preparation of a visioning document, concept reference design and committed funding to redevelop the theatre.

The Council endorsed Parramatta CBD Planning Proposal (CBD PP), among a number of things, sought to increase the height control on this site. This change would enable the redevelopment of the theatre in line with the vision of Council. The concept design was prepared in response to the planning controls within the Council endorsed CBD PP.

However, the Department of Planning and Environment (DPE) deferred the area north of the river from the CBD PP during its finalisation and retained the current height control for this site (see [Parramatta CBD Planning webpage](#) for more detail).

The current height control does not enable the redevelopment of the site consistent with the concept reference design. As a result, a site-specific Planning Proposal is needed to implement the necessary height control to allow for the concept design and redevelopment project to progress.

The Planning Proposal for the Riverside Theatre site is required for the following reasons:

- To ensure the necessary planning controls are in place to allow the timely progression and redevelopment of the Riverside Theatre.
- Waiting for a future review of the land north of the Parramatta River (which is subject to funding being provided by the State Government, is anticipated to commence in 2023 and which would take two to three years to complete) would cause delays to the progression of the Council prepared concept design for the Riverside Theatre.
- The increase in height from 15m to 28m is considered a modest increase (particularly given the current theatre has building elements at 25m) and the 36m building height currently permitted for sites immediately east of the theatre site. The 28m height proposed is not out of context with existing controls in the precinct.
- No change is sought to the existing FSR control.

- The Site-Specific Clause implements the intent of the solar access protection plane, active frontage, and design excellence controls within the CBD PP.
- The resulting building controls are considered to have an inconsequential impact on amenity, overshadowing, and overall bulk and scale; and is lower in height than the building height that would have resulted from the Council adopted CBD PP.

Further background on the need for the Planning Proposal is contained within the Council Report and Planning Proposal.

Are the planning controls the same as the Council endorsed Parramatta CBD Planning Proposal?

As explained under 'Why is a Planning Proposal needed?', the Council endorsed Parramatta CBD Planning Proposal (CBD PP), among a number of things, sought to increase the height control on the Riverside Theatre site. The removal of the Riverside Theatre site at finalisation of the CBD PP means this Planning Proposal is needed to implement the necessary planning controls to allow the redevelopment of the theatre to progress in line with the vision of Council.

This Planning Proposal for the Riverside Theatre site retains a consistent approach to the planning controls and policy direction from the CBD PP.

Height

The Planning Proposal and supporting reports explains that the increase in height and resulting building envelope from the Planning Proposal is lower than the building height that would have resulted from the Council adopted CBD PP. Table 1 compares the existing planning controls, proposed controls under the CBD PP as endorsed by Council, the proposed controls within the Planning Proposal, and the existing building height for reference.

Control	PLEP 2011 (existing controls)	Council adopted CBD PP	Planning Proposal	Existing building
Zoning	B4 Mixed Use	B4 Mixed Use	B4 Mixed Use	B4 Mixed Use
Height	15m	Height not nominated – solar access control would allow heights of 50-60m on parts of the site.	28m	25m
FSR	3:1	3:1	3:1	Unknown

Table 1 - Summary of existing and proposed controls

The difference between the controls is that the Planning Proposal is introducing a lower height for this site, in comparison to the height that could have resulted under the CBD PP. In addition, the existing theatre currently has some building elements at 25m, therefore the increase 28m is a modest increase and is suitable in the context of the current permitted height of 36m on the eastern side of Church Street.

The Planning Proposal provides further detail on the urban design and height assessment.

Overshadowing

The Planning Proposal seeks a Site-Specific Clause requiring no additional overshadowing to the southern side of the Parramatta River Foreshore between the hours of 12:00pm and 2:00pm. These hours are consistent with the Council adopted policy position relating to additional overshadowing to the southern side of the river foreshore in the Council endorsed CBD PP.

It is important to acknowledge that the concept design to be delivered via the Planning Proposal exceeds the solar access protection requirements of the CBD PP by protecting solar access to the southern side of the river foreshore by an additional three hours compared to the Council adopted CBD PP.

The concept design will not cause any additional overshadowing between the hours of 10:00am and 3:00pm. A series of shadow diagrams demonstrating this are included in Planning Proposal.

Active frontages

For consistency with the Council endorsed CBD PP, a site-specific clause requiring active frontages is proposed to ensure the ground floor of the future development engages with the surrounding streets and public domain. This will also need to be responded to as part of a future Design Excellence process.

Design Excellence

For consistency with the Council endorsed CBD PP, a site-specific clause is proposed that allows for a 15% Design Excellence Height and/or FSR bonus to the winning design scheme following the completion of a design excellence competition.

As the site was removed from the finalisation of the CBD PP, the existing LEP would allow for a Design Excellence bonus of up to 25% for a development that is all non-residential in the B4 zone. The site-specific clause is to reinstate the CBD PP bonus of 15%, and should it be awarded, could bring the maximum permitted height from 28m to 32m (i.e. 28m + 15%). **This is still well below the height that could have been achieved if the CBD PP was finalised as adopted by Council.**

It is important to note that the concept design has been prepared at 28m and therefore a bonus is not relied upon to deliver on the initial concept design. Whilst the planning framework can award a 15% bonus under this site-specific clause, the utilisation will be determined as part of the competition process; and ultimately the final height and building envelope is subject to compliance to the Site-Specific Clause requiring no additional overshadowing to the southern side of the river foreshore.

