

PLANNING PROPOSAL

HOUSEKEEPING AMENDMENT TO PARRAMATTA LOCAL ENVIRONMENTAL PLAN 2011

Prepared by Parramatta City Council - May 2013

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PART 1 – Objectives or intended outcomes

This planning proposal seeks to amend the Parramatta Local Environmental Plan 2011, to:

Correct anomalies and discrepancies

The proposed corrections address anomalies which were created in error during the preparation of the LEP. An example is Item No.10 (Places of Public Worship), where existing Places of Public Worship in the R2 Low Density Residential zone (which prohibits Places of Public Worship) were overlooked and were not zoned SP1 (Place of Public Worship) when the LEP was made.

Update provisions in accordance with related legislative changes

Amendments are sought in accordance with related legislative changes. One particular example relates to Item No.14 (Clause 5.1 Relevant Acquisition Authority), where the table in Clause 5.1(2) is to be amended to change the name of the 'Authority of the State' from 'Roads and Traffic Authority' to 'Roads and Maritime Services' in accordance with an amendment to the Standard Instrument (Local Environmental Plans) Order 2006.

Clarify dual occupancy development provisions

It is proposed to amend the provisions relating to dual occupancy developments (Item No.1) so as to better articulate and clearly express Council policy, being that detached dual occupancies are permitted only on sites with two street frontages or where there is a heritage item, and for all other sites only attached dual occupancies are permitted. Furthermore, it is proposed to clearly illustrate the parts of the local government area where dual occupancy developments are not permitted.

PART 2 – Explanation of provisions

The table below provides an explanation of the changes sought in this planning proposal to the Parramatta LEP 2011. Attachment 1 provides a further explanation of each item.

Item No.	Description	Proposed Change
1	Clarification of Dual Occupancy Development Provisions	- Introduce a 'Local Provisions for dual occupancy developments' map which clearly identifies the parts of the Parramatta LGA where dual occupancy developments are not permitted. Base the areas on this map on the current 'Minimum Lot Size for Dual Occupancy Development Map' being the areas requiring a 5,000sqm minimum lot size. - Delete the 'Minimum Lot Size for Dual Occupancy Development Map' from the LEP. - Replace Clause 4.1A (Minimum lot sizes for dual occupancies) with a new clause that specifies the following: a. Require compliance with the 'Local Provisions for dual occupancy developments' map, which maps areas where dual occupancy developments are not permitted. b. Provide provisions specifying that detached dual occupancies are permitted only on sites with two street frontages or where there is a heritage item. For all other sites only attached dual occupancies are permitted. In all cases the minimum lot size for dual occupancies of

		600sqm must be complied with.
2	Anglican School 19 Gibbons Street, OATLANDS	- Rezone from SP1 Educational Establishment/Place of Public Worship to R2 Low Density Residential. - Apply a minimum lot size of 550sqm to the site. - Apply a minimum lot size for dual occupancies of 600sqm to the site.
3	Shops at Coleman Avenue, Carlingford 312, 312A, 312B, 314, 318, 320, 322-324 Pennant Hills Road, CARLINGFORD	Increase the maximum permitted Floor Space Ratio (FSR) at the subject properties from 1.5:1 to 2:1.
4	Clause 5.3 Development Near Zone Boundaries	Clause 5.2(2) is proposed to be amended to read as follows: <i>(2) This clause applies to so much of any land that is within the relevant distance of a boundary between any 2 zones. The relevant distance is 1m from any zone boundary.</i>
5	Clause 6.1 Acid Sulfate Soils	- Clause 6.1(6) is proposed to be amended to read as follows: <i>(6) Despite subclause (2), development consent is not required under this clause to carry out any works where both of the following criteria are met:</i> <i>(a) the works involve the disturbance of less than 1 tonne of soil, and</i> <i>(b) the works are not likely to lower the watertable.</i> - Clause 6.1(7) is proposed to be added to read as follows: <i>(7) Clause 10 of State Environmental Planning Policy No 4 – Development Without Consent and Miscellaneous Exempt and Complying Development does not apply to development that requires development consent under this clause.</i>
6	110F Model Farms Road, WINSTON HILLS	Apply a maximum FSR of 0.5:1 to the property.
7	17A Adderton Road, TELOPEA	- Apply a minimum lot size of 550sqm. - Apply a minimum lot size for dual occupancy developments of 600sqm.
8	South Side of Parramatta River at CAMELLIA	The lands fronting the river foreshore in this locality are to be given a maximum building height of 9m.
9	Eastwood Brickyards, EASTWOOD (Heritage Item I52)	- Limit the heritage item only to 3 properties, being: a. Part Lot 1 DP 270605 (northern portion) b. Lot 5 DP 270605 (central portion) c. Part Lot 1 DP 270605 (southern portion) - This requires the removal of the heritage item layer from various lots in the surrounds.
10	Places of Public Worship	- The following properties containing existing Places of Public Worship in the R2 Low Density Residential zone are proposed to be rezoned to SP1 Place of Public Worship: A. 40 Kissing Point Road, Oatlands B. 161 Carlingford Road, Epping C. 154 Marsden Road, Dundas Valley D. 15A Cowells Lane, Ermington E. 10-12 Lawson Street, Ermington F. 6A Yarrabee Road, Winston Hills G. 271 Old Windsor Road, Old Toongabbie H. 10 Lamonerie Street, Toongabbie I. 8 Warra Street, Wentworthville J. 13, 15 and 17 Ferris Street, North Parramatta 59 Evans Road, Dundas Valley (referred to as Property K in Attachment 1) contains an existing Place of Public Worship and an Educational Establishment in an R2 Low Density Residential zone. This property is proposed to be rezoned to SP1 (Educational Establishment/Place of Public Worship).

11	290A Woodville Road, GUILDFORD	North-east corner portion of 290A Woodville Road, Guildford (Lot 71 DP128916): ▪ The portion containing an SP2 (Classified Road) zoning is proposed to be rezoned B6 Enterprise Corridor. ▪ The portion currently not containing an FSR control is to be given a maximum FSR of 1.5:1 ▪ The portion currently not containing a height control is to be given a maximum height of 12m. ▪ The portion identified on the Land Reservation Acquisition map as Classified Road (SP2) is proposed to be removed. Corner of Woodville Road and McArthur Street (south side), Guildford: ▪ Remove the portion identified on the Land Reservation Acquisition map as Classified Road (SP2).
12	Penelope Lucas Lane, Rosehill Roadway adjacent to 102-108 James Ruse Drive, ROSEHILL	▪ Remove the Local Road Widening on the Land Reservation Acquisition Map from the roadway of Penelope Lucas Lane, Rosehill.
13	29 Sorrell Street, PARRAMATTA	▪ The portion of the property zoned R3 Medium Density Residential is proposed to be rezoned R4 High Density Residential. ▪ The portion of the property containing a maximum FSR of 0.6:1 is to be amended to have an FSR of 0.8:1. ▪ On the Heritage Map, that part of the Conservation Area covering the property 29 Sorrell Street is to be deleted. As a result, the realigned boundary of the Conservation Area is to run along the boundary between the two properties no.29 and no.31 Sorrell Street.
14	Clause 5.1 Relevant Acquisition Authority	▪ The table in Clause 5.1(2) is to be amended to change the name of the 'Authority of the State' from 'Roads and Traffic Authority' to 'Roads and Maritime Services'.
15	Heritage Item I533 (Stone Wall) Between Rangihou Crescent and Morton Street, PARRAMATTA (adjacent to river bank)	▪ Include item I533 (Stone Wall) on Heritage Map.
16	12 York Street, OATLANDS (Heritage Item I454)	▪ Remove item I454 (Victorian Cottage) from Schedule 5 and Heritage Map.
17	9 Geoffrey Street, CONSTITUTION HILL	▪ Rezone the site from RE1 Public Recreation to R2 Low Density Residential. ▪ Apply a maximum building height of 9m to the site. ▪ Apply a maximum FSR of 0.5:1 to the site. ▪ Apply a minimum lot size of 550sqm to the site. ▪ Apply a minimum lot size for dual occupancy developments of 600sqm.
18	Part 13C and 13D Boronia Street, SOUTH GRANVILLE (Part Lot 2 DP 240925 and Lot 3 DP 240925)	▪ Rezone the property from R2 Low Density Residential to RE1 Public Recreation. ▪ Remove the maximum building height of 9m from the site. ▪ Remove the maximum FSR of 0.5:1 from the site. ▪ Remove the minimum lot size of 550sqm from the site. ▪ Remove the minimum lot size for dual occupancy developments of 600sqm from the site.
19	Garside Park, Onslow Street, GRANVILLE (32, 34, 36 Onslow Street - Lots 27, 29 and 30 Sec DP 1250)	▪ Rezone subject land from R2 Low Density Residential to RE1 Public Recreation. ▪ Remove the maximum building height of 9m from the subject land. ▪ Remove the maximum FSR of 0.5:1 from the subject land. ▪ Remove the minimum lot size of 550sqm from the subject land. ▪ Remove the minimum lot size for dual occupancy developments of 600sqm from the subject land.
20	168, 168A and 168B Pennant Street, NORTH	▪ Amend Schedule 5 and Heritage Map to limit item I391 (Cottage) to only 168 Pennant Street (Lot 11, DP 1156172) and remove it from 168A (Lot 12, DP

	PARRAMATTA (Heritage Item I391) Lot 11, 12 and 13 DP 1156172	1156172) and 168B (Lot 13, DP 156172).
21	Properties Fronting Windsor Road, WINSTON HILLS PART 178, PART 178A, PART 180, PART 182, PART 184, PART 186 AND PART 188 Windsor Road, WINSTON HILLS	Amend the label of the partial SP2 zoning of the subject properties from "Railway Corridor" to "Classified Road".
22	Toongabbie Convict Settlement Archaeological Site (Heritage Item A1) 62 Oakes Road (Toongabbie Creek near Oakes Road), Old Toongabbie and 113 Goliath Avenue, WINSTON HILLS	- Amend the Heritage Map to add the following properties to the existing mapped item so as to align with information obtained from NSW Environment and Heritage: - Lot 7016, DP 1031216 - Lot 7018, DP 1031217 - Lot 225 DP 234686 - Amend Schedule 5 (Part 3 Archaeological sites) to update the heritage listing from 'Local' to 'State' significance. - Amend Schedule 5 (Part 3 Archaeological sites) to change the listing number from 'A1' to 'A01903'. - Amend the Heritage Map to reflect the change in listing number. - Amend Schedule 5 (Part 3 Archaeological sites) to correct the name from Toongabbie Convict Settlement Archaeological Site' to 'Toongabbie Government Farm Archaeological Site' - Amend Schedule 5 (Part 3 Archaeological sites) to provide the correct Lot and DP property details as per the information obtained from NSW Environment and Heritage, being: - Lot 7016 DP 1031216 - Lot 7018 DP 1031217 - Lot 18 DP 230547 - Lots 222, 223 and 225, DP 234686 - Lots 2 and 3, DP 551352 - Part Lot 1 DP 780050.
23	1A Parramatta Road, CLYDE (Lot 42 DP 777665)	- Rezone property from IN1 General Industrial to W1 Natural Waterways. - Remove the maximum building height of 12m from the site. - Remove the maximum FSR of 1:1 from the site.
24	14 and 16 MacArthur Street, PARRAMATTA	- Increase maximum FSR from 1.1:1 to 1.7:1 - Increase maximum building height from 14m to 20m

PART 3 – Justification

A - Need for the planning proposal

1. Is the planning proposal a result of any strategic study or report?

There are no specific strategic studies or reports relating to the preparation of this planning proposal. The planning proposal does not generate any significant implications in terms of the findings and recommendations of major strategic planning studies. The undertaking of housekeeping amendments to the Parramatta LEP 2011 is primarily an administrative and mapping exercise.

The planning proposal is a result of:

- A review that was undertaken by Council of the Parramatta LEP 2011 to identify anomalies requiring correction, to update the LEP in accordance with related legislative changes and to clarify dual occupancy development provisions.
- Directions provided by the Department of Planning and Infrastructure with respect to applicable legislative changes and changes to the Standard Instrument that have resulted in the requirement to amend the Parramatta LEP 2011.

2. Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

Yes. The planning proposal is the best means of achieving the intended outcome.

All the matters covered by the planning proposal relate to statutory issues under Part 3 of the Environmental Planning and Assessment Act. In this regard, the planning proposal is the only mechanism for achieving the objectives or intended outcomes relating to the properties and provisions covered by the planning proposal.

B - Relationship to strategic planning framework

3. Is the planning proposal consistent with the objectives and actions of the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)?

The planning proposal is consistent with the *Metropolitan Plan for Sydney 2036* and the *West Central Subregion Strategy*. The amendments proposed are mostly administrative and will generally have a minor impact on these objectives and actions.

4. Is the planning proposal consistent with council's local strategy or other local strategic plan?

The planning proposal is consistent with *Parramatta Twenty 25 – A City for Everyone: Great Places and Spaces 2006*. The Parramatta Twenty25 Strategic Plan identifies key challenges and opportunities to guide future development within the Local Government Area. The changes sought in this planning proposal are consistent with the identified challenges and opportunities contained in Parramatta Twenty25.

5. Is the planning proposal consistent with applicable State Environmental Planning Policies?

The table below details how the planning proposal is consistent with the relevant State Environmental Planning Policies and does not contain provisions that would affect the application of these policies.

