

ATTACHMENT A

Notice for the voluntary surrender of development consent under Clause 68 of the Environmental Planning and Assessment Regulation 2021.

Development Application	DA/706/2014
Development Proposal	Concept approval is sought for the re-development of 3 development sites within the Auto Alley precinct. Concept approval is sought for the construction of 7 buildings containing 753 apartments and approximately 39,000sqm of retail/commercial floor space on Site 1 and Site 2. Concept approval is also sought for the provision of a public park on Site 3.

9 January 2026

Chair, Abigail Goldberg
Sydney City Central Planning Panel c/o Planning Panels Secretariat
NSW Department of Planning, Housing and Infrastructure
Locked Bag 5022, Sydney NSW, 2150

CC: Kate Lafferty, Executive Planner, City of Parramatta Council

Dear Chair,

Notice to Surrender Development Consent DA/706/2014

The site at 57, 63 & 83 Church Street, Parramatta currently has a Concept Consent applying to the land under:

- DA/706/2014, granted by the former Sydney West Joint Regional Planning Panel (**SWJRPP**) on 29 June 2016 (now the Sydney Central City Planning Panel)

In accordance with Clause 68 of the *Environmental Planning and Assessment Regulation 2021* (EP&A Regulation), Early Street Development Pty Ltd wishes to surrender DA/706/2014 (the Concept Consent). The proponent intends to continue proceeding with the development of the site under the detailed DA/738/2016, as modified. DA/738/2016 was granted consent by the former SWJRPP on 9 August 2017.

DA/738/2016 will continue to be modified in accordance with the outcomes envisaged under the amendment (Amendment No. 19) to the Parramatta Local Environmental Plan 2023, gazetted on 28 November 2025

Under the EP&A Regulation it is a requirement to write to the consent authority, in this case the former SWJRPP, now the Sydney Central City Planning Panel, to provide notice of intent to surrender a consent. **Table 1** below identifies the relevant clauses in Clause 68 of the EP&A Regulation and how this has been addressed in the notice. We request that the consent authority please provide notice in accordance with clause 68(4) of the EP&A Regulation so that the surrender of the Concept Consent takes effect.

Table 1 Clause 68 of EP&A Regulation 2021

Clause	Comment
(2)(a) the name and address of the person giving the notice,	Jeremy Hung Early Street Development Pty Limited PO Box 6868, Burwood, NSW 1805
(b) the address and folio identifier of the land to which the development consent relates,	63 & 83 Church Street & 57 Church Street, Parramatta, NSW 2150

	<p>Lot 100 DP 1249271</p> <p>Lot 102 DP 1249271</p> <p>Lot 16 DP 12623</p>
(c) a description of the development consent to be surrendered,	<p>DA/706/2014 – <i>Concept approval for the re-development of 3 development sites within the Auto Alley precinct. Concept approval was sought for the construction of 7 buildings containing 753 apartments and approximately 39,000sqm of retail/commercial floor space on Site 1 and Site 2. Concept approval was also sought for the provision of a public park on Site 3.</i></p>
(d) if the person giving the notice is not the owner of the land – a statement signed by the owner of the land that the owner consents to the surrender of the development consent,	<p>Consent from the Owner of the land is attached with this letter.</p>
(e) whether any part of the development to which the development consent relates has commenced.	<p>The development consent being surrendered (DA/706/2014), while being a concept consent does not authorise the carrying out of any construction work.</p> <p>The development to which the consent relates has been commenced – under the detailed Consent (DA/738/2016), with Appendix A containing a detailed discussion of the conditions of the Concept Consent.</p> <p>Detailed consent DA/738/2016 will continue to operate after the surrender of the Concept Consent takes effect.</p>
<p>(3) if any part of the development to which the consent relates has commenced (the commenced development), the notice must also set out the circumstances that indicate–</p> <p>(a) the commenced development was carried out in compliance with–</p> <p>(i) each condition of the development consent that is relevant to the commencement development, or</p> <p>(ii) an agreement with the consent authority relating to the development consent that is relevant to the commenced development, and</p> <p>(b) the surrender of the development consent will not have an adverse impact on a third party or the locality.</p>	<p>The Concept Consent did not authorise the commencement of the development. Where relevant, the conditions of consent under the Concept Consent have been satisfied or otherwise addressed by corresponding conditions in DA/738/2016.</p> <p>The surrender of the Concept Consent will not have an adverse impact on a third party or the locality as the relevant conditions and compliance matters have been addressed by corresponding conditions in DA/738/2016.</p> <p>Appendix A below provides a brief outline as to whether the conditions of consent relating to DA/706/2014 have been satisfied or will be addressed as part of the commenced development and construction under DA/738/2016 (as modified).</p>

