

Parramatta - Amendments to Land Reservation Acquisition Map (with consequential changes to other maps).

Proposal Title :	Parramatta - Amendments to Land Reservation Acquisition Map (with consequential changes to other maps).		
Proposal Summary :	It is proposed to amend the Land Reservation Acquisition Map of the Parramatta LEP 2011 and the Parramatta City Centre LEP 2007 by adding or removing various sites. To reflect the proposed amendments above and to facilitate the development of land acquired, or in the process of being acquired by Council, it is also proposed to amend the maps for land zoning, height of buildings, floor space ratio, minimum lot size, minimum lot size for dual occupancy, natural resources biodiversity and natural resources riparian land and waterways. For example, land proposed to be added to the Land Reservation Acquisition map for Local Open Space or Local Environmental Conservation will be appropriately rezoned and have existing height, FSR and lot size controls removed and left unspecified.		
PP Number :	PP_2013_PARRA_011_00	Dop File No :	13/1111

Proposal Details

Date Planning Proposal Received :	17-Oct-2013	LGA covered :	Parramatta
Region :	Sydney Region West	RPA :	Parramatta City Council
State Electorate :	BAULKHAM HILLS EPPING GRANVILLE PARRAMATTA	Section of the Act :	55 - Planning Proposal
LEP Type :	Housekeeping		

Location Details

Street :			
Suburb :		City :	Postcode :
Land Parcel :	Refer to Attachment C for a full list of properties to which the planning proposal applies.		

Parramatta - Amendments to Land Reservation Acquisition Map (with consequential changes to other maps).

DoP Planning Officer Contact Details

Contact Name : Lillian Charlesworth
Contact Number : 0298601101
Contact Email : lillian.charlesworth@planning.nsw.gov.au

RPA Contact Details

Contact Name : Valerie Conway
Contact Number : 0298065710
Contact Email : vconway@parracity.nsw.gov.au

DoP Project Manager Contact Details

Contact Name : Terry Doran
Contact Number : 0298601149
Contact Email : terry.doran@planning.nsw.gov.au

Land Release Data

Growth Centre :	N/A	Release Area Name :	
Regional / Sub Regional Strategy :	Metro West Central subregion	Consistent with Strategy :	Yes
MDP Number :		Date of Release :	
Area of Release (Ha) :	0.00	Type of Release (eg Residential / Employment land) :	
No. of Lots :	0	No. of Dwellings (where relevant) :	0
Gross Floor Area :	0	No of Jobs Created :	0

The NSW Government Lobbyists Code of
Conduct has been
complied with : Yes

If No, comment :

Have there been
meetings or
communications with
registered lobbyists? :

No

If Yes, comment : The regional team is not aware of any meetings or communication with registered lobbyists concerning this proposal.

Supporting notes

Internal Supporting Notes : The Regional Team is not aware of any meetings or communication with registered lobbyists concerning this planning proposal.

External Supporting
Notes :

Adequacy Assessment

Parramatta - Amendments to Land Reservation Acquisition Map (with consequential changes to other maps).

Statement of the objectives - s55(2)(a)

Is a statement of the objectives provided? **Yes**

Comment : Council intends to update the Land Reservation Acquisition Maps of Parramatta LEP 2011 and Parramatta City Centre LEP 2007 to reserve additional land to be acquired for a public purpose and to remove certain reservations which have already been acquired or are no longer required. To correspond with the above changes, it is also proposed to amend the Land Zoning Map, Floor Space Ratio Map, Minimum Lot Size Map and Minimum Lot Size for Dual Occupancy Maps of both instruments. For the same reason, the Natural Resources Maps of Parramatta LEP 2011 will also be amended.

Table 1 of the planning proposal provides site specific reasons for amending the provisions of each affected land parcel.

Explanation of provisions provided - s55(2)(b)

Is an explanation of provisions provided? **Yes**

Comment : Table 1 of the planning proposal identifies each map that is proposed to be changed for each site. For each site there are generally changes required to several maps.

