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**INNOVATIVE**

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<b>ITEM NUMBER</b>	6.1
<b>SUBJECT</b>	Parramatta LEP 2011 - Housekeeping Amendment No.3
<b>REFERENCE</b>	F2016/01116 - D06224748
<b>REPORT OF</b>	Project Officer Land Use

**PURPOSE:**

This report seeks the Parramatta Local Planning Panel's recommendation that Council endorse the preparation of a planning proposal and to forward it to the Department of Planning and Environment for Gateway Determination to proceed housekeeping amendments to the Parramatta Local Environmental Plan 2011 (PLEP 2011).

**RECOMMENDATION**

That the Local Planning Panel recommend to Council:

- (a) **That** Council endorse the planning proposal for the Housekeeping Amendment No.3 which seeks to amend the Parramatta Local Environmental Plan 2011 (PLEP 2011) in relation to:
  - 1. The planning proposal provided at **Attachment 1**, and
  - 2. Sixteen (16) amendments to the PLEP 2011 explained in **Attachment 2**.
- (b) **That** the Planning Proposal be forwarded to the Department of Planning and Environment for Gateway Determination.
- (c) **That** Council advise the Department of Planning and Environment that the CEO will be exercising the plan-making delegations for this Planning Proposal as authorised by Council.
- (d) **Further, that** Council authorises the CEO to correct any minor anomalies of a non-policy and administrative nature that may arise during plan amendment process.

**BACKGROUND**

- 1. On 7 October 2011, the Parramatta Local Environmental Plan 2011 (PLEP 2011) was adopted and applied to the former Parramatta Local Government Area (LGA). The PLEP 2011 was prepared in accordance with the Standard Instrument Order (2006).
- 2. Since the making of the Parramatta LEP 2011, various amendments have been made, including the incorporation of the Parramatta City Centre LEP 2007 into the PLEP 2011. It is also a standard practice to make minor changes, mostly of an administrative nature, to correct anomalies and clarify some provisions. In order to limit the number of amendments to Council's LEP, it is accepted practice to group a number of minor proposed changes together. These changes are commonly known as a 'housekeeping' amendment.
- 3. The first Housekeeping Amendment was adopted by Council on 25 March 2013 and was forwarded to the Department of Planning and Infrastructure. A Gateway Determination was received on 28 June 2013 and the changes were implemented on 20 June 2014.

4. The second Housekeeping Amendment was adopted by Council on 10 October 2016 and forwarded to the Department of Planning and Infrastructure. A Gateway Determination was received on 15 November 2016 and the changes were implemented on 9 February 2018.
5. The Housekeeping Amendment that is the subject of this report will be the third Housekeeping Amendment for PLEP 2011. The housekeeping amendments can be important to owners of land impacted if they seek to sell their property because they are required to obtain a Planning Certificate (Section 10.7/former Section 149 Certificate) as part of the contract of sale. Where the planning contracts contain errors or anomalies, it can cause confusion to the purchaser and complicate the sale process.
6. Following advice received from Council's Legal Team and as part of the second Housekeeping Amendment (PLEP 2011 Amendment No.24), this housekeeping amendment will not include housekeeping amendments for land within the former Woodville Ward of Parramatta City Council, governed under the PLEP 2011 and administered by Cumberland Council.
7. Further, based on similar premise, land that was part of former Auburn, Holroyd, Hornsby and The Hills LGA's prior to the 2016 proclamation within the City of Parramatta LGA is not subject to this housekeeping amendment planning proposal. Any minor anomalies, errors or planning controls within these parts of the LGA will be rectified as part of the City of Parramatta Planning Harmonisation project, and will be considered as part of the impending City of Parramatta LEP.

## **PROPOSED CHANGES**

8. The following **Amendments to Parramatta LEP 2011 Clauses** are proposed:

9.

Item	Address	Nature of Change
1	PLEP – Clause 7.3	<i>Amend Clause 7.3 Additional Local Provisions – Car Parking</i> List 'residential flat buildings' in Column 1, and 'A maximum of 1 parking space to be provided for every dwelling plus 1 parking space to be provided for every 5 dwellings for visitors' in Column 2. Residential flat buildings were intended to be included as multi-dwelling housing but are separately defined in PLEP 2011. Adding RFBs to this clause allows parking rates to be consistent between these two uses in the Parramatta CBD.
2	PLEP – Clause 6.12 (5)	<i>Amend Clause 6.12(5) to omit 'plan' and insert 'clause'</i> This clause is being amended to correct a wording anomaly within this clause. It should read that "Development consent must not be granted to the following development to which this 'clause' applies unless an architectural design competition that is consistent with the Design Excellence Guidelines has been held in relation to the proposed development", rather than 'plan' indicating the entire LEP.

10. Details of the proposed amendments, including associated mapping, can be found in **Attachment 2**
11. The following **Amendments to Parramatta LEP 2011 for minor rezoning of specific properties** are proposed:

12.

Item	Address	Nature of Change
3	13 York Street, Oatlands	<i>Rectify the Land Use Zoning with property boundary</i> A small portion of the land for this site is zoned RE2 Public Recreation, and should be R2 Low Density Residential to align with property boundary and purpose built dwelling house on site.
4	86 Chelmsford Avenue, Epping	<i>Rectify the Land Use Zoning with property boundary</i> Change land use zoning along the western boundary from R1 General Residential and W1 Natural Waterways to SP2 Infrastructure to align with property boundary and purpose built educational establishment on site.
5	1D Morton Street, Parramatta	<i>Amend the Land Use Zoning Map</i> To amend the land use zoning for the site from R4 High Density Residential to RE1 Public Recreation. Given the land has been dedicated to Council for community purposes as part of a recent development application and outcomes of Schedule 4, Item 1 of the VPA, DA DA/391/2012 and DA 164/2015 and Certificate of Title issued 29 September 2016 (Council Ref: LDOC009013).

13. Details of the proposed amendments, including mapping amendments, can be found in **Attachment 2**
14. The following **Amendments to Parramatta LEP 2011 Heritage Map and/or Schedule 5** are proposed:

Item	Address	Nature of Change
6	191Z Old Windsor Road, Old Toongabbie	<i>Amend the Heritage Map &amp; Schedule</i> To list Lot 1, DP780050 as part of item A01903 in Schedule 5 to reflect the extent of the State listing of Toongabbie Government Farm Archaeology Site.
7	158-164 Hawkesbury Road, Westmead	<i>Amend the Heritage Map &amp; Schedule</i> To correctly identify the heritage listing of I628 to Lot 1, DP 1337381 and remove heritage listing from other lots on the site following its subdivision approval under SC/211/2016.
8	47 Victoria Road and 11A Betts Street, Parramatta	<i>Amend the Heritage Schedule</i> To amend the listing in Heritage Item I459 by changing the address from '11 Betts Street and 47 Victoria Road' to '11A Betts Street' to correctly reflect the current address of the item.
9	Marion and Cowper Street, Parramatta	<i>Amend the Heritage Map</i> To remove the heritage mapping of these roads and their labels '94' and '111' respectively as they are not identified in the LEP and do not have any heritage significance.
10	Prince Alfred Square and Market Street, Parramatta	<i>Amend the Heritage Schedule</i> To change level of heritage significance from Local to State for I686 in accordance with the recent State Heritage Listing.
11	298 & 302 Church Street, Parramatta	<i>Amend the Heritage Map</i> To remove the heritage listing of 302 Church Street given the heritage listing is located on the adjoining property at 298 Church Street, Parramatta.
12	292 Church Street, Parramatta	<i>Amend the Heritage Schedule</i> To amend the address under Schedule 5, I672 to include property 292 Church Street to reflect the location of the heritage item within this property.
13	330 Church Street, Parramatta	<i>Amend the Heritage Map and Schedule</i> To remove the heritage listing of 330 Church Street given the heritage listing relates to the former David Jones Department Store that has been demolished and redeveloped in accordance with a Planning Assessment Commission approval in October 2012 under PM10_0171. The site has been redeveloped and no longer holds any heritage significance.

15. Details of the proposed amendments, including mapping amendments, can be found in **Attachment 2**.
16. The following **Miscellaneous Amendments to Parramatta LEP 2011** are proposed:

17.

Item	Address	Nature of Change
14	Northern side of Bowden Street, North Parramatta	<i>Amend the Floor Space Ratio Map</i> To amend the floor space ratio map for R3 Medium Density Residential zoned properties on the northern side of Bowden Street between Webb Street and Pennant Street from 0.5:1 to 0.6:1 as to reflect the standard FSR for this zone.
15	24 O'Connell St, 26 O'Connell Street, 1 Marist Place and 3 Marist Place, Parramatta	<i>Amend the Land Use Zoning, Heritage, Lot Size and Land Reservation Maps</i> To ensure the cadaster in Land Use Zoning, Heritage, Lot Size and Land Reserved for Acquisition Maps are aligned with property boundaries.
16	Various sites, Parramatta	<i>Amend the LRA Map</i> To show SP2 Infrastructure road reservations aligned with lot boundaries.

18. Details of the proposed amendments, including mapping amendments, can be found in **Attachment 2**.

## PLAN MAKING DELEGATIONS

19. New delegations were announced by the then Minister for Planning and Infrastructure in October 2012, allowing Councils to make LEPs of local significance. On 26 November 2012 Council resolved to accept the delegation for plan making functions. Council also resolved these functions to be delegated to the Chief Executive Officer.
20. Should Council resolve to proceed with this Planning Proposal, Council will be able to exercise its plan-making delegations. This means that after the Planning Proposal has been to Gateway, undergone public exhibition and adopted by Council, Council officers will deal directly with the Parliamentary Counsel Officer on the legal drafting and mapping of the amendment. A recommendation of this report is that when the Planning Proposal is submitted to Gateway, it advise the DPE that Council it will be exercising its delegation.

## NEXT STEPS

21. Should the Parramatta Local Planning Panel recommend to adopt the recommendations of this report, a further report will be prepared for Council seek adoption of the Local Planning Panel recommendation. If Council resolves to proceed with the planning proposal it will be forwarded to the Department of Planning and Environment for Gateway Determination.
22. Once a Gateway Determination is received, the planning proposal will be placed on public exhibition. A report on the outcomes of the public exhibition will be provided to the Local Planning Panel addressing any objections receive. If no objections are received, the matter will be reported directly to council seeking finalisation of the planning proposal.

**ATTACHMENTS:**

- 1 [!\[\]\(a88007b249b36c75dcbde101f514cec3\_img.jpg\) Planning Proposal Report - Parramatta LEP 2011 Housekeeping Amendment No.3](#)
- 2 [!\[\]\(800628c068083563f747129d8b339031\_img.jpg\) Parramatta LEP 2011 Housekeeping Amendment No. 3 Issues Paper](#)

**REFERENCE MATERIAL**



# PLANNING PROPOSAL

## Housekeeping Amendment 3- Parramatta LEP 2011

**Planning Proposal**

Council versions:

No.	Author	Version
1.	City of Parramatta Council	August 2018

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## INTRODUCTION

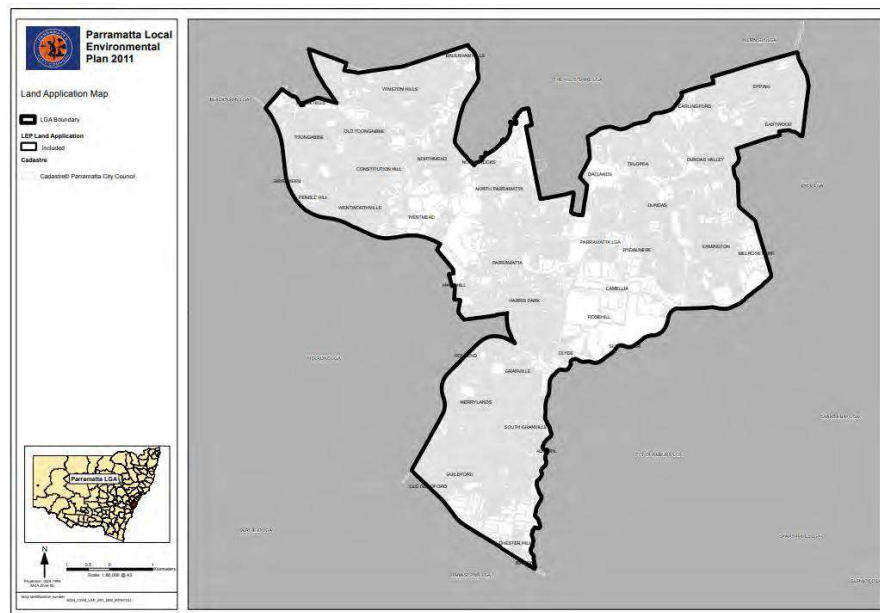
This planning proposal explains the intended effect of, and justification for, the proposed amendment to *Parramatta Local Environmental Plan 2011* to correct a number of anomalies that have been identified since the last Housekeeping Amendment. This planning proposal seeks to amend the *Parramatta Local Environmental Plan 2011* to:

- Amend additional local provisions for design excellence and parking,
- Rectify anomalies in the Land Use Zoning Maps to correct boundary adjustments,
- Rectify anomalies in the Heritage Maps and Environmental Heritage Schedule,
- Amend the Key Sites Map,
- Amend the FSR map,
- Rectify anomalies for cadastre errors in Parramatta CBD with Land Use Zoning, Height of Buildings, Floor Space Ratio Heritage, Lot Size and Land Reservation Maps applicable to the site to align the cadastre with existing property boundaries.

It has been prepared in accordance with Section 3.4 of the *Environmental Planning and Assessment Act 1979* and the Department of Planning and Environment (DP&E) guides, 'A Guide to Preparing Local Environment Plans' (August 2016) and 'A Guide to Preparing Planning Proposals' (August 2016) and 'Guidance for merged councils on planning functions' (May 2016).

## Background and context

The most recent Housekeeping Amendment for the Parramatta Local Environmental Plan was gazetted under Amendment No. 24 on 9 February 2018 by the Greater Sydney Commission. The amendments are primarily housekeeping matters that seek to address misdescriptions, errors, omissions, anomalies and inconsistencies in the written instrument and maps, ensure consistency in the application for controls, or to improve communication in the Plan. The Housekeeping Amendment will only impact on lands that were part of the former Parramatta City Council LGA.



**Figure 1** – Former Parramatta City Council LGA subject to the planning proposal

An extract of each the above maps is provided in Part 4 – Mapping; specifically, Section 4.1  
Existing controls.

## PART 1 – OBJECTIVES OR INTENDED OUTCOMES

The objective of this planning proposal is to make necessary amendments to the *Parramatta Local Environmental Plan 2011*, the changes are of a housekeeping nature. The objective of these amendments are as follows:

- Address misdescriptions, errors, omissions, anomalies and inconsistencies in the written instrument and maps
- Ensure consistency in the application of controls
- Improve communication in the plan, and
- To make a number of amendments, as detailed in the “Introduction section of the submission”

## PART 2 – EXPLANATION OF PROVISIONS

This planning proposal seeks to amend *Parramatta LEP 2011 (PLEP 2011)* in relation to a number of anomalies that have been identified since the last Housekeeping Amendment. In order to achieve the desired objectives, the following amendments to the *PLEP 2011* would need to be made:

Item	Address	Nature of Change
1	PLEP – Clause 7.3	<p><i>Amend Clause 7.3 Additional Local Provisions – Car Parking</i></p> <p>List ‘residential flat buildings’ in Column 1, and ‘A maximum of 1 parking space to be provided for every dwelling plus 1 parking space to be provided for every 5 dwellings for visitors’ in Column 2. Residential flat buildings were intended to be included as multi-dwelling housing but are separately defined in PLEP 2011. Adding RFBs to this clause allows parking rates to be consistent between these two uses in the Parramatta CBD.</p>
2	PLEP – Clause 6.12 (5)	<p><i>Amend Clause 6.12(5) to omit ‘plan’ and insert ‘clause’</i></p> <p>This clause is being amended to correct a wording anomaly within this clause. It should read that “Development consent must not be granted to the following development to which this ‘clause’ applies unless an architectural design competition that is consistent with the Design Excellence Guidelines has been held in relation to the proposed development”, rather than ‘plan’ indicating the entire LEP.</p>
3	13 York Street, Oatlands	<p><i>Rectify the Land Use Zoning with property boundary</i></p> <p>A small portion of the land for this site is zoned RE2 Public Recreation, and should be R2 Low Density Residential to align with property boundary and purpose built dwelling house on</p>

		site.
4	86 Chelmsford Avenue, Epping	<i>Rectify the Land Use Zoning with property boundary</i>  Change land use zoning along the western boundary from R1 General Residential and W1 Natural Waterways to SP2 Infrastructure to align with property boundary and purpose built educational establishment on site.
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		include property 292 Church Street to reflect the location of the heritage item within this property.
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15	24 O'Connell St, 26 O'Connell Street, 1 Marist Place and 3 Marist Place, Parramatta	<i>Amend the Land Use Zoning, Heritage, Lot Size and Land Reservation Maps</i> To ensure the cadaster in Land Use Zoning, Heritage, Lot Size and Land Reserved for Acquisition Maps are aligned with property boundaries.
16	Various sites, CBD PP	<i>Amend the LRA Map</i> To show SP2 Infrastructure road reservations aligned with lot boundaries.

## PART 3 – JUSTIFICATION

This part describes the reasons for the proposed outcomes and development standards in the planning proposal.

### 3.1 Section A - Need for the planning proposal

#### 3.1.1 Is the Planning Proposal a result of any 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 PLEP 2011 to identify anomalies requiring correction, update heritage listings, clarify LEP clause provisions and amend mapping to reflect boundary changes. A Housekeeping amendment to the Parramatta LEP is the best mechanism to achieve the aims on the proposal.

#### 3.1.2 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. The amendments proposed are minor and/or mostly administrative and will not have an adverse impact on the objectives and actions contained in the above strategies.

### **3.2 Section B – Relationship to strategic planning framework**

This section assesses the relevance of the Planning Proposal to the directions outlined in key strategic planning policy documents. Questions in this section consider state and local government plans including the NSW Government's Plan for Growing Sydney and subregional strategy, State Environmental Planning Policies, local strategic and community plans and applicable Ministerial Directions.

#### **3.2.1 Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy?**

##### **A Metropolis of Three Cities**

In March 2018, the NSW Government released the *Greater Sydney Region Plan: A Metropolis of Three Cities* ("the GSRP") a 20-year plan which outlines a three-city vision for metropolitan Sydney for to the year 2036.