Kind regards,

Sebastian Aguilar

Senior Consultant

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Appendix A Conditions of Consent – DA/706/2014

Condition	Status
<p>General Matters</p> <p>1. The development is to be generally carried out in accordance with the following plans endorsed with Council's Stamp as well as the documentation listed below, except where amended by other conditions of this consent and/or any plan annotations:</p> <ul style="list-style-type: none">- Site 1 Architectural Drawings- Site 2 Architectural Drawings- Landscape & Public Domain Plans- Document(s) <p>Note: In the event of any inconsistency between the architectural plan(s) and the landscape plan(s) and/or stormwater disposal plan(s) (if applicable), the architectural plan(s) shall prevail to the extent of the inconsistency.</p> <p><i>Reason: To ensure the work is carried out in accordance with the approved plans.</i></p>	<p>All plans and documents have been superseded in DA/738/2016 (as modified) or are no longer relevant.</p>
<p>2. This consent grants concept approval for the development of the sites in accordance with the staged development provisions of Section 83B of the Environmental Planning and Assessment Act, 1979. No consent is granted for any demolition or construction works. A separate Development Application/s must be lodged for the demolition or construction of any works, the subject of this approval.</p> <p><i>Reason: To provide clarity as to the extent of this consent.</i></p>	<p>In accordance with this condition, separate detailed development application DA/738/2016 was lodged seeking consent for the development approved as a concept proposal by DA/706/2014. Development application DA/738/2016 was approved on 9 August 2017 and the relevant demolition and construction work on site has been and will continue to be carried out pursuant to that consent.</p>
<p>3. All details of the future development are subject to compliance with relevant legislative and statutory provisions to Council's satisfaction.</p>	<p>Details of the future development were assessed as part of detailed development application DA/738/2016 approved on 9 August 2017.</p>

Reason: To provide clarity as to the extent of this consent.

4. All future applications shall comply with the following requirements of the Design Competition Jury:

- A. That the Stage 2 DA cannot be approved unless the consent authority has had regard to:
 - a) Advice from the Competition Panel after review of the architectural drawings, landscape drawings and facade glazing samples that the Stage 2 design maintains design integrity and design excellence.
 - b) An independent assessment of the west facades by a qualified environmental sustainability consultant to achieve better than BASIX energy efficiency standards and thermal comfort for occupants of the apartments.
 - c) Consistency with the NSW Apartment Design Guide
 - d) Passive sustainability measures that exceed BASIX
 - e) An investigation to use Tri-generation to power the development to reduce carbon emissions.
 - f) Resolution of Building K loading dock truck turning to ensure loading dock is fully enclosed.
 - g) Resolution of the west façade of the tower on Site 2 to reduce its visual flatness by articulation.
- B. The Competition Panel reviews the architectural drawings, landscape drawings and samples of the external glazing prior to issue of the Construction Certificate and prior to tender for construction to ensure design integrity.
- C. The Competition Panel reviews the development prior to occupation certificate to ensure design integrity.
- D. The design competition architectural firms are retained throughout the project to occupation certificate to ensure design integrity. The architects cannot be changed without approval of Council.

This condition has been complied with. Prior to determination of detailed development application DA/706/2014, a competitive design process was undertaken.

5. The development is to comply with the terms and conditions specified within the agreed voluntary planning proposal executed on 22 January 2014.

The 2014 VPA is currently being complied with. New Planning Agreement executed alongside gazettal of the LEP Amendment (Amendment No 19) on 28 November 2025. As set out in Recitals C and D of the New Planning Agreement, following execution of the New Planning

Reason: To ensure the requirements of the agreed voluntary planning agreement are complied with during the development process.