SEPP title	Consistency	Explanation
State Environmental Planning Policy No 1—Development Standards	YES	This planning proposal does not contain provisions that would affect the application of this SEPP.
State Environmental Planning Policy No 4—Development Without Consent and Miscellaneous Exempt and Complying Development	YES	This planning proposal does not contain provisions that would affect the application of this SEPP.
State Environmental Planning Policy No 6—Number of Storeys in a Building	N/A	N/A
State Environmental Planning Policy No 14—Coastal Wetlands	N/A	N/A
State Environmental Planning Policy No 15—Rural Landsharing Communities	N/A	N/A
State Environmental Planning Policy No 19—Bushland in Urban Areas	YES	This planning proposal does not contain provisions that would affect the application of this SEPP.
State Environmental Planning Policy No 21—Caravan Parks	N/A	N/A
State Environmental Planning Policy No 22—Shops and Commercial Premises	N/A	N/A
State Environmental Planning Policy No 26—Littoral Rainforests	N/A	N/A
State Environmental Planning Policy No 29—Western Sydney Recreation Area	N/A	N/A
State Environmental Planning Policy No 30—Intensive Agriculture	N/A	N/A
State Environmental Planning Policy No 32—Urban Consolidation (Redevelopment of Urban Land)	YES	This planning proposal does not significantly change the amount of residential land in the Parramatta local government area available for urban consolidation. This planning proposal does not contain provisions that would affect the application of this SEPP.
State Environmental Planning Policy No 33—Hazardous and Offensive Development	N/A	N/A
State Environmental Planning Policy No 36—Manufactured Home Estates	N/A	N/A
State Environmental Planning Policy No 39—Spit Island Bird Habitat	N/A	N/A
State Environmental Planning Policy No 44—Koala Habitat Protection	N/A	N/A
State Environmental Planning Policy No 47—Moore Park Showground	N/A	N/A
State Environmental Planning Policy No 50—Canal Estate Development	N/A	N/A
State Environmental Planning Policy No 52—Farm Dams and Other Works in Land	N/A	N/A

and Water Management Plan Areas		
State Environmental Planning Policy No 55—Remediation of Land	YES	This planning proposal does not contain provisions that would affect the application of this SEPP. Any contamination issues will be addressed as part of any future development of the land.
State Environmental Planning Policy No 59—Central Western Sydney Regional Open Space and Residential	N/A	N/A
State Environmental Planning Policy No 60—Exempt and Complying Development	YES	This planning proposal does not contain provisions that would affect the application of this SEPP.
State Environmental Planning Policy No 62—Sustainable Aquaculture	N/A	N/A
State Environmental Planning Policy No 64—Advertising and Signage	N/A	N/A
State Environmental Planning Policy No 65—Design Quality of Residential Flat Development	YES	This planning proposal does not contain provisions that would affect the application of this SEPP.
State Environmental Planning Policy No 70—Affordable Housing (Revised Schemes)	N/A	N/A
State Environmental Planning Policy No 71—Coastal Protection	N/A	N/A
State Environmental Planning Policy (Affordable Rental Housing) 2009	YES	This planning proposal does not contain provisions that would affect the application of this SEPP.
State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004	YES	This planning proposal does not contain provisions that would affect the application of this SEPP.
State Environmental Planning Policy (Exempt and Complying Development Codes) 2008	YES	This planning proposal does not contain provisions that would affect the application of this SEPP.
State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004	YES	This planning proposal does not contain provisions that would affect the application of this SEPP.
State Environmental Planning Policy (Infrastructure) 2007	YES	This planning proposal does not contain provisions that would affect the application of this SEPP.
State Environmental Planning Policy (Kosciuszko National Park—Alpine Resorts) 2007	N/A	N/A
State Environmental Planning Policy (Kurnell Peninsula) 1989	N/A	N/A
State Environmental Planning Policy (Major Development) 2005	N/A	N/A
State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007	N/A	N/A

State Environmental Planning Policy (Penrith Lakes Scheme) 1989	N/A	N/A
State Environmental Planning Policy (Rural Lands) 2008	N/A	N/A
State Environmental Planning Policy (SEPP 53 Transitional Provisions) 2011	N/A	N/A
State Environmental Planning Policy (State and Regional Development) 2011	N/A	N/A
State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011	N/A	N/A
State Environmental Planning Policy (Sydney Region Growth Centres) 2006	N/A	N/A
State Environmental Planning Policy (Temporary Structures) 2007	N/A	N/A
State Environmental Planning Policy (Urban Renewal) 2010	YES	This planning proposal does not contain provisions that would affect the application of this SEPP.
State Environmental Planning Policy (Western Sydney Employment Area) 2009	N/A	N/A
State Environmental Planning Policy (Western Sydney Parklands) 2009	N/A	N/A

6. Is the planning proposal consistent with applicable Ministerial Directions (s.117 directions)?

The table below details how the planning proposal is consistent with the applicable Section 117 Ministerial Directions.

Section 117 Direction	Contents of Section 117 Direction	Planning Proposal	Complies
1. Employment and Resources			
1.1 Business and Industrial Zones	Seeks to protect employment lands and encourage employment growth.	Applicable to this direction are the following items: - Item 3: Increase FSR on a B1-zoned site - Item 11: Increase extent of B6-zoning - Item 23: Rezone a IN1-zoned site to W1 Natural Waterways The proposed changes are generally of minor significance, seek to protect employment lands, encourage employment growth and reflect existing uses thereby supporting the viability of the City of Parramatta.	YES

2. Environment and Heritage			
2.3 Heritage Conservation	Seeks to conserve items of heritage significance.	Applicable to this direction are the following items: ▪ Item 9: Accurately reflect location of heritage item ▪ Item 13: Amend boundary of heritage conservation area to remove 1 property ▪ Item 15: Clearly illustrate item on Heritage Map ▪ Item 16: Remove heritage item from LEP ▪ Item 20: Reduce extent of heritage item ▪ Item 22: Amend status of heritage item The proposed changes are generally of minor significance, seek to conserve items of heritage significance, accurately identify them and reflect existing uses.	YES
3. Housing, Infrastructure and Urban Development			
3.1 Residential Zones	Seeks to provide for housing choice and minimise impacts of residential development on the environment, infrastructure and services.	Applicable to this direction are the following items: ▪ Item 1: Clarifies the areas of the local government area where such developments are not permitted, and clarifies the permissibility of dual occupancy developments on corner allotments ▪ Item 2: Rezone a property from SP1 to R2 ▪ Item 6: Applies an FSR control to a residential site ▪ Item 7: Applies a minimum lot size control and a minimum lot size for dual occupancies control to a residential site ▪ Item 9: Reduces the extent of a heritage item on residential land ▪ Item 10: Rezones various properties from a residential zoning to SP1 ▪ Item 13: Rezones a property from R3 to R4	YES

		- Item 16: Removes the heritage listing from a residential-zoned property - Item 17: Rezones a property from RE1 to R2 - Item 18: Rezones a property from R2 to RE1 - Item 19: Rezones a property from R2 to RE1 - Item 20: Reduces the extent of a heritage item on residential land - Item 24: Increases permitted FSR and height on two properties. The proposed changes are generally of minor significance, seek to provide for housing choice and reflect existing uses.	
3.4 Integrating Land Use and Transport	Seek to ensure that development improves access, increases public transport use and reduces car dependency.	The planning controls proposed continue to facilitate the future growth of Parramatta and is consistent with this direction. The development of Parramatta as a centre of employment, housing and recreation will make use of the existing public transport infrastructure and reduce dependence on private motor vehicles.	YES
4. Hazard and Risk			
4.1 Acid Sulfate Soils	Seeks to avoid significant adverse impacts from the use of land that has a probability of containing acid sulfate soils.	The planning proposal maintains the current planning provisions with respect to the management of acid sulfate soils, except for an amendment to a provision in accordance with direction received from the Department of Planning and Infrastructure. The proposed changes are of minor significance and are consistent with this direction.	YES
4.3 Flood Prone Land	Seeks to ensure that development on flood prone land is consistent with NSW government policy and to ensure that the provisions of an LEP are commensurate with	The proposed changes are of a minor significance and are consistent with this direction.	YES

	flood hazard, including consideration of potential flood impacts.		
6. Local Plan Making			
6.1 Approval and Referral Requirements	Seeks to minimise the inclusion of provisions that require concurrence and the like with the Minister or a public authority.	This planning proposal does not seek to introduce any new or additional levels of concurrence from external authorities in the assessment and determination of development. The proposal will maintain the existing provisions contained within relevant instruments and is consistent with this direction.	YES
6.2 Reserving Land for Public Purposes	Seeks to facilitate the provision of public services and facilities by reserving land, and seeks to facilitate the removal of reservations of land where the land is no longer required for acquisition.	Applicable to this direction are the following items: ▪ Item 11: Remove property from Land Reservation Acquisition map as it has been acquired and is no longer required. ▪ Item 12: Remove property from Land Reservation Acquisition map as it has been acquired and is no longer required. ▪ Item 18: Rezone property to RE1 to facilitate incorporation of property into adjacent park. ▪ Item 19: Rezone property to RE1 to facilitate incorporation of property into adjacent park. The proposed changes are consistent with this direction.	YES
6.3 Site Specific Provisions	Seeks to discourage unnecessary, restrictive site specific planning controls	This planning proposal seeks site specific provisions, without being unnecessarily restrictive. The proposed changes are consistent with this direction.	YES
7. Metropolitan Planning			
7.1 Implementation of the Metropolitan Plan for Sydney 2036	Seeks to give legal effect to the vision, transport and land use strategy, policies, outcomes and actions contained in the Metropolitan Plan for Sydney 2036	The planning proposal is consistent with the objectives and strategies of the Metropolitan Plan. The proposed changes are generally of minor significance,	YES

		reflect existing uses and support the viability of the City of Parramatta.	
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C – Environmental, social and economic impact

7. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?

The amendments proposed in the planning proposal are mostly administrative and will generally have no significant impacts on critical habitats, threatened species, populations, ecological communities or their habitats.

8. Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?

The planning proposal will not result in any other environmental effects.

9. Has the planning proposal adequately addressed any social and economic effects?

The planning proposal seeks to ensure, through its contents and implementation that the future development and growth of the Parramatta LGA will be done in a manner that considers and provides for the overall social and economic wellbeing of the residents, stakeholders and occupants of the Parramatta LGA and Western Sydney.

The proposed amendments generally seek to reflect current land uses and to better align planning controls such as floor space ratio and building height. The amendments generally update provisions, clarify dual occupancy development provisions and correct anomalies and discrepancies so as to provide for greater certainty in relation to the current and future use of the sites affected by this planning proposal.

D – State and Commonwealth interests

10. Is there adequate public infrastructure for the planning proposal?

The planning proposal will not place additional demands on public infrastructure. The properties affected by the planning proposal have or are located in close proximity to public infrastructure including sewerage, water supply, power and telecommunication services.

11. What are the views of state and Commonwealth public authorities consulted in accordance with the Gateway determination?

Appropriate consultation will be conducted when the Gateway determination is issued. Formal consultation has not yet been undertaken.

PART 4 – Mapping

The table at Attachment 1 includes maps of the properties relating to this planning proposal.

PART 5 – Community consultation

In accordance with Clause 56(2) of the EP&A Act the Gateway determination will indicate the level of community consultation deemed necessary for the proposal. It is proposed that community consultation be held for a minimum of 28 days.

PART 6 – Project timeline

The following table provides an indicative timeline for the planning proposal.