Overall the change in planning controls is considered to have an inconsequential impact on amenity, overshadowing, and overall bulk and scale.

What does the redevelopment of the Riverside Theatre involve?

Council on 9 May 2022 adopted a concept reference design for the Riverside Theatre redevelopment project. The concept design addressed the core elements of the 'Reimagining Riverside' visioning document and explored the building envelope needed to deliver on Council's functional aspirations for the redevelopment of the Riverside Theatre in response to the draft planning controls contained within the Council endorsed Parramatta CBD Planning Proposal.

The concept reference design includes a hybrid redevelopment scheme with heights varying from approximately 13m along the riverfront and 28m towards Market Street. The concept includes the retention and upgrade of a portion of the existing facility (primarily the 700-seat riverside space) and demolishes the remainder of the existing site to construct a new state-of-the-art multi venue arts centre that fully integrates with the retained and upgraded theatre elements.

The redevelopment for the Riverside Theatre intends to deliver:

- a new 1,350 seat proscenium arch commercial theatre that can stage international productions.
- a new 430 seat "black box" multi-mode drama-studio theatre
- an upgrade of the present 760 seat Riverside Playhouse Theatre
- a new 75 seat digital and development studio/screening space.
- two full scale rehearsal spaces and refurbished back-of-house technical and performance spaces.
- All venues will have state-of-the-art technical fittings and equipment.
- Significantly enhanced foyer, food and beverage and artist support amenities.

The total seating capacity will increase from 1067 to 2610 seats (approx. 245% increase on current capacity).

What will the new Riverside Theatre look like?

A Design Excellence Competition process will determine what the Riverside Theatre will look like and is the next step in the design and redevelopment project.

However, the concept reference design prepared to help guide the project (discussed in What does the redevelopment of the Riverside Theatre involve?) will be used as the basis for future detailed architectural design work, with the final detailed design being determined by the Design Excellence Competition process.

The figures below show the indicative building envelope from multiple perspectives, noting that the next phase of the redevelopment project will further embellish design features, building articulation, and integration with the public domain along the river foreshore. The final design will be subject to the outcome of a Design Competition guided by the proposed Site-Specific planning controls.

These perspectives are to provide the community with an indicative form only.



Figure 2 – Concept design render looking north-east from Marsden Street bridge, Parramatta (noting this is at a maximum height of 28m and excludes any bonus)

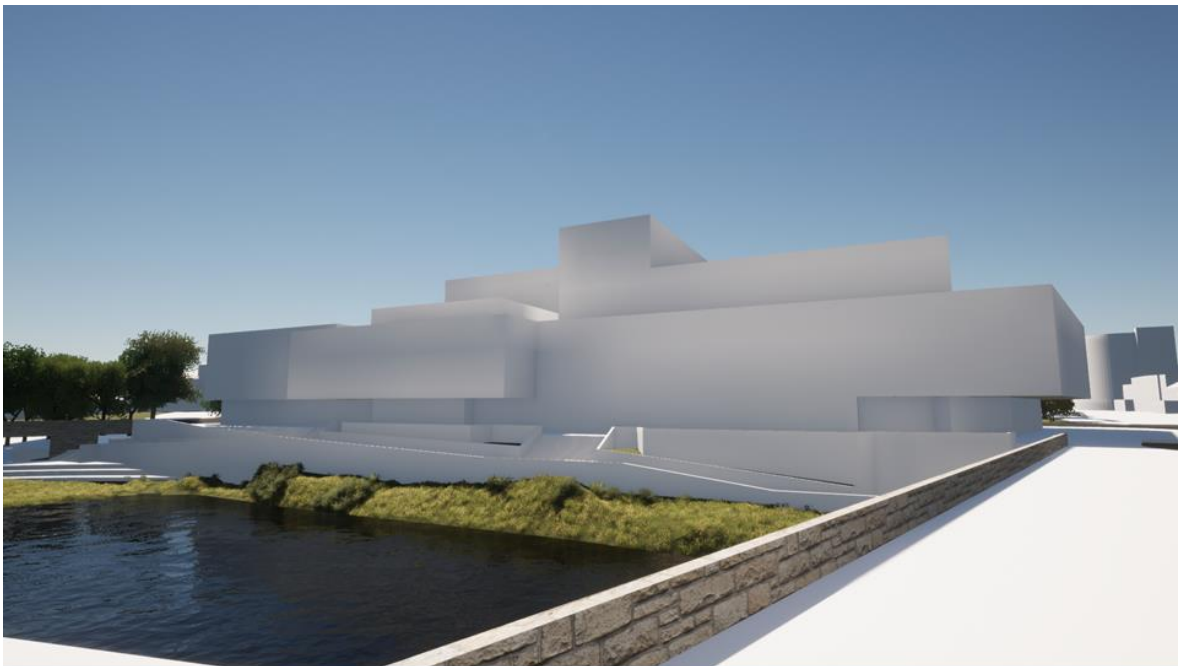


Figure 3 – Concept design render looking north-west from Lennox bridge, Parramatta (noting this is at a maximum height of 28m and excludes any bonus)



Figure 4 – Concept design render looking south-west from corner of Church Street and Market Street, Parramatta (noting this is at a maximum height of 28m and excludes any bonus)



Figure 5 – Concept design render looking southeast from corner of Marsden Street and Market Street, Parramatta (noting this is at a maximum height of 28m and excludes any bonus)