Agreement, former planning agreement dated 22 January 2014 became superseded and was to be removed from the title of the land, and no longer has effect.

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6. All future development shall be carried out in accordance with the requirements of Roads and Maritime Services (RMS) as outlined in their correspondence dated 26 April 2016 and as amended by correspondence dated 12 May 2016 that is attached to this consent.
Note: This condition is imposed as part of the RMS concurrence to the application under Section 138 of the Roads Act 1993.

The requirements of TfNSW (formerly RMS) are addressed under DA/738/2016.

Reason: To comply with the requirements of the Roads and Maritime Services.

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7. All future development applications shall take into consideration the following requirements of Sydney Water:

See below.

Building Adjacent to Stormwater Channel

- a) Sydney Water has noted that the proposed development in the vicinity of Sydney Water's Clay Cliff Creek is a public park. If any buildings or permanent structures are proposed within this park, then these structures must be located at least 1 m away from the outside face of the stormwater channel wall.
- b) Permanent structures include but are not limited to basement car parks, hanging balconies, roof eaves, hanging stairs, stormwater pits, stormwater pipes and similar structures. This clearance requirement applies for unlimited depth and height.

Flooding from Clay Creek is **addressed under DA/738/2016.**

Stormwater quality requirements are **addressed under DA/738/2016.**

Water Quality Improvement Device

- c) Stormwater runoff must be of appropriate quality before it enters Sydney Water stormwater assets or natural waterways. Sites must establish their own stormwater quality improvement device(s) or treatment drain to meet the following minimum pollutant removal:

Stormwater quality requirements are **addressed under DA/738/2016.**

Pollutant	Average Annual Pollutant Load Reduction Objective(%)
Gross pollutants (>5mm)	90
Total suspended solids	85
Total phosphorus	65
Total nitroQen	45

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- d) Sydney Water may require an e-Water MUSIC model that demonstrates your proposed stormwater quality improvement device or treatment drains will meet the stormwater quality targets.

Stormwater quality requirements are **addressed under DA/738/2016.**

Direct Stormwater Connection

- e) The proposed stormwater connection to Sydney Water's stormwater system must be carried out in accordance with Sydney Water's Asset Creation Process. Further details about the Asset Creation Process can be obtained from the nominated Water Servicing Coordinator.

Compliance with Sydney Water requirements are **addressed under DA/738/2016.**

A Water Servicing Coordinator has been engaged by JQZ.

Water

- f) The drinking water main available for connection is the 375mm main on the Western side of Church Street.

Compliance with Sydney Water requirements are **addressed under DA/738/2016.**

A Water Servicing Coordinator has been engaged by JQZ, with the relevant Section 73 Certificate to be sought prior to obtaining the relevant Occupation Certificate, in accordance with DA/738/2016.

Wastewater

- g) The proposed development sites are traversed by a number of wastewater mains. The wastewater mains available for connection are the 225mm and 150mm main located in Early Street, however the 150mm wastewater main will require amplification.
- h) Where proposed works are in close proximity to a Sydney Water asset, the developer may be required to carry out additional works to facilitate their development and protect the wastewater main. Subject to the scope of development, servicing options may involve adjustment/deviation and compliance with the Guidelines for building over/adjacent to Sydney Water assets.
- i) Detailed requirements will be provided at the Section 73 phase.

Compliance with Sydney Water requirements are **addressed under DA/738/2016.**

A Water Servicing Coordinator has been engaged by JQZ, with the relevant Section 73 Certificate to be sought prior to obtaining the relevant Occupation Certificate, in accordance with DA/738/2016.

Reason: To consider the requirements of Sydney Water in the future applications for the site.

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8. The applicant is to liaise with NSW Office of Water to determine whether future development applications require a controlled activity approval under the Water Management Act 2000. Reason: To determine whether the future applications are Integrated Development under the provisions of the Environmental Planning & Assessment Act, 1979.

Satisfied under DA/738/2016.