The GSRP is structured under four themes: Infrastructure and Collaboration, Liveability, Productivity and Sustainability. Within these themes are 10 directions which are each contains Potential Indicator and, generally, a suite of objective/s with each objective supported by a Strategy or Strategies. The amendments proposed are minor and/or mostly administrative and will not have an adverse impact on the objectives and actions contained the GSRP.

##### **Central City District Plan**

In March 2018, the NSW Government released *Central City District Plan* which outlines a 20-year plan for the Central City District which comprises The Hills, Blacktown, Cumberland and Parramatta local government areas.

Taking its lead from the GSRP, the *Central City District Plan* ("CCDP") is also structured under four themes relating to Infrastructure and Collaboration, Liveability, Productivity and Sustainability. Within these themes are Planning Priorities which are each supported Action. The amendments proposed are minor and/or mostly administrative and will not have an adverse impact on the planning priorities and actions contained the CCDP.

### **3.2.2 Is the planning proposal consistent with the local council's Community Strategic Plan or other local strategic plan?**

The following local strategic planning documents are relevant to the planning proposal.

#### **Parramatta 2038 Community Strategic Plan**

Parramatta 2038 is a long term Community Strategic Plan for the City of Parramatta and it links to the long-term future of Sydney. The plan formalises several big and transformational ideas for the City and the region. The changes sought in this planning proposal are minor and mostly administrative in nature and will not have an adverse impact on the identified challenges and opportunities contained in Parramatta 2038.

#### **City of Parramatta Community Strategic Plan (2018)**

The City of Parramatta's CSP 'Buttut Yura Barra Ngurra' is the highest level strategic plan for Council and reflects significant consultation with staff and the community to guide how the community's vision for the city will be achieved over the next 20 years. The plan has six core community objectives that relate to a fair, accessible, green, welcoming, thriving and innovative LGA. The changes sought in this planning proposal are minor and mostly administrative in nature and will not have an adverse impact on the community goals and supporting strategies of this plan.

#### **Parramatta CBD Planning Strategy**

Council adopted the "Parramatta CBD Planning Strategy" at its meeting of 27 April 2015. The Strategy is the outcome of detailed technical studies which reviewed the current planning framework and also a significant program of consultation with stakeholders and the community. The objectives of the Strategy are as follows:

1. To set the vision for the growth of the Parramatta CBD as Australia's next great city.
2. To establish principles and actions to guide a new planning framework for the Parramatta CBD.
3. To provide a clear implementation plan for delivery of the new planning framework for the Parramatta CBD.

Some of the Housekeeping amendment items are located within the scope Parramatta CBD Planning Strategy, specifically Items 1, 11, 12, 13, 15 and 16. These items have been included as part of this planning proposal instead of the CBD planning proposal given their administrative nature, that aligns more closely with the objectives and intended outcomes of this project as opposed to the CBD Planning proposal.

### **3.2.3 Is the planning proposal consistent with the applicable State Environmental Planning Policies?**

The following State Environmental Planning Policies (SEPPs) are of relevance to the site (refer to Table 5 below).

**Table 5 – Consistency of planning proposal with relevant SEPPs**

<b>State Environmental Planning Policies (SEPPs)</b>	<b>Consistent: Yes - ✓ No - ✗ or N/A</b>	<b>Comment</b>
SEPP No 1 Development Standards	YES	This SEPP is not applicable to the subject land under Clause 1.9 of the Parramatta LEP 2011.
SEPP 4 – Development Without Consent and Miscellaneous Exempt and Complying Development	YES	This SEPP is not applicable to the subject land under Clause 1.9 of the Parramatta LEP 2011.
SEPP 6 – Number of Storeys in a Building	N/A	Standard instrument definitions apply.
SEPP 33 – Hazardous and Offensive Development	N/A	N/A
SEPP No 55 Remediation of Land	YES	The 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 through the DA Process.
SEPP 60 – Exempt and Complying Development	YES	The planning proposal does not contain provisions that would affect the application of this SEPP.
SEPP 64 – Advertising and Signage	N/A	Not relevant to proposed amendment. May be relevant to future DAs.
SEPP No 65 Design Quality of Residential Flat Development	YES	Item 1 contains details on parking rates in Parramatta CBD for residential flat development. Detailed compliance with SEPP 65 will be demonstrated at the time of making a development application for the site facilitated by this Planning Proposal. During the design development phase, detailed testing of SEPP 65 and the Residential Flat Design Code was carried out and the indicative scheme is capable of demonstrating compliance with the SEPP.
SEPP No.70 Affordable Housing (Revised Schemes)	N/A	Not relevant to proposed amendment.
SEPP (Affordable Rental Housing) 2009	N/A	Not relevant to proposed amendment.
SEPP (BASIX) 2004	N/A	The planning proposal does not contain provisions that would affect the application of this SEPP.
SEPP (Exempt and Complying Development Codes) 2008	YES	The planning proposal does not contain provisions that would affect the application of this SEPP. May apply to future development of the site.
SEPP (Infrastructure) 2007	YES	Item 16 contains details on SP2 road reservations. Changes proposed under this item may implicate future development of these sites. The proposal will be referred to RMS regarding this item.

Sydney Regional Environmental Plan No 18–Public Transport Corridors	N/A	This SEPP is not applicable to the subject land under Clause 1.9 of the <i>Parramatta LEP 2011</i> .
Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005	YES	The housekeeping proposed impacts on land within the Sydney Harbour Catchment foreshore. The amendments are largely administrative in nature, with any potential impacts as a result of development on the site, such as stormwater runoff to be considered and addressed appropriately at DA stage.
SEPP (Urban Renewal) 2010	YES	The planning proposal does not contain provisions that would affect the application of this SEPP. May apply to future development of the site.

### 3.2.4 Is the planning proposal consistent with applicable Ministerial Directions (s.9.1 directions)

In accordance with Clause 9.1 of the *EP&A Act 1979* the Minister issues directions for the relevant planning authorities to follow when preparing planning proposals for new LEPs. The directions are listed under the following categories:

- Employment and resources
- Environment and heritage
- Housing, infrastructure and urban development
- Hazard and risk
- Housing, Infrastructure and Urban Development
- Local plan making

The following directions are considered relevant to the subject Planning Proposal.

**Table 6 – Consistency of planning proposal with relevant Section 9.1 Directions**

Relevant Direction	Comment	Compliance
<b>1. Employment and Resources</b>		
Direction 1.1 – Business and Industrial Zones	<p>Applicable to this direction are the following items:</p> <ul style="list-style-type: none"> <li>• Item 6: Amend planning controls on industrial zoned property to reflect archaeological significance,</li> <li>• Item 15: Amend the cadaster on business zoned properties to reflect true boundaries of site.</li> </ul> <p>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.</p>	Yes

<b>2. Environment and Heritage</b>		
Direction 2.3 - Heritage Conservation	<p>Applicable to this direction are the following items:</p> <ul style="list-style-type: none"> <li>Item 6: List property as part of Archaeology site A01903</li> <li>Item 7: Isolate heritage I628 to Lot 1, DP1337381 and remove heritage listing on remaining lots</li> <li>Item 8: Amend the address for I459 in Schedule 4 to reflect true extent of listing</li> <li>Item 9: Remove heritage labelling or listed roads as no heritage significance identifiable</li> <li>Item 10: Amend level of significance from local to state for I686 in Schedule 4.</li> <li>Item 11: Remove listing of 302 Church Street given heritage extent located on adjacent property</li> <li>Item 12: To amend the address of Sch.4 I672 to include properties 292 and 298 Church Street.</li> <li>Item 13: To remove listing of 330 Church Street given the no heritage value remaining on the property.</li> </ul> <p>The property changes are generally of minor significance, seek to conserve items of heritage significance, delist sites where the heritage item has been remove, accurately identify heritage items and reflect the existing uses.</p>	Yes
<b>3. Housing, Infrastructure and Urban Development</b>		
Direction 3.1 - Residential Zones	<p>Applicable to this direction are the following items:</p> <ul style="list-style-type: none"> <li>Item 1: Change to car parking provision for residential flat development in Parramatta CBD.</li> <li>Item 3: Amend the land zoning map to reflect true property and zoning boundaries.</li> <li>Item 8: To list 11A Betts Street as part of I459, Schedule 4.</li> <li>Item 14: Amend the FSR for residential properties on north side of Bowden Street between Webb and Pennant Street to reflect the standard FSR for properties in this zone.</li> </ul> <p>The proposed changes are generally of minor significance, seek to provide for housing choice and reflect existing uses.</p>	Yes
Direction 3.4 - Integrating Land Use and Transport	The proposed changes are of minor significance and are consistent with this direction.	Yes
<b>4. Hazard and Risk</b>		
Direction 4.1 - Acid Sulfate Soils	<p>The planning proposal maintains the current planning provisions with respect to the management of acid sulfate soils.</p> <p>The proposed changes are of minor significance and are consistent with this direction.</p>	Yes
Direction 4.3 - Flood Prone Land	<p>The planning proposal maintains the current planning provisions with respect to the management of flood prone land.</p> <p>The proposed changes are of minor significance and are consistent with this direction.</p>	Yes

6. Local Plan Making		
Direction 6.1 - Approval and Referral Requirements	The Planning Proposal does not introduce any provisions that require any additional concurrence, consultation or referral.  The proposal will maintain the existing provisions contained within relevant instruments and is consistent with this direction.	Yes
Direction 6.3 - Site Specific Provisions	The proposed housekeeping amendments are of minor significance and administrative in nature. The planning proposal is therefore consistent with this direction.	Yes
7. Metropolitan Planning		
Direction 7.1 - Implementation of A Plan for Growing Sydney	As discussed above, this planning proposal is mostly consistent with the current metropolitan plan - <i>A Metropolis of Three Cities – The Greater Sydney Region Plan</i> . The proposed housekeeping amendments are of minor significance and administrative in nature and are considered to satisfy the 10 directions of regional plan. The housekeeping amendments provide a more streamline planning process under the PLEP that are consistent with the livability, productivity and sustainability objectives, planning priorities and actions of the region plan.	Yes
Direction 7.5 – Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	The housekeeping amendment aims to provide a more streamline planning process under the PLEP 2011. It is therefore consistent with the objectives of the Greater Parramatta Interim Land Use and Infrastructure Implementation Plan.	Yes

### 3.3 Section C – Environmental, social and economic impact

This section considers the potential environmental, social and economic impacts which may result from the Planning Proposal.

#### 3.3.1 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 minor and/or administrative and will generally have no significant impacts on critical habitats, threatened species, populations, ecological communities or their habitats.

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

It is considered that the planning proposal will not result in any other environmental effects. The housekeeping amendment is likely to improve the decision making and planning assessment process by removing anomalies in the listings and introducing corrections to the extent of significant items such as archaeology, heritage, wording of LEP clauses and land use zoning.

#### 3.3.3 How 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, corrections to cadastres to reflect true boundaries and adjustments to the heritage map and schedule. This is to provide greater certainty in relation to the current and future use of the sites affected by the planning proposal.

### **3.4 Section D – State and Commonwealth Interests**

#### **3.4.1 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 sewage, water supply, power and telecommunication services.

#### **3.4.2 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**

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This section contains the mapping for this planning proposal in accordance with the DP&E's guidelines on LEPs and Planning Proposals. The document at Appendix 1 includes maps of the properties relating to this planning proposal.

## **PART 5 – COMMUNITY CONSULTATION**

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The planning proposal (as revised to comply with the Gateway determination) is to be publicly available for community consultation.

Public exhibition is likely to include:

- newspaper advertisement;
- display on the Council's web-site; and
- written notification to adjoining landowners.

The gateway determination will specify the level of public consultation that must be undertaken in relation to the planning proposal including those with government agencies.

Pursuant to Section 57(8) of the *EP&A Act 1979* the Responsible Planning Authority must consider any submissions made concerning the proposed instrument and the report of any public hearing.

## **PART 6 – PROJECT TIMELINE**

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The detail around the project timeline is expected to be prepared following the referral to the Minister for review of the Gateway Determination.

The following steps are anticipated:

- Report to IHAP and Council – August 2018
- Referral to Minister for review of Gateway determination – September 2018
- Date of Gateway determination – November 2018
- Commencement and completion dates for public exhibition period and government agency notification – February 2018
- Consideration of submissions- March 2019
- Consideration of proposal post exhibition and reporting to Council – April 2019
- Submission to the Department to finalise the LEP – May 2019
- Notification of instrument – June 2019

## **Appendix 1 –Parramatta LEP 2011 – Housekeeping #3 Issues Paper**

Council Ref: D06310341 (F2016/01116)



Prepared by City of Parramatta

**PARRAMATTA** WE'RE BUILDING **AUSTRALIA'S NEXT GREAT CITY**

## Parramatta Local Environmental Plan 2011 LEP Housekeeping Amendment No.3 – Issues Paper

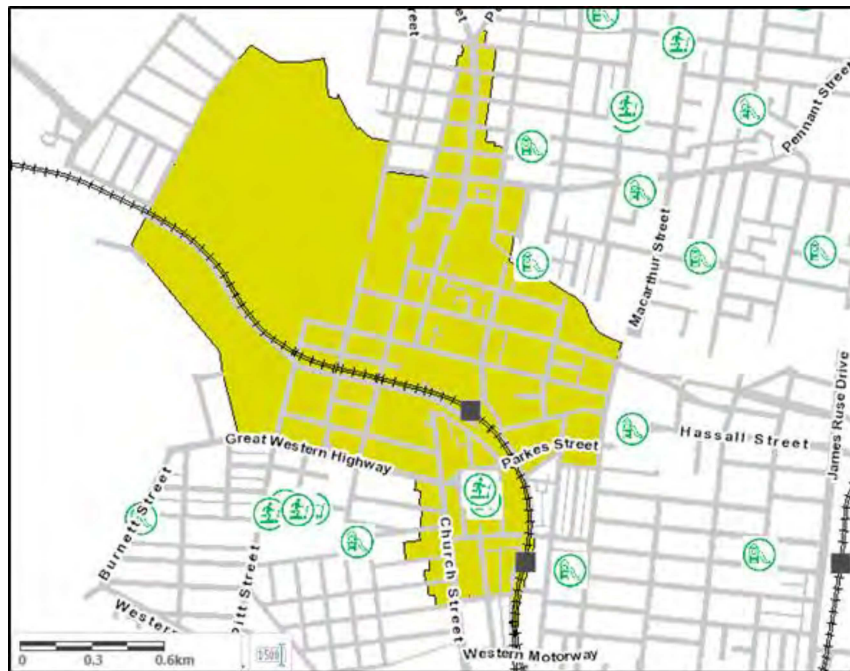
### PROPOSED AMENDMENTS

Item	Address	Nature of Change
1	PLEP – Clause 7.3	<i>Amend Clause 7.3 Additional Local Provisions – Car Parking</i>
2	PLEP – Clause 6.12 (5)	<i>Amend Clause 6.12(5) to omit 'plan' and insert 'clause'</i>
3	13 York Street, Oatlands	<i>Rectify the Land Use Zoning with property boundary</i>
4	86 Chelmsford Avenue, Epping	<i>Rectify the Land Use Zoning with property boundary</i>
5	1D Morton Street, Parramatta	<i>Amend the Land Use Zoning Map</i>
6	191Z Old Windsor Road, Old Toongabbie	<i>Amend the Heritage Map &amp; Schedule</i>
7	158-164 Hawkesbury Road, Westmead	<i>Amend the Heritage Map &amp; Schedule</i>
8	47 Victoria Road and 11A Betts Street, Parramatta	<i>Amend the Heritage Schedule</i>
9	Marion and Cowper Street, Parramatta	<i>Amend the Heritage Map</i>
10	Prince Alfred Square and Market Street, Parramatta	<i>Amend the Heritage Schedule</i>
11	298 & 302 Church Street	<i>Amend the Heritage Map</i>
12	292 Church Street, Parramatta	<i>Amend the Heritage Schedule</i>
13	330 Church Street, Parramatta	<i>Amend the Heritage Map &amp; Schedule</i>
14	Northern side of Bowden Street, North Parramatta	<i>Amend the Floor Space Ratio Map</i>
15	24 O'Connell St, 26 O'Connell Street, 1 Marist Place and 3 Marist Place, Parramatta	<i>Amend the Land Use Zoning, Heritage, Lot Size and Land Reservation Maps</i>
16	Various sites, CBD PP	<i>Amend the LRA Map</i>

## Item 1

**Parramatta LEP 2011 – Clause 7.3 Additional Local Provisions – Car Parking  
Amendment Clause 7.3, PLEP 2011**

<b>Proposed Amendment</b>	<ul style="list-style-type: none"> <li>List 'residential flat buildings' in Column 1, and 'A maximum of 1 parking space to be provided for every dwelling plus 1 parking space to be provided for every 5 dwellings for visitors' in Column 2.</li> </ul>
<b>Explanation</b>	<p>Multi dwelling housing does not include RFBs under the Parramatta LEP 2011 so this proposed use and maximum number of parking spaces should be included at the same rate as multi dwelling housing. Residential flat buildings were intended to be included as multi-dwelling housing but are separately defined in PLEP 2011. Adding RFBs to this clause allows parking rates to be consistent between these two uses in the Parramatta CBD.</p>

**Mapping:**

Extract of Additional Local Provisions for Parramatta City Centre, PLEP 2011

Item 2	
Parramatta LEP 2011 – Clause 6.12 (5) Amend Clause 6.12(5) to omit 'plan' and insert 'clause'	
<b>Proposed Amendment</b>	<ul style="list-style-type: none"> <li>Development consent must not be granted to the following development to which this 'clause' applies unless an architectural design competition that is consistent with the Design Excellence Guidelines has been held in relation to the proposed development</li> </ul>
<b>Explanation</b>	<p>This clause is being amended to correct a wording anomaly within this clause. Development consent must not be granted to the following development to which this <del>Plan</del> clause applies unless an architectural design competition that is consistent with the Design Excellence Guidelines has been held in relation to the proposed development:</p> <p>(a) development in respect of a building that is, or will be, higher than 55 metres above ground level (existing),</p> <p>(b) development having a capital value of more than \$100,000,000,</p> <p>(c) development for which the applicant has chosen to have such a competition.</p> <p>Plan may be interpreted as the entire LEP.</p>
<b>Current Mapping: N/A</b>	
<b>Proposed Mapping: N/A</b>	