Attachment A shows the purpose of each reservation and whether the reservation is being added or removed.

Attachment B includes maps identifying the location of each property to which the planning proposal applies.

Justification - s55 (2)(c)

a) Has Council's strategy been agreed to by the Director General? **No**

b) S.117 directions identified by RPA :

1.1 Business and Industrial Zones

2.1 Environment Protection Zones

3.1 Residential Zones

4.3 Flood Prone Land

6.1 Approval and Referral Requirements

6.2 Reserving Land for Public Purposes

6.3 Site Specific Provisions

7.1 Implementation of the Metropolitan Plan for Sydney 2036

* May need the Director General's agreement

Is the Director General's agreement required? **Yes**

c) Consistent with Standard Instrument (LEPs) Order 2006 : **Yes**

d) Which SEPPs have the RPA identified?

SEPP No 19—Bushland in Urban Areas

SEPP No 32—Urban Consolidation (Redevelopment of Urban Land)

SREP (Sydney Harbour Catchment) 2005

e) List any other matters that need to be considered :

SEPP 19 BUSHLAND IN URBAN AREAS

This SEPP aims to protect and conserve urban bushland. Whilst a number of existing reservations in bushland reserves are to be removed, the proposal is consistent with the SEPP as the sites are currently developed for residential use. Therefore removal of the reservations will not facilitate removal of existing bushland.

S117 DIRECTION 1.1 BUSINESS AND INDUSTRIAL ZONES

The proposal is not consistent with this Direction which requires that the areas and locations of existing business and industrial zones be retained.

The rear of 338 Victoria Road, Rydalmere (1,157sqm) and 91Z Old Windsor Road, Old Toongabbie (3,121sqm) are to be rezoned from IN1 to RE1 as they contain:

- an Endangered Ecological Community;

- well used walking trails, being "The Ponds Walk" (Rydalmere) and a trail connecting Oakes Reserve to Reynolds Park (Old Toongabbie); and
- the site at Old Toongabbie is flood prone.

Part of 63, 83 and 78 Church Street, as well as 5-7 Parkes Street, Parramatta are to be rezoned from either B4 or B5 to SP2 Infrastructure – Classified Road in order to undertake road works consistent with Roads and Maritime Services plans.

These matters are considered to be of minor significance and are therefore justifiably inconsistent.

S117 DIRECTION 2.1 ENVIRONMENTAL PROTECTION ZONES

This Direction requires that an LEP must not reduce the environmental protection standards that apply to land within an environment protection zone or land otherwise identified for environment protection purposes.

The proposal is inconsistent with this Direction as it will remove seven sites from the Land Reservation Acquisition Map for the purposes of Local Environmental Conservation and rezone them from E2 Environmental Conservation to R2 Low Density Residential. With regards to four of these properties, it is also proposed to remove the W1 Natural Waterways Zone as this is considered to be highly restrictive and not appropriate for privately owned lands. This is consistent with other land zoned W1 in the local government area.

Four of these sites are to be added to the Natural Resources Maps whilst the proposal states that the other three sites are currently in residential use and the change in zoning and removal from the Land Reservation Acquisition Map reflects their current use and low environmental significance. The affected sites are:

3 Barbers Road, Guildford (Attachment B, Map 4)- this is an isolated lot containing a dwelling that directly adjoins the Campbell Hill Pioneer Reserve and Waddangaili Bushland. It is proposed to rezone the site from E2 to R2 Low Density Residential. It is currently used for residential purposes. Council states that it has no intention to acquire the land in the short to medium term and as the site is currently developed for residential use, Council has indicated that it is of little ecological value. It is not intended to include this site on the Natural Resources Maps.

187A, 189, 191 and 193 Kissing Point Road, Dundas (Attachment B, Map 5)- the rear of these parcels adjoin The Ponds Creek. It is proposed to rezone these sites from E2 and W1 to R2 Low Density Residential. Council states on page 6 of the Planning Proposal that there is no public access to the site which has little public value as it is landlocked. Extract 2 to this report shows that despite Council's comments, the land if acquired would enable continuous access from Kissing Point Road along the eastern side of a regional open space corridor (zoned E2). Council also argues that including this land on the Natural Resources Maps would satisfy conservation objectives by affording protection under clauses 6.4 and 6.5 of Parramatta LEP.

