
PLANNING PROPOSAL

ITEM NUMBER	6.2
SUBJECT	Gateway Request - Parramatta CBD Supplementary Matters Planning Proposal
REFERENCE	F2023/00276 - N/A
APPLICANT/S	City of Parramatta Council
OWNERS	Multiple landowners
REPORT OF	Senior Project Officer

PURPOSE

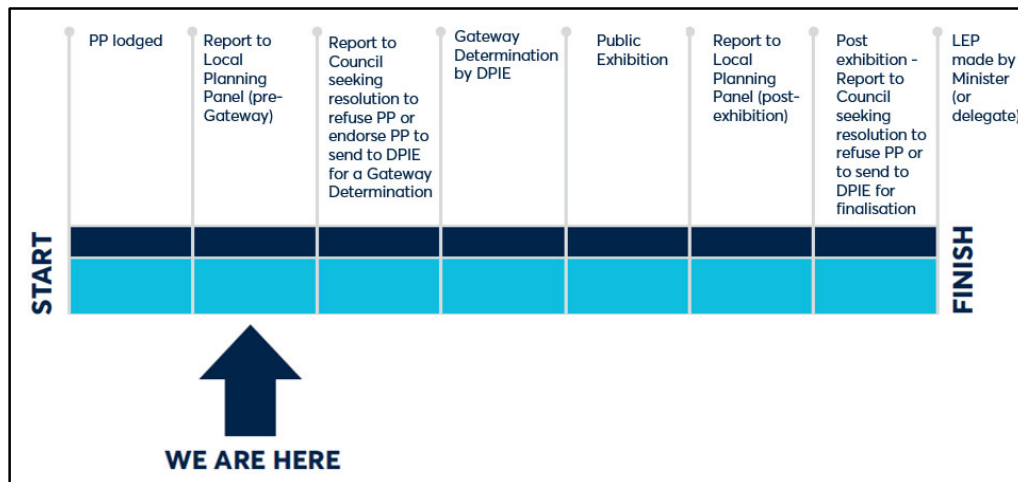
To seek the Local Planning Panel advice on the Parramatta CBD Supplementary Matters Planning Proposal for land in the Parramatta City Centre for the purposes of seeking a Gateway Determination from the Department of Planning, Housing and Infrastructure (DPHI).

RECOMMENDATION

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

- (a) That Council approve the recommended pathways for resolving the outstanding “Orange Matters” arising from the exhibition of the Parramatta CBD Planning Proposal, as detailed in the table at **Attachment 1**.
- (b) That Council approve the Parramatta CBD Supplementary Matters Planning Proposal at **Attachment 2** for the purpose of seeking a Gateway Determination from the Department of Planning, Housing and Infrastructure.
- (c) 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.
- (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.
- (e) That Council resolve to prepare a separate strategic precinct planning proposal for the Westfield site at 142 and 171 Church Street, Parramatta, given its strategic significance to the Parramatta CBD, and that Council officers prepare further urban design, land use and economic analysis to inform the policy framework for this planning proposal.

PLANNING PROPOSAL TIMELINE



BACKGROUND

1. Council finalised the Parramatta CBD Planning Proposal, which established a new planning framework for the Parramatta CBD, including new zoning, FSR, height and associated planning controls. The Parramatta CBD Planning Proposal was the result of extensive technical studies and community and stakeholder consultation over many years. The Parramatta CBD Planning Proposal was finalised as *Parramatta LEP 2011 (Amendment No 56)*, which was published on 6 May 2022 and came into effect on 14 October 2022.
2. During the exhibition period of the Parramatta CBD Planning Proposal, Council received submissions from landholders and other stakeholders seeking changes to controls for certain land within the Parramatta CBD. At its meeting of 15 June 2021, Council endorsed the final Parramatta CBD Planning Proposal with minor post exhibition changes and resolved to further investigate some matters raised from the submissions through a separate planning proposal process referred to in the Report as Decision Pathway 3 – Orange Matters. A list of the ‘Orange Matters’, as endorsed by Council 15 June 2021, is summarised in **Attachment 1** to this report.
3. The “Orange Matters” are generally outstanding matters remaining from the exhibition of Parramatta CBD Planning Proposal, that:
 - (a) were generally consistent with Council’s policy framework for the CBD, but were more significant changes, and if integrated into the Parramatta CBD Planning Proposal in the immediate post-exhibition period would have triggered re-exhibition of the Parramatta CBD Planning Proposal at that time; and/or
 - (b) had some merit on preliminary review, but required further investigation to confirm whether they should be progressed.

FURTHER INVESTIGATION

4. In responding to the “Orange Matters” as resolved by Council on 15 June 2021, Council officers have undertaken further investigations, including:
 - (a) evaluation of the nature and extent of requested changes from relevant submissions that resulted in the formation of the “Orange Matters”;
 - (b) assessment on the relevance of each “Orange Matter” against endorsed planning policy changes that have occurred at both the State and local level since Council’s resolution on 15 June 2021 (now almost 3 years ago);
 - (c) assessment of planning merits for certain “Orange Matters” against relevant strategic planning policies and directions; and
 - (d) undertaking further urban design, land use planning and environmental sustainability analysis to inform suitable urban planning outcomes.
5. Following the completion of further investigations, Council officers have recommended two pathways, including justification, to address each of the “Orange Matters”. These are articulated in detail at **Attachment 1**. In summary, the two pathways include the following:
 - (a) matters that have strategic merit and are recommended to progress as a part of the Parramatta CBD Supplementary Matters Planning Proposal (provided at **Attachment 2**);
 - (b) matters that are recommended to not proceed as a part of the Parramatta CBD Supplementary Matters Planning Proposal as they have since been resolved or superseded by another planning project or not considered to have adequate planning merit, or alternatively require significantly more analysis and are therefore recommended to proceed as a separate strategic precinct planning proposal.

PLANNING PROPOSAL

Overview

6. As outlined above, the Planning Proposal contained at **Attachment 2** to this report includes “Orange Matters” that are recommended by Council officers to progress to amend the Parramatta LEP 2023. In addition to addressing certain “Orange Matters”, this Planning Proposal also makes an update to the BASIX points exceedance targets in clause 7.25(3)(c)(ii) of the Parramatta LEP 2023 (this is discussed in further detail in the table below).
7. This Planning Proposal has been prepared consistent with Council’s endorsed position on 15 June 2021 in relation to the “Orange Matters” (refer to **Attachment 1**) and sections 3.31 & 3.33 of the *Environmental Planning and Assessment Act 1979* (the EPA Act). This Planning Proposal explains the intent and justification

for the amendments to Parramatta LEP 2023. The proposed amendments by this Planning Proposal include:

- (a) rezoning of some land;
- (b) extending the application of Area B of the Special Provisions Area Map to the rezoned land so that clause 7.28 (Additional floor space ratio for office premises) also applies;
- (c) amendment to the land reservation acquisition area of some land;
- (d) additional permitted use for the Parramatta CBD area; and
- (e) amendment to some local provisions (i.e. car parking rates and high performing building design) applicable to the Parramatta CBD area.

8. The Planning Proposal is collectively referred as the 'Parramatta CBD Supplementary Matters Planning Proposal' and generally applies to the Parramatta City Centre and specific land within the Parramatta City Centre, as described in column 1 of Table 1 below.

Summary of Proposed Changes

9. Table 1 below provides a summary of the changes proposed under the Planning Proposal contained at **Attachment 2**.

Table 1 – Summary of changes proposed under the Planning Proposal

Site / Matter	Proposed Change(s)	Summary Justification
Land Reservation Acquisition (LRA) Map Notations: a. 328 Church Street, Parramatta (proposed lane); b. Marsden Lane, being part of 215 Church Street, Parramatta; c. Firehorse Lane, being part of 3 Fitzwilliam Street, and 25 Wentworth Street, Parramatta; d. Woodhouse Lane, being part of 21 Wentworth Street, Parramatta; e. Charles Street/Hassall Street Intersection, being part of 2 Charles Street, Parramatta; and f. Parkes Street widening, being part of 24 Parkes Street, Harris Park. <u>Orange Matter Initiator:</u> The LRA Map change in relation to 328 Church Street, Parramatta is in response to a landowner submission. The other proposed LRA Map amendments are in response to the findings of the	a. Deletion of entire LRA. b. Deletion of entire LRA. c. Partial deletion of LRA. d. Insertion of new splay corner LRA notation. e. Insertion of new road widening/splay corner LRA notation. f. Insertion of new road widening LRA notation.	The proposed LRA amendments are in response to the findings of the Parramatta Integrated Transport Plan (ITP) and updated urban design analysis, and they also minimise the financial implications for Council (ie. Overall, the proposed LRA removal area is significantly larger than the proposed new additions). The changes will improve safety, promote active transportation, and facilitate better traffic circulation and movement throughout the Parramatta CBD.

Parramatta CBD Integrated Transport Plan (ITP). Note: The submitter requested the changes that are recommended in the Planning Proposal. The other changes included in the Planning Proposal are consistent with relevant recommendations in the ITP.		
Walker Corporation Landholdings - 10-12 Darcy Street, Parramatta, also known as 4 & 6 & 8 Parramatta Square <u>Orange Matter Initiator:</u> Landowner submission to Parramatta CBD Planning Proposal. Note: The submitter requested the changes that are recommended in the Planning Proposal.	Rezone from MU1 Mixed Use zone to E2 Commercial Centre zone. Extend application of Area B of the Special Provisions Area Map to the rezoned land so that clause 7.28 (Additional floor space ratio for office premises) applies.	E2 Commercial Centre zone aligns with the current significant office tower development on site, and will enable consistency with the zoning and application of clause 7.28 to the other office towers at Parramatta Square. Expansion of the commercial core is supported by a study, being the Achieving A-Grade Office Space in the Parramatta CBD Economic Review (Urbis 2019)
High Performing Building Design – Clause 7.25 Update (applicable to residential development) <u>Orange Matter Initiator:</u> These updates are not a result of an “Orange Matter”. Rather, the updates are needed as the BASIX system has been revised through the introduction and commencement of <i>State Environmental Planning Policy (Sustainable Buildings) 2022</i> in October 2023.	Updates the BASIX Energy exceedance targets as specified in clause 7.25(3)(c)(ii), so that for buildings with an FSR ranging from 6:1 to 16:1, developers would need to exceed BASIX standards by the following BASIX points in order to utilise the 5% FSR bonus: • 5-15 Storeys – 25 points • 16-30 storeys – 20 points • 31-40 storeys – 15 points • 41 or more storeys – 15 points	Updates are needed as the BASIX system has been revised through the introduction and commencement of <i>State Environmental Planning Policy (Sustainable Buildings) 2022</i> in October 2023. Updates are supported by a study, being the Parramatta High Performance Building Study Review (Kinesis, November 2023).
Additional land use permissibility – E2 Commercial Centre zone – Water recycling facilities <u>Orange Matter Initiator:</u> Parramatta River Catchment Group submission to Parramatta CBD Planning Proposal. Note: The submitter's requested change relating to 'water recycling facilities' permissibility has been recommended in the Planning	Add 'water recycling facility' as a permissible use with consent in the E2 Commercial Centre zone.	Will enable consistency between the MU1 Mixed Use zone and E2 Commercial Centre zone in the Parramatta CBD, noting that 'water recycling facilities' are currently permissible in MU1, but prohibited in E2. Further, this will also enable better alignment with clause 7.24 (Dual water systems). This change will enable maximum flexibility for recycled water systems, thereby improving environmental and sustainability outcomes.