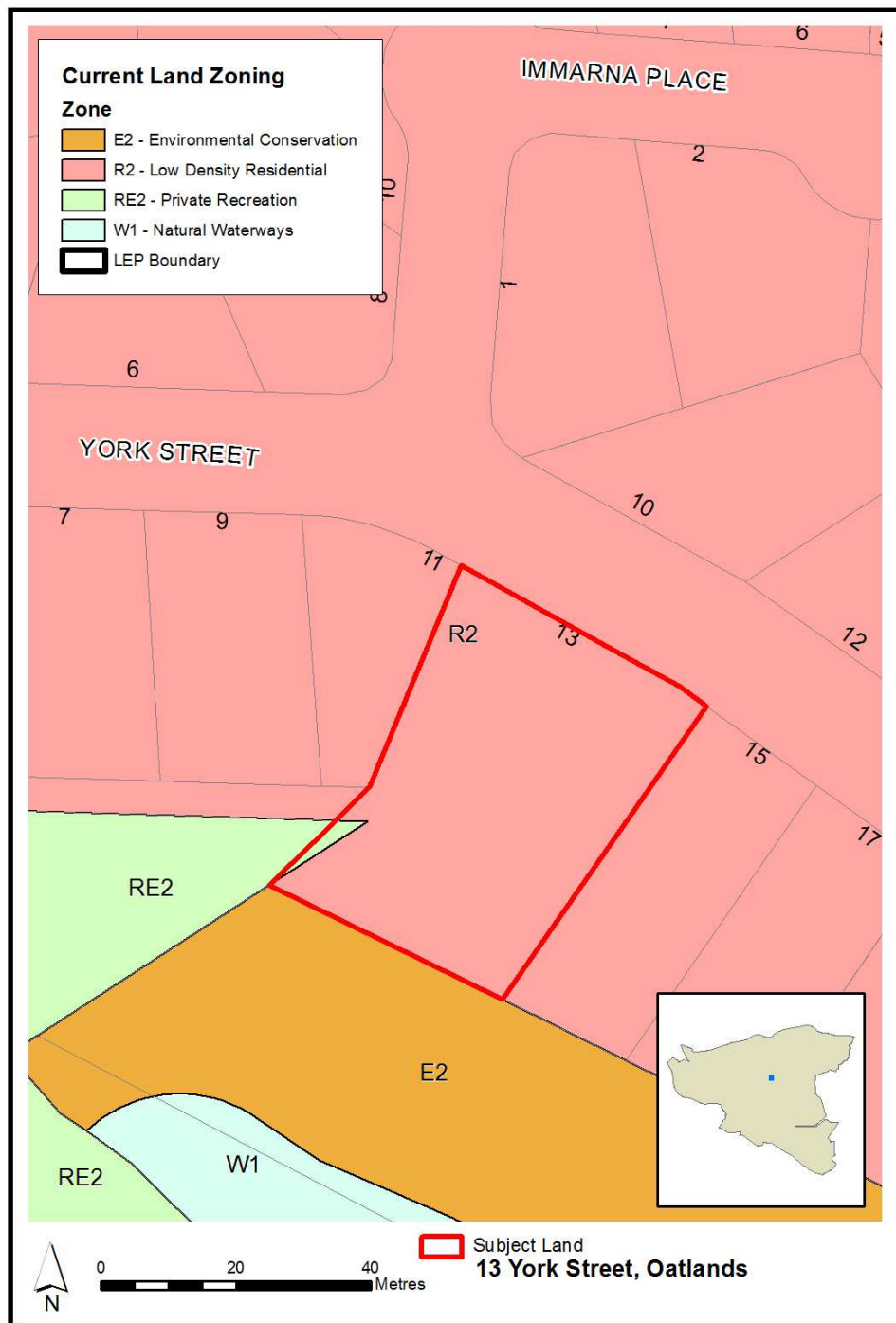
## Item 3

13 York Street, Oatlands (Lot 1, DP 1232662)

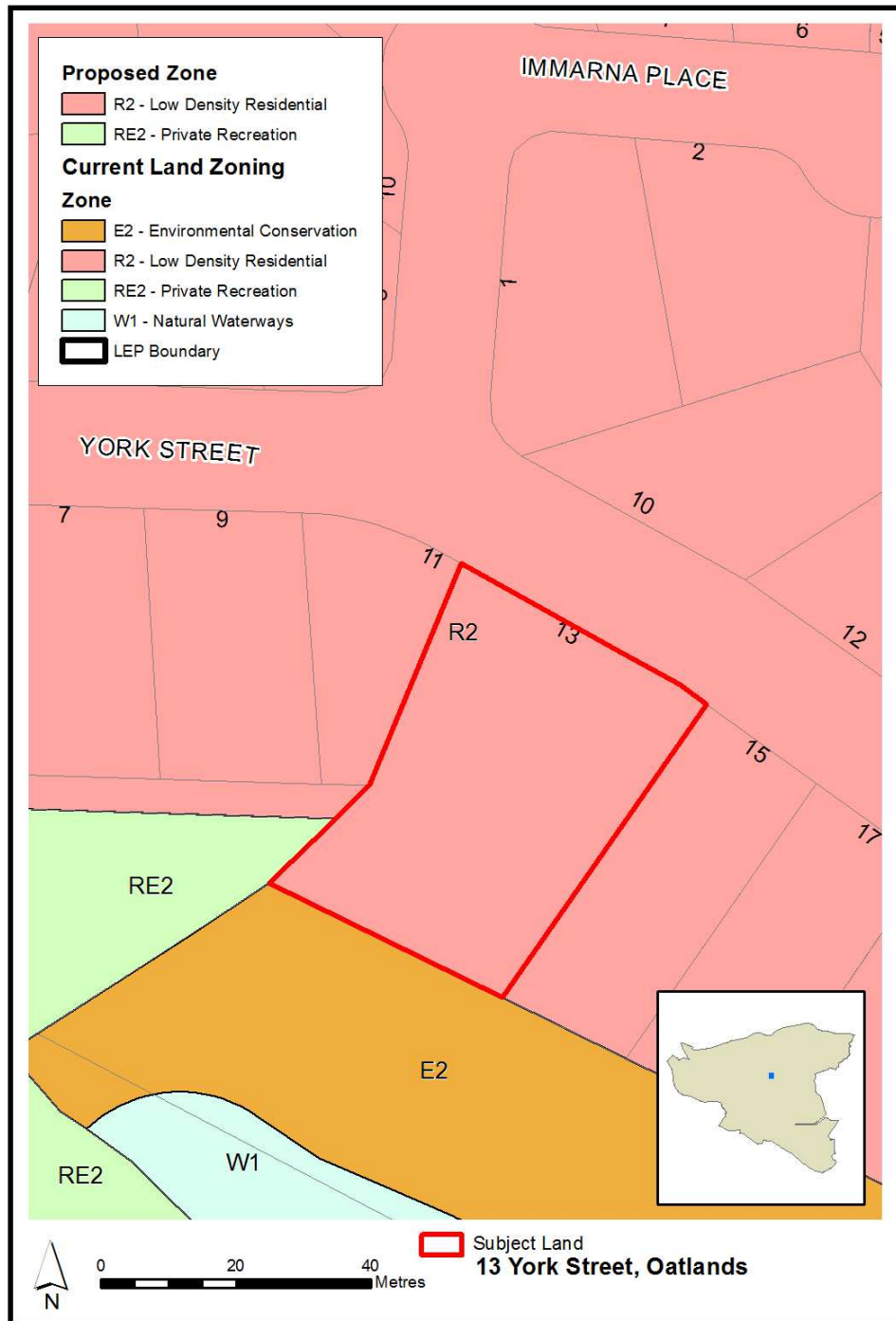
Rectify the Land Use Zoning with property boundary

Proposed Amendment	<ul style="list-style-type: none"><li>• Change land use zoning from RE2 Public Recreation to R2 Low Density Residential align with property boundary and purpose built dwelling house on site..</li></ul>
Explanation	Subdivision certificate SC/156/2017 for the boundary adjustment was applied for under Codes SEPP 2008. The boundary adjustment was required as part of several deferred commencement conditions for DA/897/2015 for Demolition, subdivision of one lot into two, construction of a two storey dwelling, in-ground pool with cabana; associated tree. With regard to the deferred commencement conditions, other issues are still outstanding and DA/897/2015 is not operative.

Current Mapping:



Proposed Mapping:



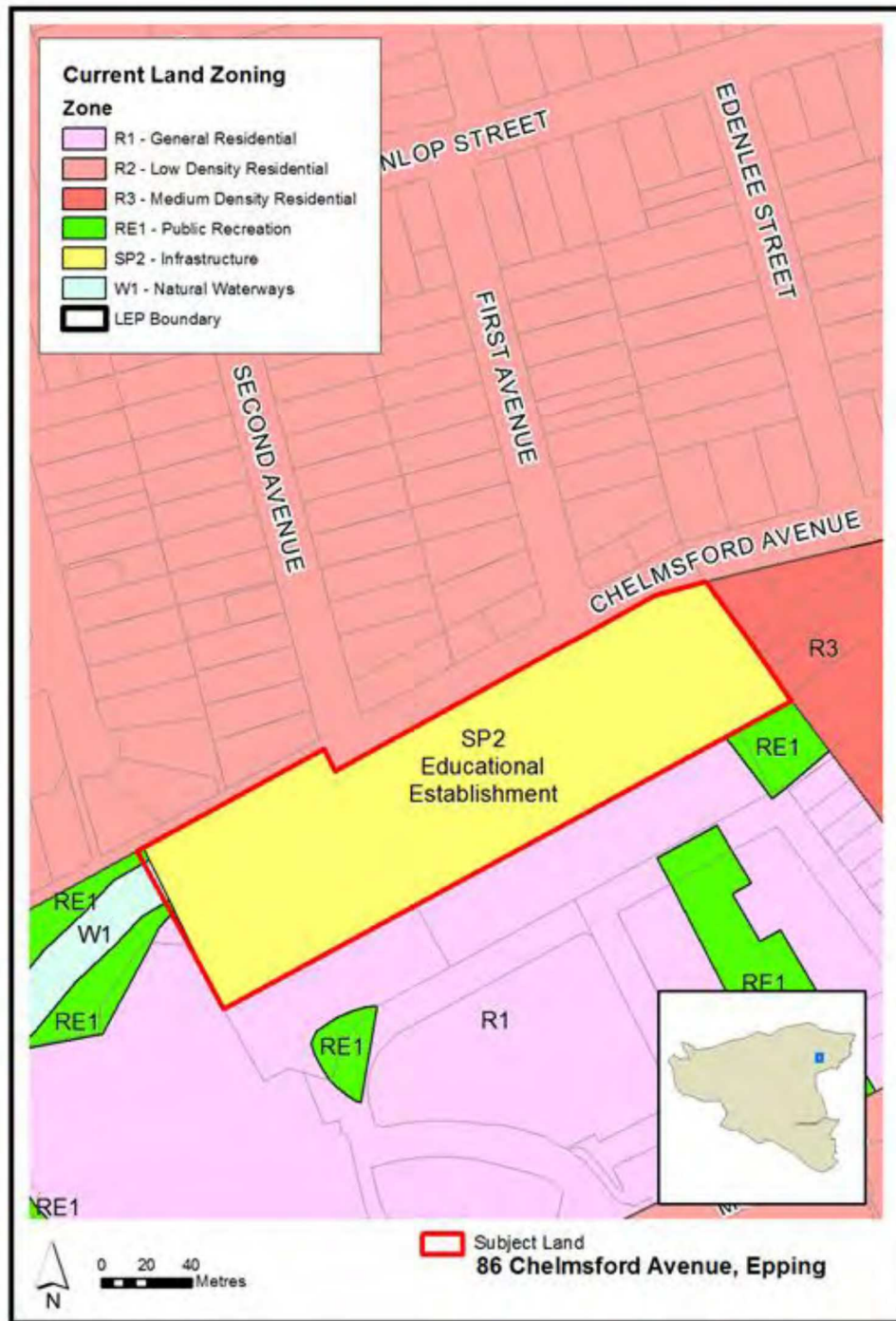
## Item 4

86 Chelmsford Avenue, Epping (Lot 1, DP 582172)

Rectify the Land Use Zoning with property boundary

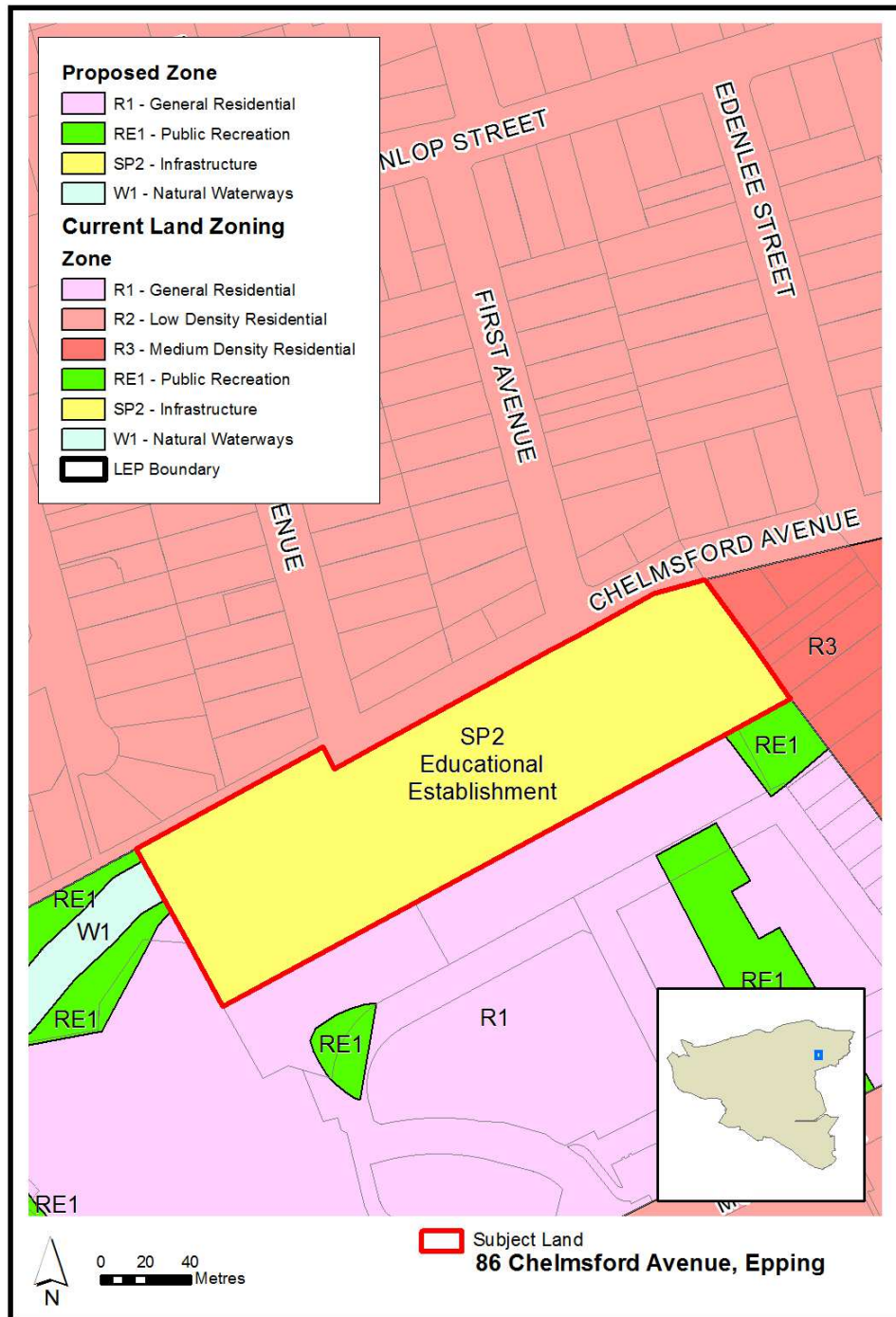
Proposed Amendment	<ul style="list-style-type: none"><li>• Change land use zoning along the western boundary from R1 General Residential and W1 Natural Waterways to SP2 Infrastructure to align with property boundary and purpose built educational establishment on site.</li></ul>
Explanation	A western boundary was adjusted and should reflect SP2 educational establishment use for the site. This is reflected in Planning Certificate issued 21 July 2017 (Council Ref: D05168989)

Current



Mapping:

Proposed Mapping:



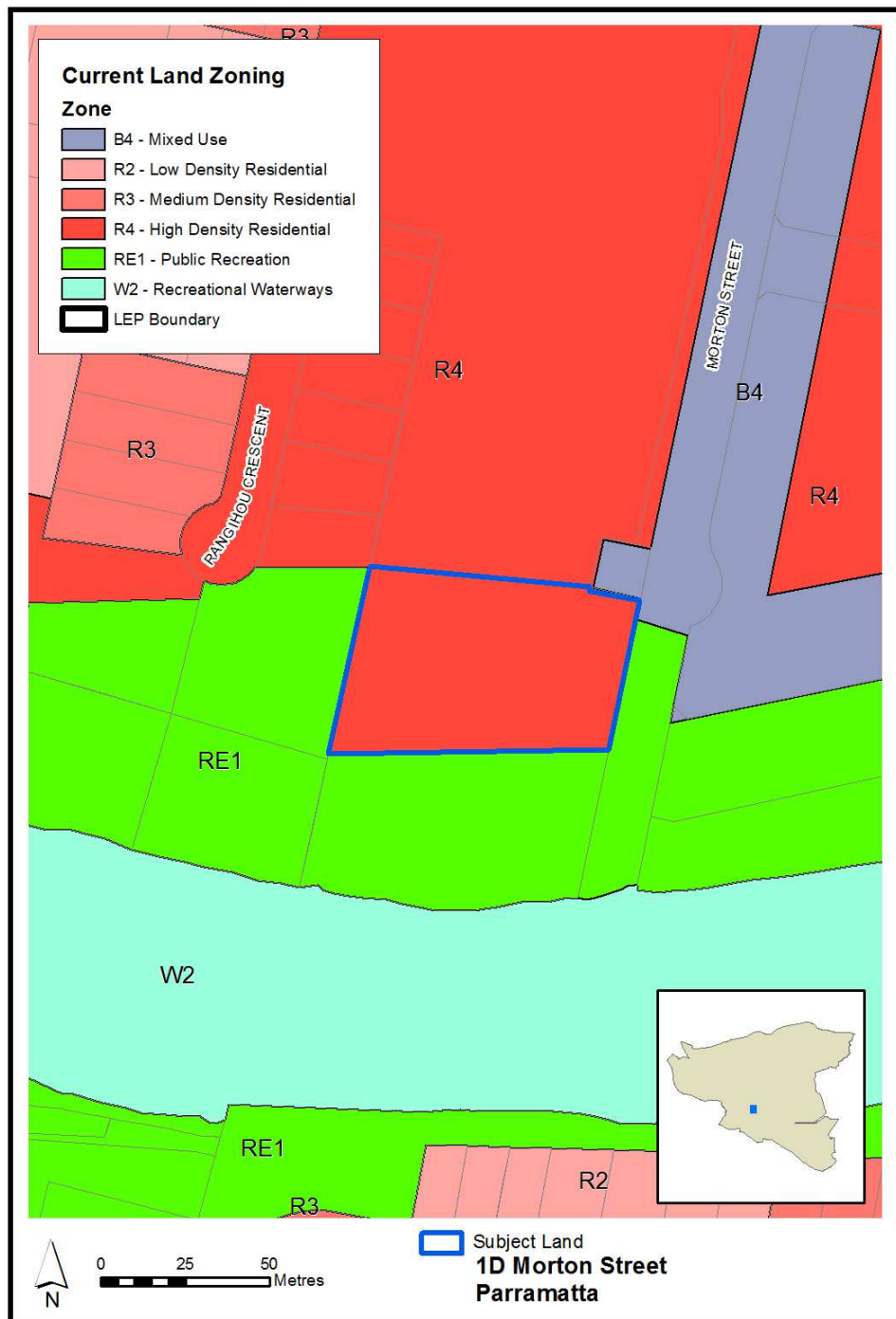
## Item 5

1D Morton Street, Parramatta (Lot 2, DP 1221620)