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9. Any removal of tree(s) on the adjoining property at 37 Early Street (being Tree 7 and Tree 8 as identified in the arborist report submitted) will require separate consent from Council. Should the applicant seek consent for removal of any trees within the adjoining site it is required to be addressed via a separate tree permit application with owner's consent. Should owner's consent not be provided for tree removal, the applicant is required to demonstrate that the trees can remain viable and will not be unduly impacted by the works proposed.
Reason: To ensure appropriate approval is sought and obtained before the removal of any neighbouring trees.

Satisfied under DA/738/2016.

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10. Any future development application on Site 1 is to incorporate the following details in the submission to Council:
- a) Details on the construction of the pedestrian bridge.
 - b) The creation of an easement for the pedestrian bridge over the land.

Satisfied under DA/738/2016.

Reason: To ensure appropriate details are submitted for the future pedestrian bridge.

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11. Compliance with the following flood and stormwater engineering conditions:

Flooding and stormwater engineering **addressed under DA/738/2016.**

(1) Flood Management

- a) The three development sites (being Site 1, 2 and 3) are subject to high hazard flooding from the Clay Cliff Creek main channel and from overland flow in the surrounding streets. Adequate precautions, satisfactory to Council, must be included in all developments in these sites to address the needs of public and occupant safety, emergency escape and refuge, prevention of ingress of flood waters and protection of property.

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- b) For the purpose of this consent, the Flood Planning Level is defined as the predicted 1% AEP flood level (100 ARI) level plus 500mm arising from Clay Cliff Creek and the surrounding overland flow level, as obtained from the 'Cardno 2D flood model' for Clay Cliff Creek and environs, known as the '2007 model'. The Flood Planning Level for each building may vary with the immediate terrain and built context. The Flood Planning Level must be re-determined for each Development Application for each individual building using the '2007 2D Cardno Flood model' (or approved alternative) adjusted for revised designs, building footprints, ground surface levels and so on. Development Applications for individual sites within this concept DA must demonstrate that buildings and ground surfaces do not harm other land by diverting floodwaters and concentrating stormwater at least up to the Flood Planning Level. In addition, Council requires additional flood protection measures to be taken to the level of the Probable Maximum Flood (PMF) as follows and as may be determined for individual DAs. The PMF as derived from Council's

Flooding and stormwater engineering **addressed under DA/738/2016.**

adopted flood levels (Lower Parramatta River) and for the purposes of this Consent may be assumed to be for Site 1: 14.0m AHO and for Site 2: 14.2m AHO.