Proposal. The submitter's requested change relating to 'water supply systems' permissibility has not been recommended in the Planning Proposal.		
Maximum Residential Car Parking Rate for certain land at North Parramatta (being the part of the Parramatta CBD north of Victoria Road) <u>Orange Matter Initiator:</u> The proposed changes to the car parking rates are in response to the findings of the Parramatta CBD Integrated Transport Plan (ITP). It is also noted that the car parking rates issue was raised in various submissions to the Parramatta CBD Planning Proposal, including from a landowner in the North Parramatta area of the CBD seeking to redevelop their site, Property Council of Australia, and also Transport for NSW. Note: The recommended changes in this Planning Proposal seeking to introduce Category A and B parking rates are consistent with the recommendations of the ITP and address the issues raised in the submissions received that relate to this matter.	Introduce a new Land Use and Transport Integration (LUTI) Map, which will identify Category A and B residential car-parking rate areas (refer to Figure 5 of Attachment 1). Category A will retain the current more restrictive maximum car parking rates, whereas Category B will introduce less restrictive maximum rates in the area of the Parramatta CBD north of Victoria Road. Amend the table in clause 7.17 to show the existing car parking rates for "Residential flat buildings, dual occupancies and multi dwelling housing" will apply to land shown as 'Category A' on the LUTI Map. Further, add a new Land Use type in the table for "Residential flat buildings, dual occupancies and multi dwelling housing – Category B land" (as shown on the LUTI Map), with the following rates: <i>"The sum of the following—</i> <i>Resident spaces:</i> <i>(a) 0.2 space for each studio dwelling</i> <i>(b) 0.4 space for each dwelling containing 1 bedroom</i> <i>(c) 0.8 space for each dwelling containing 2 bedrooms</i> <i>(d) 1.1 spaces for each dwelling with 3 or more bedrooms</i> <i>Visitor spaces (calculated cumulatively):</i> <i>(e) 0.167 space for each dwelling up to 30 dwellings</i> <i>(f) 0.1 space for each dwelling more than 30 and up to 70 dwellings</i> <i>(g) 0.05 space for each dwelling more than 70 dwellings"</i>	Changes will retain the current more restrictive maximum car parking rates for residential development on land to be referred to as Category A which has good access to heavy rail and metro stations. Less restrictive maximum car parking rates will apply to land referred to as Category B on land in the Parramatta CBD north of Victoria Road, as this land is located well away from heavy rail and metro stations. The new car parking framework is based on the recommendations of the Parramatta CBD Integrated Transport Plan (ITP).

STRATEGIC PRECINCT PLANNING PROPOSAL – PARRAMATTA WESTFIELD SITE

10. The Parramatta Westfield landholdings is situated at 142 and 171 Church Street, Parramatta, consisting of multiple blocks extending along Argyle Street, Aird Street, Marsden Street, Campbell Street, Fitzwilliam Street and Church Street – refer to Figure 1 below. The site is the single largest private land holding in the Parramatta CBD, measuring 6.43 ha in land area. In comparison, this is larger than Parramatta Square (including public domain) at about 2.84 ha, the Powerhouse Museum site at about 1.81 ha, and the Parramatta Metro site at about 1.76 ha, combined.

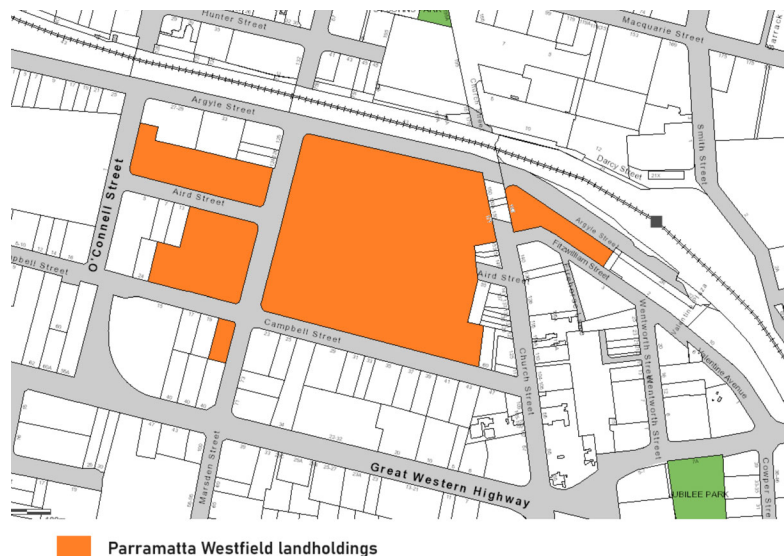


Figure 1 – Parramatta Westfield landholdings

11. Under the Parramatta CBD Planning Proposal ('CBD PP'), the site was proposed to be rezoned from B4 Mixed Use (now referred to as MU1 Mixed Use) to B3 Commercial Core (now referred to as E2 Commercial Centre). Under the CBD PP, it was also proposed to significantly increase heights and FSRs across the site, which would have resulted in a significant increase in density. Council officer's calculations indicate that under the CBD PP, *additional* GFA of 323,233sqm would have been permitted under the proposed FSR changes, which is a significant increase in floorspace capacity, being the equivalent of around 14 Sydney Water towers.
12. During the exhibition of the CBD PP, the landowner objected to the proposed rezoning. The primary basis for their objection at the time was the loss of flexibility in land uses offered by the proposed zone. Council consequently resolved to not progress the controls proposed under the CBD PP, and to undertake further investigations as a "orange matter". Council officers have further investigated this matter, which has included reviewing the previous urban design and economic studies undertaken as a part of the CBD PP that relate to this site, and also reviewing the draft zoning, height and FSR controls as exhibited for this site under the CBD PP.

13. In relation to the issue of land use flexibility, it is noted that the primary difference between the current MU1 Mixed Use zone and a proposed E2 Commercial Centre zone is the permissibility of residential development, noting that residential is permissible in the MU1 zone, but prohibited in the E2 zone. Aside from this, the E2 zone offers a flexible range of land uses to support a centre, and all typical centre-based land uses that are permissible in the MU1 zone are also permissible in the E2 zone. Notwithstanding the prohibition of residential in the E2 zone under *Parramatta LEP 2023*, it is noted that *State Environmental Planning Policy (Housing) 2021* ('the Housing SEPP') does offer build-to-rent housing as a permissible use in this zone, although acknowledging this cannot be subdivided and individually sold off.
14. Following these further investigations, Council officers are of the view that further analysis is needed to appropriately determine the future planning policy framework for this highly significant site. This further analysis needs to consider at least the following:
 - a. **Land Economics** – The impacts of the COVID pandemic on both the office and retail market are continuing to evolve and will impact the future for this site. Further economic analysis is needed to help inform the policy framework for this significant site.
 - b. **Land Use and Urban Design** – Given its strategic location near the Parramatta Transport Interchange and Parramatta Square, and also its large size, this site has significant potential in providing for future employment generation for the Parramatta CBD, in particular in large floor plate commercial office towers to match those of Parramatta Square. Further analysis is needed to determine the appropriate scale/type of residential development that would be suitable for the site, including site location considerations, so that strategic commercial and residential land use objectives can be properly balanced and managed.
15. In light of the above considerations, associated site complexities, and the significance of this large site in the Parramatta CBD, Council officers recommend not progressing this matter as a part of this planning proposal, and rather that Council commence preliminary work on a separate strategic precinct planning proposal specifically for the Westfield site, given its strategic importance, and also to allow more time where these issues can be further investigated.

PLANNING PROPOSAL ASSESSMENT

Strategic Merits

16. This Planning Proposal is consistent with the relevant Parramatta CBD planning framework. Further, it is noted that this Planning Proposal is supported by following technical studies, which were prepared to support the Parramatta CBD Planning Proposal:
 - (a) Parramatta CBD Integrated Transport Plan (2021) (refer to Appendix 4 of the Planning Proposal at **Attachment 2**);
 - (b) Achieving A-Grade Office Space in the Parramatta CBD Economic Review (Urbis, 2019) ("the Urbis study") (refer to Appendix 2 of the Planning Proposal at **Attachment 2**);

- (c) Update of Parramatta Floodplain Risk Management Plans (Molino Stewart 2021) (refer to Appendix 5 of the Planning Proposal at **Attachment 2**).
17. Further, the Parramatta CBD High Performance Building Study Review (Kinesis, 2023) (refer to Appendix 3 of the Planning Proposal at Attachment 2) has also been prepared in support of this Planning Proposal in relation to the proposed updates to the BASIX exceedance targets in clause 7.25(3)(c)(ii) of the Parramatta LEP 2023.
18. Despite the Urbis study being completed prior to COVID and the pandemic's associated impacts on the office market, which continue to evolve, its recommendation to expand the CBD's commercial core to include the Walker landholdings at Parramatta Square is still considered valid given the significant commercial office towers that have since been completed at Parramatta Square. The rezoning of this land would also ensure consistency with the E2 Commercial Centre zoning of the other office towers at Parramatta Square, including the NAB Tower, Western Sydney University Tower, and the Sydney Water Tower.
19. The Planning Proposal demonstrates general consistency against relevant State Planning Policies and Ministerial Directions. It aligns with relevant planning priorities of the Greater Sydney Region Plan, the Central City District Plan, Local Strategic Planning Statement, Local Housing Strategy, Parramatta CBD Planning Strategy, Community Infrastructure Strategy, and Parramatta 2038 Community Strategic Plan. Further assessment of the strategic merits is provided at Part 3 of the Planning Proposal at **Attachment 2**.

Key Planning Considerations

Urban Design/Built Form and Economic Outcomes

20. The urban design/built form and economic considerations of the proposed changes under the Planning Proposal are summarised in Table 2 below.

Table 2 – Urban design/built form and economic considerations of the proposed changes

Proposed change	Urban Design/Built form & Economic considerations
Expansion of the E2 Commercial Centre zone and application of clause 7.28 (Additional FSR for office premises) over the Walker landholdings at Parramatta Square.	Expansion of the E2 Commercial Centre zone over the Walker Corporation Landholdings at Parramatta Square will allow for intensification of commercial and business uses on this land, which is centrally located close to the Parramatta Transport Interchange. The existing newly constructed commercial office towers at Parramatta Square are consistent with the proposed zoning. Expansion of the E2 Commercial Centre zone is also consistent with the recommendations of the <i>Achieving A-Grade Office Space in the Parramatta CBD Economic Review</i> (Urbis, 2019). Clause 7.28 allows proponents to exceed the maximum permissible FSR, but only if this is to be used for office premises. Further, in order to utilise clause 7.28, the site must have an area of at least 1,800sqm and a development control plan must be prepared which must provide for a number of matters, including compatibility with desired future character, minimising impacts on view corridors, land suitability, heritage and streetscape constraints, bulk and massing, street frontage heights, environmental impacts, and the public domain.

	These changes will reaffirm the significance of Parramatta Square as a major premium A-Grade office precinct as a part of the city's commercial core and will generate jobs and business opportunities.
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Transport and Accessibility

21. Consistent with the Parramatta Integrated Transport Plan (ITP), this Planning Proposal includes amendments to several existing and proposed laneways, splay corners and road widenings, as outlined in Table 1. The proposed changes are in response to recent developments and urban design analysis, and will improve safety, active transportation, better traffic circulation, and movement throughout the Parramatta CBD.
22. The proposed new Category A and B parking policy framework for the Parramatta CBD (as outlined in Table 1) would serve as a driver to encourage a greater shift towards sustainable and active transport modes and investment in infrastructure that would support and facilitate the use of these modes, providing environmental, access and amenity benefits, which will be critical to the success of the city going forward. Enabling some more car parking spaces in Category B areas will provide improved car access for areas that are not well located close to heavy rail or metro stations. Further, it is noted that the proposed Category A and B parking policy framework is also consistent with the findings of the Parramatta ITP.

Sustainability and Environment

23. The Planning Proposal includes updates to the BASIX points exceedance targets in clause 7.25 (high performing building design) to ensure the incentive of providing high performing buildings in the Parramatta City Centre remains effective and up-to-date. This update would encourage high quality building design for efficient energy consumption and contribute to sustainable environmental outcomes.
24. The Planning Proposal also proposes to include new land use permissibility for 'water recycling facilities' in the E2 Commercial Centre zone. This is to allow flexible water management solutions for future development and encourage efficient water usage. Ensuring that 'water recycling facilities' are permissible in both the E2 Commercial Centre and MU1 Mixed Use zones across the entire Parramatta CBD area, and not just the MU1 zone (as is currently the case), will complement the requirements for dual water systems under clause 7.24, and will provide maximum flexibility for recycled water systems, thereby improving environmental and sustainability outcomes.