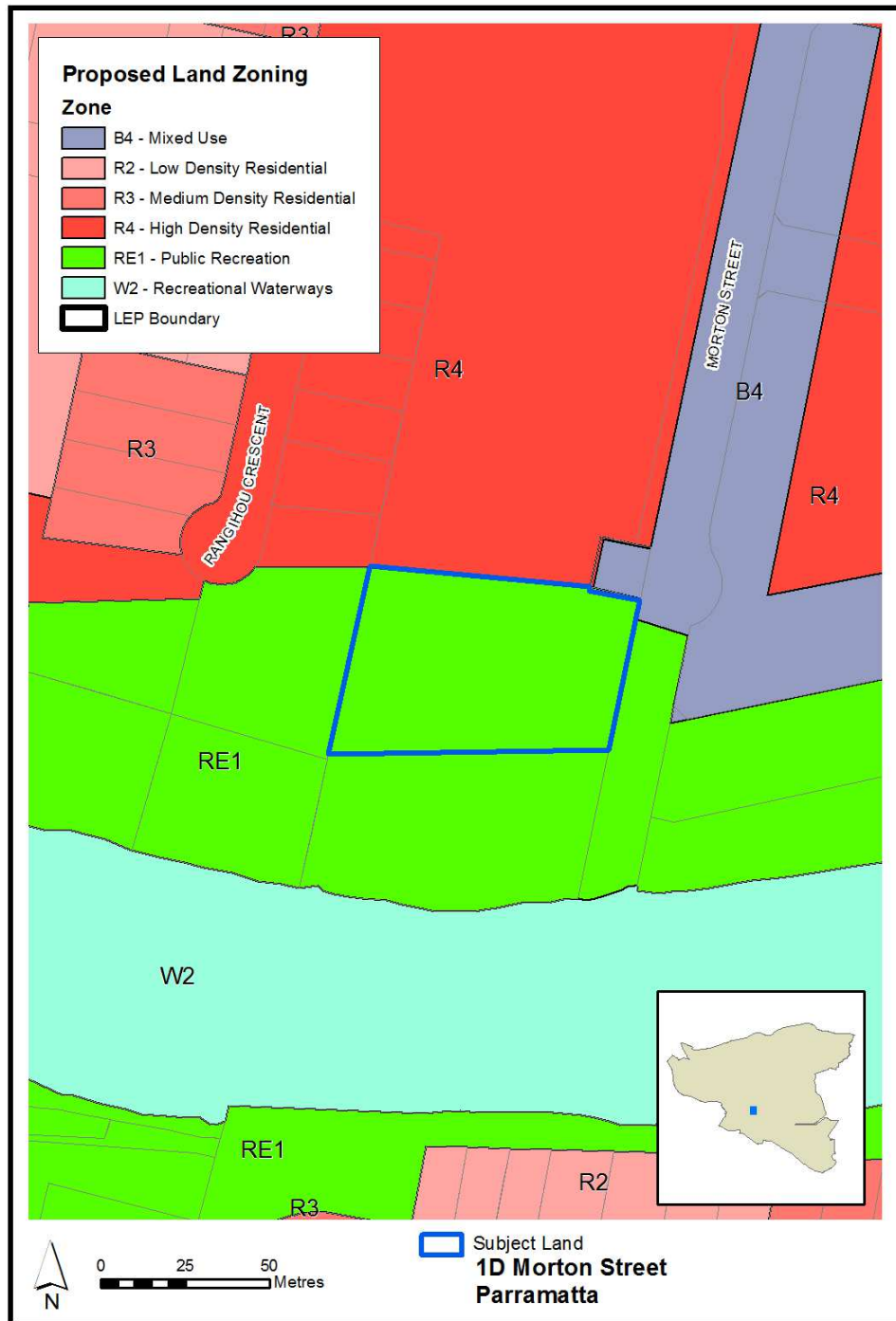
Amend the Land Use Zoning Map

Proposed Amendment	<ul style="list-style-type: none"> <li>To amend the land use zoning for the site from R4 High Density Residential to RE1 Public Recreation given the outcomes of the VPA, DA, Certificate of Title and ownership to council for community purposes.</li> </ul>
Explanation	<p>The dedication of land at 1D Morton Street was negotiated as part of Schedule 4, Item 1 of the VPA for 2 Morton Street, Parramatta. For 2 Morton Street, Parramatta, DA/391/2012 was to deliver a staged mixed use development and DA/165/2015 were determined for tree removal, new roads, subdivision and construction of a mixed use development containing 496 apartments and 4 retail/commercial tenancies. As part of the agreed VPA and determination it was agreed that the land be dedicated to Council for community purposes is described a public reserve as identified in the Certificate of Title issued 29 September 2016 (Council Ref: LDOC009013).</p>

Current Mapping:



Proposed Mapping:



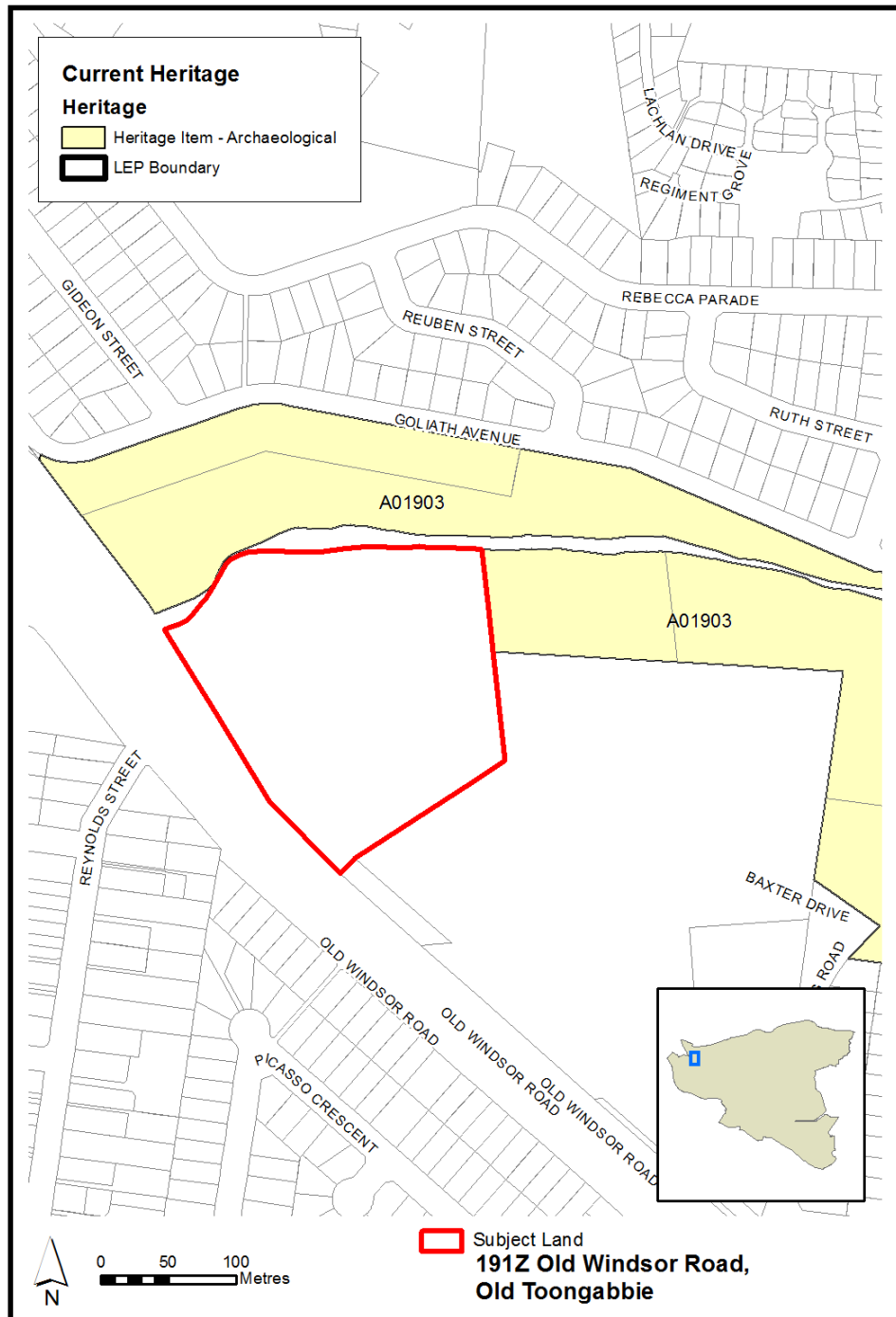
## Item 6

191Z Old Windsor Road, Old Toongabbie (Lot 1, DP 780050)

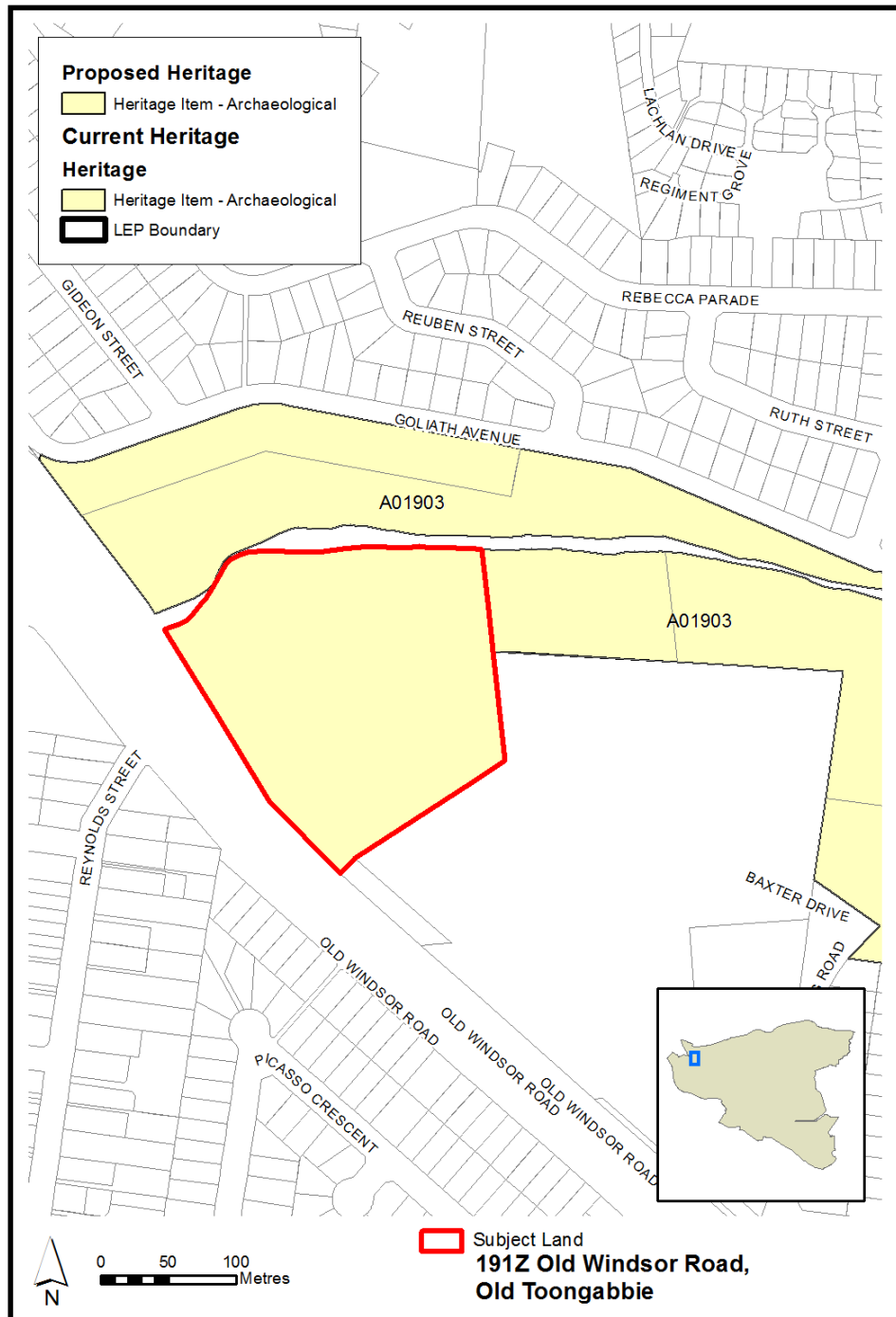
Amend the Heritage Map &amp; Schedule

Proposed Amendment	<ul style="list-style-type: none"><li>To list Lot 1, DP780050 as part of item A01903 in Schedule 5 to reflect the extent of the State listing of Toongabbie Government Farm Archaeology Site.</li></ul>
Explanation	Toongabbie Government Farm Archaeological Site A01903 State listing affects part of Lot 1, DP 780050. This part of the property is listed in Schedule 5 of Parramatta LEP, is included in the NSW SHI Heritage Inventory for the site and also the northern edge of Lot 1, DP 780050 is mapped on SHR 01903 Plan 2115.

Current Mapping:



Proposed Mapping:



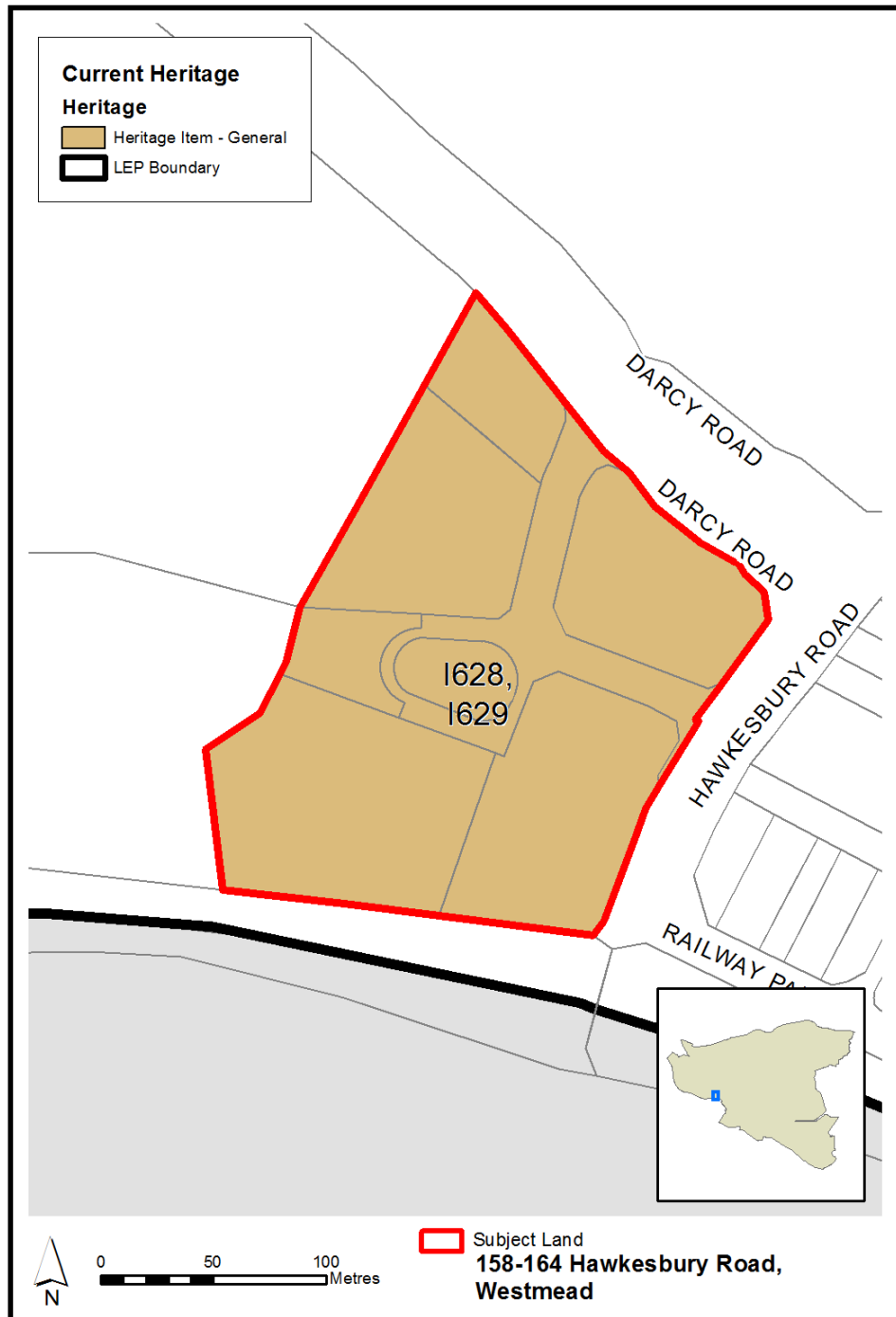
## Item 7

158-164 Hawkesbury Road, Westmead (Lots 2, 3, 4, 5, 6, DP 1227281)