Timeframe	Milestone
June 2013	Referral for Gateway Determination
June 2013	Gateway Determination issued
July/August 2013	Government agency consultation
July/August 2013	Public exhibition period
August 2013	Consideration of submissions
September/October 2013	Reporting to Council
November 2013	Preparation of draft LEP and direct liaison with Parliamentary Counsel
December 2013	Anticipated date for making and notification of instrument

ATTACHMENT 1

Proposed Amendments

CONTENTS		
Item No.	Description	Nature of Change
1	Clarification of Dual Occupancy Development Provisions	Amendments to written instrument clause and maps.
2	Anglican School 19 Gibbons Street, OATLANDS	Rezoning and application of minimum lot size controls.
3	Shops at Coleman Avenue, Carlingford 312, 312A, 312B, 314, 318, 320, 322-324 Pennant Hills Road, CARLINGFORD	Increase FSR control.
4	Clause 5.3 Development Near Zone Boundaries	Amendment to written instrument clause.
5	Clause 6.1 Acid Sulfate Soils	Amendment to written instrument clause.
6	110F Model Farms Road, WINSTON HILLS	Apply FSR control.
7	17A Adderton Road, TELOPEA	Application of minimum lot size controls.
8	South Side of Parramatta River at CAMELLIA	Application of building height controls.
9	Eastwood Brickyards, EASTWOOD (Heritage Item I52)	Amendment to heritage map and written instrument.
10	Places of Public Worship	Rezoning of properties.
11	290A Woodville Road, GUILDFORD	Removal of Land Reservation Acquisition and application of zoning, FSR and height controls.
12	Penelope Lucas Lane, Rosehill Roadway adjacent to 102-108 James Ruse Drive, ROSEHILL	Removal of Land Reservation Acquisition
13	29 Sorrell Street, PARRAMATTA	Rezoning of property, amendment to FSR and amendment to heritage conservation area.
14	Clause 5.1 Relevant Acquisition Authority	Amendment to written instrument clause.
15	Heritage Item I533 (Stone Wall) Between Rangihou Crescent and Morton Street, PARRAMATTA (adjacent to river bank)	Amendment to heritage map.
16	12 York Street, OATLANDS (Heritage Item I454)	Removal of heritage item from written instrument and maps.
17	9 Geoffrey Street, CONSTITUTION HILL	Rezone property and apply FSR and lot size controls.
18	Part 13C and 13D Boronia Street, SOUTH GRANVILLE (Part Lot 2 DP 240925 and Lot 3 DP 240925)	Rezone property, remove FSR, height and lot size controls.
19	Garside Park, Onslow Street, GRANVILLE (32, 34, 36 Onslow Street - Lots 27, 29 and 30 Sec DP 1250)	Rezone property, remove FSR, height and lot size controls.
20	168, 168A and 168B Pennant Street, NORTH PARRAMATTA (Heritage Item I391) Lot 11, 12 and 13 DP 1156172	Amendment to heritage map and written instrument.
21	Properties Fronting Windsor Road, WINSTON HILLS PART 178, PART 178A, PART 180, PART 182, PART 184, PART 186 AND PART 188 Windsor Road, WINSTON HILLS	Amend the existing zoning label.
22	Toongabbie Convict Settlement Archaeological Site (Heritage Item A1) 62 Oakes Road (Toongabbie Creek near Oakes Road), Old Toongabbie and 113 Goliath Avenue, WINSTON HILLS	Amendment to heritage map and written instrument.
23	1A Parramatta Road, CLYDE (Lot 42 DP 777665)	Rezone property and remove FSR and building height controls.
24	14 and 16 MacArthur Street, PARRAMATTA	Increase FSR and building height controls.

ITEM NO.1	
CLARIFICATION OF DUAL OCCUPANCY DEVELOPMENT PROVISIONS	
PROPOSED AMENDMENT	▪ Introduce a 'Local Provisions for dual occupancy developments' map which clearly identifies the parts of the Parramatta LGA where dual occupancy developments are not permitted. Base the areas on this map on the current 'Minimum Lot Size for Dual Occupancy Development Map' being the areas requiring a 5,000sqm minimum lot size. ▪ Delete the 'Minimum Lot Size for Dual Occupancy Development Map' from the LEP. ▪ Replace Clause 4.1A (Minimum lot sizes for dual occupancies) with a new clause that specifies the following: a. Require compliance with the 'Local Provisions for dual occupancy developments' map, which maps areas where dual occupancy developments are not permitted. b. Provide provisions specifying that detached dual occupancies are permitted only on sites with two street frontages or where there is a heritage item. For all other sites only attached dual occupancies are permitted. In all cases the minimum lot size for dual occupancies of 600sqm must be complied with.
EXPLANATION	<u>Local Provisions for dual occupancies map</u> The current Clause 4.1A(2) requires compliance to the Minimum Lot Size for Dual Occupancy Development map. A large part of the suburbs of Epping and Winston Hills as well as a small area in North Parramatta require a 5,000sqm minimum lot size for dual occupancy developments instead of the 600sqm minimum applying outside these areas. The requirement for a large site area of 5,000sqm is intended to prevent these developments occurring in those particular areas. This provision was deliberately designed so as to create an unofficial sub zone. The Standard Instrument at the time of the preparation of the LEP in 2010/2011 did not allow the creation of a sub zone where some parts of the LGA zoned R2 Low Density Residential would prohibit dual occupancy development. The minimum lot size provision is not a transparent way of prohibiting dual occupancy development in the desired areas and may be easily overcome using Clause 4.6 to vary the development standard of 5,000sqm. The objectives of Clause 4.1A Minimum lot sizes for dual occupancies could easily be satisfied on lot sizes well below 5,000sqm. An alternative is sought to achieve the intention of this control without relying on the minimum lot size for dual occupancy development map. It is proposed to introduce a 'Local Provisions for dual occupancies map' into the LEP which clearly illustrates the parts of the LGA where dual occupancy developments are not permitted. The allowance of sub zones into LEPs was identified in a recent draft policy statement released by the Department of Planning and Infrastructure in May 2012 regarding draft amendments to the Standard Instrument. Council has been encouraged by this statement to propose the Local Provisions for Dual Occupancies map. <u>Dual occupancies on sites with two street frontages</u> Clause 4.1A does not reflect Council's policy on dual occupancy development whereby detached dual occupancies are permitted only on sites with two street frontages or where there is a heritage item, and for all other sites only attached dual occupancies are permitted. This policy was previously in place under Parramatta LEP 2001. Clause 4.1A(3) was intended to allow detached dual occupancy developments only on lots with two road frontages, such as corner allotments. The current wording of Clause 4.1A does not adequately clarify this. Clause 4.1A(2) allows a dual occupancy (attached or detached) if the lot size is at least the minimum lot size for dual occupancy development (as shown on the Minimum Lot Size for Dual Occupancies map). There is no express reference to street frontages. The only requirement is lot size. Clause 4.1A(3) operates independently and is triggered only if the lot has 2 street frontages. When triggered, this provision requires a detached dual occupancy dwelling to address each

	street frontage. This provides scope for a dual occupancy in circumstances where it would otherwise be prohibited under clause 4.1A(2). It is intended that a revised clause will be correctly constructed so that detached dual occupancies will only be permitted on corner allotments or where there is a heritage item, and that for everywhere else, only attached dual occupancies would be permitted.
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ITEM NO.2**ANGLICAN SCHOOL****19 Gibbons Street, Oatlands****PROPOSED AMENDMENT**

- Rezone from SP1 Educational Establishment/Place of Public Worship to R2 Low Density Residential.
- Apply a minimum lot size of 550sqm to the site.
- Apply a minimum lot size for dual occupancies of 600sqm to the site.

EXPLANATION

When Council drafted LEP 2011, it originally proposed to zone 19 Gibbons St to R2 Low Density Residential in accordance with instructions from the Department of Planning & Infrastructure (DP&I) that schools, places of public worship and the like that were permissible in the adjoining 'regular' zones be zoned the same as the adjoining regular zone. The site was previously zoned SP5 – Special Uses under LEP 2001.

In finalising the LEP, DP&I reconsidered its requirements for the SP1 Special Activities & SP2 Infrastructure zones and subsequently permitted Council to zone Places of Public Worship and some Educational Establishments SP1.

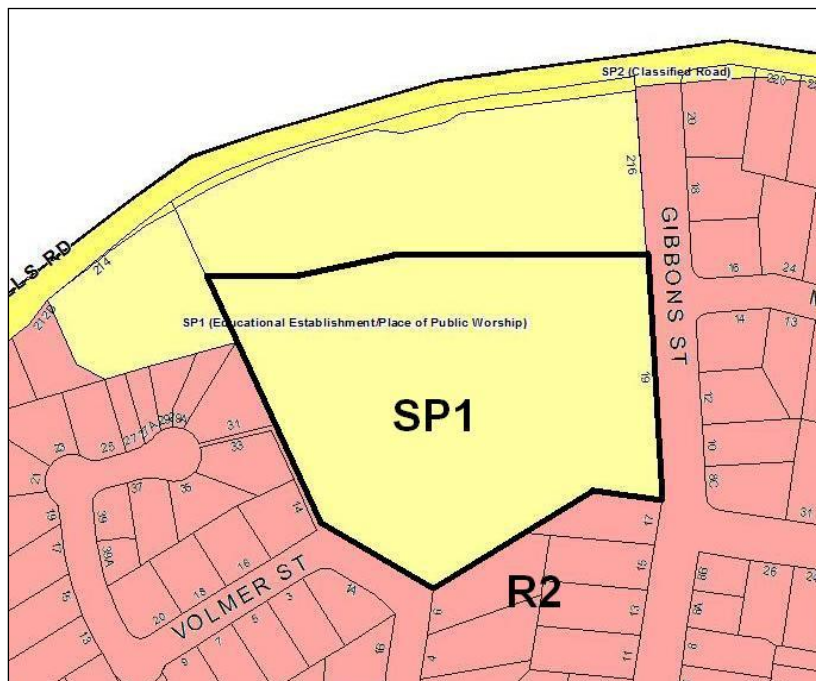
Council then resolved to prohibit Places of Public Worship in R2 Low Density Residential zones and to zone existing Places of Public Worship SP1. Where a Place of Public Worship adjoined an Educational Establishment, the Educational Establishment was zoned SP1 together with the Place of Public Worship. Educational Establishments are permitted in R2 Low Density Residential zones.

The property 19 Gibbons Street is occupied by a school, a pre-school, and children's welfare services run by Anglicare. These uses are consistent with the uses permitted in R2 zones. As no Place of Public Worship exists on this site it is appropriate that the property be rezoned to R2 Low Density Residential.

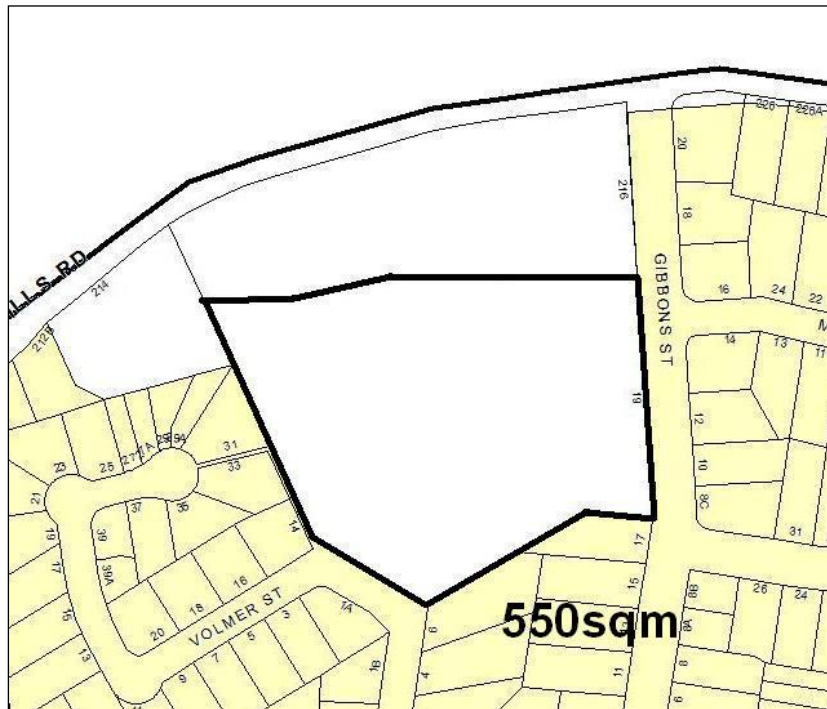
The property is proposed to be applied with a minimum lot size of 550sqm and a minimum lot size for dual occupancies of 600sqm. These controls are prevalent on the surrounding properties. No changes are required to the FSR and height controls applying to the site as they are consistent with the surrounding properties.

CURRENT LEP MAPS:

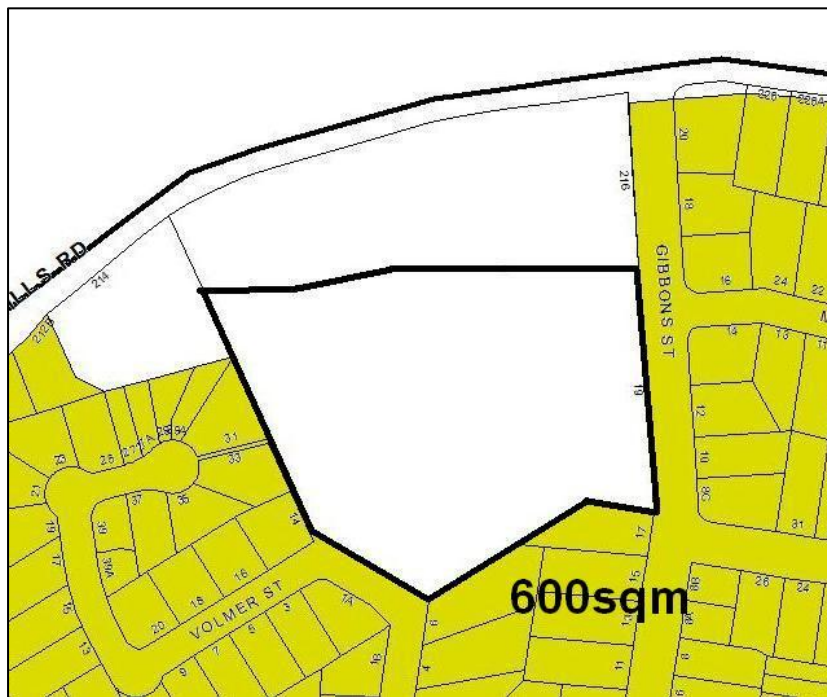
Current LEP 2011 zoning map



Current LEP 2011 minimum lot size map



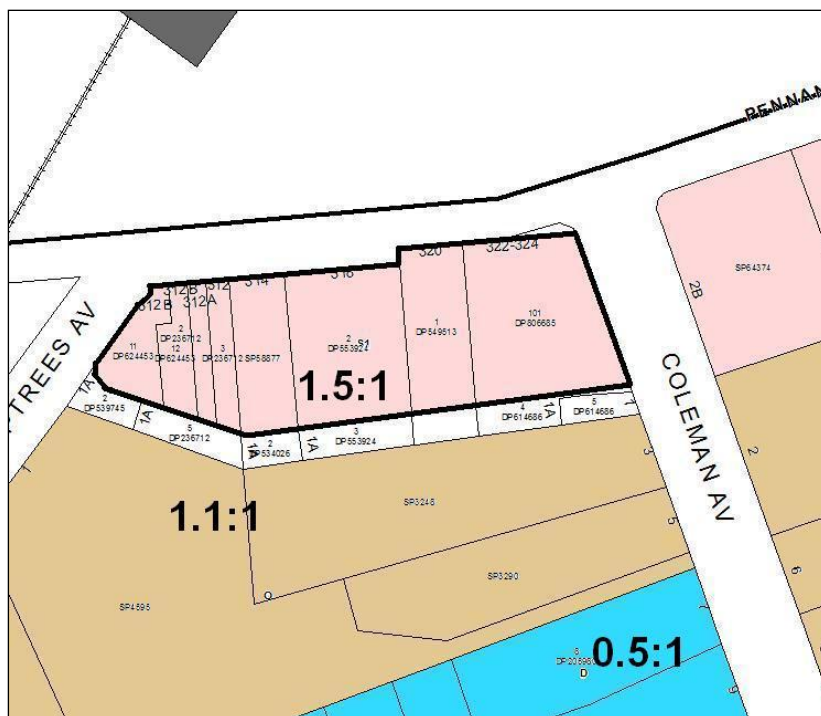
Current LEP 2011 minimum lot size for dual occupancies map



ITEM NO.3	
SHOPS AT COLEMAN AVENUE, CARLINGFORD 312, 312A, 312B, 314, 318, 320, 322-324 PENNANT HILLS ROAD, CARLINGFORD	
PROPOSED AMENDMENT	▪ Increase the maximum permitted Floor Space Ratio (FSR) at the subject properties from 1.5:1 to 2:1.
EXPLANATION	The subject properties are zoned B1 Neighbourhood Centre, have a maximum permitted FSR of 1.5:1 and a maximum building height of 21m. There is a discrepancy existing between the height and FSR controls. The maximum permitted FSR of 1.5:1 may not allow the full height of 21m to be achieved in any redevelopment of the site. An increase in the maximum permitted FSR on the site is therefore proposed. Sites zoned B1 in the LGA generally have FSR controls of either 1.5:1 or 2:1. Most B1-zoned sites located in centres near transport infrastructure nodes and in proximity of higher density residential zones have an FSR of 2:1. Examples of such sites include: 85 Victoria Road, Parramatta; 132 Victoria Road, North Parramatta; 309 Blaxcell Street, South Granville; 5 Telopea Street, Telopea; 7-16 Benaud Place, Telopea; 10 Station Street, Dundas; and 359-363 Victoria Road, Rydalmere. The subject properties at Coleman Avenue are located adjacent to bus and car access on Pennant Hills Road, are within walking distance of Carlingford Railway Station and are also situated within proximity of a higher density residential area. These site characteristics are consistent with the examples of other B1-zoned sites in the LGA that have a maximum FSR of 2:1. In this respect, it is considered that the subject properties at Coleman Avenue which are zoned B1 and have a maximum building height of 21m should have their maximum permitted FSR increased from 1.5:1 to 2:1.

CURRENT LEP MAPS:

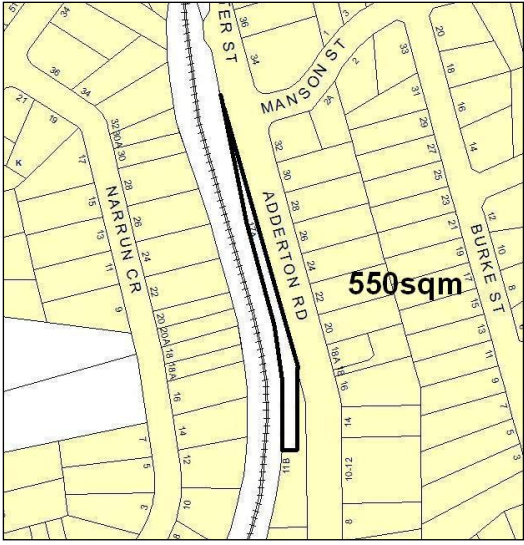
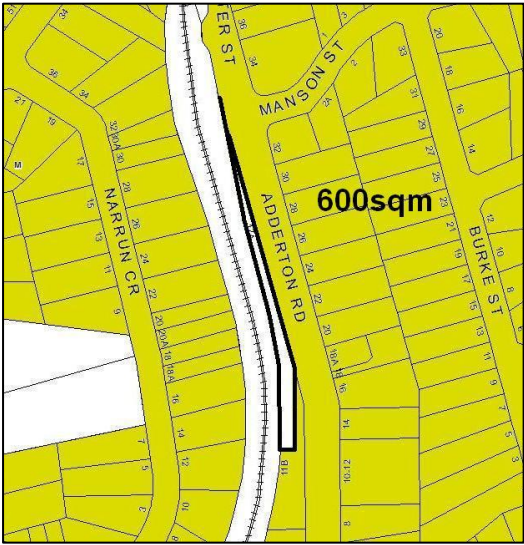
Current LEP 2011 FSR map



ITEM NO.4	
CLAUSE 5.3 DEVELOPMENT NEAR ZONE BOUNDARIES	
PROPOSED AMENDMENT	Clause 5.2(2) is proposed to be amended to read as follows: <i>(2) This clause applies to so much of any land that is within the relevant distance of a boundary between any 2 zones. The relevant distance is 1m from any zone boundary.</i>
EXPLANATION	The current wording of Clause 5.2(2) is as follows: <i>(2) This clause applies to so much of any land that is within the relevant distance of a boundary between any 2 zones. The relevant distance is 20 metres from any zone boundary shared with Zone SP2 Infrastructure and 1 metre from any other zone boundary.</i> The current clause was prepared with the intention to limit the application of the clause through the use a low distance. The proposed change will implement this intention. The inclusion of the SP2 Infrastructure zone with a 20m distance is not required. It is therefore proposed to remove this from the clause.

ITEM NO.5	
CLAUSE 6.1 ACID SULFATE SOILS	
PROPOSED AMENDMENT	▪ Clause 6.1(6) is proposed to be amended to read as follows: <i>(6) Despite subclause (2), development consent is not required under this clause to carry out any works where both of the following criteria are met:</i> <i>(c) the works involve the disturbance of less than 1 tonne of soil, and</i> <i>(d) the works are not likely to lower the watertable.</i> ▪ Clause 6.1(7) is proposed to be added to read as follows: <i>(7) Clause 10 of State Environmental Planning Policy No 4 – Development Without Consent and Miscellaneous Exempt and Complying Development does not apply to development that requires development consent under this clause.</i>
EXPLANATION	The amendments proposed to be made to Clause 6.1 are required as per direction received from DP&I in its letter to Council dated 18 June 2012 regarding changes to the Model Local Provision 7.1 Acid sulfate soils.

ITEM NO.6	
110F MODEL FARMS ROAD, WINSTON HILLS	
PROPOSED AMENDMENT	Apply a maximum FSR of 0.5:1 to the property.
EXPLANATION	The LEP currently does not apply a maximum FSR to the subject site. This was an administrative error. An FSR control must be applied to the site. The site is zoned R2 Low Density Residential, which is also the predominant residential zoning in the surrounds. The R2-zoned lands in the surrounds have an FSR of 0.5:1. The site is proposed to be given an FSR of 0.5:1 as this is consistent with the FSR of surrounding lands.
CURRENT LEP MAPS:	
Current LEP 2011 FSR map	

ITEM NO.7	
17A ADDERTON ROAD, TELOPEA	
PROPOSED AMENDMENT	▪ Apply a minimum lot size of 550sqm. ▪ Apply a minimum lot size for dual occupancy developments of 600sqm.
EXPLANATION	The site is zoned R2 Low Density Residential. The properties adjacent to the east and south are zoned R3 Medium Density Residential, whilst the properties adjacent to the west and north are zoned R2 Low Density Residential. This site is not included on the maps for minimum lot size and minimum lot size for dual occupancy developments. This was an administrative error. Controls should be applied to the site. The residential-zoned lands in the surrounds have a minimum lot size of 550sqm and a minimum lot size for dual occupancy developments of 600sqm. In this respect, it is appropriate that the same controls be applied to the subject site.
CURRENT LEP MAPS:	
<u>Current LEP 2011 minimum lot size map</u>	
	
<u>Current LEP 2011 minimum lot size for dual occupancy developments map</u>	
	

ITEM NO.8**SOUTH SIDE OF PARRAMATTA RIVER AT CAMELLIA**

Part 3 Thackeray Street, Camellia; 3A Thackeray Street, Camellia; 29 Grand Avenue, Camellia; Part 14 Thackeray Street, Camellia; Part 37 Grand Avenue, Camellia; Part 37A Grand Avenue, Camellia; 39 Grand Avenue, Camellia; 41 Grand Avenue, Camellia; Part 12 Grand Avenue, Rosehill; Part 14 Grand Avenue, Rosehill; 16 Grand Avenue, Camellia; Part 9 Devon Street, Rosehill; and Part 9B Devon Street, Rosehill.

PROPOSED AMENDMENT

- The lands fronting the river foreshore in this locality are to be given a maximum building height of 9m.

EXPLANATION

The lands in this locality fronting the river foreshore currently have no maximum building height. A maximum building height control should be applied.

The lands in the surrounds have either a 9m or a 12m maximum building height on the Height of Buildings map. All the lands in the locality are zoned IN3 Heavy Industrial.

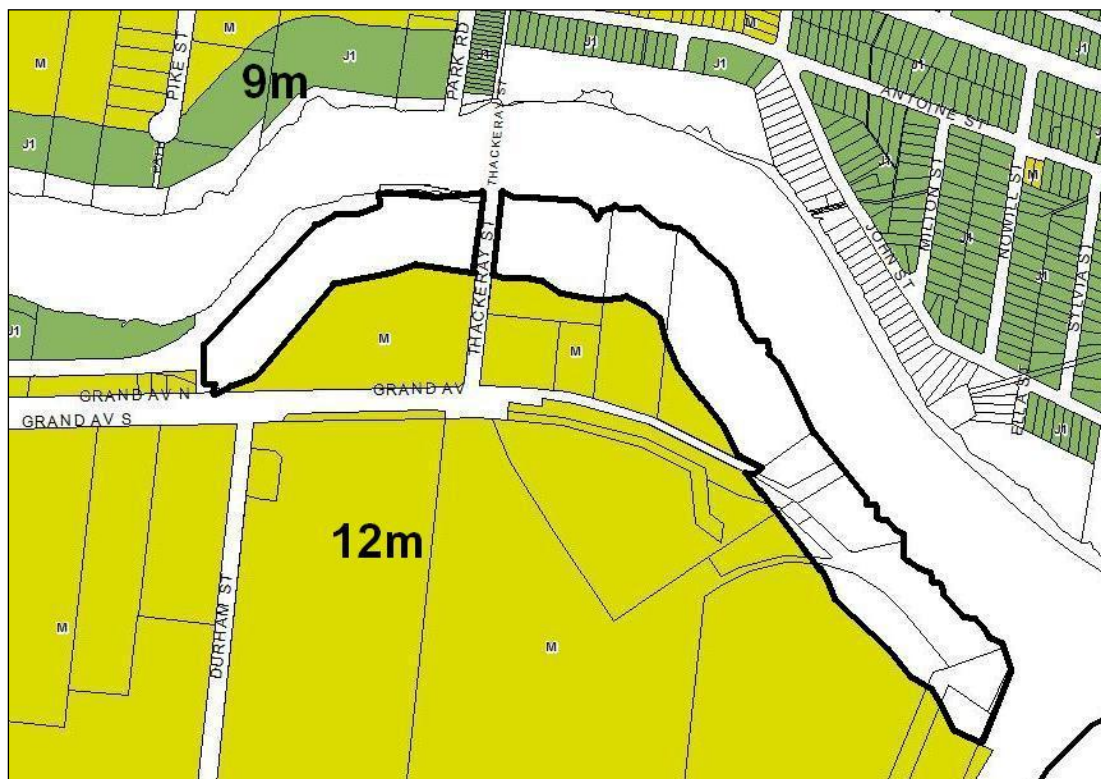
Under the Sydney Regional Environmental Plan No.28 which applied to these lands prior to LEP 2011, the lands along the river foreshore in this locality had a maximum building height of 9m. This height control was not carried over with the creation of Parramatta LEP 2011. This was an administrative error.

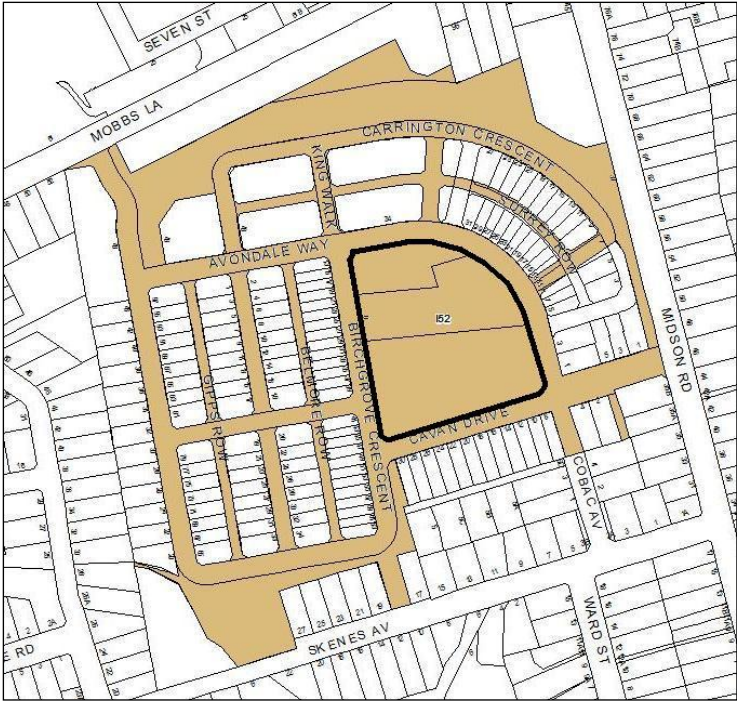
The application of a 9m maximum building height at the river foreshore, rising to a 12m maximum building height further south (as it is currently) provides an appropriate transition in height decreasing towards the river. The 9m maximum building height is also consistent with the 9m maximum building height that currently applies to the river foreshore in nearby areas.

It is appropriate that a maximum building height of 9m apply to the subject site.

CURRENT LEP MAPS:

Current LEP 2011 height map



ITEM NO.9	
EASTWOOD BRICKYARDS, EASTWOOD (HERITAGE ITEM I52)	
PROPOSED AMENDMENT	▪ Limit the heritage item only to 3 properties, being: a. Part Lot 1 DP 270605 (northern portion) b. Lot 5 DP 270605 (central portion) c. Part Lot 1 DP 270605 (southern portion) ▪ This requires the removal of the heritage item layer from various lots in the surrounds.
EXPLANATION	The Eastwood Brickyards site is currently being redeveloped. The Eastwood Brickworks Project Conservation Plan and the Eastwood Brickworks Final Masterplan, which were prepared prior to the redevelopment of the site, identified the need to conserve the patent kiln, downdraft kilns and chimneys at the centre of the precinct. These heritage items are located at Part Lot 1 DP 270605 (northern portion), Lot 5 DP 270605 (central portion) and Part Lot 1 DP 270605 (southern portion), 3 properties which are defined in bold on the map below. The LEP heritage map currently applies to the central properties containing the patent kiln, downdraft kilns and chimneys, as well as the wider properties in the brickyards redevelopment site that do not contain a heritage item. In this respect, the LEP heritage map layer should be amended so that the item relates only to the 3 central properties containing the heritage items. <u>Note:</u> Lot 1 DP 270605 consists of 5 separate Parts spread throughout the Eastwood Brickyards site. Of the 3 properties proposed to form the revised heritage map for the brickyards site that contain the patent kiln, downdraft kilns and chimneys, 2 of these properties are Part Lots of Lot 1 DP 270605.
CURRENT LEP MAPS:	
<u>Current LEP 2011 heritage map</u>	
	

ITEM NO.10**PLACES OF PUBLIC WORSHIP****PROPOSED AMENDMENT**

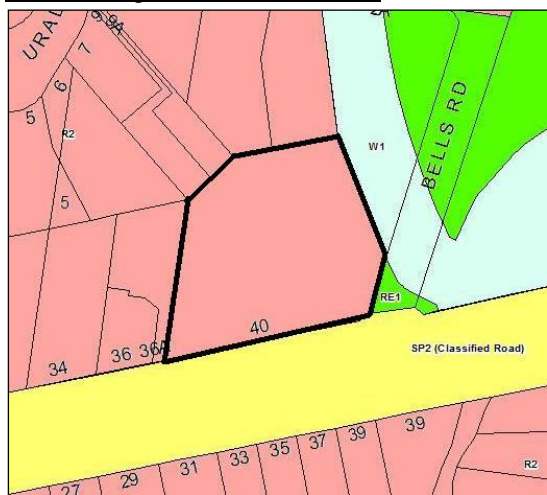
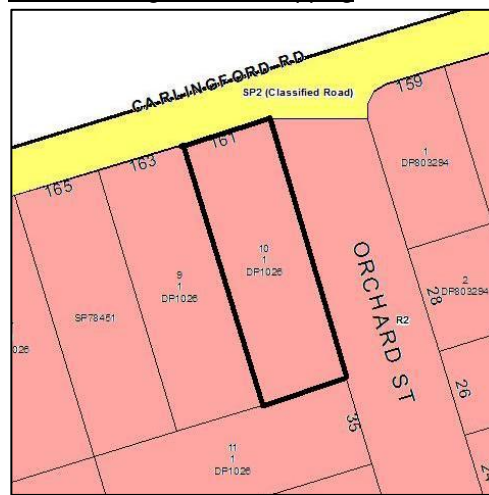
- The following properties containing existing Places of Public Worship in the R2 Low Density Residential zone are proposed to be rezoned to SP1 Place of Public Worship:
 - A. 40 Kissing Point Road, Oatlands
 - B. 161 Carlingford Road, Epping
 - C. 154 Marsden Road, Dundas Valley
 - D. 15A Cowells Lane, Ermington
 - E. 10-12 Lawson Street, Ermington
 - F. 6A Yarrabee Road, Winston Hills
 - G. 271 Old Windsor Road, Old Toongabbie
 - H. 10 Lamonerie Street, Toongabbie
 - I. 8 Warra Street, Wentworthville
 - J. 13, 15 and 17 Ferris Street, North Parramatta
- 59 Evans Road, Dundas Valley (referred to as Property K) contains an existing Place of Public Worship and an Educational Establishment in an R2 Low Density Residential zone. This property is proposed to be rezoned to SP1 (Educational Establishment/Place of Public Worship).

EXPLANATION

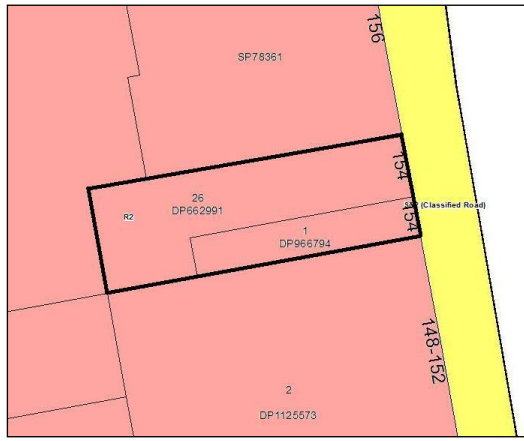
When LEP 2011 was prepared, Places of Public Worship were to be prohibited in the R2 Low Density Residential zone. All properties that contain existing Places of Public Worship in this zone were to be zoned to SP1 Place of Public Worship, a zoning that permits this land use.

Several properties containing existing Places of Public Worship in R2 zones were overlooked in error and were not zoned SP1 Place of Public Worship when LEP 2011 was made. The Places of Public Worship on these properties are proposed to be zoned SP1 Place of Public Worship, except for the property 59 Evans Road, Dundas Valley, which also contains an Educational Establishment and is therefore proposed to be rezoned to SP1 (Educational Establishment/Place of Public Worship).

The current FSR, height, lot size and minimum lot size for dual occupancy controls will remain as they are consistent with the surrounding properties.

CURRENT LEP ZONING MAPS:**A: 40 Kissing Point Road, Oatlands****B: 161 Carlingford Road, Epping**

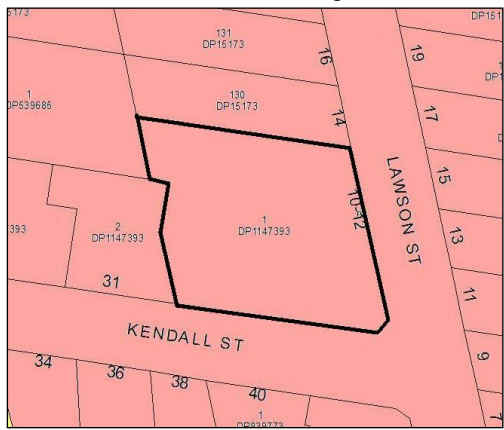
C: 154 Marsden Road, Dundas Valley



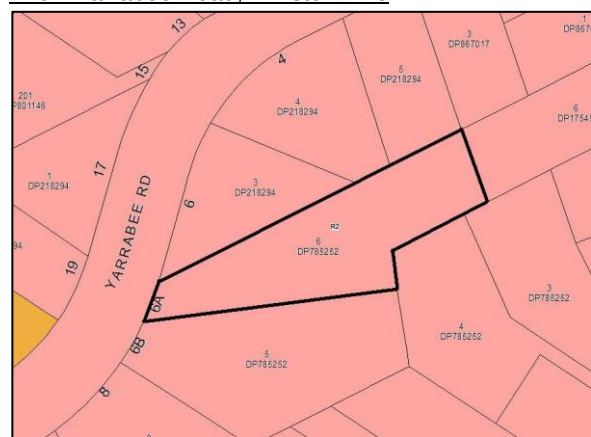
D: 15A Cowells Lane, Ermington



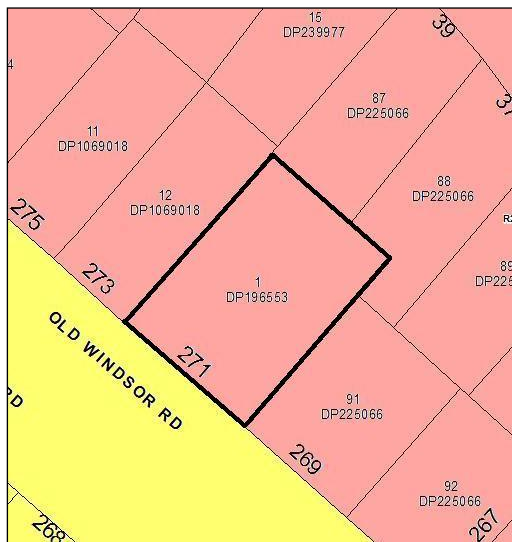
E: 10-12 Lawson Street, Ermington



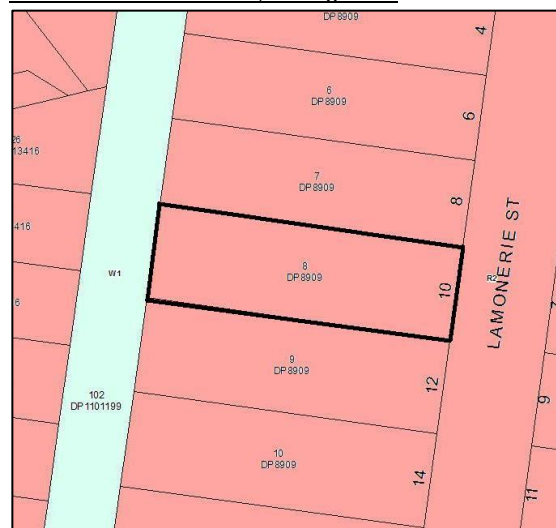
F: 6A Yarrabee Road, Winston Hills



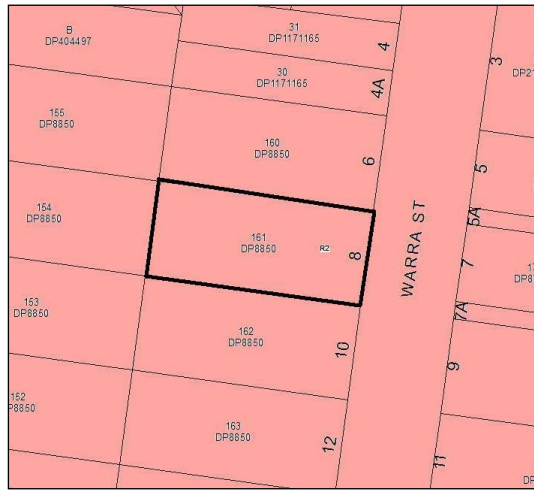
G: 271 Old Windsor Road, Old Toongabbie



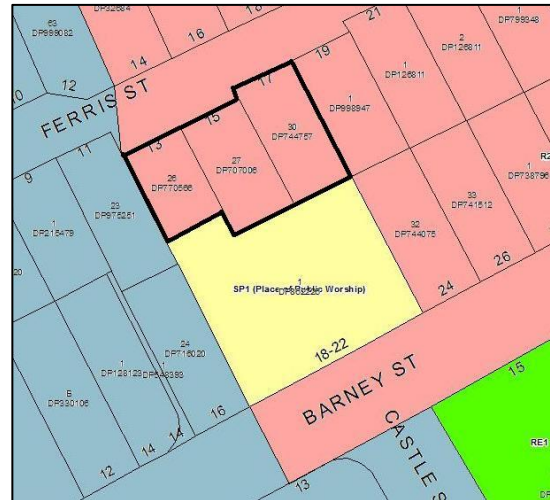
H: 10 Lamonerie Street, Toongabbie



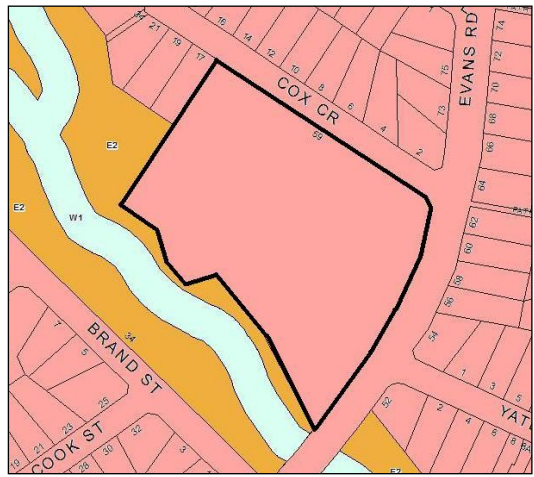
I: 8 Warra Street, Wentworthville

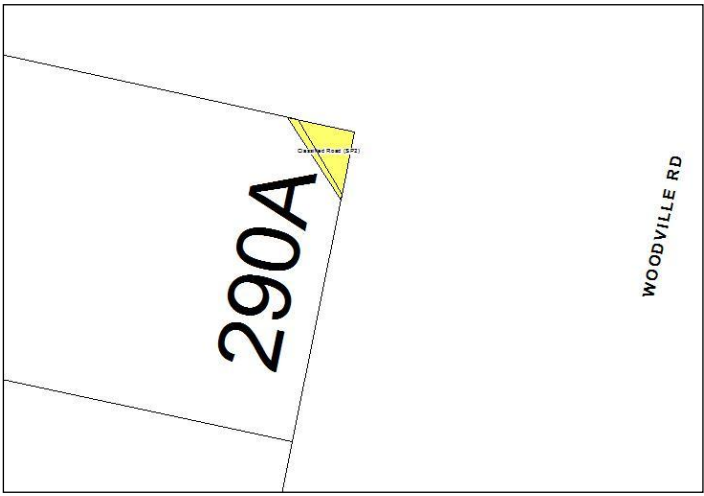


J: 13, 15 and 17 Ferris Street, North Parramatta



K: 59 Evans Road, Dundas Valley



ITEM NO.11	
290A WOODVILLE ROAD, GUILDFORD	
PROPOSED AMENDMENT	North-east corner portion of 290A Woodville Road, Guildford (Lot 71 DP128916): ▪ The portion containing an SP2 (Classified Road) zoning is proposed to be rezoned B6 Enterprise Corridor. ▪ The portion currently not containing an FSR control is to be given a maximum FSR of 1.5:1 ▪ The portion currently not containing a height control is to be given a maximum height of 12m. ▪ The portion identified on the Land Reservation Acquisition map as Classified Road (SP2) is proposed to be removed. Corner of Woodville Road and McArthur Street (south side), Guildford: ▪ Remove the portion identified on the Land Reservation Acquisition map as Classified Road (SP2).
EXPLANATION	A small portion of the property 290A Woodville Road, Guildford, as well as a small portion of the roadway at the corner of Woodville Road and McArthur Street (south side), are identified on the LEP Land Reservation Acquisition map. Advice provided to Council by the Roads and Maritime Services on 5 December 2012 indicated that the subject LRA classification has been acquired and is no longer required. The mapped portion of the LRA classification should relate only to the roadway and the portion applying to the property 290A Woodville Road is a mapping error. In any case, the LRA classification applying to both the roadway and to 290A Woodville Road should be removed. The inclusion of part of the LRA classification on the north-east corner portion of 290A Woodville Road has resulted in that portion being given an SP2 Classified Road zoning, as well as being absent of an FSR and height control. Accordingly, the portion of the site zoned SP2 Classified Road is to be rezoned to B6 Enterprise Corridor, which is the current zoning of the remainder of the property. This portion is also to be given a maximum FSR control of 1.5:1 and a maximum building height of 12m, which are the same FSR and height controls as the remainder of the property.
CURRENT LEP MAPS:	
<u>Current LRA map</u> 	

ITEM NO.12	
PENELOPE LUCAS LANE, ROSEHILL	
Roadway adjacent to 102-108 James Ruse Drive, Rosehill	
PROPOSED AMENDMENT	Remove the Local Road Widening on the Land Reservation Acquisition Map from the roadway of Penelope Lucas Lane, Rosehill.
EXPLANATION	In the roadway area of Penelope Lucas Lane there is a strip of land identified on the Land Reservation Acquisition map for Local Road Widening. The portion of affected land has been acquired (refer to DP 1178686) and has been incorporated into the public roadway. This means that the LRA classification is redundant and no longer necessary. This land is zoned B4 Mixed Use, consistent with the zoning of Penelope Lucas Lane. No change in zoning is therefore required. Therefore the LRA classification is to be removed from the site.
CURRENT LEP MAPS:	
<u>Current LEP 2011 LRA map</u>	
	

29 SORRELL STREET, PARRAMATTA

- The portion of the property zoned R3 Medium Density Residential is proposed to be rezoned R4 High Density Residential.
- The portion of the property containing a maximum FSR of 0.6:1 is to be amended to have an FSR of 0.8:1.
- On the Heritage Map, that part of the Conservation Area covering the property 29 Sorrell Street is to be deleted. As a result, the realigned boundary of the Conservation Area is to run along the boundary between the two properties no.29 and no.31 Sorrell Street.

29 Sorrell Street, Parramatta contains both an R3 Medium Density Residential zoning and an R4 High Density Residential zoning. The site also contains two maximum FSR's, being 0.8:1 and 0.6:1. The site is also affected by the Sorrell Street Conservation Area; however the conservation area only applies to that part of the site covered by the R3 zoning.

Only one zoning and FSR should apply to the site, whilst the conservation area should either completely apply or not apply at all to the site. The planning controls for the site need to be made consistent in order to allow any viable development of the site.

29 Sorrell Street is occupied by a 2-storey residential flat building with no heritage listing and is not a contributory building to the heritage value of the conservation area. To the north of the site is a single storey dwelling. To the south of the site is a 3-storey non-residential building. The design controls in DCP 2011 for the Sorrell Street Conservation Area generally permit only low density, low scale development.

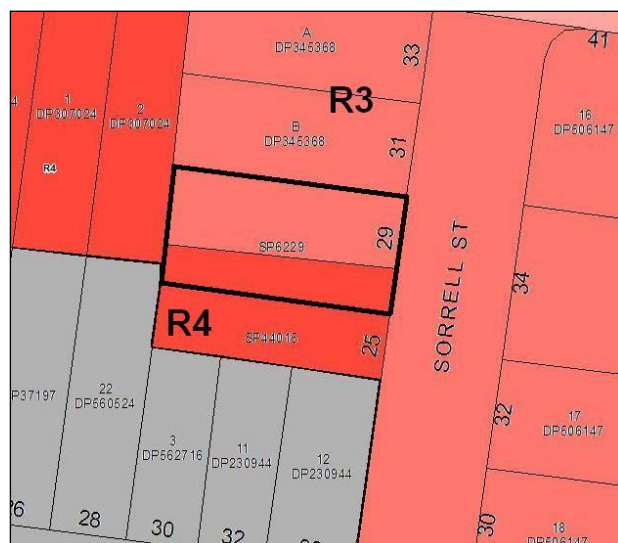
In consideration that the property 29 Sorrell Street is not heritage listed nor of contributory value to the conservation area and contains a residential development that is not of low-density, it is proposed that the property be removed from the Sorrell Street Conservation Area.

The R4 zoning and FSR of 0.8:1 is proposed to be extended across the entire site, as these controls are consistent with the controls in the surrounds that are not covered by the Sorrell Street Conservation Area.

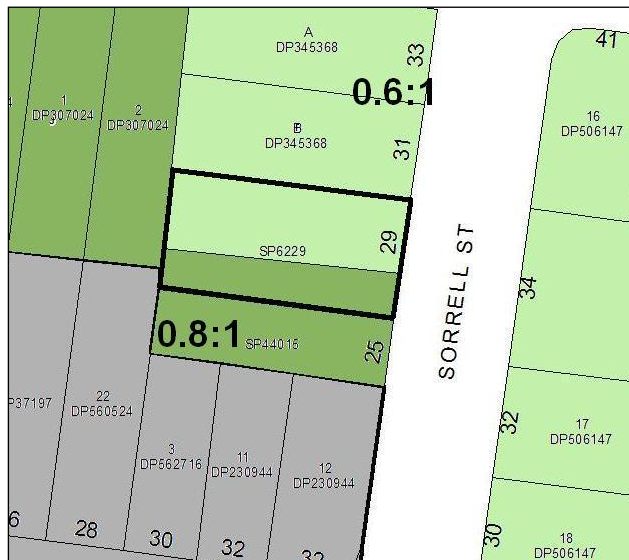
No change is required to the height control for the site. The height control for the site is 11m which is consistently applied across the entire site.

CURRENT LEP MAPS:

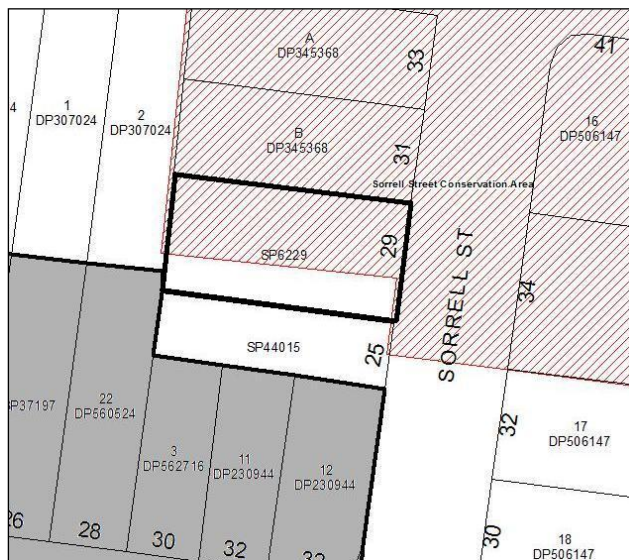
Current zoning map



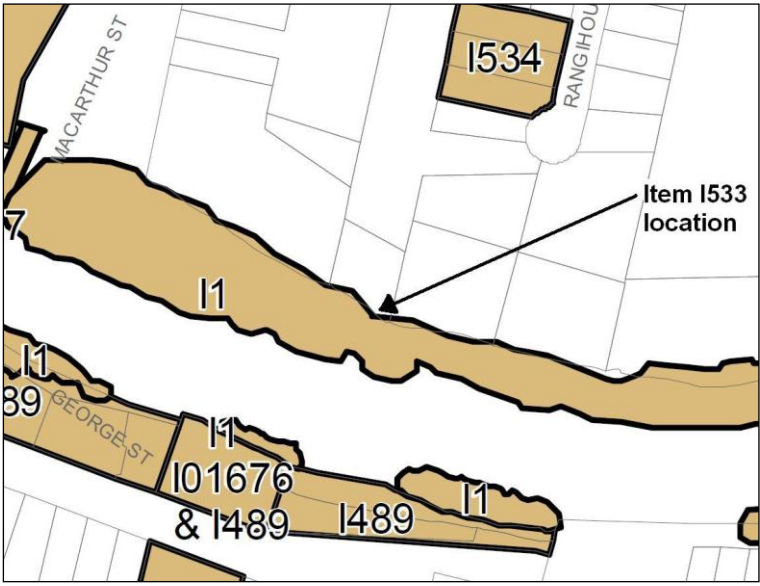
Current FSR map

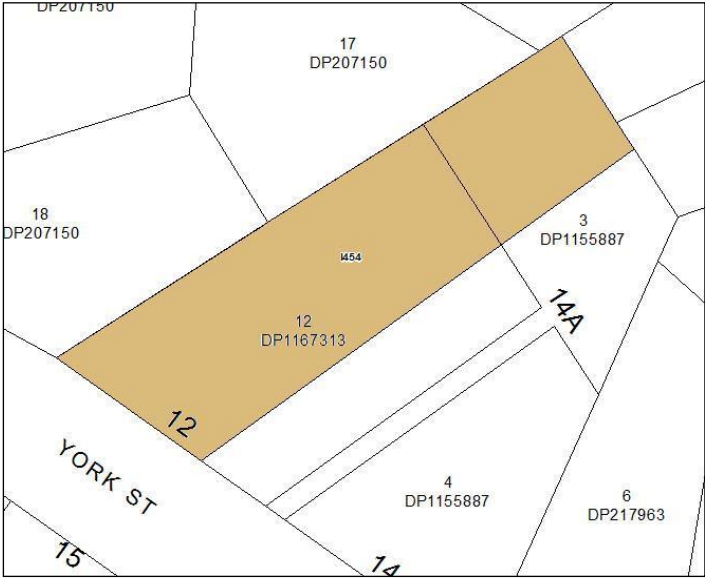


Current heritage map



ITEM NO.14	
CLAUSE 5.1 RELEVANT ACQUISITION AUTHORITY	
PROPOSED AMENDMENT	▪ The table in Clause 5.1(2) is to be amended to change the name of the 'Authority of the State' from 'Roads and Traffic Authority' to 'Roads and Maritime Services'.
EXPLANATION	The proposed amendment is a result of an amendment to the the Standard Instrument (Local Environmental Plans) Order 2006 which was amended on 1 November 2011 by Act 2011 No 41. Correspondence received by Council on 7 November 2011 from the Department of Planning and Infrastructure identified the need to undertake the relevant changes to the Parramatta LEP 2011.

ITEM NO.15	
HERITAGE ITEM I533 (STONE WALL)	
Between Rangihou Crescent and Morton Street, Parramatta (adjacent to river bank)	
PROPOSED AMENDMENT	▪ Include item I533 (Stone Wall) on Heritage Map.
EXPLANATION	Heritage item I533 (Stone Wall between Rangihou Crescent & Morton Street) on the LEP Heritage Map has been incorrectly merged with the Parramatta River Wetlands listing (Item I1) on the Heritage Map. This needs to be rectified to clearly illustrate item I533 on the Heritage Map. The listing within Schedule 5 of the LEP written instrument is correct and does not require amendment.
CURRENT LEP MAPS:	
<u>Current LEP 2011 heritage map</u>	
	

ITEM NO.16	
12 YORK STREET, OATLANDS (HERITAGE ITEM I454)	
PROPOSED AMENDMENT	Remove item I454 (Victorian Cottage) from Schedule 5 and Heritage Map.
EXPLANATION	The NSW Land and Environment Court in a decision on 10 October 2008 gave approval to development application DA/854/2007 for the demolition of the heritage item on the property. The heritage item has since been demolished. Accordingly, the heritage item is to be deleted from the LEP map and written instrument.
CURRENT LEP MAPS:	
<u>Current LEP 2011 heritage map</u>	
	

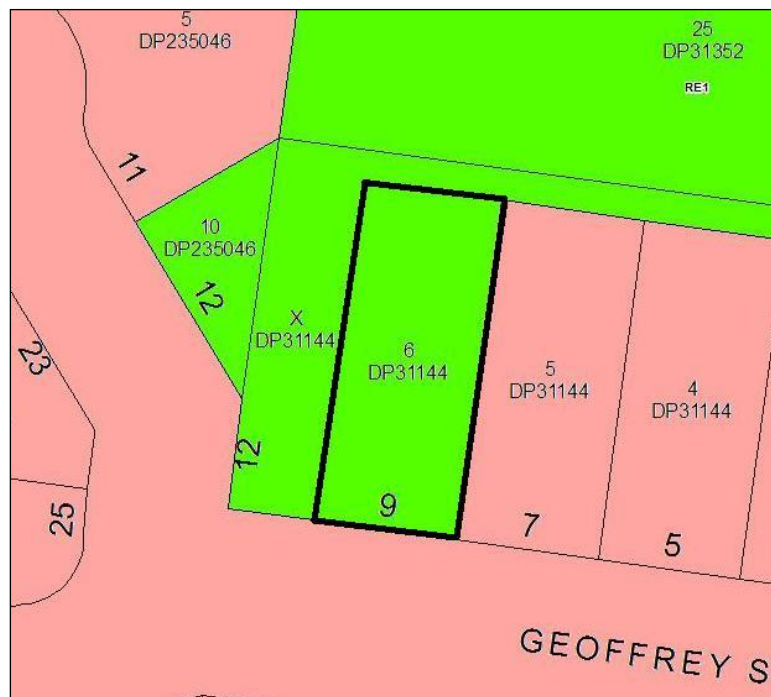
ITEM NO.17**9 GEOFFREY STREET, CONSTITUTION HILL****PROPOSED AMENDMENT**

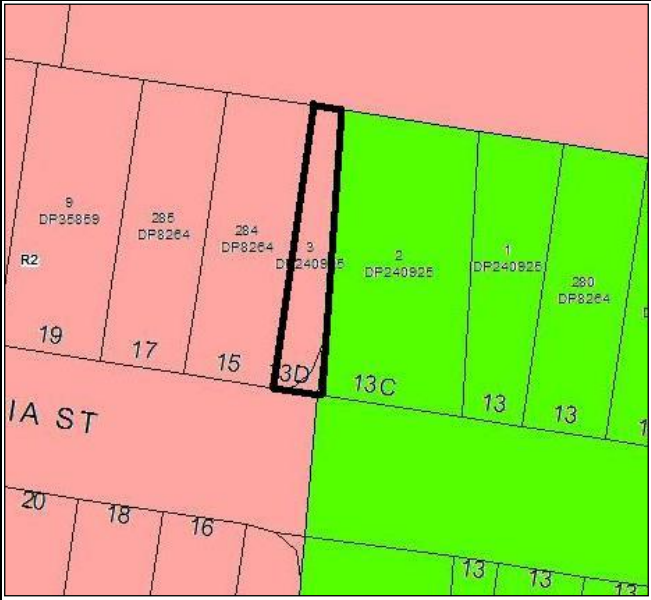
- Rezone the site from RE1 Public Recreation to R2 Low Density Residential.
- Apply a maximum building height of 9m to the site.
- Apply a maximum FSR of 0.5:1 to the site.
- Apply a minimum lot size of 550sqm to the site.
- Apply a minimum lot size for dual occupancy developments of 600sqm.

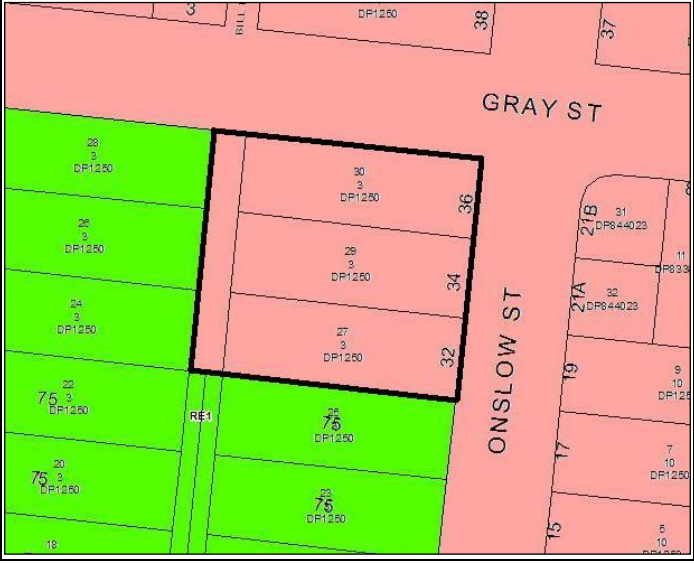
EXPLANATION

The property is zoned RE1 Public Recreation. The site contains an existing dwelling and should be zoned R2 Low Density Residential, which is consistent with the zoning of the surrounding area. The property is not part of the adjoining park and is not required by Council. The previous zoning of the property under LEP 2001 was Residential 2(a). In this respect, it is appropriate that the property be rezoned from RE1 Public Recreation to R2 Low Density Residential.

Is also proposed that the property be applied with a maximum building height of 9m, a maximum FSR of 0.5:1 and a minimum lot size of 550sqm and a minimum lot size for dual occupancy developments of 600sqm. It has been identified that the property currently is not applied with these relative planning controls. The proposed amendments reflect the controls applied to the residential-zoned lands in the surrounds.

CURRENT LEP MAPS:Current LEP 2011 zoning map

ITEM NO.18	
PART 13C AND 13D BORONIA STREET, SOUTH GRANVILLE (Part Lot 2 DP 240925 and Lot 3 DP 240925)	
PROPOSED AMENDMENT	▪ Rezone the property from R2 Low Density Residential to RE1 Public Recreation. ▪ Remove the maximum building height of 9m from the site. ▪ Remove the maximum FSR of 0.5:1 from the site. ▪ Remove the minimum lot size of 550sqm from the site. ▪ Remove the minimum lot size for dual occupancy developments of 600sqm from the site.
EXPLANATION	The property forms part of Horlyck Reserve and is owned by the NSW Land & Housing Corporation. The property is classified as Community Land as it is currently used as part of Horlyck Reserve. Rezoning this small property to RE1 would be consistent with the zoning of the adjacent land associated with the park. Is also proposed that the maximum building height of 9m, the maximum FSR of 0.5:1, the minimum lot size of 550sqm and the minimum lot size for dual occupancy developments of 600sqm be removed from the site. This is required as the site is to be rezoned to a recreational zoning with no likelihood of development.
CURRENT LEP MAPS:	
<u>Current LEP 2011 zoning map</u>	
	

ITEM NO.19	
GARSDALE PARK, ONSLOW STREET, GRANVILLE	
32, 34, 36 Onslow Street - Lots 27, 29 and 30 Sec DP 1250 and rear lane	
PROPOSED AMENDMENT	▪ Rezone subject land from R2 Low Density Residential to RE1 Public Recreation. ▪ Remove the maximum building height of 9m from the subject land. ▪ Remove the maximum FSR of 0.5:1 from the subject land. ▪ Remove the minimum lot size of 550sqm from the subject land. ▪ Remove the minimum lot size for dual occupancy developments of 600sqm from the subject land.
EXPLANATION	The three properties have been acquired by Council for the purposes of incorporating them as part of the adjoining Garsdale Park. The rear lane is also to be rezoned and incorporated as part of the park. Is also proposed that the maximum building height of 9m, the maximum FSR of 0.5:1, the minimum lot size of 550sqm and the minimum lot size for dual occupancy developments of 600sqm be removed from the subject land. This is required as the subject land is to be rezoned to a recreational zoning. The 3 properties are classified as Community Land.
CURRENT LEP MAPS:	
<u>Current LEP 2011 zoning map</u>	
	

ITEM NO.21**PROPERTIES FRONTING WINDSOR ROAD, WINSTON HILLS****PART 178, PART 178A, PART 180, PART 182, PART 184, PART 186 AND PART 188 Windsor Road, Winston Hills****PROPOSED AMENDMENT**

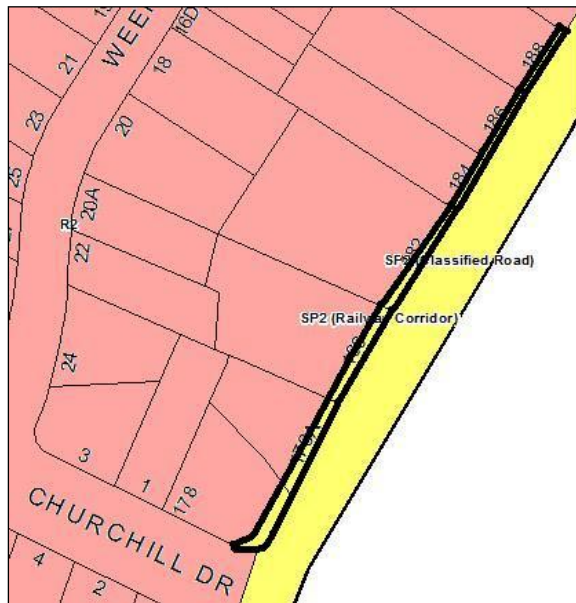
- Amend the label of the partial SP2 zoning of the subject properties from "Railway Corridor" to "Classified Road".

EXPLANATION

The "Railway Corridor" label applied to the subject properties is an error. The correct label is "Classified Road" associated with road reservations relating to Windsor Road.

CURRENT LEP MAPS:

Current LEP 2011 zoning map



ITEM NO.22**TOONGABBIE CONVICT SETTLEMENT ARCHAEOLOGICAL SITE (HERITAGE ITEM A1)****62 Oakes Road (Toongabbie Creek near Oakes Road), Old Toongabbie and 113 Goliath Avenue, Winston Hills****PROPOSED AMENDMENT**

- Amend the Heritage Map to add the following properties to the existing mapped item so as to align with information obtained from NSW Environment and Heritage:
 - a. Lot 7016, DP 1031216
 - b. Lot 7018, DP 1031217
 - c. Lot 225 DP 234686
- Amend Schedule 5 (Part 3 Archaeological sites) to update the heritage listing from 'Local' to 'State' significance.
- Amend Schedule 5 (Part 3 Archaeological sites) to change the listing number from 'A1' to 'A01903'.
- Amend the Heritage Map to reflect the change in listing number.
- Amend Schedule 5 (Part 3 Archaeological sites) to correct the name from Toongabbie Convict Settlement Archaeological Site' to 'Toongabbie Government Farm Archaeological Site'
- Amend Schedule 5 (Part 3 Archaeological sites) to provide the correct Lot and DP property details as per the information obtained from NSW Environment and Heritage, being:
 - a. Lot 7016 DP 1031216
 - b. Lot 7018 DP 1031217
 - c. Lot 18 DP 230547
 - d. Lots 222, 223 and 225, DP 234686
 - e. Lots 2 and 3, DP 551352
 - f. Part Lot 1 DP 780050.

EXPLANATION

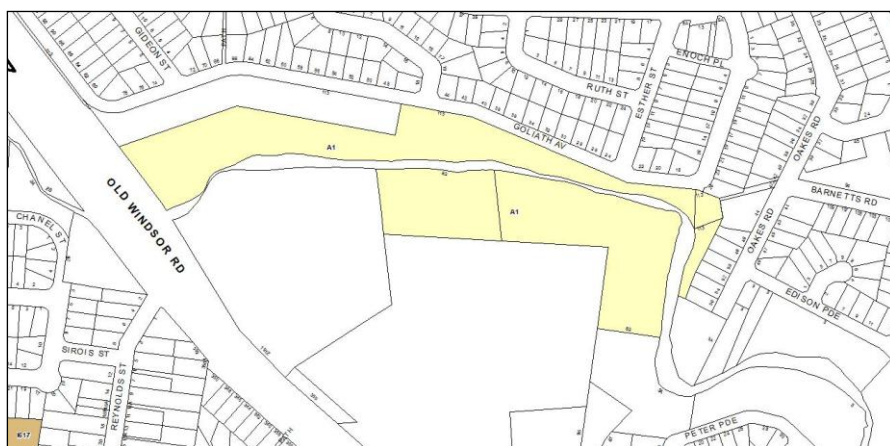
On 11 December 2012 the NSW Minister of Environment and Heritage made an announcement that Toongabbie Government Farm Archaeological Site (Palestine Park, Winston Hills) was being placed on the State Heritage Register. Currently, the site is listed of local significance in Council's LEP. The listing on the State Heritage Register will provide recognition of the site as the Second Government farm of the colony of NSW from 1791 – 1803, and the earliest expansion of public agriculture and the planned convict settlement beyond Parramatta.