Flooding

25. Most land within the Parramatta CBD is flood affected. Developments within the Parramatta City Centre are regulated under clause 7.11 (Floodplain Risk Management) under the Parramatta LEP 2023 and other relevant flooding risk management plans and policies. The Planning Proposal is consistent with the relevant policy framework for the Parramatta CBD area, including clause 7.11 (Floodplain Risk Management) of Parramatta LEP 2023 and the Update of Parramatta Floodplain Risk Management Plans (Molino Stewart 2021) (refer to

copy at Appendix 5 of the Planning Proposal at **Attachment 2**), which was prepared to support the Parramatta CBD Planning Proposal.

26. This Planning Proposal does not seek amendments to any flooding controls applicable to the Parramatta CBD. The proposed increase in density envisaged through the expansion of the applicability of clause 7.28 (Additional floor space ratio for office premises) over the Walker landholdings (that is affected by the Probable Maximum Flood), is generally consistent with the overall density proposed under the exhibited Parramatta CBD Planning Proposal, which was supported by the Update of Parramatta Floodplain Risk Management Plans (Molino Stewart 2021). Therefore, continued application of clause 7.11 (Floodplain risk management) is considered appropriate to address any flooding risks.
27. Further details of above key planning considerations of the Planning Proposal are available at section 3.3.2 of the Planning Proposal at **Attachment 2**.

PLAN MAKING DELEGATIONS

28. 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.
29. It is recommended that Council request to the Department of Planning, Housing and Infrastructure 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.

FINANCIAL IMPLICATIONS FOR COUNCIL

30. Under this Planning Proposal, 79sqm of land is being added to the Land Reservation Acquisition Map, but 1,098sqm is being removed, resulting in a net reduction of 1,019sqm of land being identified for acquisition by Council (refer to Table 3). This significant net reduction in land acquisition area will result in an associated net reduction in Council's financial liability in terms of acquisition costs, should the land not be secured through redevelopment opportunities.

Table 3 – Land area changes to Land Reservation Acquisition Map under the Planning Proposal

Site	Additions (sqm)	Retention (sqm)	Deductions (sqm)
2 Charles St, Parramatta (splay corner)	40		
24 Parkes St, Harris Park (road taper)	35		
Firehorse Lane, Parramatta (part removal)		71	473
21 Wentworth St, Parramatta (splay corner)	4		
215 Church St, Parramatta (Marsden Lane)			187

328 Church St, Parramatta (full removal)			438
Totals	79	71	1,098

CONCLUSION AND NEXT STEPS

31. Council officers have recommended two pathways to address the 'Orange Matters' resolved by Council on 15 June 2021. These are articulated in detail at **Attachment 1**. In summary, the two pathways include the following:
 - (a) matters that have strategic merit and are recommended to progress as a part of the Parramatta CBD Supplementary Matters Planning Proposal (provided at **Attachment 2**);
 - (b) matters that are recommended to not proceed as a part of the Parramatta CBD Supplementary Matters Planning Proposal as they have since been superseded or resolved by another planning project or not considered to have adequate planning merit, or alternatively require significantly more analysis and are therefore recommended to proceed as a separate strategic precinct planning proposal.
32. The Planning Proposal demonstrates both strategic and site-specific planning merits and is consistent with the Parramatta CBD planning policy framework, as established by the Parramatta CBD Planning Proposal. It is recommended the Planning Proposal be endorsed by Council and forwarded to the Department of Planning, Housing and Infrastructure for Gateway determination.
33. Following the consideration of the report by the Panel, a report will be prepared to Council incorporating advice from the Panel seeking a resolution to endorse the recommended pathways to address the outstanding "Orange Matters" arising from the public exhibition of the Parramatta CBD Planning Proposal (as detailed in **Attachment 1**) and progress the Planning Proposal contained at **Attachment 2**.
34. Further to the above, Council officers are also recommending that Council prepare a separate strategic precinct planning proposal for the Westfield site given its strategic importance, and also to allow more time for further urban design, land use and economic analysis to be undertaken.

Joyce Jiang
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Roy Laria
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Robert Cologna
Group Manager, Strategic Land Use Planning

Jennifer Concato
Executive Director City Planning and Design

ATTACHMENTS:

1 	Recommendations to the Parramatta CBD Planning Proposal "Orange Matters"	31 Pages
2 	Parramatta CBD Supplementary Matters Planning Proposal	436 Pages

REFERENCE MATERIAL

Parramatta CBD Supplementary Matters Planning Proposal | Summary of Council Officers' recommendations and justification

ATTACHMENT 1 – Summary of Council Officers' Recommendations to the Parramatta CBD Planning Proposal "Orange Matters"

This document outlines Council officers' recommendations and justification to address the list of "Orange Matters" as resolved by Council on 15 June 2021 in response to submissions received in relation to the public exhibition of the Parramatta CBD Planning Proposal.

"Orange Matters" listed in Table 1 and Table 2 of this document are based on two pathways recommended by Council officers, as follows:

- **Table 1** lists the matters that are supported and recommended to be progressed through the Parramatta CBD Supplementary Matters Planning Proposal.
- **Table 2** covers matters that have been resolved, superseded and/or are not supported, and are recommended to not proceed as a part of this Planning Proposal, or alternatively require significantly more analysis and are therefore recommended to proceed as a separate strategic precinct planning proposal.

Parramatta CBD Supplementary Matters Planning Proposal | Summary of Council Officers' recommendations and justification

Table 1 – 'Orange Matters' to be progressed via the Parramatta CBD Supplementary Matters Planning Proposal

Description of Orange Matter <u>Affected sites:</u>	Recommendation	Justification
Multiple existing and proposed laneways/splay corners/road widenings within the Parramatta CBD area, including: a. Marsden Lane, being part of 215 Church Street, Parramatta; b. Fire Horse Lane, being part of 3 Fitzwilliam Street, and 25 Wentworth Street, Parramatta; c. Woodhouse Lane, being part of 21 Wentworth Street, Parramatta; d. Charles Street/Hassall Street Intersection, being part of 2 Charles Street, Parramatta; and e. Parkes Street widening, being part of 24 Parkes Street, Harris Park. <u>Orange Matter (summary):</u> Council resolved to investigate any amendments to the Local Road Reservations following the public exhibition of the Integrated Transport Plan and endorsement by Council of any amendments as part of an alternative planning pathway. <u>Orange Matter Initiator:</u> The proposed Land Reservation Acquisition (LRA) Map amendments are in response to the findings of the Parramatta CBD Integrated Transport Plan (ITP). Note: The changes included in the Planning Proposal are consistent with relevant recommendations in the ITP.	Proceed as a part of this Planning Proposal.	Council officers have further investigated this matter following the public exhibition of the Parramatta CBD Integrated Transport Plan (ITP) and have recommended changes to be progressed as part of the Planning Proposal. The Planning Proposal seeks to amend the Land Reservation Acquisition (LRA) Map (including removals and additions) to five specific LRA matters, regarding laneways, splay corners and road widenings. The proposed LRA amendments are in response to the findings of the Parramatta ITP. The changes will improve safety, promote active transportation, and facilitate better traffic circulation and movement throughout the Parramatta CBD. Justification for each proposed LRA change is outlined as below: a. Full deletion of Marsden Lane is needed as it no longer serves any community purpose. The service lane is for access to private properties only, it is not required for use by the public and therefore there is no need for it to be acquired as a public laneway. b. The delivery of Fire Horse Lane as a shared zone has removed the need to widen along the extent of Fire Horse Lane, however the small portion at the bottom is still required to provide adequate width to convert the existing one-way section to two-way movement. c. Addition of a 3m x 3m LRA on the south-west corner of 21 Wentworth Street will improve convenience for turning vehicles, and also improve sight lines for oncoming traffic. d. The proposed new LRA on the south-west corner of 2 Charles Street will provide for better traffic circulation. This is to improve the view line of oncoming vehicles and facilitate better traffic circulation. e. Extension of the existing LRA from 26-30 Parkes Street LRA tapering to 24 Parkes Street will widen the left turn lane and improve safety and convenience for turning vehicles.

Parramatta CBD Supplementary Matters Planning Proposal | Summary of Council Officers' recommendations and justification

Recommendation: Current LRA under PLEP2023  Proposed LRA – Indicative  Proposals: Full deletion of current LRA notation (shown cross-hatched).		
n/a	 Proposals: Partial deletion of current LRA notation (shown cross-hatched).  Proposals: Insertion of new splay corner LRA notation (shown coloured yellow).	

Parramatta CBD Supplementary Matters Planning Proposal | Summary of Council Officers' recommendations and justification

n/a  Proposal: Insertion of new road-widening/splay corner LRA notation (shown coloured yellow).	n/a  Proposal: Insertion of new road-widening LRA notation (shown coloured purple).	Affected site: 328 Church Street, Parramatta Orange Matters (summary): For 328 Church Street, Council resolved to investigate the financial implications for Council regarding the Land Reservation Acquisition notation as it currently applies to this land in relation to a proposed laneway.	Proceed as a part of this Planning Proposal.	Council officers have further investigated this matter and recommended a change to be progressed as part of the Planning Proposal. The Planning Proposal seeks to remove the entire LRA notation applying to 328 Church Street, Parramatta. Justification for the proposed amendment is summarised as below: The LRA notation on the site has been in place for many years (prior to the Parramatta CBD Planning Proposal) and is an existing financial liability for Council. Should Council be required to acquire this site for a proposed laneway, Council officers estimate (based on a review of recent land sales in the Parramatta CBD) this would cost approximately \$5.28 million to \$10.12 million, which is a significant financial expense.
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Figure 1 – Site location 328 Church St, Parramatta Orange Matter Initiator: Landowner submission to Parramatta CBD Planning Proposal. Note: The submitter requested the changes that are recommended in the Planning Proposal. Recommendation: Current LRA Proposed LRA Proposal: Full deletion of current LRA notation to 328 Church St Parramatta	Urban design analysis indicates there is a strategic need to establish pedestrian permeability in this street block by connecting Church Street to Philip Lane, however instead of one wide 'open to the sky' laneway at 328 Church Street, this could instead be achieved through two thinner connections that could be either 'open to the sky' or covered arcades, depending on lot amalgamation in future developments. These connections could be articulated in a Development Control Plan (DCP) provision for this street block. Enabling these connections as a part of future developments removes the need for an LRA on 328 Church Street and the associated significant financial burden for Council in acquisition costs. Further to the above, it is also noted that the original submission to the Parramatta CBD Planning Proposal also requested the removal of this LRA notation. At the time, the submission suggested an alternative where the site could be redeveloped inclusive of a 3 metre wide connection at the existing ground level, but redevelopment could occur in the airspace above the link. This suggestion in the submission at that time is generally consistent with the approach supported by Council officers now in this Planning Proposal, as discussed above. As such, Council officers recommended to progress this matter as part of the Planning Proposal. Further justification for the proposed change is available in the Planning Proposal.	5
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Affected site: Walker Corporation landholdings: 10-12 Darcy Street, Parramatta, also known as 4 & 6 & 8 Parramatta Square.	Orange Matter (summary): For Walker Corporation landholdings at Parramatta Square, Council resolved to investigate rezoning the land from B4 Mixed Use (as exhibited) to B3 Commercial Core.	Orange Matter Initiator: Landowner submission to Parramatta CBD Planning Proposal. Note: The submitter requested the changes that are recommended in the Planning Proposal.	Recommendation: <table border="1"> <tr> <td>Current control</td><td>MU1 Mixed Use zone</td></tr> <tr> <td>Proposed amendments</td><td> - Rezoned from MU1 Mixed Use zone to E2 Commercial Centre zone. - Extend application of Area B of the Special Provisions Area Map to the rezoned land so that clause 7.28 (Additional floor space ratio for office premises) applies. </td></tr> </table>	Current control	MU1 Mixed Use zone	Proposed amendments	- Rezoned from MU1 Mixed Use zone to E2 Commercial Centre zone. - Extend application of Area B of the Special Provisions Area Map to the rezoned land so that clause 7.28 (Additional floor space ratio for office premises) applies.
Current control	MU1 Mixed Use zone						
Proposed amendments	- Rezoned from MU1 Mixed Use zone to E2 Commercial Centre zone. - Extend application of Area B of the Special Provisions Area Map to the rezoned land so that clause 7.28 (Additional floor space ratio for office premises) applies.						