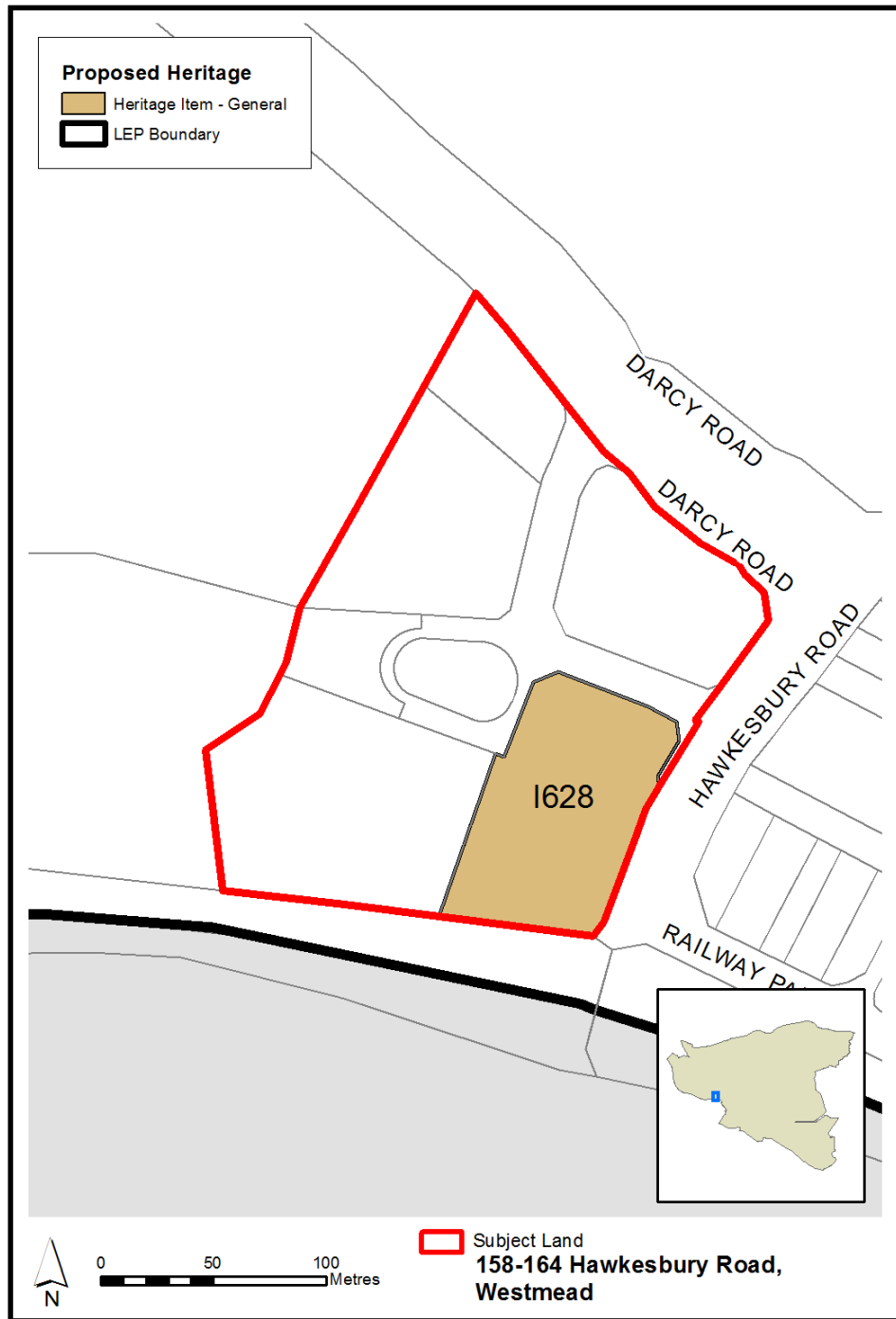
Amend the Heritage Map &amp; Schedule

Proposed Amendment	<ul style="list-style-type: none"><li>To correctly identify the heritage listing of I628 to Lot 1, DP 1337381 and remove heritage listing from other lots on the site.</li></ul>
Explanation	Council subdivision application SC/211/2016 approved on 3 April 2017 the subdivision of the site into 5 lots and a one dedicated to Council for streets, isolating the heritage item and the heritage listing under I628 to Lot 1, DP 1337381 for the Victorian Residence. The heritage listing may be removed for the remainder of the site.

Current Mapping:



Proposed Mapping:



## Item 8

47 Victoria Road and 11A Betts Street, Parramatta

Amend the Heritage Schedule

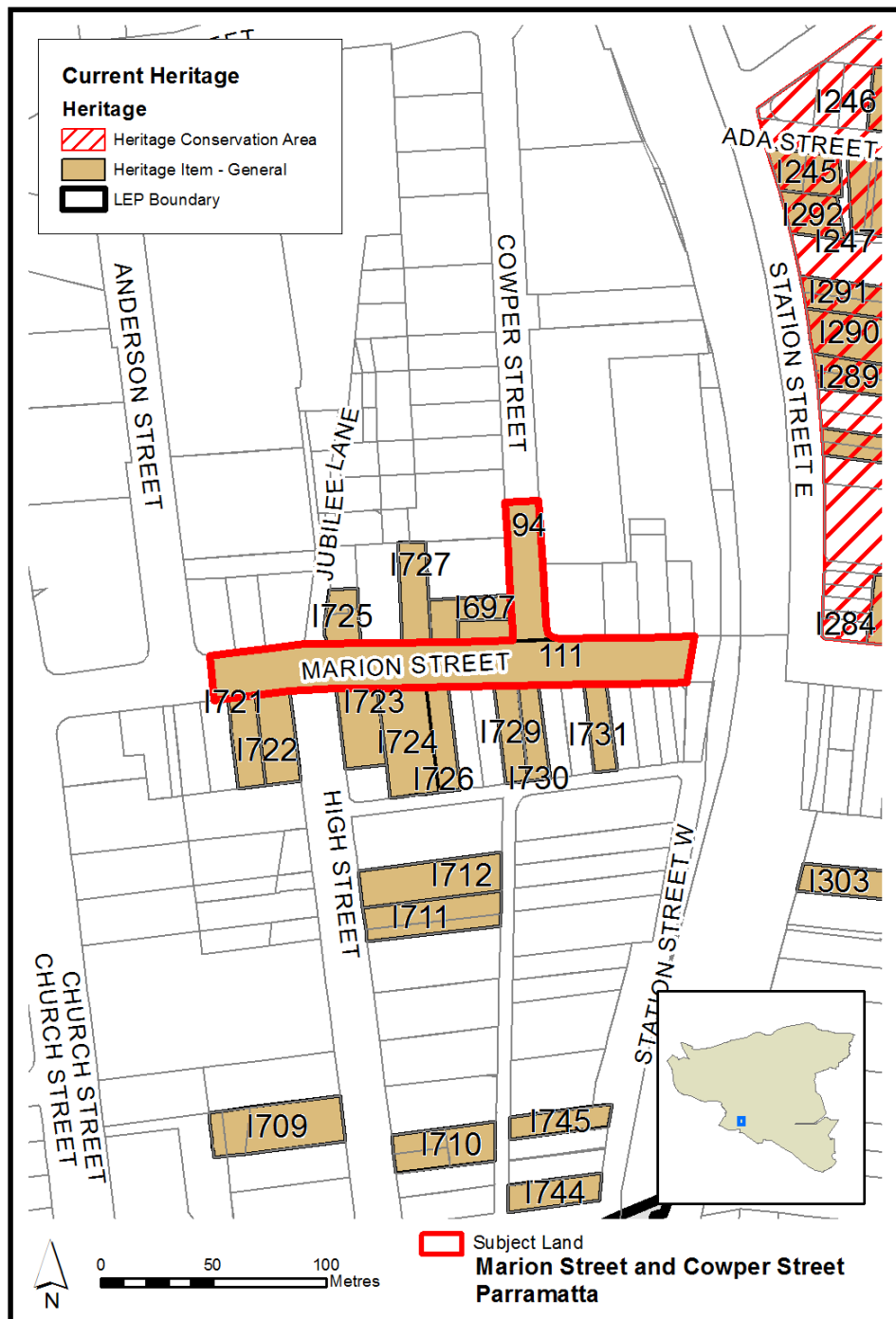
Proposed Amendment	<ul style="list-style-type: none"><li>To amend the listing in Heritage Item I459 by changing the address from '11 Betts Street and 47 Victoria Road' to '11A Betts Street' to correctly reflect the current address of the item.</li></ul>
Explanation	To reflect the heritage listing of the property built c.1870 located at 11A Betts Street. The house at 11A is of significance for Parramatta for historical and aesthetic reasons, and as a relatively rare example of Victorian stone cottages in the area. The house makes a strong contribution to the streetscape.
Current Mapping: N/A	
Proposed Mapping: N/A	

## Item 9

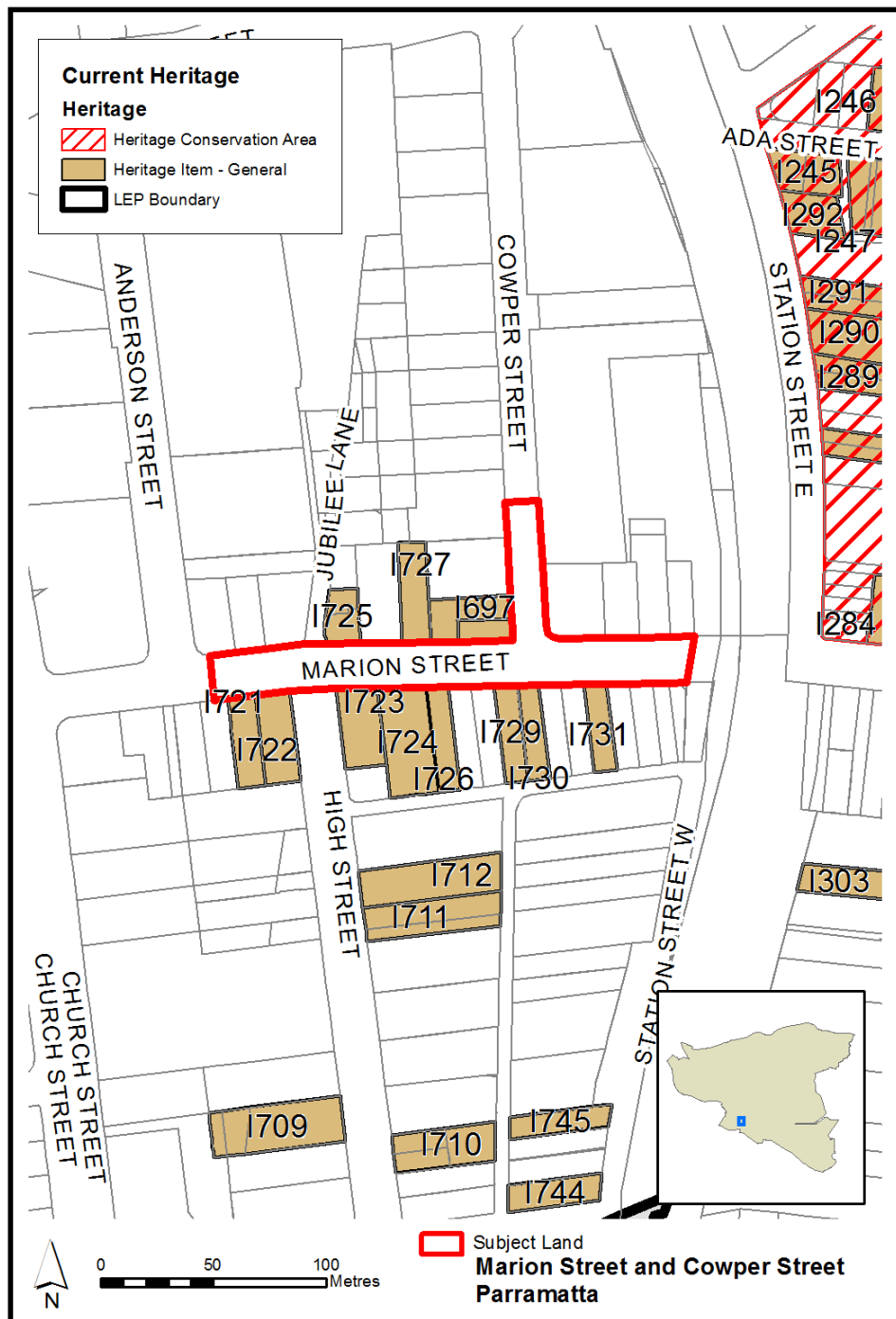
Marion and Cowper Street, Parramatta  
Amend the Heritage Map

Proposed Amendment	<ul style="list-style-type: none"><li>To remove the heritage mapping of these roads and their labels '94' and '111' respectively as they are not identified in the LEP and do not have any heritage significance.</li></ul>
Explanation	Neither item is listed in Sch. 5 of the PLEP 2011, Neither are these areas defined as archaeological sites in Schedule 5 of the LEP. From investigations conducted by staff, the inclusion of these items on the heritage map appears to be a map error.

Current Mapping:



Proposed Mapping:



## Item 10

Prince Alfred Square and Market Street, Parramatta  
Amend the Heritage Schedule

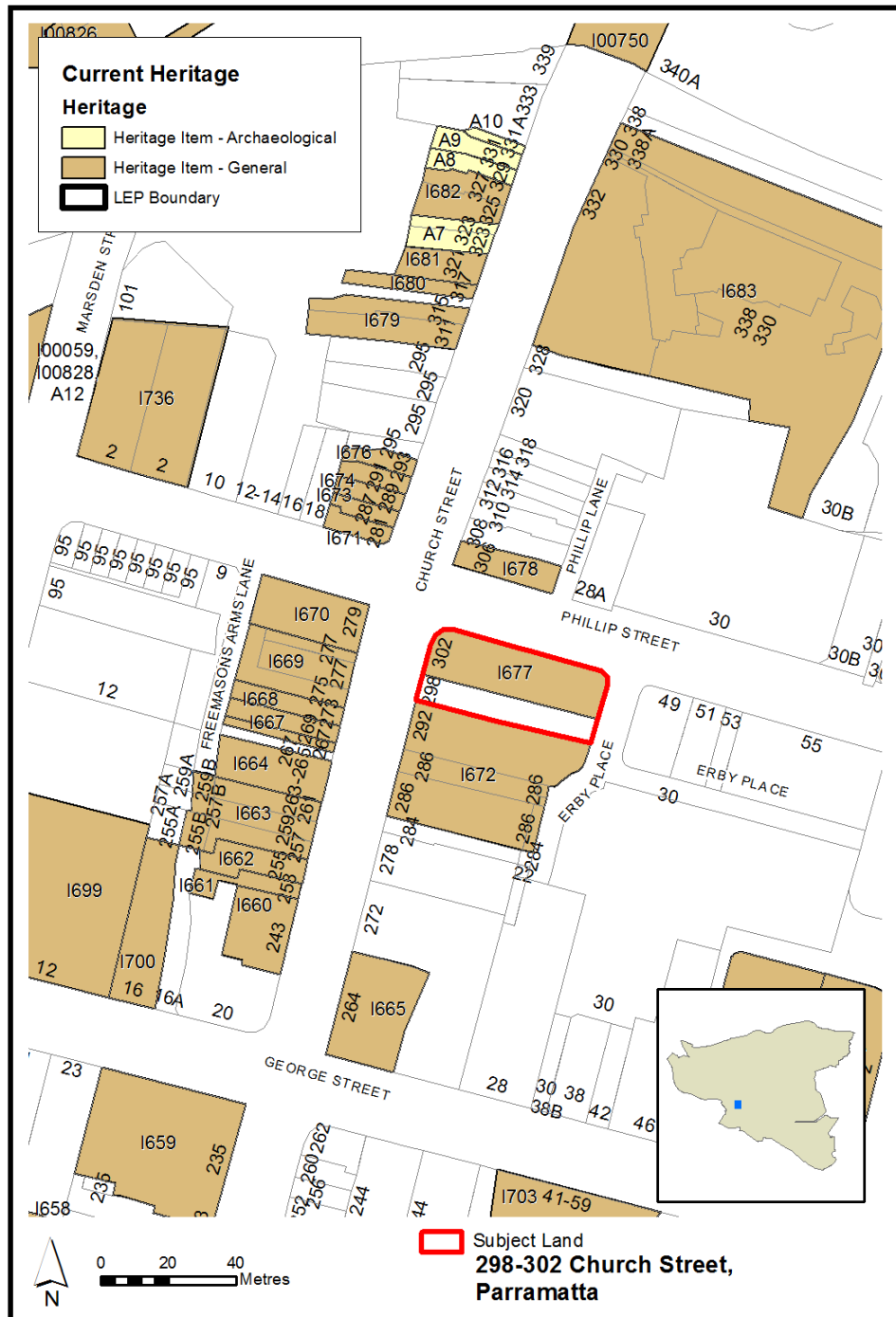
Proposed Amendment	<ul style="list-style-type: none"><li>To change level of heritage significance from Local to State for I686 in accordance with the recent State Heritage Listing.</li></ul>
Explanation	On 28 August 2017, the State heritage Register was updated to include Prince Alfred Square and potential archaeological site as state heritage significance under SHR: 01997,
Current Mapping: N/A	
Proposed Mapping: N/A	

## Item 11

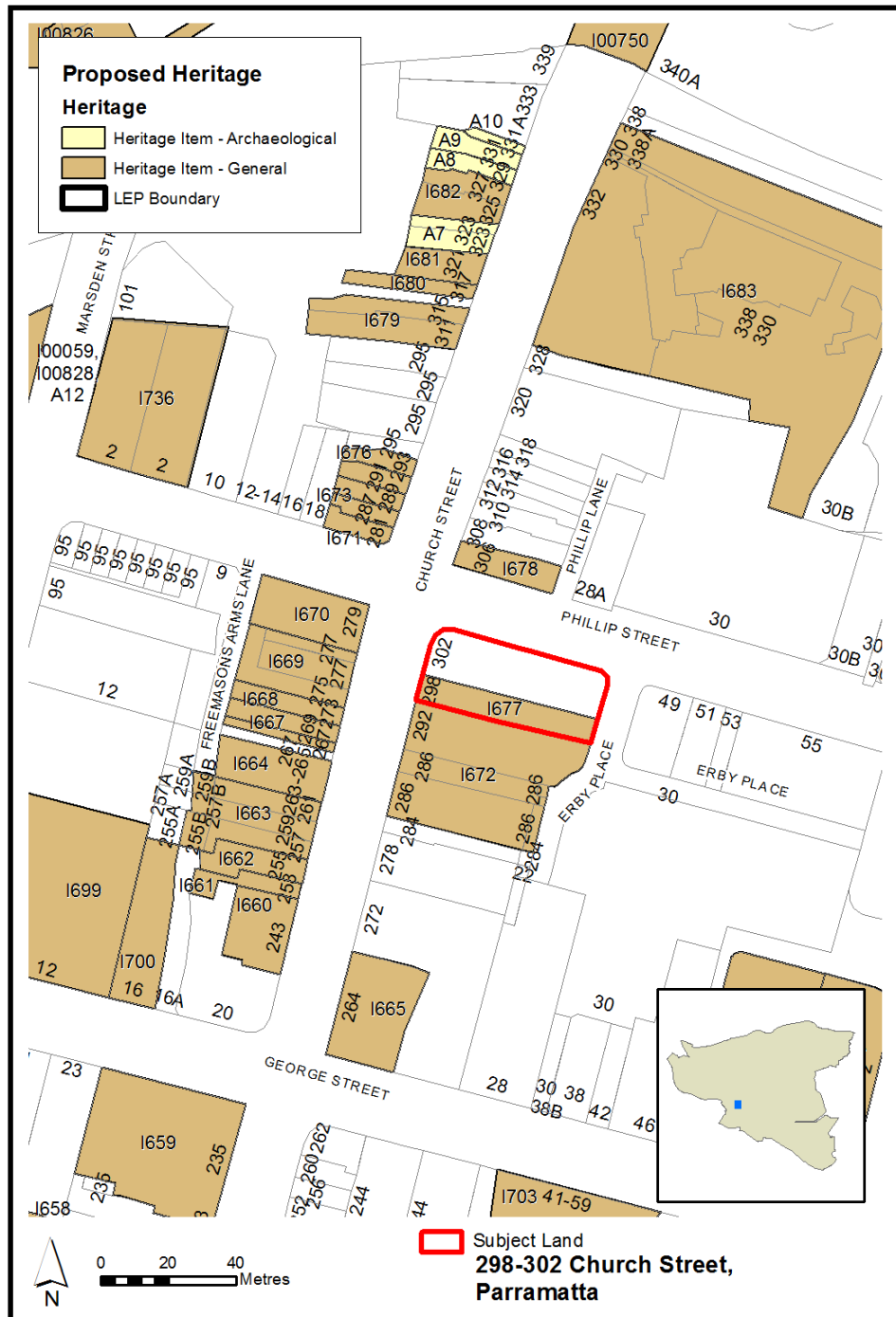
298 & 302 Church Street, Parramatta  
Amend the Heritage Map

Proposed Amendment	<ul style="list-style-type: none"><li>To remove the heritage listing of 302 Church Street given the heritage listing is located within the boundary of the adjacent 298 Church Street.</li></ul>
Explanation	A site inspection as completed 19 October 2016 where it was evident that the item of heritage significance is next door at 298 Church Street, Parramatta.