Schedule 5 of the LEP is to be amended to reflect the change in heritage significance and also the heritage number. The Heritage Map is to be amended to reflect this changes.

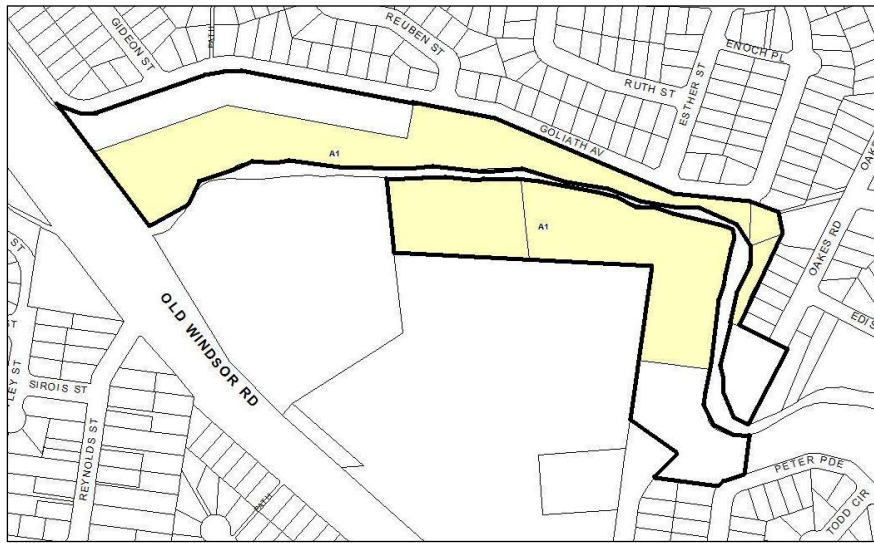
The property details relating to this heritage item, that were obtained from NSW Environment and Heritage, are not consistent with the property details in LEP 2011 Schedule 5 and on the LEP Heritage Map. In this respect, the LEP map and Schedule are to be amended to align with the information obtained from NSW Environment and Heritage.

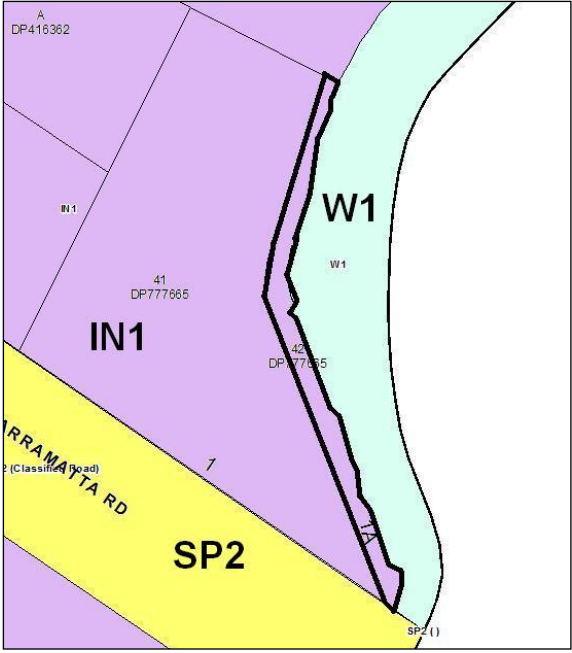
CURRENT LEP MAPS:

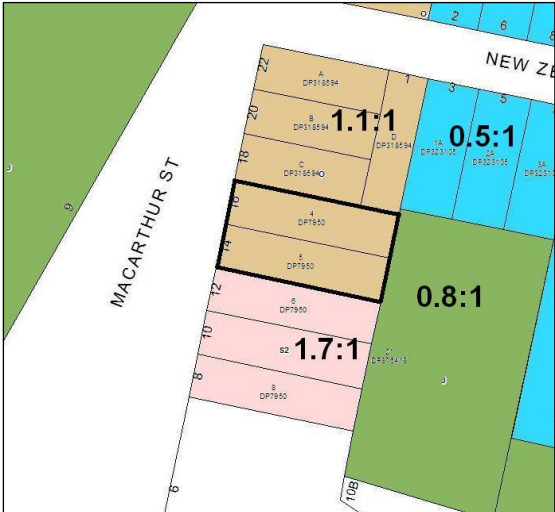
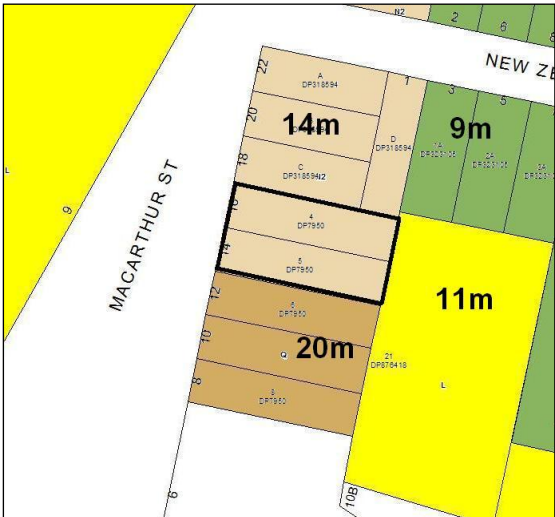
Current LEP 2011 heritage map



Area incorporating the properties proposed to be added to the LEP 2011 heritage map



ITEM NO.23	
1A PARRAMATTA ROAD, CLYDE (Lot 42 DP 777665)	
PROPOSED AMENDMENT	▪ Rezone property from IN1 General Industrial to W1 Natural Waterways. ▪ Remove the maximum building height of 12m from the site. ▪ Remove the maximum FSR of 1:1 from the site.
EXPLANATION	The property is within the Duck River riparian corridor and should therefore be zoned W1 Natural Waterways. The property is owned by Parramatta City Council. Is also proposed that the maximum building height of 12m and the maximum FSR of 1:1 be removed from the site. This is required as the site is to be rezoned with no likelihood of development. The property is classified as Community land.
CURRENT LEP MAPS: Current LEP 2011 zoning map	
	

ITEM NO.24	
14 AND 16 MACARTHUR STREET, PARRAMATTA	
PROPOSED AMENDMENT	▪ Increase maximum FSR from 1.1:1 to 1.7:1 ▪ Increase maximum building height from 14m to 20m
EXPLANATION	The properties no.12, 14 and 16 MacArthur Street are zoned R4 High Density Residential and are all owned by the same land owner. The properties are occupied by dwellings and have the potential, if consolidated as one lot, to be redeveloped in the future as a higher density residential development. In order to facilitate the future redevelopment of no.12, 14 and 16 MacArthur Street, the FSR and height controls under LEP 2011 applying to the sites should be amended in order to provide consistency in controls across all three properties. No.12 MacArthur Street has an FSR of 1.7:1 and a maximum building height of 20m. The two properties no.14 and 16 MacArthur Street have an FSR of 1.1:1 and a maximum building height of 14m. In order to provide consistent controls across the 3 properties, the FSR and height controls at no.14 and 16 are to be aligned with the controls applying to no.12 MacArthur Street.
CURRENT LEP MAPS:	
<u>Current LEP 2011 FSR map</u>	
 The map shows MacArthur St running vertically. To the east of the street, several lots are outlined. Lot 1 (top) is labeled 1.1:1. Lot 2 is labeled 0.5:1. Lot 3 is labeled 0.8:1. Lot 4 (bottom) is labeled 1.7:1. The street name 'MACARTHUR ST' is written vertically along the left side of the lots. Other lot numbers like 22, 20, 18, 16, 14, 12, 10, 8, 6, 4, 2 are visible along the street frontage.	
<u>Current LEP height map</u>	
 The map shows MacArthur St running vertically. To the east of the street, several lots are outlined. Lot 1 (top) is labeled 14m. Lot 2 is labeled 9m. Lot 3 is labeled 11m. Lot 4 (bottom) is labeled 20m. The street name 'MACARTHUR ST' is written vertically along the left side of the lots. Other lot numbers like 22, 20, 18, 16, 14, 12, 10, 8, 6, 4, 2 are visible along the street frontage.	

ATTACHMENT 2

EVALUATION CRITERIA FOR THE DELEGATION OF PLAN MAKING FUNCTIONS

Checklist for the review of a request for delegation of plan making functions to councils

Local Government Area: Parramatta City Council

Name of draft LEP: Housekeeping Amendment to Parramatta Local Environmental Plan 2011

Address of Land (if applicable): Various properties.

Intent of draft LEP: To correct anomalies and discrepancies, update provisions in accordance with related legislative changes and clarify dual occupancy development provisions.

Additional Supporting Points/Information: None

Evaluation criteria for the issuing of an Authorisation (Note: where the matter is identified as relevant and the requirement has not been met, council is attach information to explain why the matter has not been addressed)	Council response		Department assessment	
	Y/N	Not relevant	Agree	Not agree
Is the planning proposal consistent with the Standard Instrument Order, 2006?	Y			
Does the planning proposal contain an adequate explanation of the intent, objectives, and intended outcome of the proposed amendment?	Y			
Are appropriate maps included to identify the location of the site and the intent of the amendment?	Y			
Does the planning proposal contain details related to proposed consultation?	Y			
Is the planning proposal compatible with an endorsed regional or sub-regional planning strategy or a local strategy endorsed by the Director-General?	Y			
Does the planning proposal adequately address any consistency with all relevant S117 Planning Directions?	Y			
Is the planning proposal consistent with all relevant State Environmental Planning Policies (SEPPs)?	Y			
Minor Mapping Error Amendments	Y/N			
Does the planning proposal seek to address a minor mapping error and contain all appropriate maps that clearly identify the error and the manner in which the error will be addressed?	Y			
Heritage LEPs	Y/N			
Does the planning proposal seek to add or remove a local heritage item and is it supported by a strategy/study endorsed by the Heritage Office?	Y +	N/A		
Does the planning proposal include another form of endorsement or support from the Heritage Office if there is no supporting strategy/study?		N/A		
Does the planning proposal potentially impact on an item of State Heritage Significance and if so, have the views of the Heritage Office been obtained?	Y			
Reclassifications	Y/N			
Is there an associated spot rezoning with the reclassification?		N/A		

If yes to the above, is the rezoning consistent with an endorsed Plan of Management (POM) or strategy?		N/A		
Is the planning proposal proposed to rectify an anomaly in a classification?		N/A		
Will the planning proposal be consistent with an adopted POM or other strategy related to the site?		N/A		
Will the draft LEP discharge any interests in public land under section 30 of the Local Government Act, 1993?		N/A		
If so, has council identified all interests; whether any rights or interests will be extinguished; any trusts and covenants relevant to the site; and, included a copy of the title with the planning proposal?		N/A		
Has the council identified that it will exhibit the planning proposal in accordance with the department's Practice Note (PN 09-003) Classification and reclassification of public land through a local environmental plan and Best Practice Guideline for LEPs and Council Land?		N/A		
Has council acknowledged in its planning proposal that a Public Hearing will be required and agreed to hold one as part of its documentation?		N/A		
Spot Rezoning	Y/N			
Will the proposal result in a loss of development potential for the site (ie reduced FSR or building height) that is not supported by an endorsed strategy?	N			
Is the rezoning intended to address an anomaly that has been identified following the conversion of a principal LEP into a Standard Instrument LEP format?	Y			
Will the planning proposal deal with a previously deferred matter in an existing LEP and if so, does it provide enough information to explain how the issue that lead to the deferral has been addressed?	N			
If yes, does the planning proposal contain sufficient documented justification to enable the matter to proceed?		N/A		
Does the planning proposal create an exception to a mapped development standard?	N			
Section 73A matters				
Does the proposed instrument		N/A		
a. correct an obvious error in the principal instrument consisting of a misdescription, the inconsistent numbering of provisions, a wrong cross-reference, a spelling error, a grammatical mistake, the insertion of obviously missing words, the removal of obviously				

unnecessary words or a formatting error?; b. address matters in the principal instrument that are of a consequential, transitional, machinery or other minor nature?; or c. deal with matters that do not warrant compliance with the conditions precedent for the making of the instrument because they will not have any significant adverse impact on the environment or adjoining land? (NOTE – the Minister (or Delegate) will need to form an Opinion under section 73(A(1)(c) of the Act in order for a matter in this category to proceed).				
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NOTES

- Where a council responds 'yes' or can demonstrate that the matter is 'not relevant', in most cases, the planning proposal will routinely be delegated to council to finalise as a matter of local planning significance.
- Endorsed strategy means a regional strategy, sub-regional strategy, or any other local strategic planning document that is endorsed by the Director-General of the department.