Proceed as a part of this Planning Proposal.	
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Council officers have further investigated this matter and recommend changes to be progressed as part of the Planning Proposal.	The Planning Proposal seeks to rezone part of the Walker Corporation landholdings from MU1 Mixed Use to E2 Commercial Centre (see Figure 3) and extend application of Area B of the Special Provisions Area Map to the rezoned land so that clause 7.28 (additional floor space ration for office premises) applies (see Figure 4). It is noted that in their original submission to the Parramatta CBD Planning Proposal, Walker Corporation had requested the application of the B3 Commercial Core zone (now referred to as E2 Commercial Centre zone) over their landholdings, given that the approved commercial office development is consistent with the B3 zone.
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Figure 3 - Proposed area to be rezoned from MU1 to E2

Parramatta CBD Supplementary Matters Planning Proposal | Summary of Council Officers' recommendations and justification

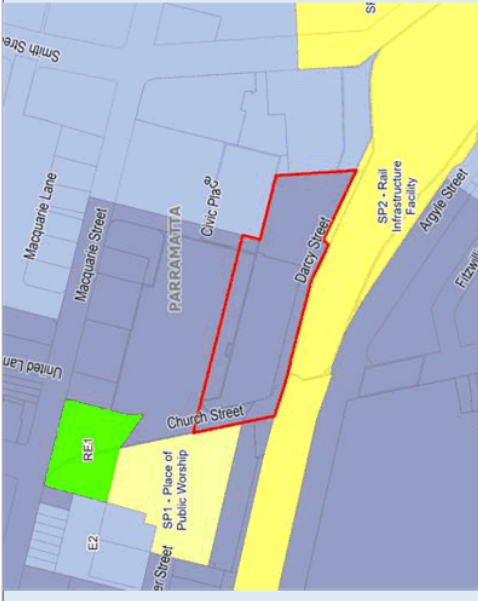


Figure 2 – Site location of Walker Corporation Landholdings and current zoning.

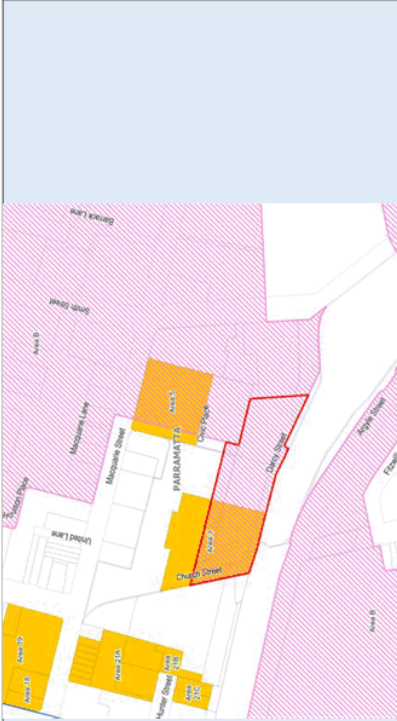


Figure 4 – Proposed area to which Area B of the Special Provisions Area Map will be extended

Justification for the proposed change is summarised as below:

- The current commercial office uses of these newly completed office towers at Parramatta Square strongly align with the objectives of the E2 Commercial Centre zone.
- Rezoning the land from MU1 Mixed Use to E2 Commercial Centre would ensure the continuity with the existing office uses, facilitation of employment, and intended use of Parramatta Square as a commercial core in the heart of the Parramatta CBD.
- The proposed amendment is also supported by the *Achieving A-Grade Office Space in the Parramatta CBD Economic Review* (Urbis 2019) prepared for the Parramatta CBD, which recommended the expansion of commercial core to include Parramatta Square to realise its potential to accommodate significant A-Grade office premises. Despite the *Achieving A-Grade Office Space in the Parramatta CBD Economic Review* (Urbis, 2019) being completed prior to COVID and the pandemic's associated impacts on the office market, its recommendations to expand the CBD's commercial core to include this land at Parramatta Square is still considered valid given the significant commercial office towers that have since been completed at Parramatta Square. The rezoning would also ensure consistency with the E2 Commercial Centre zoning of the other office towers at Parramatta Square, including the NAB Tower, Western

Parramatta CBD Supplementary Matters Planning Proposal | Summary of Council Officers' recommendations and justification

		Sydney University Tower, and the Sydney Water Tower, by extending the E2 Commercial Centre zoning west over the subject land. The proposed extension of Area B of the Special Provisions Area map so that clause 7.28 of the Parramatta LEP 2023 applies – Clause 7.28 allows a building to exceed the maximum permissible FSR if the consent authority is satisfied the additional GFA will be used only for office premises. This will further incentivise additional office premises on this land if future circumstances allow this to happen. It will also enable consistency with the other towers in Parramatta Square where clause 7.28 also applies. As such, Council officers recommended to progress this matter as part of the Planning Proposal. Further justification for the proposed changes is available in the Planning Proposal.
Affected site: Land use permissibility within E2 Commercial Centre zone – 'water recycling facilities' Orange matter (summary): Council resolved to investigate the inclusion of 'water recycling facilities' as a permissible use within the E2 Commercial Centre zone and investigate the inclusion of 'water supply systems' within the E2 Commercial Centre and MU1 Mixed Use Zones, to provide for maximum flexibility for water supply systems. Orange Matter Initiator: Parramatta River Catchment Group submission to Parramatta CBD Planning Proposal. Note: The submitter's requested change relating to 'water recycling facilities' permissibility has been recommended in the Planning Proposal. The submitter's requested change relating to 'water supply systems' permissibility has not been recommended in the Planning Proposal.	Proceed as a part of this Planning Proposal.	Council officers have further investigated this matter and recommend changes to be progressed as part of the Planning Proposal. This Planning Proposal proposes to make 'water recycling facility' as permissible with consent in the E2 Commercial Centre zone, which applies to the Parramatta CBD area. This was in response to an issue that was raised by the Parramatta River Catchment Group in their submission to the Parramatta CBD Planning Proposal. Under Parramatta LEP 2023, 'water recycling facility' is defined as follows: <i>"water recycling facility means a building or place used for the treatment of sewage effluent, stormwater or waste water for use as an alternative supply to mains water, groundwater or river water (including, in particular, sewer mining works), whether the facility stands alone or is associated with other development, and includes associated—</i> <i>retention structures, and</i> <i>treatment works, and</i> <i>irrigation schemes."</i> Land in the Parramatta CBD is predominantly subject to two zones, being E2 Commercial Centre and MU1 Mixed Use. However, 'water recycling facility' is permitted with consent only in the MU1 Mixed Use zone, but is prohibited in the E2 Commercial Centre zone. Under the Parramatta CBD Planning Proposal, clause 7.24 (Dual Water Systems) was introduced into Parramatta LEP 2023 across the entire Parramatta CBD area, which requires dual water reticulation systems

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Parramatta CBD Supplementary Matters Planning Proposal | Summary of Council Officers' recommendations and justification

Recommendation: <table><tr><td>Current control</td><td>MU1 Mixed Use zone permits 'water recycling facility' with consent. E2 Commercial Centre zone prohibits 'water recycling facility'.</td></tr><tr><td>Proposed amendments</td><td>Make 'water recycling facility' permissible with consent in the E2 Commercial Centre zone. No change to current permissibility in the MU1 Mixed Use zone.</td></tr></table>	Current control	MU1 Mixed Use zone permits 'water recycling facility' with consent. E2 Commercial Centre zone prohibits 'water recycling facility'.	Proposed amendments	Make 'water recycling facility' permissible with consent in the E2 Commercial Centre zone. No change to current permissibility in the MU1 Mixed Use zone.			containing pipes for potable water and recycled water for all inside and outside water uses in all new buildings. The purpose of this clause is to ensure the security of water supply in the Parramatta CBD. Ensuring that 'water recycling facilities' are permissible in both the E2 and MU1 zones across the entire Parramatta CBD area, and not just the MU1 zone, will complement the requirements for dual water systems under clause 7.24, and will provide maximum flexibility for recycled water systems, thereby improving environmental and sustainability outcomes. As such, Council officers recommend progressing the permissibility of 'water recycling facility' in the E2 zone as part of the Planning Proposal. Further justification for the proposed change is available in the Planning Proposal. Further to the above, Council's analysis also considered 'water supply systems' as a potential permissible use, as originally suggested in the "orange matter". However, this was considered unnecessary as: 'water recycling facility' is sufficient to support the purpose of dual piping provision (clause 7.24) under the Parramatta LEP 2023; 'water recycling facility' includes all necessary requirements for the facility to produce an alternative water supply; - addition of a 'water supply facility' is not needed to complement a 'water recycling facility'; and - a 'water supply facility' will permit many uses that provide no benefit to the dual piping objectives in the Parramatta LEP 2023.
Current control	MU1 Mixed Use zone permits 'water recycling facility' with consent. E2 Commercial Centre zone prohibits 'water recycling facility'.						
Proposed amendments	Make 'water recycling facility' permissible with consent in the E2 Commercial Centre zone. No change to current permissibility in the MU1 Mixed Use zone.						
Affected site: Residential car parking rate for certain land at North Parramatta Orange matter (summary): Council resolved to investigate potential refinements to the car parking rates following the public exhibition of the Integrated Transport Plan and endorsement by Council of any amendments as part of an alternative planning pathway.	Proceed as a part of this Planning Proposal.	Council officers have further investigated this matter following the public exhibition of the Parramatta CBD Integrated Transport Plan (ITP) and recommend changes to be progressed as part of the Planning Proposal. The ITP was finalised on 3 August 2021 and adopts two categories of parking rates, being Category A and Category B, as outlined in the table below: <table><tr><th>Category</th><th>Maximum Parking Rate</th></tr><tr><td>Category A</td><td>0.1 spaces per studio dwelling 0.3 spaces per 1-bedroom dwelling 0.7 spaces per 2-bedroom dwelling 1 space per 3 or more bedroom dwelling</td></tr></table>	Category	Maximum Parking Rate	Category A	0.1 spaces per studio dwelling 0.3 spaces per 1-bedroom dwelling 0.7 spaces per 2-bedroom dwelling 1 space per 3 or more bedroom dwelling	
Category	Maximum Parking Rate						
Category A	0.1 spaces per studio dwelling 0.3 spaces per 1-bedroom dwelling 0.7 spaces per 2-bedroom dwelling 1 space per 3 or more bedroom dwelling						

Parramatta CBD Supplementary Matters Planning Proposal | Summary of Council Officers' recommendations and justification