## Current Mapping:



## Proposed Mapping:



## Item 12

292 Church Street, Parramatta  
Amend the Heritage Schedule

Proposed Amendment	<ul style="list-style-type: none"> <li>To change the address under Schedule 5, I672 to include properties 292 Church Street to reflect the location of the heritage item along the rear boundary of this property.</li> </ul>
Explanation	292 Church Street Parramatta is currently identified under item I672 within the heritage maps in PLEP 2011. Advice from Heritage Officer is that the heritage schedule should be amended to include this property. The site possesses potential to contribute to an understanding of early urban development in Parramatta.
Current Mapping: N/A	
Proposed Mapping: N/A	

## Item 13

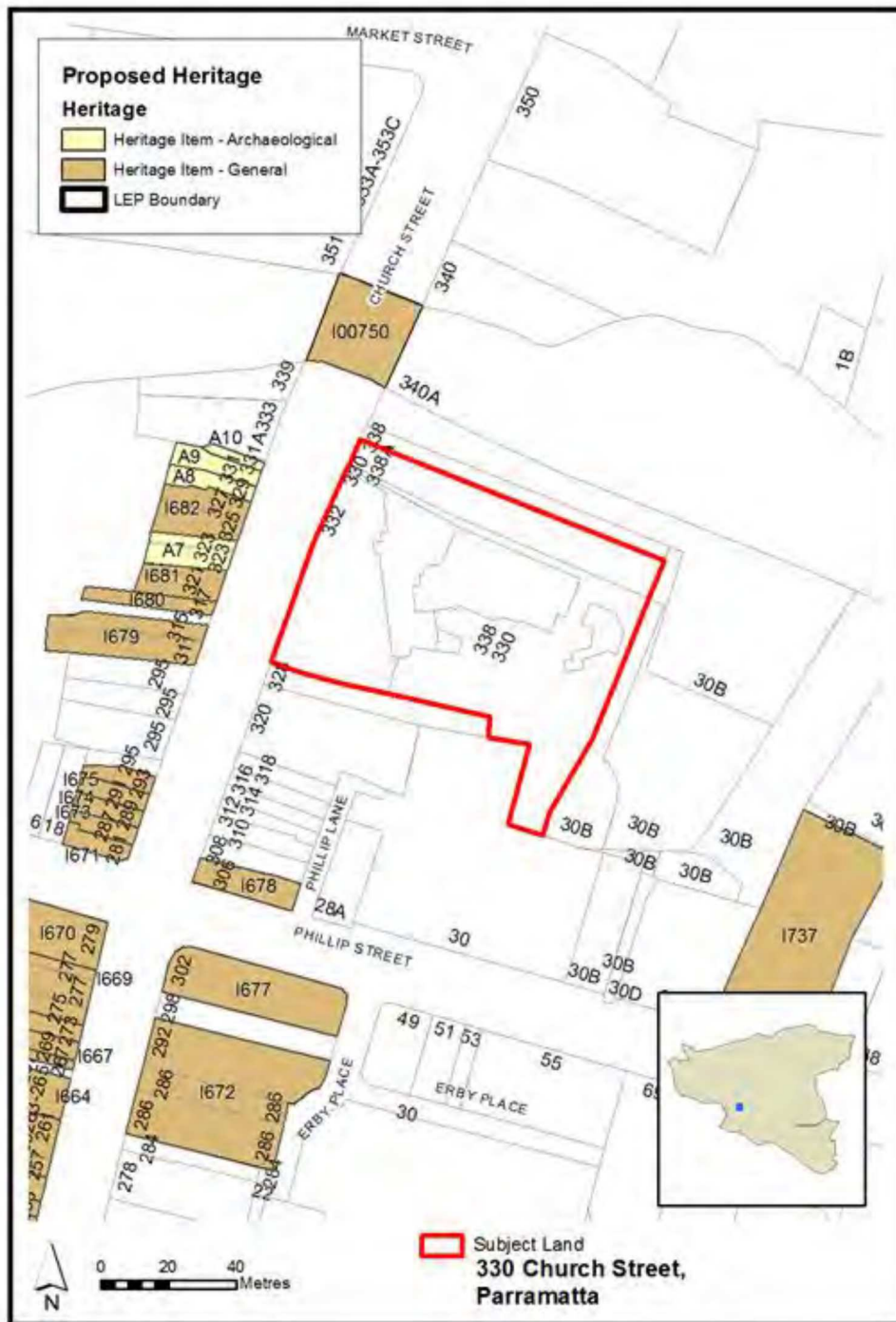
330 Church Street, Parramatta

## Amendment of Heritage Map and Heritage Schedule

Proposed Amendment	<ul style="list-style-type: none"> <li>Delete heritage listing of Item 86 at 330 Church Street, Parramatta from Schedule 5 Environmental Heritage of Parramatta LEP 2011</li> <li>Remove heritage designation relating to I86 in Sheet 1 of the Heritage Map of Parramatta LEP 2011</li> </ul>
Explanation	<p>This site has historically been heritage listed for its former heritage value, being the location of the former David Jones department store. On 19 October 2012 the Planning Assessment Commission approved a development application for a mixed use development on this site (MP10_0171). A Construction Certificate for the demolition of all structures on the site and the construction of this development was approved on 20 December 2013 (CC/633/2013) and a new mixed use development is complete. As such, nothing of heritage value remains on the site. OEH notified Council in July 2018 that they were satisfied that the heritage listing for the site may be removed in July 2018 (see Council Ref: D06250276). The site has been redeveloped and holds no heritage significance.</p>
Current Mapping:	



Proposed Mapping:



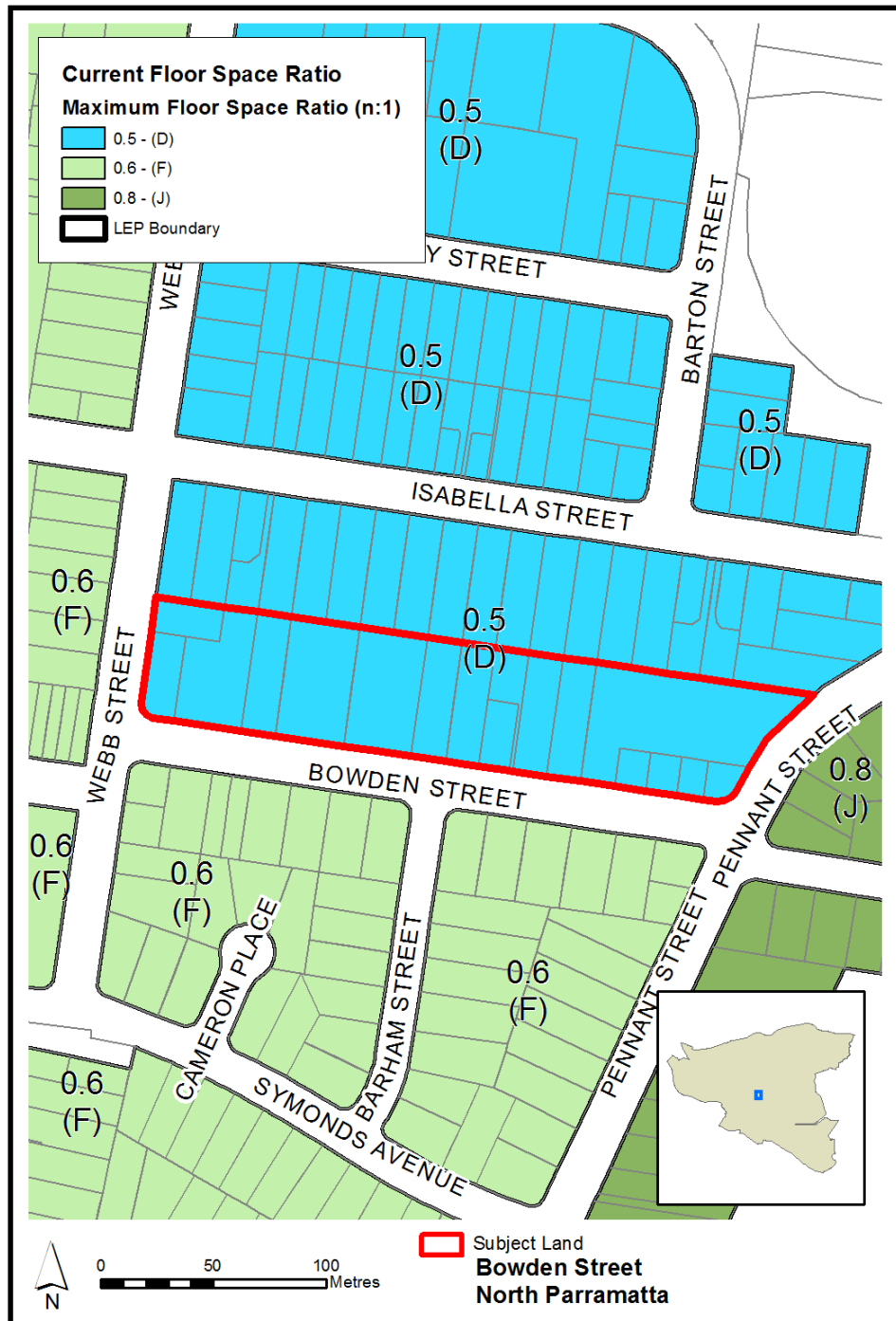
## Item 14

Northern side of Bowden Street, North Parramatta (between Webb Street and Pennant Street)

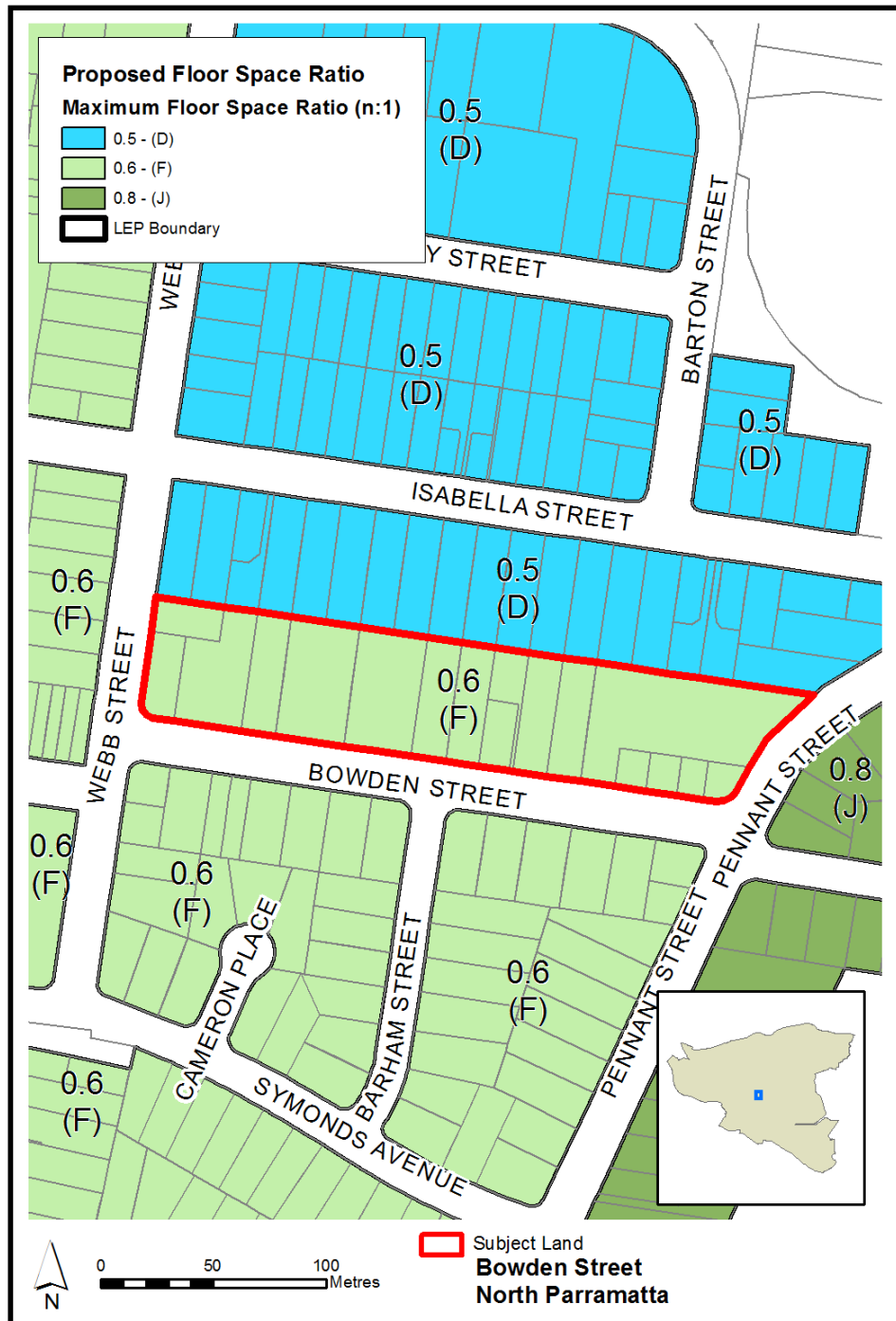
## Amendment of Floor Space Ratio Map

Proposed Amendment	<ul style="list-style-type: none"><li>To amend the floor space ratio map for R3 Medium Density Residential zoned properties on the northern side of Bowden Street between Webb Street and Pennant Street from 0.5:1 to 0.6:1 as to reflect the standard FSR for this land use zone.</li></ul>
Explanation	Change to ensure consistency with all properties zoned R3 on the northern side of Bowden Street to ensure consistency across LZN and FSR maps. It appears that this discrepancy was simply an error/oversight when the FSR map was finalised given the low density single dwelling building stock across the site.