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| c) All of the buildings, landscape and public domain areas subject to this consent shall be designed and built so as to cause no significant alterations to the predicted flow patterns of floodwaters, at least up to the Flood Planning Level (the 1% Annual Exceedance Probability (AEP) event plus 500mm freeboard). | Flooding and stormwater engineering addressed under DA/738/2016. |
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| d) The minimum level of all habitable floors in all of the buildings shall be not less than the respective Flood Planning Levels (1% AEP event plus 500mm freeboard).
Note: Consideration may be given to a lower finished floor level on part of the ground floor showroom on Site 1 (as shown on the concept plans) subject to the demonstration of the prevention of incursion of floodwaters up to the flood planning level. | Flooding and stormwater engineering addressed under DA/738/2016. |
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| e) All basement car parks must be protected from ingress of floodwaters with a continuous floodproof bund (including crests on driveways, accessways and other openings) to a minimum level of the Flood Planning Level (1% AEP event plus 500mm freeboard). In addition, the basement car park for Site 1 shall be protected from the ingress of flood waters between the FPL (12.9m AHO) and the PMF (14.0m AHO) with additional driveway crest height and/or self-operating flood gates, and other means. In addition, the basement car park for Site 1 shall be protected from the ingress of flood waters between the FPL (12.9m AHO) and the PMF (14.2m AHO) with additional driveway crest height and/or self-operating flood gates, and other means. | Flooding and stormwater engineering addressed under DA/738/2016. |
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| f) All building and landscape construction must be designed to be inundated and to resist the forces of moving floodwaters, water-borne debris and flotation, up to the Probable Maximum Flood (PMF) level. | Flooding and stormwater engineering addressed under DA/738/2016. |
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| g) For the Site 2 building fronting Church Street, an underfloor flood passageway across the south east corner of this building between Lansdowne Street and Church Street must be provided. This must be generally in accordance with this Concept DA, but will be subject to Council's detailed approval with the individual building Development Application. The underside of this structure must be not less than 200mm below the Flood Planning Level for this building and higher if possible. The Plaza area in Site 2 fronting Lansdowne Street must be set at a level that allows the passage of floodwaters into this underfloor passageway. Detailed design of the plaza area and the Lansdowne and Church Street frontages must address this together with public safety and other aspects including flow from this structure across the footway. This design must be based on hydrodynamic overland flow flood modelling. In such design public safety must take precedence over minor flood affectation. | Flooding and stormwater engineering addressed under DA/738/2016. |
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h) For Site 1 an underfloor floodway is not required.	Flooding and stormwater engineering addressed under DA/738/2016.
i) Individual DAs must include comprehensive safety and emergency access and egress plans for both occupants and the general public.	Emergency Response requirements are addressed under DA/738/2016.
<p>j) For the Site 3 Park, the proposed landscape design is not acceptable to Council, nor approved by this Consent, and a Development Application for this site will need to be substantially modified to incorporate the following responses to flood risk management and water sensitive urban design. The design must address the following to Council's satisfaction:</p> <p>I. The existing Clay Cliff Creek culvert should not be altered and any fencing around it should be constructed or reconstructed to Sydney Water requirements and specifications. Details of this, including the written approval of Sydney Water, are required to be submitted for Council approval with the Development Application for the park.</p> <p>II. In order not to divert floodwaters or reduce storage, the finished surface levels of the park should not be significantly different from current surface levels (pre-development) unless changes are justified to Council's satisfaction and such changes are shown not to increase flood hazards or displace floodwaters onto adjoining lands. This should be demonstrated to Council's satisfaction in any DA for the park site.</p> <p>III. The proposed kiosk amenities facility, half basketball court and play area are not approved by this Consent. Such may be the subject of a DA for the park but would be assessed on their merits at that time, particularly in terms of flood risk safety management and encouragement of use of the high hazard flood area in the park. Council currently considers such an application would not be supported because of the significantly increased risk to public safety but acknowledges that such facilities would be of value to the local communities and will review the risk and liability issues associated with this on receipt of a DA proposal.</p> <p>IV. Additional car parking must not be provided in or immediately adjacent to the park.</p> <p>V. The Landscape Design for Site 3 must be responsive to the likelihood of flash flooding and be such as to prevent or minimise harm to the public as well as scour and transport of debris. The design must be able to resist fast-moving floodwaters and is likely to include grass or other approved ground cover, shrubs and trees, appropriate park furniture, lighting and pathways. Council considers the use of planting acceptable in this floodway</p>	<p>Noted. A separate application and updated Landscape package will be provided as part of a future DA for Site 3.</p> <p>Commitment to deliver and dedicate a fully embellished open space public park on Site 3 has been established under the New Planning Agreement referred to above.</p>

subject to appropriate species selection and Council's approval of the detailed landscape design.

(2) Rainwater, Stormwater and Water Sensitive Urban Design

- a) The rainwater, stormwater, water sensitive urban design and landscape treatments shown in this Concept Development Application are not approved for construction and Council will require these to be developed further to support the DAs for individual sites. Council will require the Development Applications for each of the individual sites of this development to be supported by Site Stormwater Management Plans and detailed designs that integrate rainwater capture, stormwater management, landscape and urban design requirements.

Rainwater, stormwater and WSUD treatments are **addressed under DA/738/2016.**

- b) All Development Applications for the individual site buildings and surrounds must include a Site Stormwater Management Plan detailing rainwater and stormwater management for each development and addressing a range of water management matters including assessment of additional wind-driven rainfall on vertical building surfaces, managing local flooding from rain/stormwater and use of extended detention or on-site retention to assist this, use of captured rainwater by occupants as a mains water substitute, water sensitive urban design, stormwater quality and pollution control, infiltration and bioretention on site, and interaction of water and landscape.

