



## REZONING REVIEW RECORD OF DECISION

STRATEGIC PLANNING PANEL of the  
SYDNEY CENTRAL CITY PLANNING PANEL

DATE OF DETERMINATION	25 November 2024
DATE OF DECISION	21 November 2024
PANEL MEMBERS	Stephen Murray (Acting Chair), Juliet Grant and Stacey Miers
APOLOGIES	None
DECLARATIONS OF INTEREST	Abigail Goldberg declared a conflict of interest given her involvement in the Parramatta North Cultural Precinct Infrastructure Project, with the former Parramatta Female Factory falling within the precinct.

### REZONING REVIEW

#### RR-2024-24 – Parramatta LGA – PP-2022-4283

31 O'Connell Street and 9 Albert Street, North Parramatta (As described in Schedule 1).

#### Reason for Review:

- ☐ The council has notified the proponent that the request to prepare a planning proposal has not been supported.
- ☒ The council has failed to indicate its support 115 days after the proponent submitted a request to prepare a planning proposal.
- ☐ The council has not submitted the planning proposal for a Gateway determination within 28 days of indicating its support for the proposal.

### PANEL CONSIDERATION AND DECISION

The Panel considered the material listed at item 4 and the matters raised and/or observed at briefings and site inspections listed at item 5 in Schedule 1.

Based on this review, the Panel recommends that the proposed instrument:

- ☒ **should** be submitted for a Gateway determination because the proposal has demonstrated strategic and subject to changes site specific merit
- ☐ **should not** be submitted for a Gateway determination because the proposal has:
  - ☐ not demonstrated strategic merit
  - ☐ demonstrated strategic merit but not site specific merit

The decision was unanimous.

### REASONS FOR THE DECISION

The Panel considered the documentation, was briefed by the Department of Planning, Housing and Infrastructure, and heard from City of Parramatta Council and the proponent, Think Planners and their consultants.

#### Strategic Merit

The Panel agreed that the planning proposal had Strategic Merit given that:

- The planning proposal is consistent with applicable strategic planning documents, particularly as they relate to the general objectives for housing. These include the Greater Sydney Region Plan 2018, Central City District Plan 2018, Parramatta Local Strategic Planning Statement 2020 (LSPS),

#### Planning Panels Team

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Parramatta North Urban Transformation Study (PNUTS), relevant State Environmental Planning Policies (SEPPs) and relevant Section 9.1 Ministerial Directions.

- Delivering housing supply is a priority issue for Sydney for all levels of Government.
- The provision of additional housing in this location, being close to public transport and essential infrastructure, has strategic merit.

### **Site Specific Merit**

The Panel agreed that the planning proposal can achieve Site Specific Merit subject to revisions addressing site constraints noting that:

- The site is unconstrained with respect to the natural environment
- With respect to the built environment, the proposal has demonstrated that the planning proposal would have no unacceptable impacts on surrounding built environment, heritage items or heritage precincts. The Panel notes Council's heritage assessment and concurs, generally that:
  - The proposed built form is consistent with the established and future character of the surrounding area;
  - The proposal will result in no unacceptable overshadowing of the Female Factory and Institutions Precinct;
  - If developed to the extent that the current planning controls allow (up to 66m), the property adjoining the site's western boundary would provide screening to the proposed development; and
  - the Planning Proposal is unlikely to have any material impact on the heritage values of the Female Factory Precinct or jeopardise its potential to achieve UNESCO World Heritage status.
- The site is well located, in proximity to transport, infrastructure, employment and recreation

### **Panel recommendations**

The Panel recommends that prior to submitting the Planning Proposal for a Gateway determination, the Planning Proposal is to be revised to address the following:

- inclusion of variable height limits as recommended by the Parramatta Local Planning Panel on 21 May 2024. In doing so, the proponent is to consider an appropriate height limit for the through site link which would allow permissibility of public facilities, public art and/or awnings.
- provision of a revised Statement of Heritage Impact be prepared that addresses the above revision to the Planning Proposal and addresses the comments of Heritage NSW in their submission dated 17 October 2024.
- inclusion of a site-specific clause which requires the preparation of a site-specific Development Control Plan (DCP).