4 and 6 Wellington Road, South Granville (Attachment B, Map 6)- These properties are two isolated lots within the Duck River Bushland Reserve (Extract 3), which are used for residential purposes. It is proposed to rezone them from E2 to R2 Low Density Residential. Council argues that the E2 zoning should be removed as the sites themselves have little ecological value, are currently used for residential purposes and Council has no intention to acquire the lands in the short to medium term.

The site at Barbers Road adjoin a large parcel of land zoned E2 Environmental Conservation, while the two sites at Wellington Road are surrounded by E2 zoned land and form part of the open space corridor along Duck River. While the value of the adjoining conservation areas would be enhanced by the inclusion of these areas and their rehabilitation over the long term, the sites are used for residential purposes and

have no ecological value. Thus the rezoning is considered of minor significance. The agreement of the Director-General or delegate to this inconsistency in regard to these sites is required and is recommended.

It is considered that the rezoning of the lots at Kissing Point Road is not justified by the information included in the planning proposal. The land is heavily vegetated and forms part of a riparian corridor with adjoining land zoned W1 and E2. The argument that public access is not available does not seem to be accurate. Given that objective of the E2 zone is to protect land of environmental importance, public access is not a relevant consideration. It is not considered that the proposed rezoning is of minor significance, and therefore the inconsistency with S117 direction 2.2 is not considered justified in relation to these lots.

S117 DIRECTION 3.1 RESIDENTIAL ZONES

The proposal is inconsistent with this Direction as it contains provisions which will reduce the permissible residential density of land.

The following land is proposed to be rezoned from residential to RE1:

87 and 87A Park Road, Rydalmere – currently R3 - contain regularly used, established walking trails;

2 Crimea Street, Parramatta – currently R3 – the rear part of the site is part of the Ollie Webb; Reserve. Proposed that part of the land that contains a water channel be rezoned W1;

85 Thomas Street, Parramatta – currently R4 – forms part of a regional cycleway; 33, 35, 37 & 39, Bolton Street and 42, 44, 46 and 48 Station Street, Guildford – currently R3 – required to provide local open space to service the Guildford Town Centre;

32, 34, 36 Onslow Street, Granville - Council has already acquired this site for an extension of the adjoining Garside Park.

55 Lydbrook Street, Westmead - currently R4 - the land has been dedicated to Council as a condition of development consent to enable access to the Darcy Road Reserve.

The following land is proposed to be rezoned from R2 to E2:

110F Model Farms Road, Winston Hills - Council intends to acquire the land for inclusion in the adjoining Model Farms Reserve.

54 Eastwood Avenue - The rear of the site contains a Critically Endangered Ecological Community and acquisition would regularise the boundary of the adjoining Edna Hunt Sanctuary and enable management by professional bush regeneration contractors.

The following land is proposed to be rezoned from R4 to SP2 Infrastructure - Classified Road:

Part 79-83 Great Western Highway, Parramatta - to facilitate provision of a left hand turn lane consistent with RMS plans.

As adequate justification has been provided for the removal of residential zonings and the proposal will not impact on Council's ability to meet residential housing targets, inconsistency with this Direction is considered to be of minor significance.

S117 DIRECTION 6.2 RESERVING LAND FOR PUBLIC PURPOSES

This Direction states that a draft LEP requires approval of the relevant public authority and the Director-General of the Department to create alter or reduce existing zonings or reservations of land for public purposes. To comply with this requirement, consultation with the Roads and Maritime Services will be required for land that will be zoned SP2 Infrastructure and identified as Classified Road.

Parramatta - Amendments to Land Reservation Acquisition Map (with consequential changes to other maps).