 Figure 5 – Subject land at North Parramatta (marked as blue/Category B) Orange Matter Initiator: The proposed changes to the car parking rates are in response to the findings of the Parramatta CBD Integrated Transport Plan (ITP). It is also noted that the car parking rates issue was raised in various submissions to the Parramatta CBD Planning Proposal, including from a landowner in the North Parramatta area of the CBD seeking to redevelop their site, Property Council of Australia, and also Transport for NSW. Note: The recommended changes in this Planning Proposal seeking to introduce Category A and B parking rates are consistent with the recommendations of the ITP and address the issues raised in the submissions received that relate to this matter.		Category B 0.2 spaces per studio dwelling 0.4 spaces per 1-bedroom dwelling 0.8 spaces per 2-bedroom dwelling 1.1 spaces per 3 or more -bedroom dwelling For each dwelling up to 30 dwellings – 0.167 spaces* For each dwelling more than 30 and up to 70 dwellings – 0.1 spaces* For each dwelling more than 70 dwellings – 0.05 spaces* *Note: These final 3 rates relate to the provision of visitor car parking and are calculated cumulatively. Whilst the reference to visitor parking is not explicitly made in the ITP, the original source of these rates is from clause 7.5 of Sydney LEP 2012, which does reference visitor car parking for these rates. Currently, Parramatta LEP 2023 specifies the more restrictive Category A car parking rate for all residential development within the entire Parramatta CBD area, other than the area referred to as "Area A" on the Special Provisions Area Map, which preserves the original car parking rates from Parramatta LEP 2011. Consistent with the ITP and Council resolution of 15 June 2021, this Planning Proposal proposes to amend the car parking rate that is applicable to residential development for the subject land within North Parramatta, as shown as 'Category B' in Figure 5, to the higher maximum Category B car parking rates. The allocation of categories in the ITP is based on proximity to stations (heavy rail and metro) within the Parramatta CBD area. Category B areas will permit a higher maximum rate of on-site parking for residential dwellings. This is due to their greater distance from the metro and rail stations, necessitating the likely need for more residents to own a car for their daily needs and visitors to use cars when accessing these areas. Under this Planning Proposal, the Category B areas have been identified in the northern part of the Parramatta City Centre, at land in North Parramatta located north of Victoria Road. This is land is located away from the metro and heavy rail stations on the fringe of the CBD and is consistent with the recommendations of the ITP. The proposed new Category A and B parking policy framework would serve as a driver to encourage a greater shift towards sustainable and active transport modes and investment in infrastructure that would support and facilitate the use of these modes, providing environmental, access and amenity benefits, which will be critical to the success of the city going forward. Enabling some more car parking spaces in Category B areas will provide improved car access for areas that are not well located close to heavy rail or metro stations. Further, it is noted that the proposed Category A and B
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Parramatta CBD Supplementary Matters Planning Proposal | Summary of Council Officers' recommendations and justification

Recommendation:			
Current control	Multi dwelling housing with 1, 2 or 3 bedrooms and residential flat buildings The sum of the following— (a) 1 space for every dwelling, (b) 1 visitor space for every 5 dwellings <i>Note: Subject land falls within 'Area A', as identified on the Special Provisions Area Map, therefore clause 7.19 maximum car parking rates currently apply until 30 June 2024.</i>		parking policy framework for the Parramatta City Centre is also consistent with the findings of the ITP. It is noted that the car parking rates issue was raised in various submissions to the Parramatta CBD Planning Proposal, including from a land owner in the North Parramatta area of the CBD seeking to redevelop their site, Property Council of Australia, and also Transport for NSW. The proposed changes in this Planning Proposal seeking to introduce Category A and B parking rates, consistent with the recommendations of the ITP, address the issues raised in these submissions. As such, Council officers recommend progressing this matter as part of the Planning Proposal. Further justification for the proposed change is available in the Planning Proposal.
Current control (from 1 July 2024 onwards)	Residential flat buildings, dual occupancies and multi dwelling housing The sum of the following— 0.1 space for each studio dwelling 0.3 space for each dwelling containing 1 bedroom 0.7 space for each dwelling containing 2 bedrooms 1 space for each dwelling with 3 or more bedrooms <i>Note: Subject land will be removed from 'Area A' from 1 July 2024 via State Environmental Planning Policy Amendment (Church Street North Precinct) 2023, and therefore general car parking rates under clause 7.17 will apply. These rates are consistent with the Category A rates as proposed in the Parramatta Integrated Transport Plan.</i>		
Proposed amendments	- Insert a new 'Land Use and Transport Integration Map' into Parramatta LEP 2023. - Identify the subject land at North Parramatta as Category B on the new Land Use and Transport Integration Map, with all remaining land to be identified as Category A, as shown in Figure 5 above. - Category A land on the Land Use and Transport Integration Map to retain their existing car parking rates, but the residential car parking rates for Category B land will change to those shown below. - Amend the table to clause 7.17 to show the existing car parking rates for "Residential flat buildings, dual occupancies and multi dwelling housing" will apply to land shown as a 'Category A' on the Land Use and Transport		

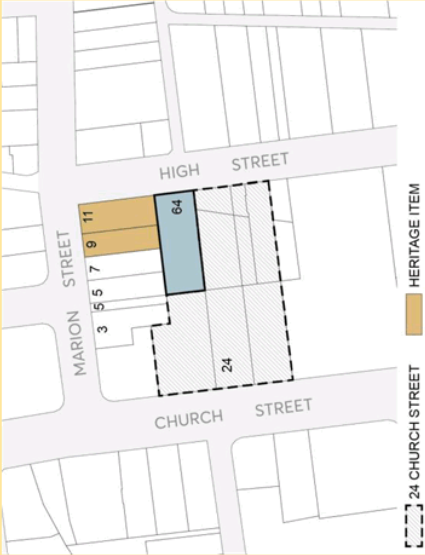
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	Integration Map. Further, add a new Land Use type in the table for 'Residential flat buildings, dual occupancies and multi dwelling housing - Category B land as shown on the Land Use and Transport Integration Map', with the following rates: Residential flat buildings, dual occupancies and multi dwelling housing - Category B land as shown on the Land Use and Transport Integration Map: The sum of the following— Resident spaces: (a) 0.2 space for each studio dwelling (b) 0.4 space for each dwelling containing 1 bedroom (c) 0.8 space for each dwelling containing 2 bedrooms (d) 1.1 spaces for each dwelling with 3 or more bedrooms Visitor spaces (calculated cumulatively): (e) 0.167 space for each dwelling up to 30 dwellings (f) 0.1 space for each dwelling more than 30 and up to 70 dwellings (g) 0.05 space for each dwelling more than 70 dwellings <i>Note: These rates are consistent with the Category B maximum car parking rates as proposed in the Parramatta Integrated Transport Plan.</i>		
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Parramatta CBD Supplementary Matters Planning Proposal | Summary of Council Officers' recommendations and justification

Table 2 – Matters recommended to not proceed as a part of this Planning Proposal (i.e. resolved/superseded/not supported)

Description of Orange Matter	Recommendation	Justification
Affected site: 64 High Street, Parramatta and 24 Church Street, Parramatta Orange Matter (summary): Council resolved to investigate the realignment of the east-west laneway between High St and Church St shown on the Height of Building Map with a 0-meter height notation to the southern boundary of 64 High Street, Parramatta (refer to Figures 6 and 7).  Figure 6 - Site location of 64 High Street and 24 Church St, Parramatta	Do not proceed as a part of this Planning Proposal.	Council officers have further investigated this matter and concluded that no further action is required, due to the concerns of undesired lot fragmentation to the existing large E2 Commercial Centre zoned land parcel at 24 Church Street, adjoining this site. As shown in Figure 7, the 0-metre height laneway is located at the northern boundary of both 64 High Street and 24 Church Street. Land located at 24 Church Street contains multiple lots fronting both Church Street and High Street and are under one single ownership. Sites at 9 & 11 Marion Street contain two heritage items listed with local heritage significance (refer to Figure 6). The 0-metre height laneway was originally proposed as part of the Parramatta CBD Planning Proposal and was intended to improve local road connectivity and safety. During the exhibition of the Parramatta CBD Planning Proposal, a submission was received on behalf of the landowner who owns the sites at 64 High Street as well as 7 & 9 Marion Street. The submission made a request to remove the 0-metre proposed laneway and delist the heritage item at 9 Marion Street, which was not supported by Council officers during the assessment of the Parramatta CBD Planning Proposal. However, at that time, Council officer acknowledged there maybe potential planning merits to realign the laneway. In reviewing this orange matter, while Council officers acknowledged that relocating the 0-metre height proposed laneway to the southern boundary of 64 High St would allow continuous developable area for sites at 7 & 9 Marion St and 64 High St, it would result in an undesired lot fragmentation of the E2 Commercial Centre zoned site at 24 Church St. This section of 24 Church St, which has a height limit of 100m and a regular shaped, contiguous area of approximately 2,400 sqm, is of a suitable size to accommodate a large floor plate commercial office tower in the future (refer to Figure 7). Retention of this site for a large floor plate commercial office tower fronting Church Street is also consistent with the findings of the Achieving A-Grade Office Space in the Parramatta CBD Economic Review (Urbis, 2019), which supported the Parramatta CBD Planning Proposal.

Parramatta CBD Supplementary Matters Planning Proposal | Summary of Council Officers' recommendations and justification

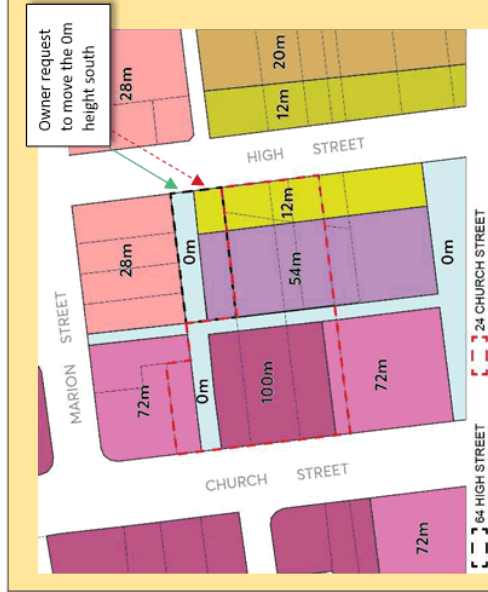


Figure 7 – HOB of 64 High Street and 24 Church Street (extract from HOB map of Parramatta LEP 2023)

Orange Matter Initiator:

Landowner submission to Parramatta CBD Planning Proposal.

Affected site:

MU1 Mixed Use zoned land in the block bound by Fitzwilliam Street, Parkes Street, Church Street and Wentworth Street

Orange Matter (summary):

Council resolved to undertake further investigation of the FSR only of the MU1 Mixed Use (previous B4) zoned land bound by Fitzwilliam Street, Parkes Street, Church Street and Wentworth Street at a later stage as a part of a separate piece of strategic work.

As such, this orange matter is recommended to not proceed.

Do not proceed as a part of this Planning Proposal.

This matter arose from a submission from the former landowner of 7-9 Wentworth Street seeking an increase of FSR from 6:1 to 10:1. It is noted that Council is now the landowner of this site, where its new Administration Centre will be based in the Parramatta CBD.

Urban design analysis of the MU1 Mixed Use zoned land in the block bound by Fitzwilliam Street, Parkes Street, Church Street and Wentworth Street was undertaken in response to this orange matter. The analysis noted that due to existing significant mixed use tower development and Council's car park in this block, the only real remaining potential development parcels were the sites at (showed coloured yellow at Figure 8):

Parramatta CBD Supplementary Matters Planning Proposal | Summary of Council Officers' recommendations and justification

Figure 8 – Site location of subject street block Orange Matter Initiator: Landowner (7-9 Wentworth Street) submission to Parramatta CBD Planning Proposal. Note: Council is now the landowner of this site, where its new Administration Centre will be based in the Parramatta CBD from July 2024.		• 7-9 and 13 Wentworth Street • 104-108 and 110-112 Church Street • 126 and 136 Church Street The urban design analysis found that the existing FSR of 6:1 should be retained for 7-9 and 13 Wentworth Street, and also Council's car park site, as there is no additional capacity within the Jubilee Park Solar Access Plane. Further, the analysis found there is some capacity for 104-108, 110-112, 126 and 136 Church Street to have a marginal increase in FSR, but this was subject to certain lot amalgamations and potential lane realignment. The additional capacity was due to the location of these sites further north in the Jubilee Park Solar Access Plane. Give the unique site complexities associated with these Church Street sites involving certain lot amalgamations and potential lane realignment, it is recommended that any proposed increase in FSR be considered as future site-specific planning proposals, should landowners wish to pursue this pathway in consultation with Council. As such, this orange matter is recommended to not proceed at this time as a part of this Planning Proposal.
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Parramatta CBD Supplementary Matters Planning Proposal | Summary of Council Officers' recommendations and justification