The Panel further recommends that:

- affordable housing is delivered at the site in accordance with Parramatta City Council's Affordable Rental Housing Policy 2024.
- the Gateway determination conditions include consultation during public exhibition with the Australian Government's Department of Climate Change, Energy, the Environment and Water and Heritage NSW.
- the site specific DCP and any Voluntary Planning Agreement be exhibited concurrently with the Planning Proposal.

The Panel requires confirmation from the proponent that they agree to:

- a) revise the planning proposal to be consistent with the Panel's recommendations; and
- b) subsequently provide a revised planning proposal to address the Panel's concerns.

The proponent has up to two weeks from the date of this determination to confirm whether they agree to revise their planning proposal to be consistent with the Panel's recommendations. Should the proponent not agree to revise their proposal, then the Panel will reconvene to determine that the

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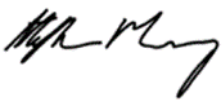

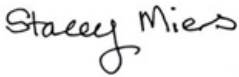
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planning proposal does not have site specific merit and will not be submitted for a Gateway determination.

Should the proponent agree to revise their planning proposal to address the Panel's concerns, then the proponent has up to a further three months to provide the revised planning proposal, including supporting reports and studies to the Panel. The Panel will consider the revised planning proposal prior to its submission for Gateway.

City of Parramatta Council has been given the opportunity to accept the role of Planning Proposal Authority (PPA) for this planning proposal, however Council has declined the invitation to accept PPA role. In accordance with Section 3.32(1) of the *Environmental Planning and Assessment Act 1979*, the Planning Panel as delegate of the Minister for Planning has determined to appoint itself as the PPA for this planning proposal.

Should the proponent fail to pay the PPA fee by the designated date, then the Panel will no longer proceed with the planning proposal and the making of a local environmental plan amendment.

PANEL MEMBERS	
 Stephen Murray (Chair)	 Juliet Grant
 Stacey Miers	

SCHEDULE 1		
1	PANEL REF – LGA – DEPARTMENT REF - ADDRESS	RR-2024-24 – Parramatta LGA – PP-2022-4283 – at 31 O’Connell Street and 9 Albert Street, North Parramatta
2	LEP TO BE AMENDED	Parramatta Local Environmental Plan (LEP) 2023
3	PROPOSED INSTRUMENT	<p>The proposal seeks to:</p> <ul style="list-style-type: none"> <li>Amend the maximum height of buildings map to permit 78m</li> <li>Amend the maximum floor space ratio map to permit 3.9:1</li> </ul>
4	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> <li>Rezoning review request documentation</li> <li>Submission from the Australian Government’s Department of Climate Change, Energy, the Environment and Water and Heritage NSW, 10 October 2024</li> <li>Submission from Heritage NSW, 17 October 2024</li> <li>Department of Planning, Housing and Infrastructure, Rezoning Review Briefing Report, 12 November 2024</li> <li>Slide presentations from DPHI, City of Parramatta Council and the proponent (Think Planners and their consultants)</li> </ul>
5	SITE INSPECTIONS AND BRIEFINGS BY THE PANEL	<ul style="list-style-type: none"> <li> <b>Site inspection with Department of Planning, Housing and Infrastructure (DPHI): 10:00am – 10:43pm, 21 November 2024</b> <ul style="list-style-type: none"> <li>Panel members in attendance: Stephen Murray (Chair), Juliet Grant and Stacey Miers</li> <li>DPHI staff in attendance: Alex Galea, Shruthi Sriram, Kate McKinnon and Adam Williams</li> <li>Key issues discussed: <ul style="list-style-type: none"> <li>Solar access impacts</li> <li>Local heritage items</li> <li>Affordable housing and VPA</li> <li>Strategic plans that affect the site</li> <li>Traffic and public transport infrastructure</li> <li>Height map changes</li> </ul> </li> </ul> </li> <li> <b>Briefing with Department of Planning, Housing and Infrastructure (DPHI): 12:30pm – 12:53pm, 21 November 2024</b> <ul style="list-style-type: none"> <li>Panel members in attendance: Stephen Murray (Chair), Juliet Grant and Stacey Miers</li> <li>DPHI staff in attendance: Louise McMahon, Alex Galea, Pat Connor, Shruthi Sriram, Peter Pham, Kate McKinnon, Taylah Fenning and Adam Williams</li> <li>Key issues discussed: <ul style="list-style-type: none"> <li>Process timeline, site and summary of proposal</li> <li>Heritage significance, listings, statutory controls and merit-based assessment of impact</li> <li>Summary of Council and Proponent positions on strategic and site-specific merit</li> </ul> </li> </ul> </li> </ul>

	<ul style="list-style-type: none"> <li>• Summary of community and elected representatives concerns, interests and feedback</li> <li>• Proposed affordable housing and options for ensuring delivery</li> </ul> <ul style="list-style-type: none"> <li>• <b>Briefing with City of Parramatta Council Municipal Council: 1:13pm – 1:46pm, 21 November 2024</b> <ul style="list-style-type: none"> <li>○ Panel members in attendance: Stephen Murray (Chair), Juliet Grant and Stacey Miers</li> <li>○ DPHI staff in attendance: Louise McMahon, Alex Galea, Pat Connor, Shruthi Sriram, Peter Pham, Kate McKinnon, Taylah Fenning and Adam Williams</li> <li>○ Council representatives in attendance: Carmel O'Connor, Mark Dillon, Michael Rogers, Kelly Van der Zanden, Liz Lester and Amberley Moore</li> <li>○ Key issues discussed: <ul style="list-style-type: none"> <li>• Site and proposal chronology</li> <li>• Site context and proposal particulars</li> <li>• Proposed variations in heights across site and feasibility for future built form</li> <li>• Recommended site planning principles</li> <li>• Draft site-specific development control plan</li> <li>• Public benefit and infrastructure offer including affordable housing</li> </ul> </li> </ul> </li> <li>• <b>Briefing with Think Planners, Ceerose &amp; Consultants (Proponent): 2:10pm – 2:44pm, 21 November 2024</b> <ul style="list-style-type: none"> <li>○ Panel members in attendance: Stephen Murray (Chair), Juliet Grant and Stacey Miers</li> <li>○ DPHI staff in attendance: Louise McMahon, Alex Galea, Pat Connor, Shruthi Sriram, Peter Pham, Kate McKinnon, Taylah Fenning and Adam Williams</li> <li>○ Proponent representatives in attendance: Adam Byrnes, Nick Byrne, Andrew Doueihi, Edward Doueihi, Emily Jacobsson, Ben Creighton and Bernado Malouf</li> <li>○ Key issues discussed: <ul style="list-style-type: none"> <li>• Site and proposal chronology</li> <li>• Site context and proposal particulars</li> <li>• Proponents position regarding strategic and site-specific merit</li> <li>• Urban design principles</li> <li>• Relationship of site and proposal to the Female Factory heritage item and heritage precincts</li> <li>• Proposed variations in heights across site and feasibility for future built form</li> <li>• Proposed dedication of affordable housing units</li> <li>• Draft site-specific development control plan</li> </ul> </li> </ul> </li> <li>• <b>Panel Discussion: 2:45pm – 3:14pm, 21 November 2024</b></li> </ul>
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		<ul style="list-style-type: none"><li>○ Panel members in attendance: Stephen Murray (Chair), Juliet Grant and Stacey Miers</li><li>○ DPHI staff in attendance: Louise McMahon, Alex Galea, Pat Connor, Shruthi Sriram, Peter Pham, Kate McKinnon, Taylah Fenning and Adam Williams</li></ul>
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