Stormwater management requirements **addressed under DA/738/2016.**

- c) The Site Stormwater Management Plans (SSMP) must incorporate water sensitive urban design measures, and must:
- i. Identify the potential impacts associated with stormwater run-off for the proposed development and provide a range of appropriate measures for water quantity, water quality and water efficiency and re-use; and
 - ii. Be developed in accordance with Council's current Design and Development Guidelines; and

Stormwater management requirements **addressed under DA/738/2016.**

- iii. Achieve pollution reduction targets identified in the following table; and Utilise the MUSIC modelling tool (or equivalent) to determine pollution load reduction as defined in the following table of 'Stormwater Treatment Targets for Development', where reductions in loads are relative to the pollution generation from the same development without treatment.

Stormwater Treatment Targets for Development

Pollutant	Performance Target reduction loads
Gross Pollutants	90% reduction in the post development mean annual load of total gross pollutant load (greater than 5mm)
Total Suspended Solids	85% reduction in the post development mean annual load of Total Suspended Solids (TSS)
Total Phosphorus	60% reduction in the post development mean annual load of Total Phosphorus (TP)
Total Nitrogen	45% reduction in the post development mean annual load of Total Nitrogen (TN)
Hydrocarbons, motor oils, oil and grease	No visible oils for flows up to 50% of the one-year ARI peak flow specific for service stations, depots, vehicle body repair workshops, vehicle repair stations, vehicle sales or hire premises, car parks associated with retail premises, places of public worship, tourist and visitor accommodation, registered clubs and pubs

d) All Development Applications for the individual site buildings and surrounds must incorporate rainwater harvesting and use as an alternate water supply to achieve the following targets:

- i. Rainwater tanks or other alternative water sources are to be installed to meet 80% of toilet and laundry demands.
- ii. Connection to recycled water (serviced by dual reticulation) is required for permitted non-potable uses such as toilet flushing, laundry, irrigation, car washing, fire fighting, industrial processes and cooling towers.
- iii. Water use within open spaces is to be minimised by improved soils, passive irrigation and integration of vegetated stormwater treatment systems into open spaces.
- iv. Irrigation, water features and other open space features are to be supplied from alternative sources (e.g. rainwater, greywater, or wastewater) to meet 80% of demand.
- v. Plumbing fixtures are to meet minimum Water Efficiency Labelling and Standards (WELS) Scheme Standards including 3-star rated showerheads, 4-star rated toilet cisterns, 5-star rated urinals and 6-star rated water tap outlets. Appliances (dishwashers, clothes washers etc.) are to be 3-star (WELS Scheme) or better rated with respect to water use efficiency.

Rainwater harvesting and alternative water supply is **addressed under DA/738/2016.**

e) Council notes that the concept DA submission has satisfactorily demonstrated that on-site detention of stormwater will not benefit downstream flooding and may increase it. Therefore, in accordance with Council's adopted Stormwater Disposal Policy (July 2015), on-site detention is not required for this development.

Stormwater management requirements **addressed under DA/738/2016.**

Council will require demonstration, with the development applications for each individual site, that all intercepted rainwater up to the 1% AEP rainfall event (100 ARI) shall not worsen adverse

flood impacts in the immediate vicinity of the development or in the Clay Cliff Creek trunk drainage system compared to the pre-development condition.

JQZ SEVENTEEN PTY LIMITED

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09/01/26

Chair, Abigail Goldberg
Sydney City Central Planning Panel c/o Planning Panels Secretariat
NSW Department of Planning, Housing and Infrastructure
Locked Bag 5022, Sydney NSW, 2150

CC: Kate Lafferty, Executive Planner, City of Parramatta Council

To whom it may concern,

Owner's Consent for Surrender of DA/706/2014 at 63 and 83 Church Street, Parramatta

For the avoidance of doubt, the owner expressly consents to the surrender of Development Consent DA/706/2014 in accordance with the Environmental Planning and Assessment Regulations 2021, and authorises Urbis Ltd to prepare, lodge, and deal with any applications and associated documentation required to effect that surrender.

This consent extends to the preparation, submission, and execution of all supporting and associated documentation required in connection with the above matters in respect of the land described.

Yours sincerely,



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Signature

Jianqiu Zhang

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Name

Director (sole) & Secretary

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Position