Current Mapping:



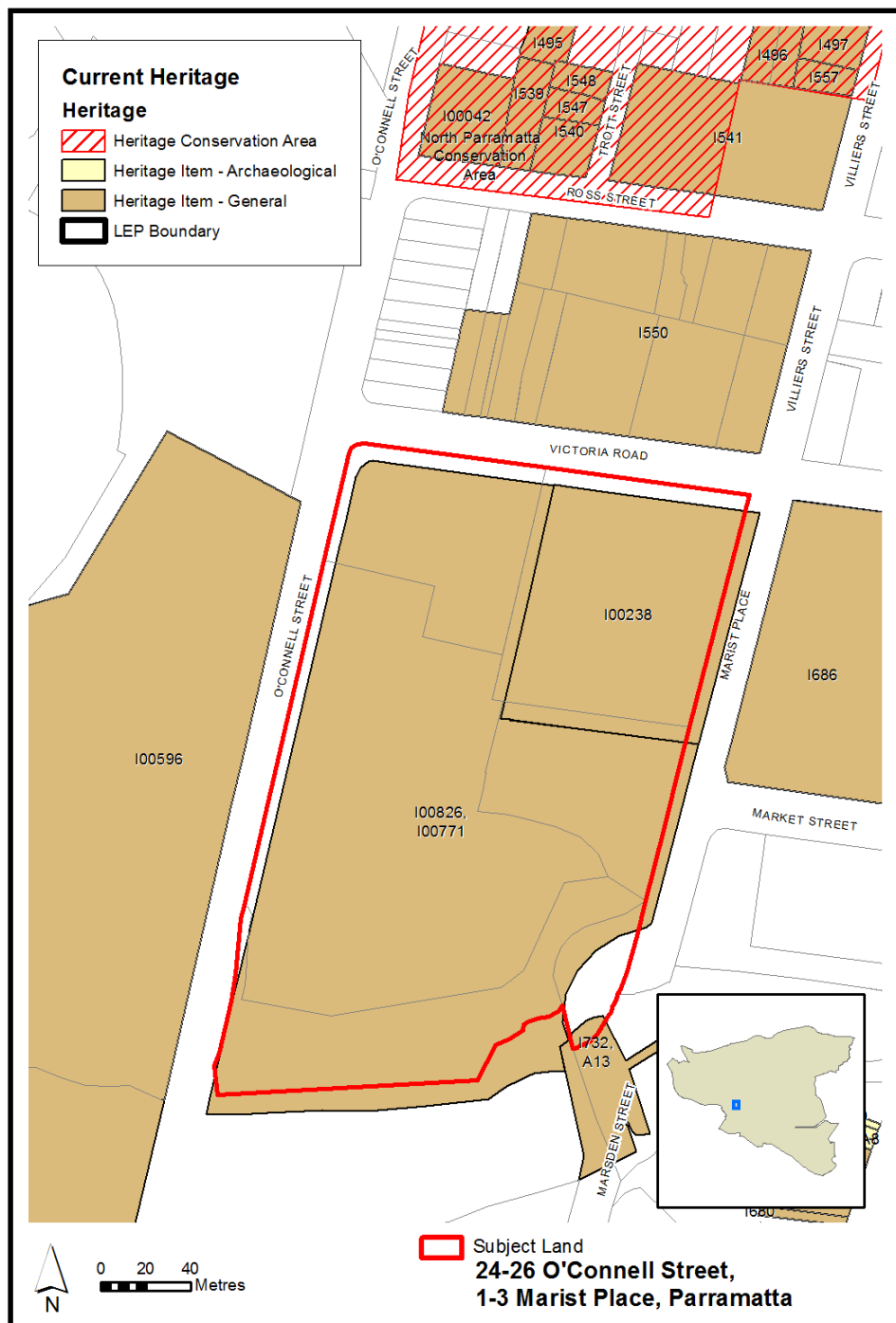
### Proposed Mapping:



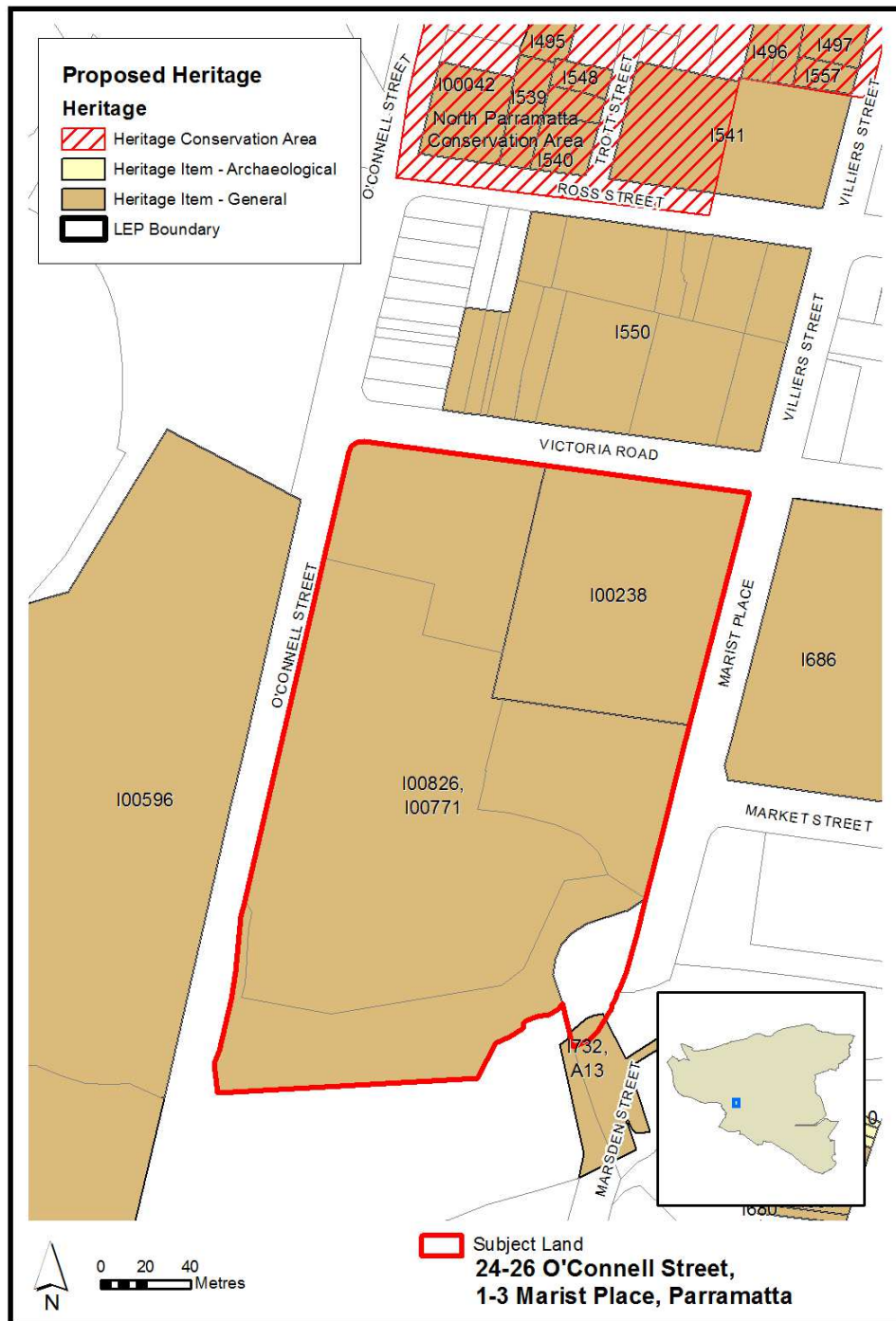
## Item 15

24 O'Connell St, 26 O'Connell Street, 1 Marist Place and 3 Marist Place, Parramatta Amend the Land Use Zoning, Heritage, Lot Size and Land Reservation Maps

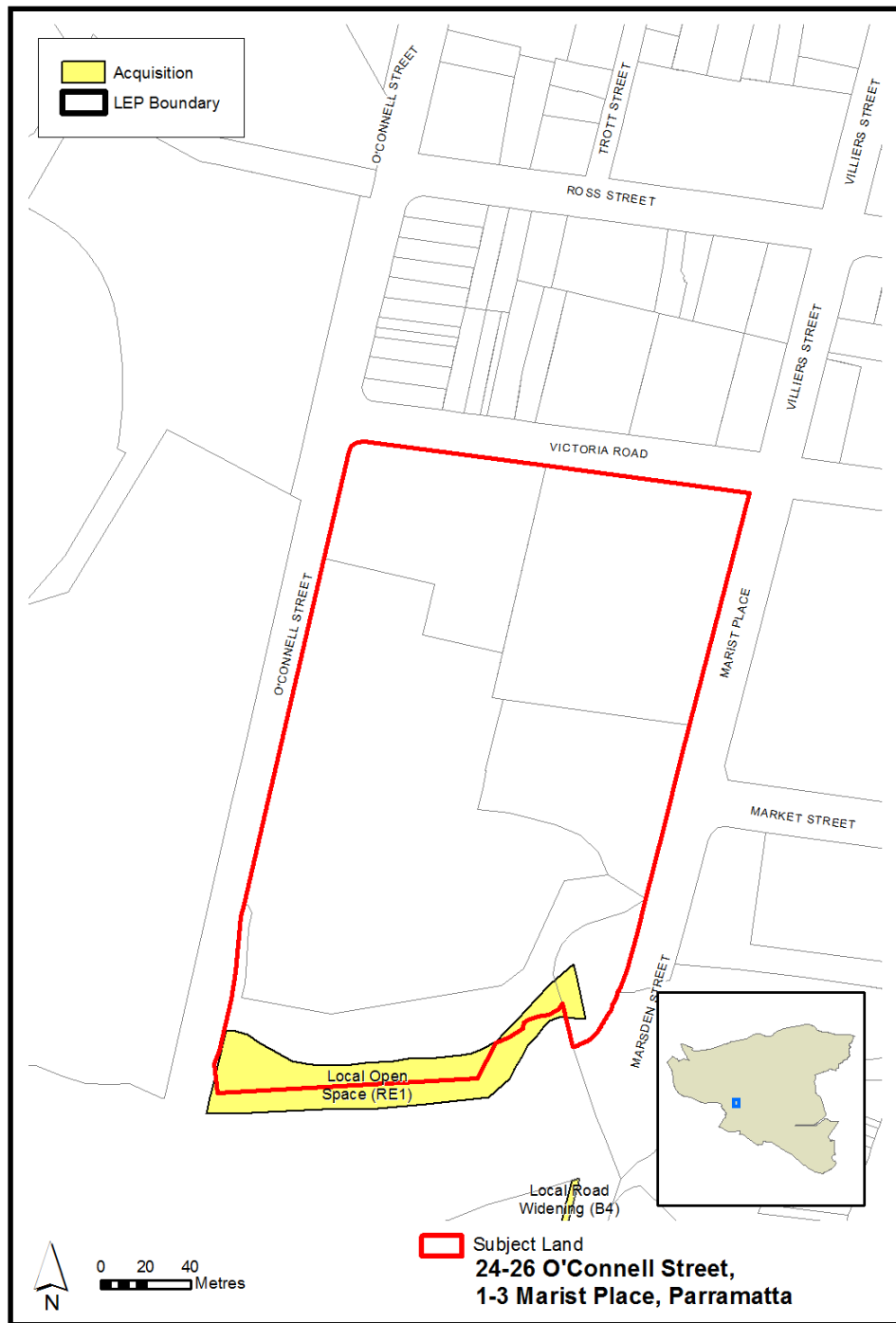
Proposed Amendment	<ul style="list-style-type: none"><li>To ensure the cadaster in Land Use Zoning, Heritage, Lot Size and Land Reserved for Acquisition Maps are aligned with property boundaries on this block.</li></ul>
Explanation	The misalignment between the controls and the cadastre is about 8 metres (at the worst point) as shown below. Would ensure that planning controls of Land Use Zoning, Heritage and Land acquisition are aligned with property boundaries.
Current Heritage Mapping:	



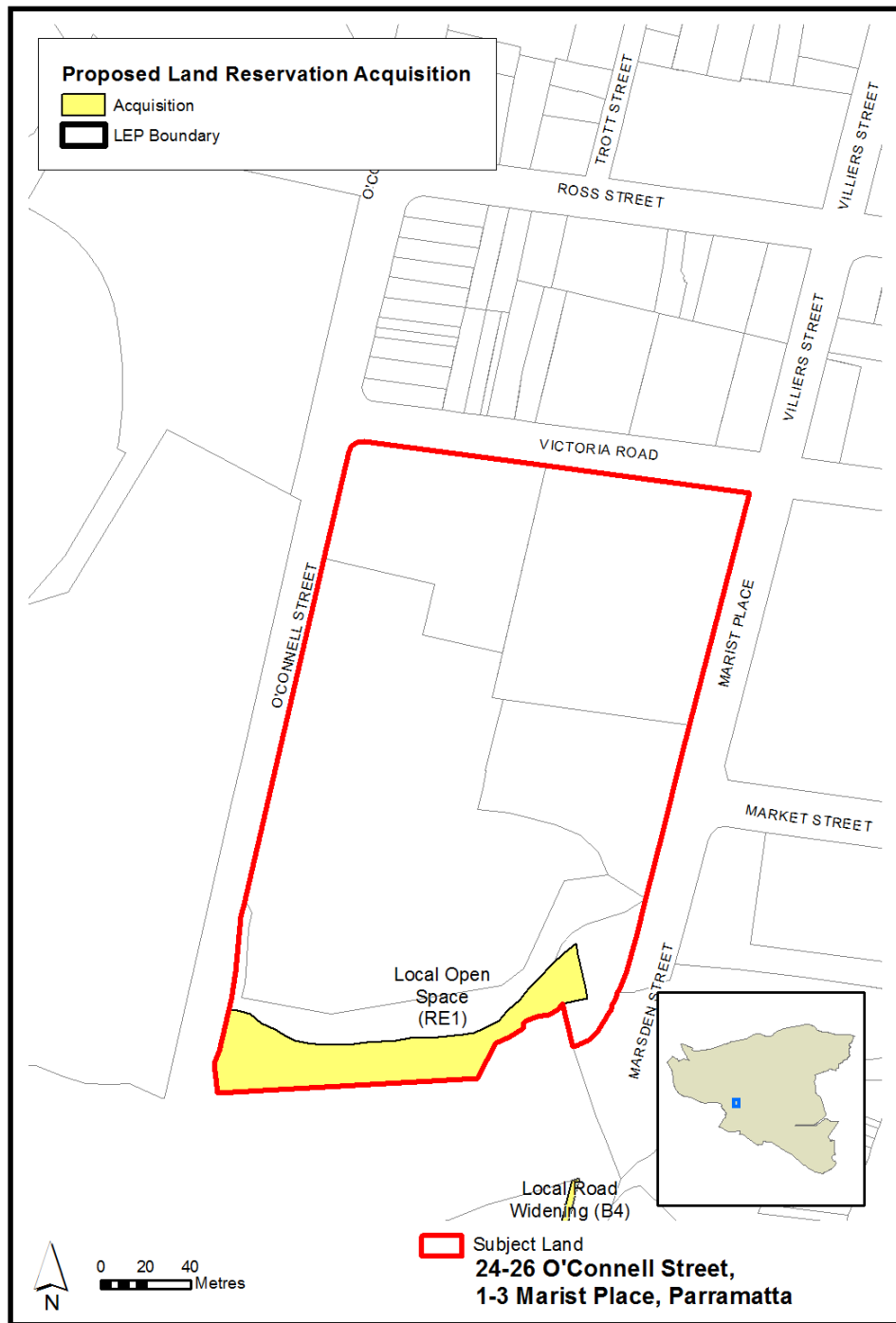
Proposed Heritage Mapping:



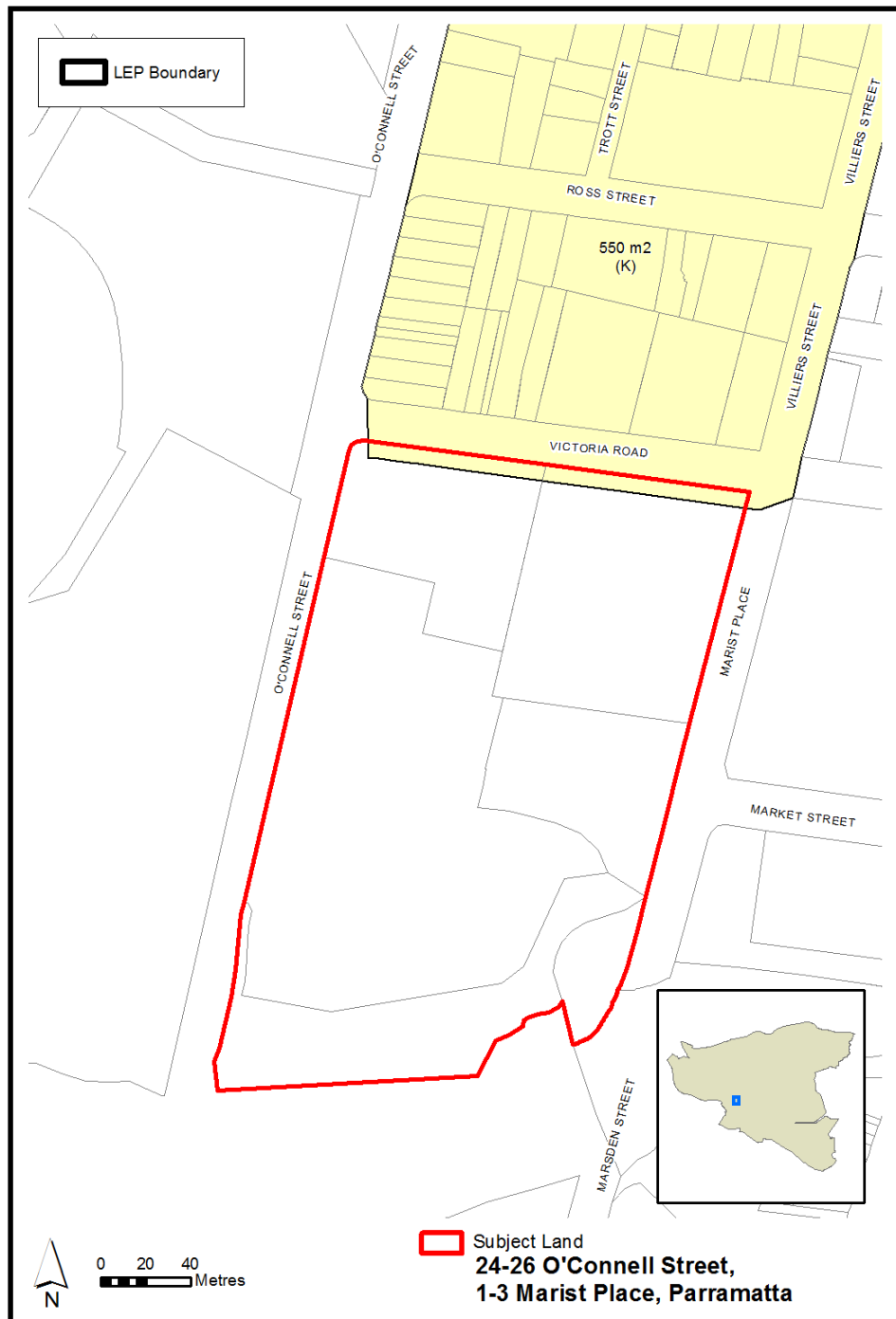
Current LRA Mapping:



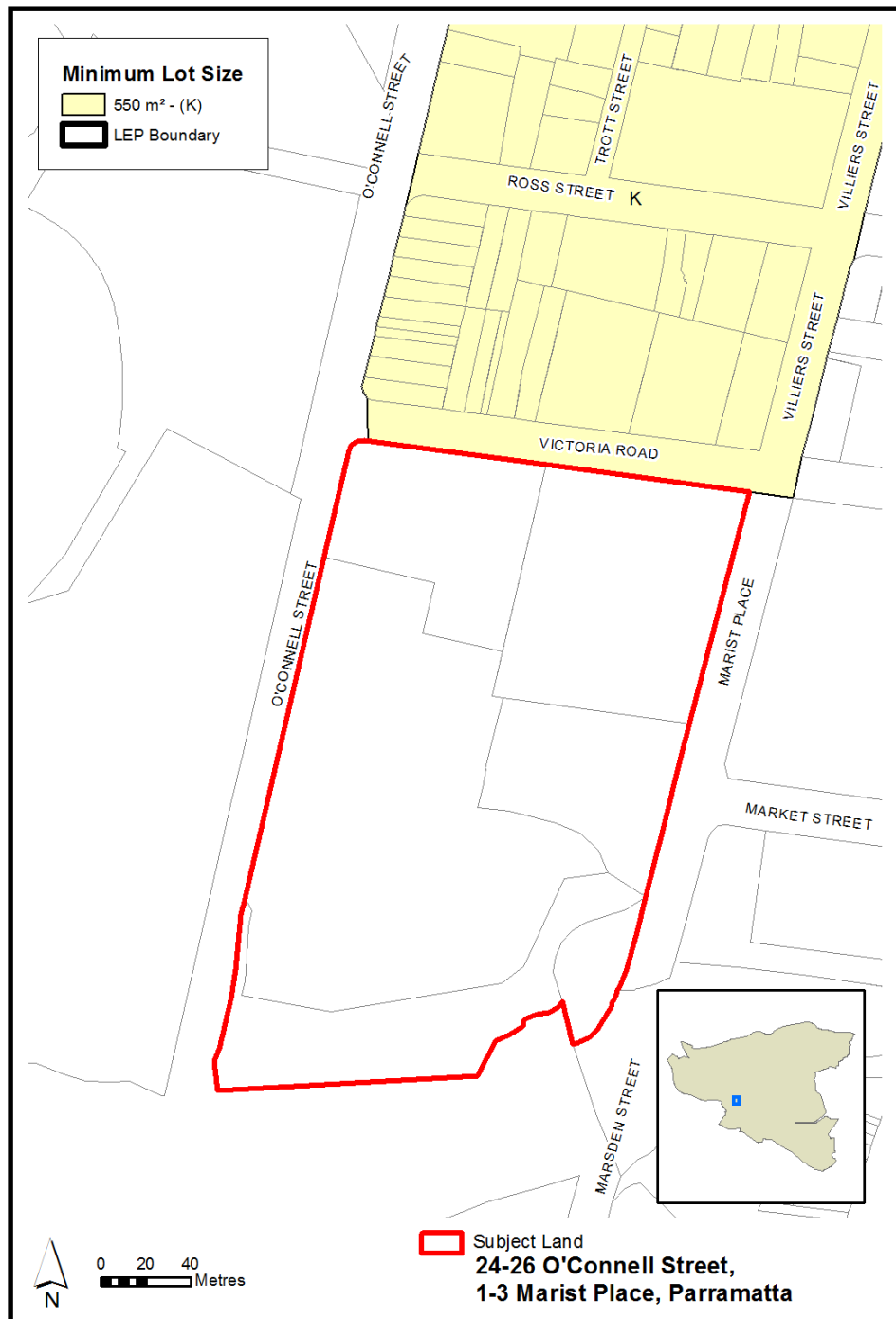
Proposed LRA Mapping:



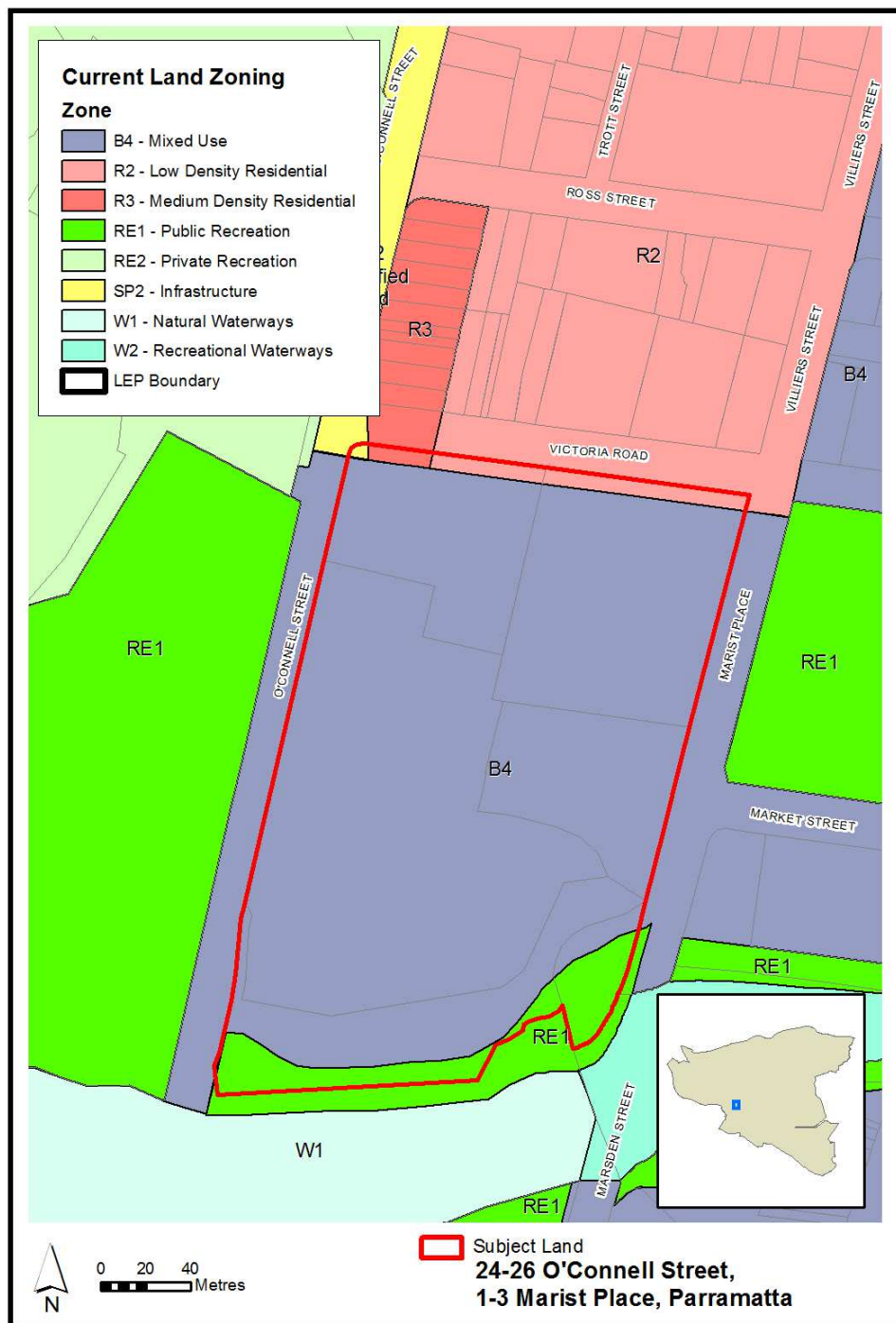
Current Lot Size Mapping:



Proposed Lot Size Mapping:

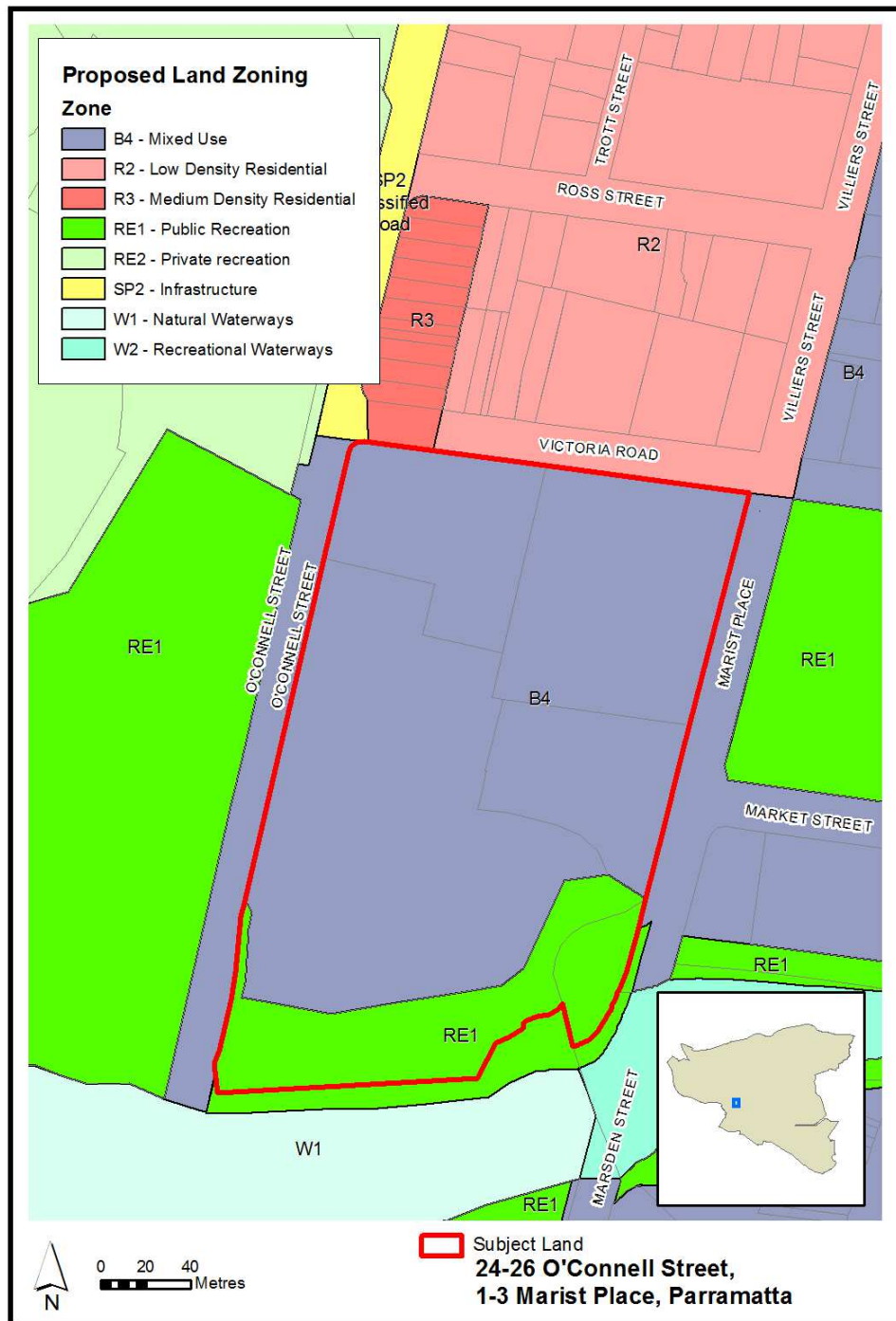


Current Zoning

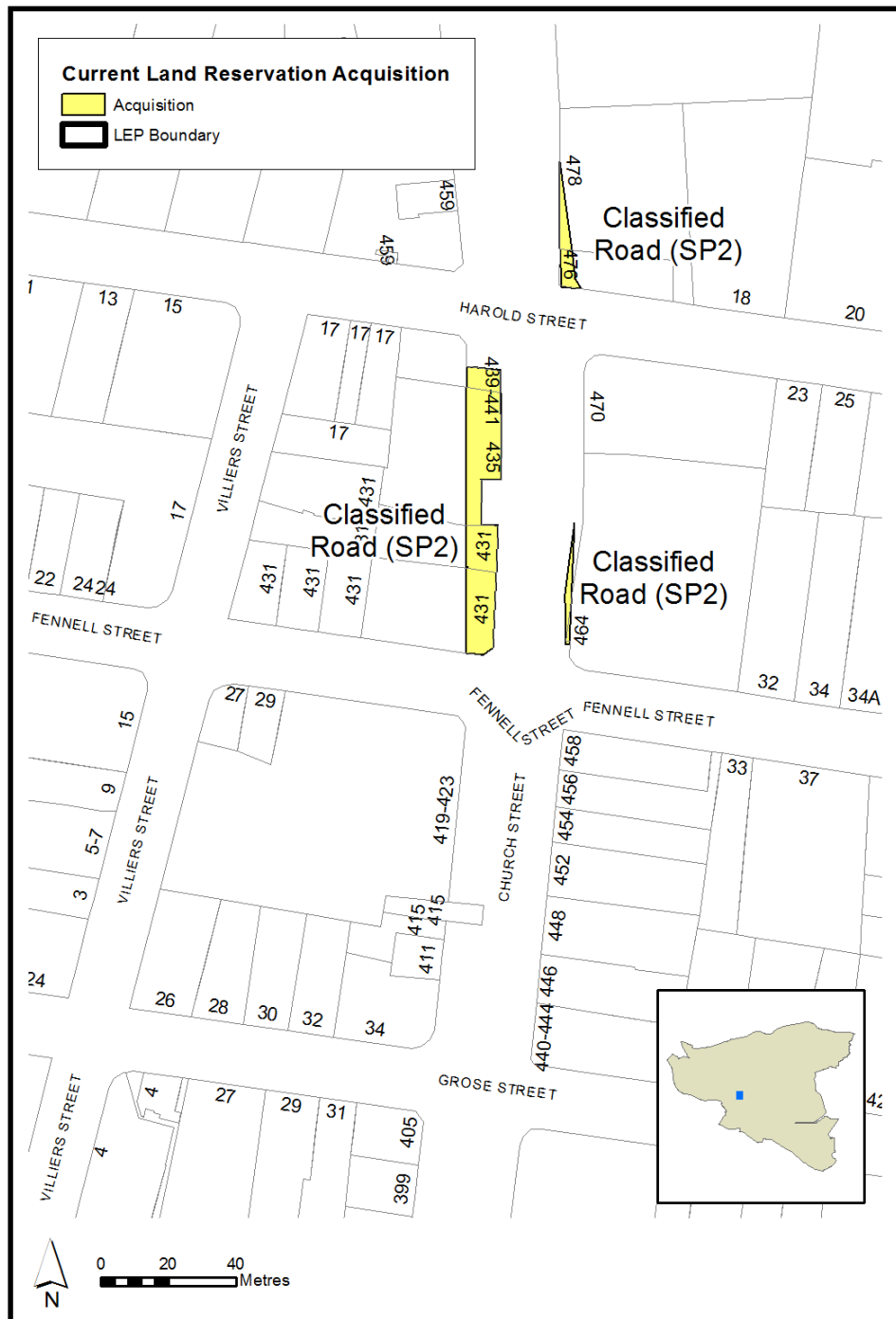


Mapping:

Proposed Zoning Mapping:



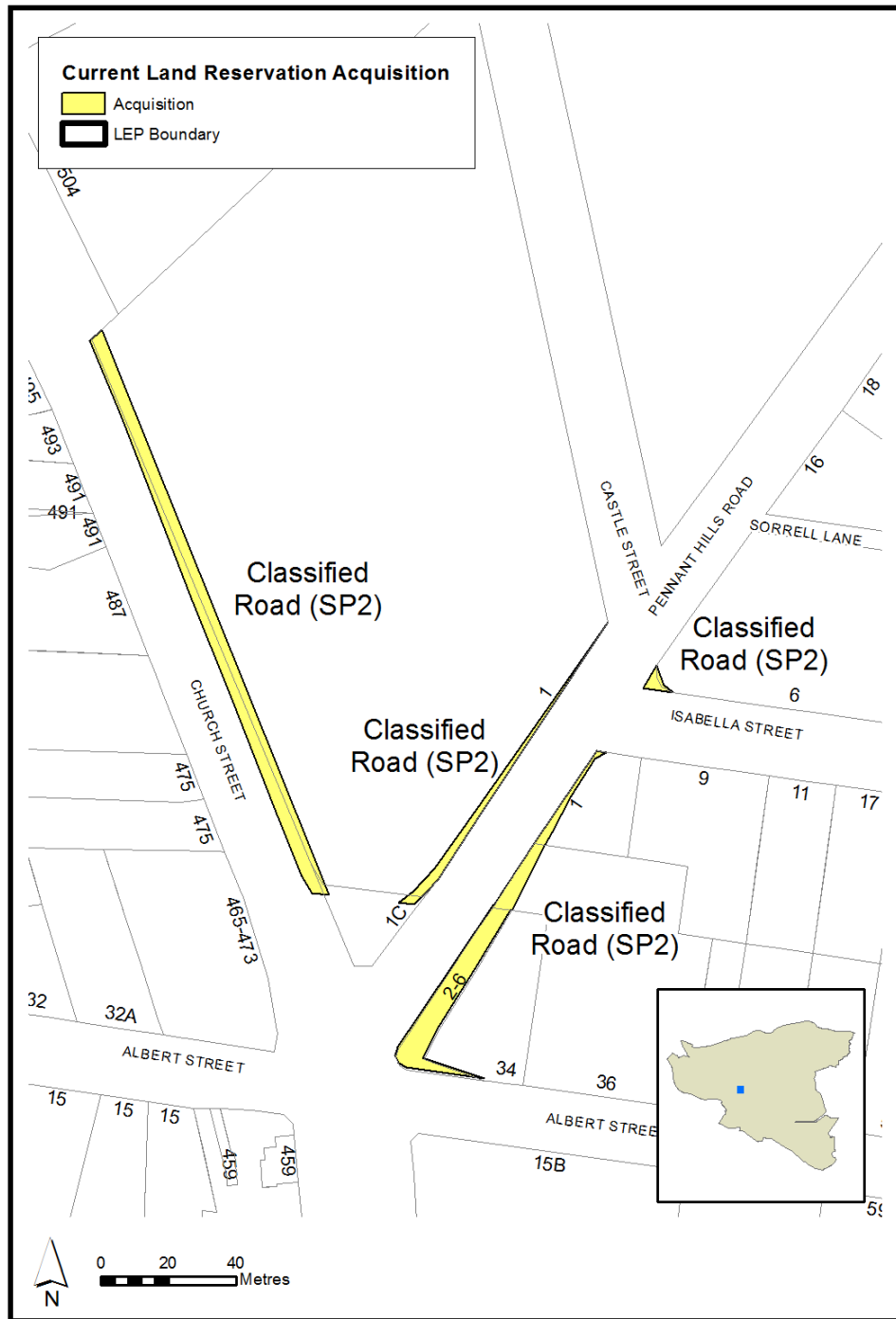
Item 16	
Various sites, Parramatta Amend the LRA Map	
<b>Proposed Amendment</b>	<ul style="list-style-type: none"><li>To show SP2 Road Reservations aligned with lot boundaries near Church, Harrold and Fennell Streets, Parramatta and Church Street, Pennant Hills Road and Albert Street, Parramatta.</li></ul>
<b>Explanation</b>	Cadastre of LRA out of line with property boundaries on LRA map with cadastre to reflect reservation with private lots.
<b>Current Church/Harold/Fennel Mapping:</b>	



**Proposed Church/Harold/Fennel Mapping:**



Current Church Street, Pennant Hills Road and Albert Street Mapping:



## Proposed Church Street, Pennant Hills Road and Albert Street Mapping:

