



**REZONING REVIEW  
RECORD OF DECISION**

STRATEGIC PLANNING PANEL of the  
SYDNEY CENTRAL CITY PLANNING PANEL

<b>DATE OF DETERMINATION</b>	3 May 2024
<b>DATE OF DECISION</b>	11 April 2024
<b>PANEL MEMBERS</b>	Abigail Goldberg (Chair), Cinnamon Dunsford, Dan Siviero and Georgina Valjak
<b>APOLOGIES</b>	None
<b>DECLARATIONS OF INTEREST</b>	Councilors Sameer Pandey and Michelle Garrard voted at the Council meeting of 9 June 2020 to defer progressing the planning proposal and are unable to sit on the Panel due to this being a conflict of interest. During the DPHI briefing Stephen Murray excused himself from the Panel when he became aware that on 28 September 2017 he had signed the Gateway determination for the 23, 25 & 27 Harold Street Parramatta Planning Proposal.

**REZONING REVIEW**

**RR-2023-37 – City of Parramatta LGA – PP-2022-3132**

23-27 Harold Street and 53 Sorrell Street, 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 site inspections and briefings 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 (Department), and heard extensively from City of Parramatta (Council) and the proponent, Think Planners.

**Planning Panels Team**

4PSQ 12 Darcy Street, Parramatta NSW 2150 | Locked Bag 5022, Parramatta NSW 2124 | T 02 8217 2060 | strategicpanels@dpie.nsw.gov.au

## 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 Regional Plan (2018), Central City District Plan (2018), Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan, Parramatta Local Environmental Plan (2023), Parramatta 2036: Local Strategic Planning Statement, and Parramatta Local Housing Strategy (2020).
- The City of Parramatta has undertaken strategic planning for the North East Planning Investigation Area (NEPIA) Strategy, which includes the site, to provide additional housing capacity whilst maintaining character, identity and heritage values. The draft Strategy proposes a Floor Space Ratio (FSR) and maximum Height of Building (HOB) for the site lower than what is included in the planning proposal. The Council officer report on the draft Strategy to the Parramatta Local Planning Panel was published on Council's website on 11 April 2024.
- The proponent advised at the briefing meeting that they are prepared to adopt the draft NEPIA Strategy FSR and HOB site controls and to revise the planning proposal accordingly.
- Delivering housing supply is a priority issue for Sydney for all levels of Government.
- The provision of additional housing in this location has strategic merit.

## Site Specific Merit

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

- The land at 23-27 Harold Street is zoned R4 High Density Residential however the existing development controls have not resulted in redevelopment for significantly higher densities.
- The draft NEPIA Strategy proposes a Floor Space Ratio (FSR) of 3.6:1 and maximum Height of Building (HOB) 40m (12 storeys) for the site. It seeks a stepped building height from Church Street to Sorrell Street to achieve a transition and setback to the Sorrell Street Heritage Conservation Area.
- The site is serviced by bus stops and within proximity of the future Parramatta Light Rail stop, Parramatta Railway Station and Parramatta Ferry making it accessible to services, facilities and jobs in Parramatta and the wider metropolitan area.

## 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:

- the removal of 53 Sorrell Street, Parramatta from the Planning Proposal;
- increase the maximum building height (HOB) from the existing 11m to 40m;
- increase the maximum floor space ratio (FSR) from the existing 0.8:1 to 3.6:1;
- no Design Excellence provision is to apply to the site; and
- update the Planning Proposal and supporting reports in accordance with the above points and the LEP Making Guidelines (August 2023) to reflect the Panel's decision.

The Panel also recommends that:

- the Proponent works with Council to produce a Site Specific DCP which considers the NEPIA Strategy's proposed setbacks including those addressing visual, heritage and landscaping issues; and
- the DCP, if practical, is to be placed on public exhibition alongside the planning proposal.

The Panel requires confirmation from the proponent, within two weeks from the date of this determination, 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

## Planning Panels Team





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reconvene to determine that the 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 two months to provide the revised planning proposal, including supporting reports and studies to the Panel.

The 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 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.

The proponent is to pay the PPA fee within two weeks of confirming they wish to revise their planning proposal to be consistent with the Panel's recommendations. 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	
 Abigail Goldberg (Chair)	 Cinnamon Dunsford
 Dan Siviero	 Georgina Valjak

SCHEDULE 1		
1	<b>PANEL REF – LGA – DEPARTMENT REF - ADDRESS</b>	RR-2023-37 – City of Parramatta LGA – PP-2022-3132 – at 23-27 Harold Street and 53 Sorrell Street, Parramatta
2	<b>LEP TO BE AMENDED</b>	Parramatta Local Environmental Plan (LEP) 2023
3	<b>PROPOSED INSTRUMENT</b>	The proposal seeks an amendment to the LEP for 23-27 Harold Street to: <ul style="list-style-type: none"> <li>• increase the maximum height of buildings from 11m to 60m; and</li> <li>• increase the maximum floor space ratio from 0.8:1 to 5:1.</li> </ul>
4	<b>MATERIAL CONSIDERED BY THE PANEL</b>	<ul style="list-style-type: none"> <li>• Rezoning review request documentation</li> <li>• Department of Planning, Housing and Infrastructure, Rezoning Review Briefing report, 27 March 2024</li> <li>• Slide presentations from DPHI, 11 April 2024; City of Parramatta, 10 April 2024; and architectus Think Planners, 11 April 2024</li> </ul>
5	<b>SITE INSPECTIONS AND BRIEFINGS BY THE PANEL</b>	<ul style="list-style-type: none"> <li>• <b>Site inspections</b> <ul style="list-style-type: none"> <li>○ were either held individually at the Panel members’ discretion or not held as sufficient background information was provided to all Panel members and some members had previously seen the site.</li> <li>○ Cinnamon Dunsford – 5 April 2024</li> <li>○ Georgina Valjak – 11 April 2024</li> </ul> </li> <li>• <b>Briefing with Department of Planning, Housing and Infrastructure (DPHI): 11:00am – 11:35am, 11 April 2024</b> <ul style="list-style-type: none"> <li>○ <b>Panel members in attendance:</b> Abigail Goldberg (Chair), Stephen Murray, Cinnamon Dunsford, Dan Siviero and Georgina Valjak</li> <li>○ <b>DPHI staff in attendance:</b> Jazmin Van Veen, Peter Pham, Carl Hastings, Alex Galea, Tim Coorey, Lisa Kennedy &amp; Taylah Fenning</li> <li>○ <b>Key issues discussed:</b> <ul style="list-style-type: none"> <li>• Site – context, location, historical use, heritage item, Sorrell Street Heritage Conservation Area</li> <li>• History of the planning proposal – previous planning proposals in the locality including the Church Street and 470 Church Street planning proposals</li> <li>• Proposed changes to LEP controls</li> <li>• North East Planning Investigation Area (NEPIA) Strategy - status and timeline</li> <li>• Site specific issues - urban design &amp; heritage; design excellence competition bonus; traffic &amp; transport assessment</li> </ul> </li> </ul> </li> <li>• <b>Briefing with City of Parramatta (Council): 11:45am – 12:26pm, 11 April 2024</b> <ul style="list-style-type: none"> <li>○ <b>Panel members in attendance:</b> Abigail Goldberg (Chair), Cinnamon Dunsford, Dan Siviero and Georgina Valjak</li> <li>○ <b>DPHI staff in attendance:</b> Jazmin Van Veen, Peter Pham, Carl Hastings, Alex Galea, Tim Coorey, Lisa Kennedy &amp; Taylah Fenning</li> <li>○ <b>Council representatives in attendance:</b> David Birds, Jessi Richards-Smith, Namoi L’Oste Brown, Jema Igal and Darren Ung</li> </ul> </li> </ul>

- Key issues discussed:
  - History of planning proposal and investigation areas
  - Inappropriateness of including 53 Sorrell Street in planning proposal – was previously removed by DPHI when the Gateway determination was issued; not owned by proponent; no proposed amalgamation with the Harold Street lots.
  - Design Excellence competition bonus – site is outside the bonus area mapped in the LEP; site does not benefit from bonuses.
  - North East Planning Investigation Area (NEPIA) – The Council officer report on the draft Strategy to the Parramatta Local Planning Panel was published on Council’s website on 11 April 2024.
  - NEPIA seeking a stepped building height from Church Street to Sorrell Street to achieve a transition and setback to Heritage Conservation Area (HCA) on Sorrell Street.
  - NEPIA – proposing FSR 3.6:1 and HOB 40m (12 storey). Planning proposal seeking FSR 5:1 and HOB 60m (18 storey).
  - Affordable housing – proponent offering two affordable housing units; planning proposal has not been supported by a social impact assessment.
  
- **Briefing with Think Planners (Proponent): 12:30pm – 1:07pm, 11 April 2024**
  - **Panel members in attendance:** Abigail Goldberg (Chair), Cinnamon Dunsford, Dan Siviero and Georgina Valjak
  - **DPHI staff in attendance:** Jazmin Van Veen, Peter Pham, Carl Hastings, Alex Galea, Tim Coorey, Lisa Kennedy & Taylah Fenning
  - **Proponent representatives in attendance:** Adam Byrnes, Allen Linz, Craig Chung, Kuan Choi, Joseph Abboud, Jaron Hoffenberg, Emily Jacobsson and Ben Creighton
  - Key issues discussed:
    - Inclusion of 53 Sorrell Street in planning proposal – not seeking to include in FSR calculations; heritage benefits.
    - NEPIA – proponent accepting of Council’s proposed FSR 3.6:1 and HOB 40m (12 storey).
    - Proponent would like the planning proposal to proceed at the same time as Council’s NEPIA and any subsequent planning proposal.
    - Site Specific DCP – proponent willing to prepare.
  
  - **Panel Discussion: 1:45pm – 2:30pm, 11 April 2024**
    - **Panel members in attendance:** Abigail Goldberg (Chair), Cinnamon Dunsford, Dan Siviero and Georgina Valjak
    - **DPHI staff in attendance:** Jazmin Van Veen, Peter Pham, Carl Hastings, Alex Galea, Tim Coorey, Lisa Kennedy & Taylah Fenning