The proposal also intends to remove a regional open space reservation from part 82A, 82-88 and 90 Phillip Street, Parramatta. The planning proposal states that this reservation does not relate to the zoning on the site and has been identified as a mapping anomaly. The marked area on the satellite image for Map 26 indicates that the nominated area of land is occupied by a building rather than vacant land, confirming a mapping error. It is therefore recommended in accordance with this Direction, that the Director-General indicate approval for removal of the regional open space reservation.

Have inconsistencies with items a), b) and d) being adequately justified?

If No, explain :

Mapping Provided - s55(2)(d)

Is mapping provided? **Yes**

Comment :

Map extracts have not been provided of existing and proposed zoning, height, FSR, minimum lot size, biodiversity or riparian land and waterways.

Instead, aerial photographs are provided for each site with the affected lots identified and an explanation given of proposed map changes (Attachment B). Some of the maps should be amended as the legend shows diagonal hatching whilst parallel hatching is used.

Also Attachment C includes a table detailing all proposed map changes.

It is considered that this information is sufficient for public exhibition purposes.

Community consultation - s55(2)(e)

Has community consultation been proposed? **Yes**

Comment :

Council intends that the planning proposal be publicly exhibited for a period of 28 days with direct correspondence to affected land owners, publication within the local newspapers and information on Council's website.

Additional Director General's requirements

Are there any additional Director General's requirements? **N/A**

If Yes, reasons :

Overall adequacy of the proposal

Does the proposal meet the adequacy criteria? **Yes**

If No, comment :

Proposal Assessment

Principal LEP:

Due Date :

Comments in relation to Principal LEP :

The Parramatta Principal LEP came into effect on 7 October, 2011.

Assessment Criteria

Need for planning proposal :

The planning proposal results from a comprehensive review of existing reservations to determine whether they still meet Council's priorities and strategic vision in terms of the provision of open space, environmental conservation and traffic management.

Parramatta - Amendments to Land Reservation Acquisition Map (with consequential changes to other maps).

Consistency with strategic planning framework :

DRAFT METROPOLITAN STRATEGY 2031

The planning proposal will not affect Parramatta's ability to meet housing and employment targets within the draft Strategy. It will assist in achieving the delivery of a number of Strategy objectives including the delivery of accessible and adaptable open space, a healthy water environment, protecting biodiversity, improve accessibility and connectivity for centres, and protect sites for long term transport needs.

DRAFT WEST CENTRAL SUBREGIONAL STRATEGY

The planning proposal will assist in the delivery of various key objectives within the draft Strategy including improving access to and capacity of open space, considering biodiversity and improving the health of waterways.

PARRAMATTA 2038 COMMUNITY STRATEGIC PLAN

The planning proposal is not inconsistent with this Plan.

Environmental social economic impacts :

Council argue that removal of several properties containing Endangered Ecological Communities from the Land Reservation Acquisition Maps (for the purpose of Local Environmental Conservation) is acceptable as the conservation aims can be achieved instead via specific LEP provisions. As an alternative to Council acquisition, the ten sites (or parts thereof) affected are proposed to be included on the Natural Resources maps. These sites will then be protected under clauses 6.4 and 6.5 of Parramatta LEP 2011 which require consideration of certain criteria prior to granting consent to any development on the land.

The planning proposal also adds a number of parcels of land to the areas proposed to be acquired for conservation purposes.

Council state that all the likely social and economic impacts will be of a positive nature as the proposal will allow Council to provide adequate open space, ensure environmental protection, maintain existing public walking trails, protect riparian land and waterways, provide additional parking facilities and road upgrades.

Assessment Process

Proposal type : **Consistent** Community Consultation Period : **28 Days**

Timeframe to make LEP : **9 months** Delegation : **RPA**

Public Authority Consultation - s56(2)(d) : **Office of Environment and Heritage
Transport for NSW - Roads and Maritime Services**

Is Public Hearing by the PAC required? **No**

(2)(a) Should the matter proceed ? **Yes**

If no, provide reasons :

Resubmission - s56(2)(b) : **No**

If Yes, reasons :

Identify any additional studies, if required. :

Parramatta - Amendments to Land Reservation Acquisition Map (with consequential changes to other maps).