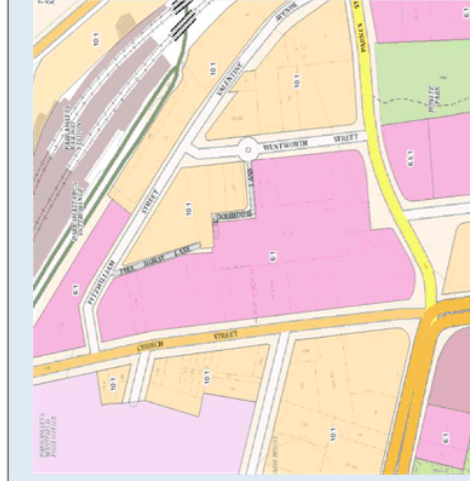
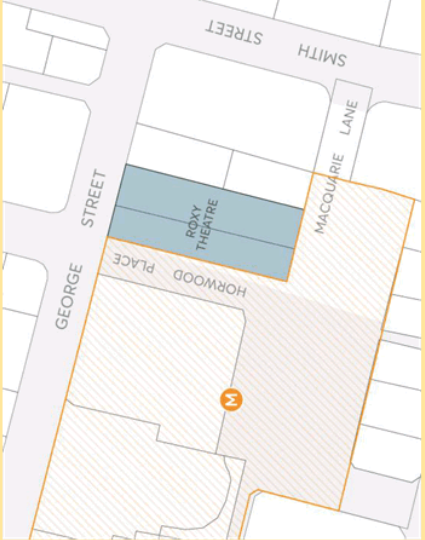


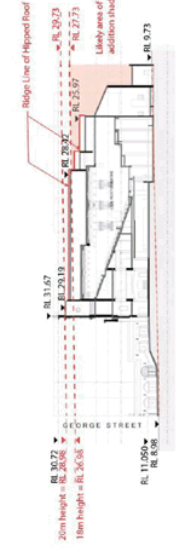
Figure 9 – Existing FSR 6:1 & 10:1 for the entire block (includes MU1 and E2 zoned land)



Figure 10 – Jubilee Park Solar Access Plane – looking north-west

Affected site: Roxy Theatre – 69 George Street, Parramatta Orange matter (summary): Council resolved to undertake further investigations to determine whether the height of building control applicable to the Roxy Theatre could potentially be increased to respond to strategic planning work for Civic Link and Sydney Metro, to allow possible transition of the building to a larger, modern theatre venue (including a 'fly tower').  Figure 11 - Site location of Roxy Theatre relative to the new Metro Station	Do not proceed as a part of this Planning Proposal.	This site is currently heritage listed in both the LEP and State Heritage Register and has an FSR of 10:1 and a height control of 18m. In the original submission to the exhibition of the Parramatta CBD Planning Proposal, the landowner sought deletion of the proposed 18m height control (as exhibited), and to: (a) reinstate the former height control (which was in the range of 137m (RL) in the south-east corner to 179m (RL) in the north-west corner under the Lancer Barracks Sun Access Protection (SAP) plane), and (b) maintain the 10:1 FSR. In consideration of this submission at the time, Council officers noted that the height control of 18m was developed on the premise of ensuring the retention of the building's form and fabric and that any redevelopment would not compromise the heritage setting of the item. At the time, Council officers were of the view (based on outcomes from a Land and Environment Court case affecting the site) that the Roxy Theatre must be predominantly retained, which effectively ruled out any kind of tower element on the site. The 18m building height would bring the greatest public benefit because it not only ensures retention of the theatre's building fabric and form, but also provides some room for minor adaptive additions. In response to the submission, Council resolved to undertake further investigations into a potential height increase to allow possible transition of the building to a larger, modern theatre venue. Urban design analysis to consider a potential height increase of 2m has since been undertaken in response to this orange matter, to help enable the building to potentially transition to a larger, modern theatre venue, including a fly tower. The urban design analysis noted that the Roxy was originally built as a cinema. It was not a performance theatre and therefore does not have space in plan and within the volume of the existing structure to accommodate back of stage functionality and a fly tower. The urban design analysis shows that increasing the height by 2m to an overall 20m height of building control could have a negative impact on the rear of the building where an addition is possible (see red shaded area in Figure 12). Retention of the 18m height control reinforces any likely addition at the rear to be below the ridge line of the existing hipped roof. This is a more sympathetic form which prioritises the main building fabric. As such, this orange matter is recommended to not proceed.
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Parramatta CBD Supplementary Matters Planning Proposal | Summary of Council Officers' recommendations and justification

 Figure 12 - Section of the Roxy showing the existing 18m height control. While some of the existing building is above the height, the likely area where an addition is possible (shaded red) is below the ridge line of the existing hipped roof.	Orange Matter Initiator: Landowner submission to Parramatta CBD Planning Proposal, and also Council resolution of 15 June 2021, part (b2)(iv), which reads as follows: <i>"(iv) Reinstate the exhibited draft height control for the Roxy Theatre (69 George Street) of 18m when sending the CBD PP to DPIE for finalisation and undertake further investigations at a later stage (under Decision Pathway 3 – Orange), including heritage investigations, to determine if this height could potentially be increased to respond to strategic planning work for Civic Link and Sydney Metro, and also to allow possible transition of the building to a larger, modern theatre venue."</i>	Affected site: 57 Macquarie Street, 41-43 Hunter Street, 45 Hunter Street and 87 Marsden Street, Parramatta Orange matter (summary): Council resolved to investigate the mapping of 57 Macquarie Street, 41-43 Hunter Street, 45 Hunter Street and 87 Marsden Street on the Additional Local Provisions Map with the Minimum Commercial Provision (MCP) notation. Note - The MCP provision, as proposed under the Parramatta CBD Planning Proposal, would have allowed unlimited commercial FSR.
	Do not proceed as a part of this Planning Proposal.	Council officers have investigated this matter and are recommending to not proceed due to ongoing site-specific planning proposals at 45 Hunter Street and 57 Macquarie Street, as well as constrained site conditions (e.g. small site area, narrow site width) at 41-43 Hunter Street and 87 Marsden Street. The subject sites include five individual parcels and are located to the west of St John's Anglican Church site fronting Macquarie Street, Hunter Street and Marsden Street (see Figure 13). The sites are zoned MU1 Mixed Use with height of building controls of RL 211m and FSR 10:1 under Parramatta LEP 2023. The Parramatta CBD Planning Proposal proposed a Minimum Commercial Provision (MCP) clause and relevant mapping layer for certain MU1 Mixed

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Figure 13 – Site location of subject sites

Orange Matter Initiator:

Landowner submissions to Parramatta CBD Planning Proposal.

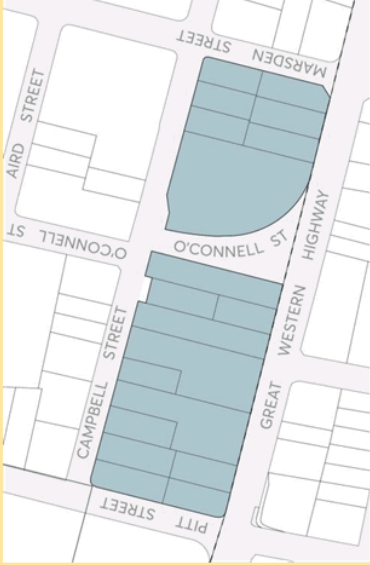
Use zoned lands, which required a minimum commercial provision of FSR 1:1 and allowed unlimited commercial FSR (beyond the required minimum 1:1) for sites that had an area of at least 1,800sqm. The proposed provision was intended to apply to lands in the vicinity of the subject sites, but not to apply to the subject sites under the Parramatta CBD Planning Proposal. The submitters requested the provisions (i.e. unlimited commercial FSR) be applied to the subject sites.

However, during the finalisation of the Parramatta CBD Planning Proposal, the Department removed the proposed MCP provision and undertook a further review for those lands as part of the subsequent SEPP Amendment (Parramatta CBD) (No 2) 2022 ('SEPP 2'). SEPP 2 resolved to only give some lands an additional FSR 4:1 bonus for commercial premises – refer to clause 7.5 of Parramatta LEP 2023 ("Area 5" of the Additional Local Provisions Map"). In accordance with clause 7.5(3) and (4), this area must be used for commercial purposes and is subject to minimum dimension requirements. Further, SEPP 2 allows for a 5% FSR bonus for commercial development on lands identified as Areas 1, 2, 3, 4 and 5 of the Additional Local Provisions Map specified under clause 7.26 of Parramatta LEP 2023, subject to that development incorporating water sensitive urban design. It is noted that the Department's SEPP 2 did not support the 4:1 bonus commercial FSR for MU1 Mixed Use zoned land in the vicinity of the subject land, only the 5% commercial FSR bonus (for water sensitive urban design) was supported.

In responding to this orange matter, Council officers have undertaken additional urban design analysis to test whether the subject sites present opportunities for additional commercial FSR. The urban design analysis considered sites at 41-43 Hunter Street (approx. 1,481sqm combined) and 87 Marsden Street (approx. 1,554sqm), but did not consider sites at 45 Hunter Street and 57 Macquarie Street, as these two sites are subject to separate site-specific planning proposal processes.

The urban design analysis concluded that sites at 41-43 Hunter Street and 87 Marsden Street are not viable for commercial tower development. A 646sqm floorplate was tested for 87 Marsden Street. Given the site orientation, street frontage and inability to achieve inter-building separation and street setbacks, it is too small for a feasible commercial tower development. This is supported by the Achieving A-Grade Office Space in the Parramatta CBD Economic Review (Urbis, 2019), which recommended that a viable floorplate for commercial tower development within Parramatta CBD is at least 1,300sqm, with most major tenants wanting 1,500sqm.

Parramatta CBD Supplementary Matters Planning Proposal | Summary of Council Officers' recommendations and justification

Affected site: Two street blocks bound by Pitt Street, Campbell Street, Marsden Street and the Great Western Highway (refer to Figure 14). Orange matter (summary): Council resolved to investigate potential increased height and FSR controls for the two street blocks bound by Pitt Street, Campbell Street, Marsden Street and the Great Western Highway.		For 41-43 Hunter Street, the potential commercial floorplate would be even smaller, as the site is narrow in width and the combined site area is smaller than 87 Marsden Street, as outlined above. In addition, the site at 41 Hunter Street contains an existing heritage building, which further constrained the developable commercial floorplate area due to the setback from the heritage building and protection of heritage significance. As such this matter is recommended to not proceed.
Affected site: Two street blocks bound by Pitt Street, Campbell Street, Marsden Street and the Great Western Highway (refer to Figure 14). Orange matter (summary): Council resolved to investigate potential increased height and FSR controls for the two street blocks bound by Pitt Street, Campbell Street, Marsden Street and the Great Western Highway.  Figure 14 - Site location for the subject two street blocks	Do not proceed as a part of this Planning Proposal.	No further work is recommended in this precinct as this has been superseded by the work undertaken by the Department in preparing the Parramatta CBD Transition Area Review 2022 and State Environmental Planning Policy Amendment (Parramatta CBD) (No 2) 2022 ('SEPP 2'). As a result of this work and implementation of SEPP 2, these blocks are subject to the following: 5% commercial FSR bonus where development incorporates water sensitive urban design (given the blocks are located within Areas 1 and 5 of the Additional Local Provisions Map, clause 7.26 is applicable) (refer to Figure 15); - A minimum 1:1 FSR must be allocated to commercial uses (given the blocks are located within Areas 1 and 5 of the Additional Local Provisions Map, clause 7.26 is applicable) (refer to Figure 15); and - The northern section of the eastern block (bound by O'Connell Street, Campbell Street, Marsden Street and Great Western Highway), shown as Area 5 of the Additional Local Provisions Map (refer to Figure 15), can pursue an additional 4.1 bonus FSR for commercial premises in accordance with clause 7.5 (subject to certain site and design requirements). Note - The mapped heights were not increased as a part of SEPP 2. Also, the FSRs on the FSR map were not changed, however additional bonus FSR was offered under SEPP 2 in the identification of Areas 1 and 5 in the Additional Local Provisions Map, as explained above. As such, Council officers recommend to not proceed with this matter as a part of this Planning Proposal as it has been considered and resolved as part of the Department's SEPP 2 process.

Parramatta CBD Supplementary Matters Planning Proposal | Summary of Council Officers' recommendations and justification

 Figure 15 – Additional Local Provisions Map (extracted from Parramatta LEP 2023) Orange Matter Initiator: Landowner submissions to Parramatta CBD Planning Proposal.		
Affected site: RE1 Public Recreation zone Orange matter (summary): Council resolved to investigate inserting new objectives for the RE1 (Public Recreation) zone related to protection and enhancement of ecological values, e.g. to preserve and enhance tree canopy, wildlife corridors and natural habitat, including waterways and riparian vegetation. Orange Matter Initiator:	Do not proceed as a part of this Planning Proposal.	Council officers have investigated this matter and concluded that this matter has been resolved as part of the Harmonisation LEP process, which was finalised in March 2023, now known as Parramatta LEP 2023. Following the finalisation of the Parramatta CBD Planning Proposal, a similar objective for the RE1 Public Recreation zone that captures this request has been adopted into the new Parramatta LEP 2023, as follows: Zone RE1 Public Recreation Objectives of zone To conserve, enhance and promote the natural and cultural heritage value of parks and open space in the zone. This objective replaced the previous zone objective for RE1 under the former Parramatta LEP 2011, as below:

Parramatta CBD Supplementary Matters Planning Proposal | Summary of Council Officers' recommendations and justification

Environment, Energy and Science Group (State Government Agency) submission to Parramatta CBD Planning Proposal.		To conserve, enhance and promote the natural assets and cultural heritage significance of Parramatta Park. As majority of Parramatta Riverbank corridor is zoned under RE1 Public Recreation, the updated zone objective specified the protection of ecological values for all parks and open space, including the Parramatta River riparian corridor, rather than just Parramatta Park. As such, this matter has been resolved as part of the Harmonisation LEP 2023 process and no further action is required.
Affected site: N/A - Related to provision of parking spaces for car share vehicles Orange matter (summary): Council resolved to consider an additional provision requiring parking spaces for car share vehicles in each new development. Orange Matter Initiator: Council Resolution on 15 June 2021, part (b1), based on Local Planning Panel (LPP) advice. Resolution reads as follows: "(b1) That Council approve the inclusion in Table 3 of Attachment 1 ("Changes that have merit for further investigation (via Decision Pathway 3 - Orange)") consideration of an additional subclause in Clause 7.3 (parking) requiring the provision of parking spaces for car share vehicles in each new development."	Do not proceed as a part of this Planning Proposal.	Council officers have further investigated the car share parking provision for new development and concluded that this item has been resolved as part of the Harmonisation DCP process finalised in May 2023, now known as Parramatta DCP 2023. Parking provision for carshare vehicles in new development has been addressed under controls C.01 to C.06 of Section 6.1.1 - Carshare of the Parramatta DCP 2023, which requires car share parking spaces for residential development of more than 50 units and commercial development with floor space of 5,000sqm or above. As such, this matter has been resolved and no further action is required.

Parramatta CBD Supplementary Matters Planning Proposal | Summary of Council Officers' recommendations and justification

Affected site: 56 Station Street East, Harris Park Orange matter (summary): Council resolved to investigate a potential increased height control for 56 Station Street East, Harris Park at a later stage as a part of a separate piece of strategic work. 	Do not proceed as a part of this Planning Proposal.	The subject property at 56 Station Street East, Harris Park is zoned E2 Commercial Centre and has a site area of approximately 2,200sqm. The property has a FSR control of 10:1 and a height control of 72m, or an FSR of 11:5:1 and a height of 82.8m, when applying the 15% Design Excellence (DE) bonus. The site is also identified within Area B on the Special Provisions Area Map, which means it is subject to clause 7.28 that allows the land to exceed the maximum permissible FSR if the consent authority is satisfied the additional GFA will be used only for office premises. To utilise this bonus FSR under clause 7.28, sites must have a minimum area of 1,800sqm and a DCP addressing certain urban design matters must be prepared for the land. In response to this orange matter, urban design analysis was undertaken to assess the appropriateness of potential additional height on this site. The subject site is situated within the block bound by Hassell Street, Station Street East, Parkes Street and Charles Street. Lots within the block are mainly oriented north-south with frontages to both Hassell Street and Parkes Street. 56 and 60 Station Street East are the exception as corner lots (refer to Figure 16). 56 and 60 Station Street East are existing commercial buildings and zoned E2 Commercial Centre, whereas the remainder of the block is zoned MU1 Mixed Use. The predominant height within the subject site block is 72m. Taller, established tower controls on 5-7 Hassell Street and 11 Hassell Street are the exception. A potential tower at 5-7 Hassell Street has a permissible height of 122m (+ 15% DE bonus) and would be sited on the northern part of the property on Hassell Street with a significant setback (approximately 30m) from Parkes Street (given the land shape). The existing tower at 11 Hassell Street has a permissible height of 130m (+15% DE bonus) and is sited in the middle of the property with a generous setback (approximately 20m) from Parkes Street. This establishes a clear predominant scale to the north side of Parkes Street in this block, which matches with the 80m height datum along the west of the railway line south of Parkes Street, and also the established tower at 12A Parkes Street (refer to Figures 17 and 18). 56 Station Street East sits forward of other buildings along the northern side of Parkes Street (refer to Figure 16). It is located within a visually prominent location in the street and is an important building in establishing the continuity along Parkes Street and with the planned envelopes along the western side of the rail line.
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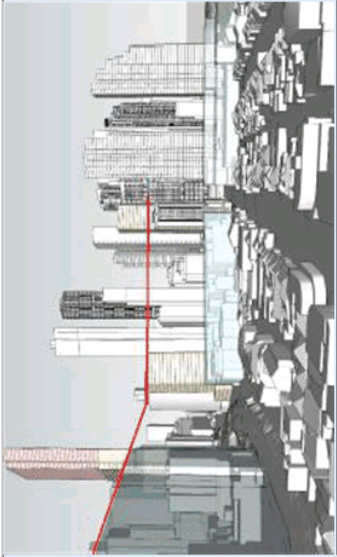


Figure 17 – View from HCA with 80m height datum along Parkes St north

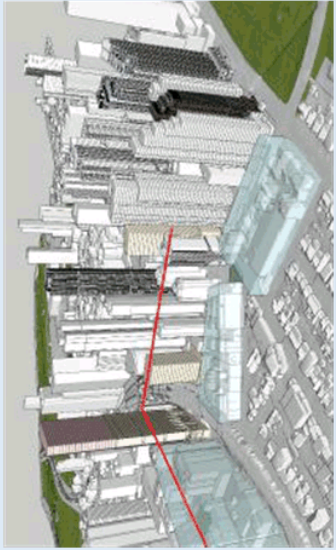


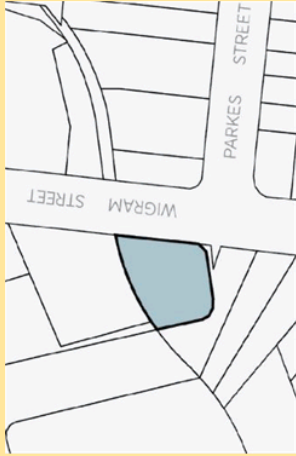
Figure 18 – Birds eye view with 80m height datum along Parkes St north

Orange Matter Initiator:

Landowner submission to Parramatta CBD Planning Proposal.

The urban design analysis recommended to maintain the LEP height of 72m for 56 Station Street East (equivalent 82.8m inclusive of 15% DE bonus) to reinforce the established and planned height datums along Parkes Street west of Wigram Street and along the rail line west of the HCA.

Given the result of the urban design analysis, this has not been included in this Planning Proposal.

Affected site: 12A Parkes Street, Harris Park Orange matter (summary): Council resolved to investigate potential increased height and FSR controls for 12A Parkes Street, at a later stage as a part of a separate piece of strategic work.  Figure 19 – Site location - 12A Parkes Street, Harris Park	Do not proceed as a part of this Planning Proposal. In the original submission to the Parramatta CBD Planning Proposal in relation to the subject site a request was made to increase the height from 72m to 122m, and to increase the FSR from 8:1 to 10:1. It is noted that additional FSR analysis was undertaken during the assessment of the DA modification (DA/1263/2016/B) for the new tower on the subject site, which resulted in an approved overall FSR of 10.23:1 (inclusive of a Design Excellence bonus and a justified variation). There was no variation to the current height control under the DA modification, with 2 additional floors being allowed through additional height permitted by utilising Clause 5.6 (Architectural roof features) of the Parramatta LEP 2023. The DA modification was approved on 15 October 2021, and the mixed use tower on site is now almost completely finalised in its construction. Further to the above, urban design analysis was also undertaken in relation to this orange matter. The urban design analysis indicates that the height of the newly constructed building on the subject site contributes to a stepped transition in building height from the block to the north bounded Macquarie Street, Charles Street and Hassall Street with a permissible height of 145m; to the subject site block bounded by Charles Street, Hassall Street, Wigram Street and Parkes Street with a permissible height of 72m; to the blocks south of Parkes Street with a height of 28m; and to the low scale Heritage Conservation Area (HCA) (refer to Figure 20). Retention of the existing height control of 82.8m (including Design Excellence) on the subject site also reinforces the predominant scale of the 80m height datum along Parkes Street north, and along the west of the railway line south of Parkes Street, as discussed above in relation to 56 Station Street East, Harris Park, which is located in close proximity to this site (refer to Figures 17 and 18). It is noted that Council also recently resolved on 8 April 2024 to endorse a site-specific planning proposal (SSPP) for 124 Wigram Street, Harris Park for the purposes of seeking a Gateway Determination from the Department of Planning, Housing and Infrastructure. This site immediately adjoins the subject site to the north. The SSPP proposes to increase the height of that site from 72m to 103m (118.45m including the Design Excellence bonus). The City Design team recommended this height to fit within the shadow of the block to the north and to reinforce the stepped skyline down to the HCA. Shadow analysis carried out by the City Design team indicates that the shadow of the development on the subject site at 12A Parkes Street (within its current height control of 82.8m, including Design Excellence) will be confined within the shadow of the block to the north (145m height control) and will have no additional adverse impact to the HCA.
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Parramatta CBD Supplementary Matters Planning Proposal | Summary of Council Officers' recommendations and justification

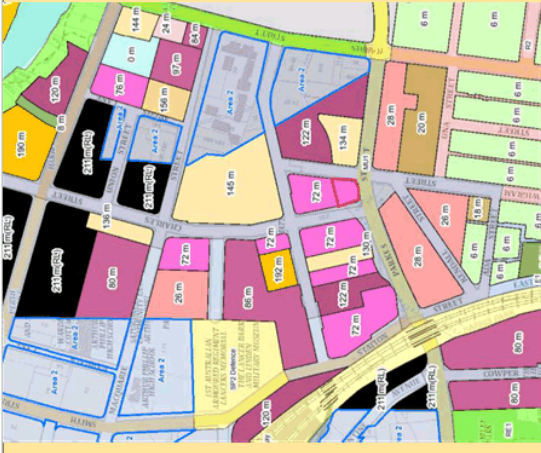


Figure 20 – LEP Height Map. Subject site outlined in red.

Orange Matter Initiator:

Landowner submission to Parramatta CBD Planning Proposal.

Given the above considerations, this site has not been included in the Planning Proposal.

Affected site: 60 Phillip Street, Parramatta (refer to Figure 21) Orange matter (summary): For 60 Phillip Street, Council resolved to undertake further urban design investigations to determine if additional bonus FSR (under the high performing buildings, unlimited commercial floor space and Opportunity Sites clauses) can potentially be achieved within the height established under the exhibition version of the Parramatta CBD Planning Proposal, despite its size of approximately 1,580sqm (i.e. less than the 1,800sqm normally required to meet these FSR bonuses), given this site's unique circumstances as an isolated site bound by three public roads and the river foreshore.	Do not proceed as a part of this Planning Proposal.	In relation to the orange matter associated with 60 Phillip Street, Parramatta, it is noted that the Department's <i>State Environmental Planning Policy Amendment (Parramatta CBD) (No 2) 2022</i> (SEPP 2') has now since applied bonus FSR controls to this site, as follows: • Clause 7.26 of Parramatta LEP 2023 applies, which requires a minimum 1:1 FSR be provided for commercial premises, and also allows a 5% FSR bonus for wholly commercial premises, where a development incorporates water sensitive urban design (as the site is identified in "Area 2" on the Additional Local Provisions Map). • Clause 7.28A of Parramatta LEP 2023 applies, which allows a bonus FSR of 3.5:1 to apply if the building is no more than 25m wide when viewed from Parramatta River (as the site is identified in "Area 2" on the Additional Local Provisions Map). The clause also allows a bonus height of 13m to apply. Further, it is noted that with these changes, the capacity of this site for a mixed use tower has increased from FSR 6.9:1, Height 92m (inclusive of bonuses) under former controls (Parramatta LEP 2011), to FSR 10.4:1, Height 105m (inclusive of bonuses) under current controls (Parramatta LEP 2023). Given the above provisions have now been inserted into Parramatta LEP 2023 via the Department's SEPP 2 process, this matter is now considered resolved and no further action is required in relation to 60 Phillip Street, Parramatta. Consequently, the matter is not included in the Planning Proposal.
 60 Phillip Street, Parramatta	27	
Figure 21 - 60 Phillip Street, Parramatta Orange Matter Initiator: Landowner submission to Parramatta CBD Planning Proposal.		

Parramatta CBD Supplementary Matters Planning Proposal | Summary of Council Officers' recommendations and justification

Affected Site: Philip Street Block, Parramatta (refer to Figure 22) Orange matter (summary): Council resolved to undertake further investigation of building separation in the Philip Street Block as a part of the Parramatta CBD DCP preparation.  Figure 22 - Philip Street Block, Parramatta	Do not proceed as a part of this Planning Proposal.	In relation to the orange matter of building separation control for the Philip Street Block (as per Council's resolution of 15 June 2021), State <i>Environmental Planning Policy Amendment (Parramatta CBD) (No 2) 2022</i> ('SEPP 2') introduced urban design requirements that requires maximum building width requirements, as specified under clause 7.28A of Parramatta LEP 2023. Further, Part 9 of Parramatta DCP 2023, particularly Section 9.5.1.2 <i>City East Block</i>, requires several river links of 6m or 8m wide to be delivered through the Philip Street Block for public access. Those controls are intended to provide suitable building separations and facilitate the delivery of appropriate open-to-sky laneways for the block connecting the river to Philip Street. Given these changes, the Council's resolution of 15 June 2021 in relation to building separation is now considered to be addressed and no further action is required. Further to the above, it should also be noted that Council is currently working on the following matters in the Philip Street Block: (a) Assessment of a site-specific planning proposal (SSPP) for the site at 90-94 Philip Street, Parramatta, located on the eastern side of the Philip Street Block. This SSPP will consider height, FSR and building width requirements. It is anticipated this SSPP will be reported to Council for consideration in the coming months. (b) Assessment of a development application (DA/346/2023) for the site at 66 Philip Street, Parramatta, for the restoration of an existing heritage cottage and adaptive reuse, the construction of a 22-storey commercial building, basement, and ground floor retail use. Urban design and heritage are key issues being considered in the assessment of this development application. (c) Preparation of a Philip Street Block Urban Design Study, informed by the Parramatta River Strategy 2015, investigates the creation of an upper level promenade to provide flood egress and building activation

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Parramatta CBD Supplementary Matters Planning Proposal | Summary of Council Officers' recommendations and justification

Orange Matter Initiator: Council resolution of 15 June 2021, part (b2)(iii), which reads as follows: (iii) <i>That as part of the preparation of the Draft Parramatta CBD Development Control Plan that controls be investigated to ensure that there are separations between buildings for the Phillips Street block (referred to in (i) above) from ground level upwards and including the tower elements to maintain visual and physical connectivity between the river and the broader CBD to the south.</i> "		along the river frontage for properties within the block. The findings of this study may include additional considerations of suitable planning controls for the block to allow the delivery of the promenade. The study recommendations are expected later this year. Given the above considerations, this matter has not been included in the Planning Proposal but issues being investigated above may lead to this being reviewed and a future Planning Proposal being considered.
Affected site: Parramatta Westfield site – 142 & 171 Church Street, Parramatta (multiple blocks, extending along Argyle St, Aird St, Marsden St, Campbell St, Fitzwilliam St and Church St – refer to Figure 23) Orange Matter (summary): For the Westfield landholdings, Council resolved to investigate rezoning the land from B4 Mixed Use to B3 Commercial Core (as exhibited) with a potential Additional Permitted Use (APU) for a residential tower, consistent with the Urbis A-Grade Office Space Study recommendations (given the large size of this site that could accommodate both residential and commercial towers) and also further urban design analysis to determine the appropriate size of the residential tower (which would be referenced accordingly in an APU notation).	Do not proceed as a part of this Planning Proposal, rather, as a separate strategic precinct planning proposal specifically for the Westfield site given its strategic importance.	In their original submission to the Parramatta CBD Planning Proposal ('CBD PP'), Westfield objected to the proposed rezoning from B4 Mixed Use (now referred to as MU1 Mixed Use) to B3 Commercial Core (now referred to as E2 Commercial Centre). The basis for their objection at that time was for the following reasons: • The proposed zone lacks strategic merit because the <i>Achieving A-Grade Office Space in the Parramatta CBD Economic Review</i> (Urbis 2019) ('the Urbis study'), which supports the CBD PP, demonstrates there is already a sufficient pipeline of office floorspace to more than provide for the forecast need for office floorspace to 2036. • The job growth and additional floorspace predictions are no longer robust, in view of disruption and changing working practices as a result of the COVID 19 pandemic, plus the evidence of softening take up and increased vacancy rates. • The proposed zone is a more restrictive zoning and risks sterilising the land and limits development vitality, reducing flexibility. This increases development risk and uncertainty of supportive economic returns to trigger redevelopment of existing uses. This may impact investment interests. • Flexibility in land uses creates exciting, vibrant, active places throughout the day and night, where people live, work and spend leisure time in close proximity. Successful places support all three activities – and are best placed to attract investment and occupiers. • The proposed zone does not support the changing nature of shopping centres, the diversification of the uses and activity they support, and their growing connection and integral role to the communities they serve.

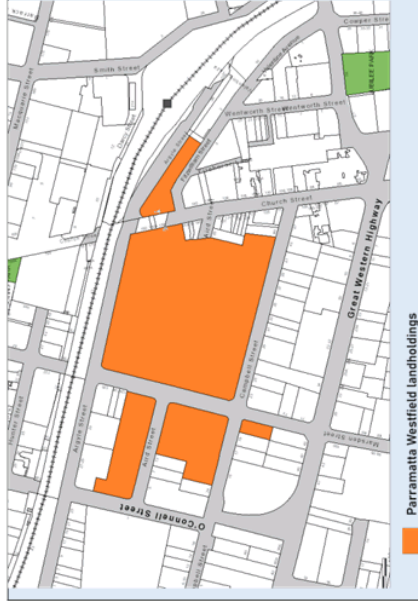


Figure 23 – Site location of Westfield landholdings.

Orange Matter Initiator:

Landowner submission to Parramatta CBD Planning Proposal.

Council officers have further investigated this matter, which has included reviewing the previous urban design and economic studies undertaken as a part of the Parramatta CBD Planning Proposal ('CBD PP') that relate to this site, and also reviewing the draft zoning, height and FSR controls as exhibited for this site under the CBD PP. It is noted that under the CBD PP, the scale of changes proposed for this site would have been significant. Council officer's calculations indicate that under the CBD PP, additional GFA of 323 233sqm would have been permitted under the proposed FSR changes, which is a significant increase in floorspace capacity, being the equivalent of around 14 Sydney Water towers.

In relation to the issue of land use flexibility, it is noted that the primary difference between the current MU1 Mixed Use zone and a proposed E2 Commercial Centre zone is the permissibility of residential development, noting that residential is permissible in the MU1 zone, but prohibited in the E2 zone. Aside from this, the E2 zone offers a flexible range of land uses to support a centre, and all typical centre-based land uses that are permissible in the MU1 zone are also permissible in the E2 zone, including amusement centres, commercial premises (includes business premises, office premises and retail premises), educational establishments, entertainment facilities, function centres, hotel or motel accommodation, medical centres and recreation facilities (indoor), to name a few key ones. Notwithstanding the prohibition of residential in the E2 zone under *Parramatta LEP 2023*, it is noted that *State Environmental Planning Policy (Housing) 2021* ('the Housing SEPP') does offer build-to-rent housing as a permissible use in this zone.

Following these further investigations, Council officers are of the view that further analysis is needed to appropriately determine the future planning policy framework for this highly significant site. This further analysis needs to consider at least the following matters:

- **Land economics** – The impacts of the COVID pandemic on both the office and retail market are continuing to evolve and will impact the future for this site. Further economic analysis is needed to help inform the policy framework for this significant site.
- **Land use and urban design** – Given its strategic location near the Parramatta Transport Interchange and Parramatta Square, and also its large size, this site has significant potential in providing for future employment generation for the Parramatta CBD, in particular in large floor plate commercial office towers to match those of Parramatta Square. Despite this potential, the current MU1 Mixed Use zone does allow for residential flat buildings. Whilst a proposed rezoning to E2 Commercial

Parramatta CBD Supplementary Matters Planning Proposal | Summary of Council Officers' recommendations and justification

		Centre may prohibit residential flat buildings, build-to-rent housing would still be permissible under the Housing SEPP. The predominant difference between residential flat buildings in the current MU1 zone, and build-to-rent housing in a proposed E2 zone, is that the former can be subdivided and individually sold off, whereas the latter cannot be subdivided and remain in single ownership. Therefore, whilst increasing heights and FSRs on the site, as envisaged under the CBD PP, may significantly increase the capacity for office towers, it would likewise also increase capacity for build-to-rent housing. Given these complex factors, further land use and urban design analysis is needed to determine the appropriate scale/type of residential development that would be suitable for the site, including site location considerations, so that strategic commercial and residential land use objectives can be properly balanced and managed. In light of the above considerations, associated site complexities, and the significance of this large site in the Parramatta CBD, Council officers recommend not progressing this matter as a part of this planning proposal, and rather that Council commence preliminary work on a separate strategic precinct planning proposal specifically for the Westfield site, given its strategic importance, and also to allow more time where these issues can be further investigated.
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**CITY OF
PARRAMATTA**

MINUTES

**Parramatta Local Planning Panel
Tuesday, 21 May 2024
3.30pm**

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

6.2 **SUBJECT** Gateway Request - Parramatta CBD Supplementary Matters Planning Proposal

APPLICANT/S City of Parramatta Council

OWNERS Multiple landowners

REPORT OF Senior Project Officer

PANEL ADVICE

The Local Planning Panel advises as follows:

- (a) That Council approve the recommended pathways for resolving the outstanding “Orange Matters” arising from the exhibition of the Parramatta CBD Planning Proposal, as detailed in the table at **Attachment 1**.
- (b) That Council approve the Parramatta CBD Supplementary Matters Planning Proposal at **Attachment 2**, subject to it being updated to include “creative industries” as permitted with consent in the E2 Commercial Centre zone, for the purpose of seeking a Gateway Determination from the Department of Planning, Housing and Infrastructure.
- (c) 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.
- (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.
- (e) That Council resolve to prepare a separate strategic precinct planning proposal for the Westfield site at 142 and 171 Church Street, Parramatta, given its strategic significance to the Parramatta CBD, and that Council officers prepare further urban design, land use and economic analysis to inform the policy framework for this planning proposal.

VOTING
Unanimous

6.3 **SUBJECT** Gateway Request - Planning Proposal for land at 53-61 Rawson St, Epping

APPLICANT/S Mecone

OWNERS Canjs Pty Ltd