

Attachment 6 – Supplementary Material

The information in this Attachment 6 is referenced in the Council Report

- 6.1 – Summary of the exhibited planning controls
- 6.2 - Northern development site: Comparison of Key Planning Controls for the Northern development site
- 6.3 – Post exhibition amendments to the Site Specific DCP
- 6.4 – Gateway compliance issues
- 6.5 – Northern development site: with and without encroachment of the tower above the podium in the Parramatta Square Solar Access Plane (PSQ SAP) under the two options (Option A Parish Hall removed, and Option B parish hall partly retained)

6.1 – Summary of the exhibited planning controls

| Planning Proposal |
|--|
| <p>Changes planning controls as follows:</p> <ol style="list-style-type: none"> Rezoning the land from part B4 (Mixed Use) and part SP1 (Special Activities – Place of Public Worship) to part B3 (Commercial Core), part B4 (Mixed Use) and part SP1 (Special Activities – Place of Public Worship) (refer Figure 1) Amending FSR controls to allow a mapped FSR of 10:1 on both the northern development site (B3 land shown in Figure 1) and southern development site (B4 land shown in Figure 1) sites. Allowing unlimited commercial development on the northern tower site Applying relevant FSR sliding-scale provisions which would limit the effective FSR on the southern development site Amending Height controls to allow a mapped height of part 211m (northern and southern tower sites), 12m (along Centenary Square frontage of northern tower site), and no building height (portion containing Cathedral) Applying relevant Airspace Operations controls Identifying land at 41, 43 and 45 Hunter St in the Land Reservation Acquisition Map to facilitate the creation of a 6 metre wide laneway which will provide future vehicle access to these sites and 181 Church Street. Allowing car parking as a permissible use on a small portion of the land zoned SP1 Applying solar access requirements consistent with Parramatta Square, as endorsed by Council as part of the Parramatta CBD Planning Proposal on 12 June 2021 Applying maximum car parking rates consistent with Council's policy position of 12 June 2021 Applying an additional site-specific clause requiring a DCP to be prepared that provides for the critical matters to be satisfied including the outcome for the Parish Hall |
| Development Control Plan |
| <p>Outlines the preferred planning pathway (Stage 1 Concept DA followed by Design Competition and detailed DA) a staged Development Application and sets development controls for:</p> <ol style="list-style-type: none"> Heritage conservation (including options to cover scenarios in which the Parish Hall is and is not retained), The form of the buildings and public domain, Vehicle access, parking and servicing, Management of flood and rainwater risks; and environmental sustainability. |
| Planning Agreement |
| <p>Contains the following public benefits which would only be triggered if the Hall was to be approved for demolition at the Development Application stage:</p> <ol style="list-style-type: none"> Licence in perpetuity for public access to the open space surrounding the Cathedral subject to the St Johns Church maintaining the right to limit some uses on this land. Stratum dedication of land to enable laneway between 181 Church Street site and Marsden Street. Agreement to allow temporary vehicle access for 181 Church Street site to access Hunter Street for 10 years or until the new laneway described in part ii above is available (subject to the agreement of 181 Church Street). Embellishment of the following land to create a civic space: <ul style="list-style-type: none"> Church land between the Cathedral building and Hunter Street Portion of road in front of 45 Hunter Street to be closed and included in the civic space but remain in Council ownership Church to bear the maintenance and liability for the civic space site (including the Council owned portion) in perpetuity. Compensation of \$1.1 million for the reduction in public benefit lost due to the driveway arrangements restricting the size of the civic space and eliminating the previously proposed laneway. Compensation of \$3.5 million to recognise Council's risk from not having the public access recognised on the land title and accepting limitations outlined in the Church's Social Covenant and related to the Church's operational use of the land. |

6.2 - Northern development site: Comparison of Key Planning Controls

| | EXISTING CONTROLS: Parramatta LEP 2011 (as modified by the finalised CBD PP) <i>*These clauses came into effect on 14 October 2022 via Amendment No. 56 to PLEP 2011</i> | PROPOSED CONTROLS: Site-specific Planning Proposal (as exhibited) for the Northern development site | COMPARISON OF CONTROLS: Controls in Parramatta LEP 2011 that apply to other B3 sites in the CBD as a result of the CBD PP & the First CBD SEPP <i>*These clauses came into effect on 14 October 2022 via Amendment No. 56 to PLEP 2011 and SEPP Amendment (Parramatta CBD) 2022.</i> |
|---|--|---|--|
| Zoning | Part B4 (Mixed Use) Part SP1 Place of Public Worship | Part B3 (Commercial Core) Part SP1 Place of Public Worship | B3 (Commercial Core) |
| Height | For the B4 land, part 12m, part 18m, part 24m, For the SP1 land, no building height | For the B3 land, 211m (northern tower site) and 12m (along Centenary Square frontage of the northern tower site) For the SP1 land, no building height (portion containing the Cathedral) | Generally 211m, with some nuances based on site-specific considerations |
| FSR | For the B4 land, 3:1 For the SP1 land, no FSR control | For the B3 land, 10:1 FSR (plus 15% Design Excellence bonus) For the SP1 land, no FSR control | 10:1 FSR (plus 15% Design Excellence bonus) |
| Heritage status Church Hall | Listed | Listed | Listed |
| Additional clauses related to CBD PP | <ul style="list-style-type: none"> • Parking Rates • Solar Access Provisions relating to Parramatta Square • Airspace operations • FSR sliding-scale | <ul style="list-style-type: none"> • Parking Rates • Solar Access Provisions relating to Parramatta Square • Airspace operations • FSR sliding-scale • Unlimited Commercial Floor Space (see further discussion) | <ul style="list-style-type: none"> • Parking Rates • Solar Access Provisions relating to Parramatta Square • Airspace operations • FSR sliding-scale • Unlimited Commercial Floor Space (see further discussion) |
| Additional site-specific clauses | n/a | <ul style="list-style-type: none"> • LRA notation at rear of 41-45 Hunter St • Allow car parking on small portion of SP1-zoned land • Preparation of a DCP prior to development consent being granted to address matters related to the heritage listed St John's Hall | n/a |

6.3 – Summary of the recommended Changes to the DCP (post-exhibition)

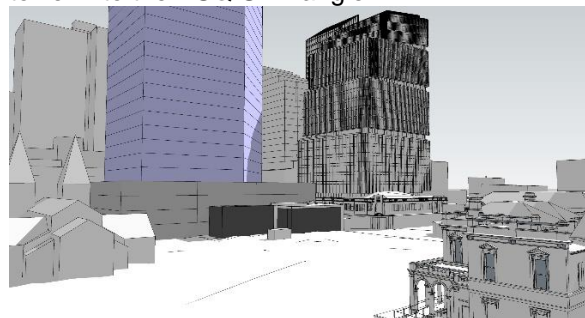
| Change | Reasoning |
|---|--|
| Amend the DCP as detailed in this report in TABLE 4: Key Issues Raised in State Agency Submissions and Council Officer Response | In response to issues raised by DPE's Environment and Heritage Group; TfNSW; and Heritage NSW. |
| Amend the DCP as detailed in this report in TABLE 5: Key Issues Raised in Organisation Submissions and Council Officer Response. | In response to an issue raised by AILA |
| Include a new objective O.11 and a new control (C.8) under the heading 'Built Form' in both Option A and Option B, and amend the associated figure to require no development above the podium to encroach the PSQ SAP angle for the north-east corner of the Northern development site to reduce the mass and presence on the civic spaces and open up views across the podium to the street and sky. | In response to an issue raised by DPE in the study results for the Second CBD SEPP. |
| Update the DCP to correct consequential changes and housekeeping amendments as a result of Amendment 56 coming into force and other administrative changes to the CBD DCP as part of its finalisation. | In response to issues identified by Council officers. |
| Amend diagrams in the DCP to reflect the intent of the exhibited DCP controls where inconsistencies have been identified. This includes for Option A and B the Public domain setout plan, and the Built Form setout plan. | In response to issues identified by Council officers. |
| Amend the figures for option A and Option B in the section titled 'Options for Development and Planning Pathway' to amend the label to say 'Building Sites' instead of 'Maximum extent of new buildings' to align with the other figures. | In response to issues identified by Council officers. |
| Amend explanatory text in the DCP under the heading 'Options for Development and Planning Pathway' to require an 'Updated Reference Design' to be submitted with the Stage 1 DA. | In response to an issue identified by Council officers. |
| Amend explanatory text in the DCP under the heading 'Options for Development and Planning Pathway' to correct an error. <i>"Where a Stage 1 Development Application determined that the St Johns Parish Hall should be removed and replaced partially retained, the DCP controls for "Option A - St Johns Parish Hall removed and replaced" and the controls for "OPTION A and B – St Johns Parish Hall partially retained or removed and replaced" would be used to assess a Stage 2 Development Application. Conversely, where a Stage 1 Development Application determined that St Johns Parish Hall should be partially retained removed and replaced, the DCP controls for "Option B - St Johns Parish Hall partially retained" and the controls for "OPTION A and B – St Johns Parish Hall partially retained or removed and replaced" would be used to assess a Stage 2 Development Application".</i> | In response to an issue identified by Council officers. |
| Amend control C.3 under the heading 'Built Form' in both Option A and Option B to clarify the western tower setback for the northern development site is 6 metres (not 9 metres) from the podium edge.. | In response to an issue identified by Council officers. |

6.4 – Minor Gateway compliance issues identified post-exhibition

| Requirement | Issue | Council Officer Consideration |
|---|--|---|
| <p>Gateway requirement 1(e): Prior to public exhibition, Council is to amend the planning proposal and supporting documentation as follows...updated to address the direction regarding Remediation of Contaminated Land.</p> <p>NB: Direction 4.4, issued by the Minister of Planning under Section 9.1(2) of the EP&A Act 1979 and the Remediation of Land State Environmental Planning Policy (SEPP), requires Council to consider contamination issues when rezoning land</p> | <p>The Planning Proposal and supporting documentation was not amended to address this Direction.</p> | <p>There are no aspects of the natural or built environment that require a preliminary site investigation report to be submitted because of consideration of this Planning Proposal.</p> <p>The potential variations to development standards that may arise because of this planning proposal will, through the proposed regime of design excellence, as well as the general provisions of the assessment process, ensure that environmental effects of development are appropriately managed and mitigated.</p> <p>Further, the planning proposal does not contain provisions that contradict or would hinder the application of SEPP No 55 Remediation of Land.</p> <p><u>Steps to address:</u></p> <ol style="list-style-type: none"> 1. Amend the PP to address the matter prior to sending to the DPE for finalisation consistent with any resolution of Council. 2. Advise the DPE to consider this matter in their plan-making. |
| <p>Gateway requirement 3 (in part): <i>Council should raise the possibility of State infrastructure needs generated by the proposal when consulting State Agencies and forward their comments to the Department upon receipt.</i></p> | <p>State infrastructure needs were not specifically raised in the consultation letter to State Agencies.</p> | <p>State Agencies were consulted on the Planning Scheme at the start of the exhibition, with links to documentation included. The submissions received from State Agencies were forwarded to DPE for their consideration as the plan-making authority for the Planning Proposal.</p> <p>It should also be noted that this has been superseded by a clause which has been inserted in the Parramatta LEP via CBD PP Amendment 56) which requires a contribution to State government infrastructure which renders this consultation unnecessary.</p> <p><u>Steps to address:</u></p> <ol style="list-style-type: none"> 1. Advise the DPE to consider this matter in their plan-making. |

6.5 – The Northern development site: with and without encroachment of the tower above the podium in the Parramatta Square Solar Access Plane (PSQ SAP) under the two options (Option A Parish Hall removed, and Option B parish hall partly retained)

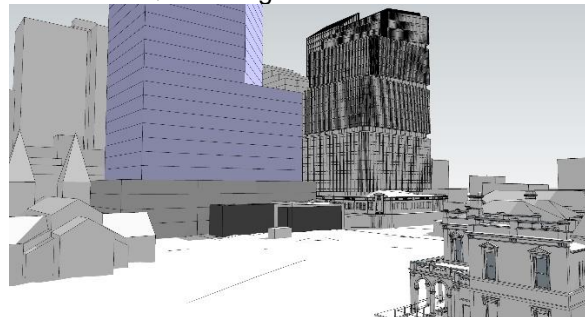
Northern development site – Option A (Parish Hall removed) – **with no** encroachment of the tower into the PSQ SAP angle



Northern development site – Option B (Parish Hall partly retained) – **with no** encroachment of the tower into the PSQ SAP angle



Northern development site – Option A (Parish Hall removed) – **with** encroachment of the tower into the PSQ SAP angle



Northern development site – Option B (Parish Hall partly retained) – **with** encroachment of the tower into the PSQ SAP angle