If Other, provide reasons :

Identify any internal consultations, if required :

No internal consultation required

Is the provision and funding of state infrastructure relevant to this plan? **No**

If Yes, reasons :

Documents

Document File Name	DocumentType Name	Is Public
Cover Letter.pdf	Proposal Covering Letter	Yes
Planning Proposal.pdf	Proposal	Yes
Attachment A Proposed Amendments to Land Reservation Acquisition Maps.pdf	Proposal	Yes
Attachment B Maps_sites affected by the Planning Proposal .pdf	Proposal	Yes
Attachment C Proposed amendments to LEP Maps.pdf	Proposal	Yes
Attachment D Section 117 direction 6.2.pdf	Proposal	Yes

Planning Team Recommendation

Preparation of the planning proposal supported at this stage : **Recommended with Conditions**

S.117 directions: **1.1 Business and Industrial Zones**
 2.1 Environment Protection Zones
 3.1 Residential Zones
 4.3 Flood Prone Land
 6.1 Approval and Referral Requirements
 6.2 Reserving Land for Public Purposes
 6.3 Site Specific Provisions
 7.1 Implementation of the Metropolitan Plan for Sydney 2036

Additional Information : **S. 117 DIRECTIONS**

The inconsistency of the proposed rezoning of land at 187A, 189, 191 and 193 Kissing Point Road Dundas with Direction 2.1 is not sufficiently supported by the information provided and is not of minor importance. It is recommended that this inconsistency not be agreed by the Director-General or delegate.

The inconsistency of the proposal with other directions is considered to be of minor significance, and agreement is recommended.

DELEGATION OF PLAN-MAKING FUNCTION

The proposal is considered to be of minor importance, and it is recommended that the plan-making function be delegated to Parramatta City Council.

RECOMMENDATION

The Planning Proposal should proceed subject to the following conditions:

1. Deletion of the proposed changes in relation to the properties at 187A, 189, 191 and 193 Kissing Point Road Dundas from the planning proposal.
2. Prior to public exhibition, Maps 12, 14, 24, 25 in Attachment B should be amended so that the hatching shown on the map matches that indicated on the map legend.

Parramatta - Amendments to Land Reservation Acquisition Map (with consequential changes to other maps).

3. Prior to public exhibition, the proposal should be amended to show Council as the acquisition authority in relation to the car park at 51 nad 53A Marion Street, Harris Park.

4. Community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act (EP&A Act) 1979 as follows:

(a) the planning proposal must be publicly available for a minimum of 28 days;
and

(b) the relevant planning authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals identified in section 5.5.2 of 'A Guide to Preparing LEPs (Department of Planning and Infrastructure 2012).

5. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act:

- Roads and Maritime Services
- NSW Office of Environment and Heritage

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material, and given at least 21 days to comment on the proposal.

The written agreement of Roads and Maritime Services to be the acquisition authority for these sites for which is identified as such is required prior to exhibition.

6. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the EP&A Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for instance in response to a submission or if reclassifying land).

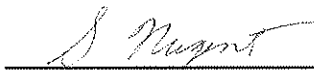
7. The timeframe for completing the LEP is to be 9 months from the week following the date of the Gateway Determination.

Supporting Reasons :

The planning proposal results from a major review of Council's land acquisition obligations. It seeks to both remove some land proposed for acquisition and to add some additional sites.

The proposal to rezone the sites at 187A, 189, 191 and 193 Kissing Point Road, Dundas from E2 Environmental Conservation to R2 Low Density Residential is not consistent with S. 117 Direction 2.1. It is not supported by the information provided and is not regarded to be of minor significance. This rezoning and the removal of this land from the land reservation acquisition map is not supported.

Signature:



Printed Name:

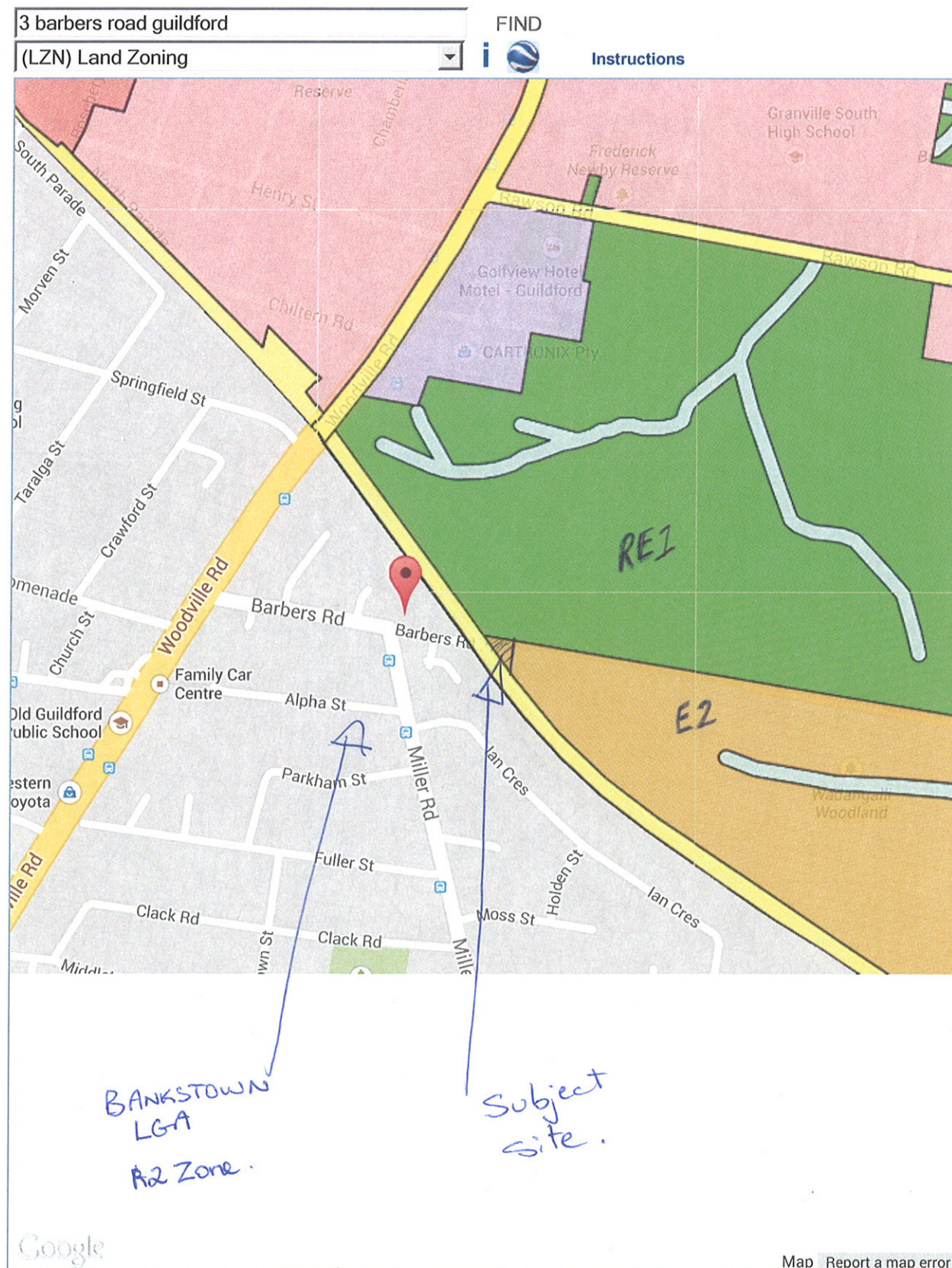
SHANE NUGENT

Date:

8/11/13



Parramatta Local Environmental Plan 2011





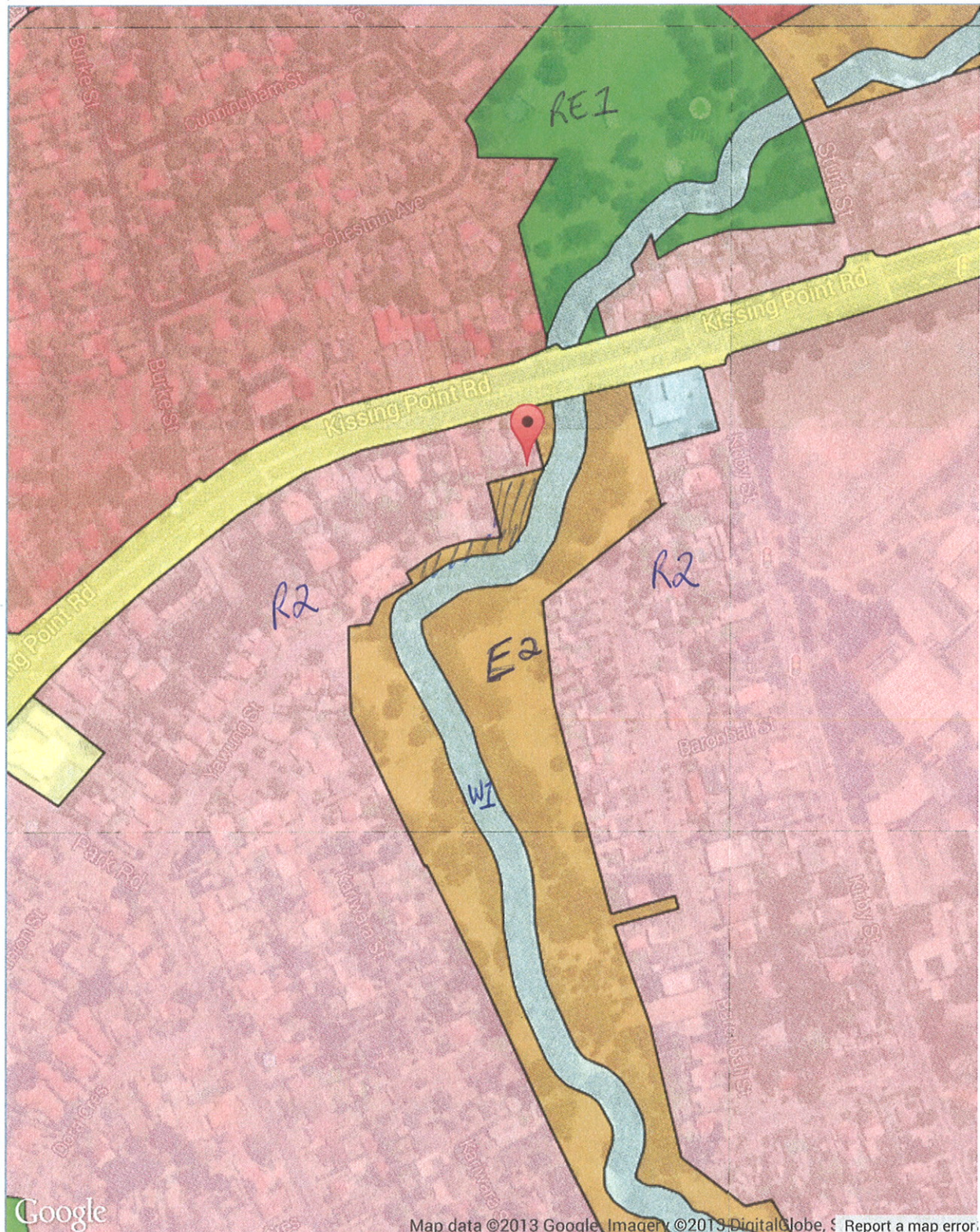
Parramatta Local Environmental Plan 2011

FIND

Extract 2.



Instructions



Map data ©2013 Google, Imagery ©2013 DigitalGlobe, Report a map error



Parramatta Local Environmental Plan 2011

Extract 3

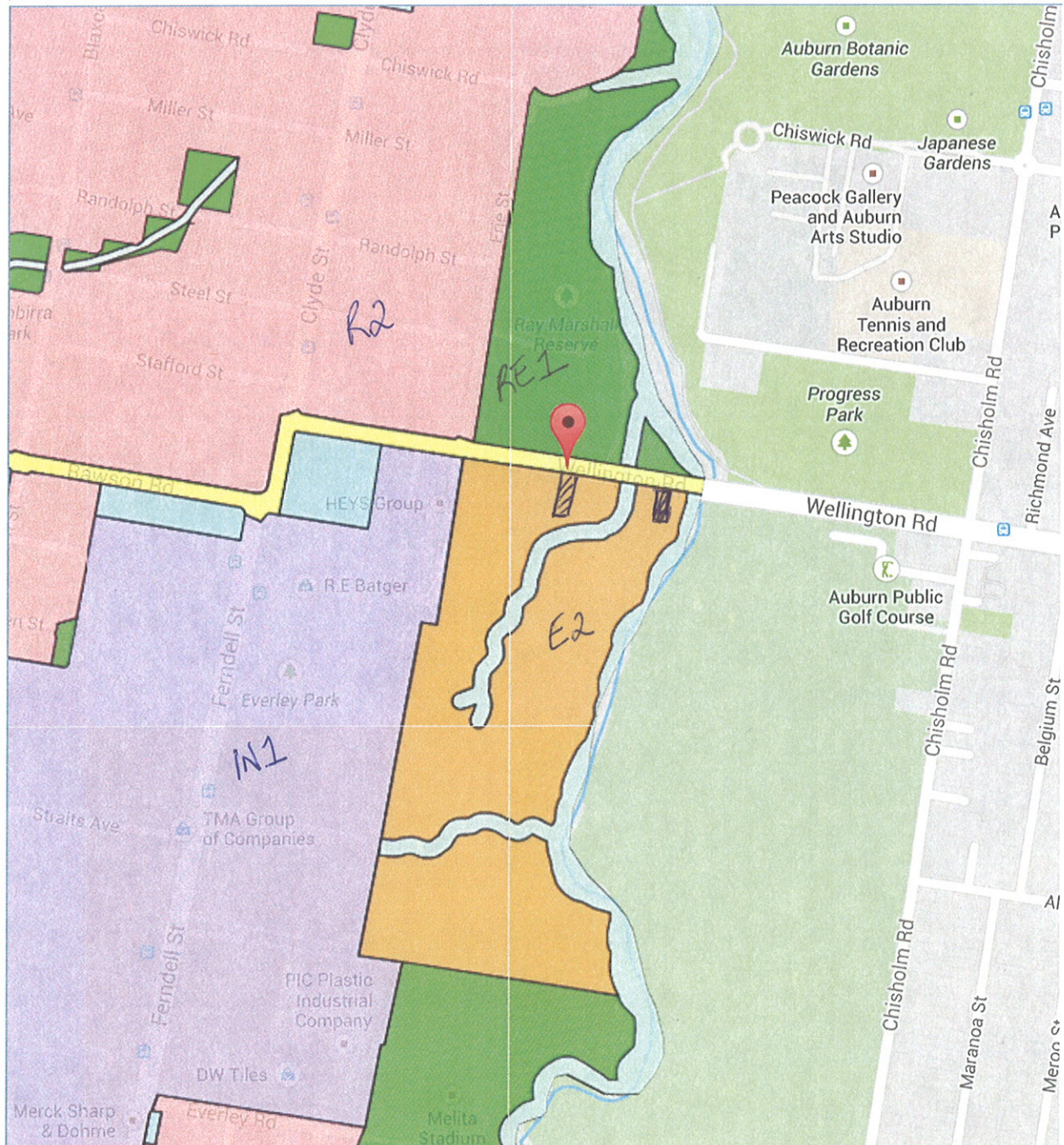
4 and 16 wellington road, south granville

FIND

(LZN) Land Zoning



Instructions



Google

Map Report a map error: