



PLANNING PROPOSAL

Housekeeping Amendment 3- Parramatta LEP 2011

Planning Proposal

Council versions:

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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.

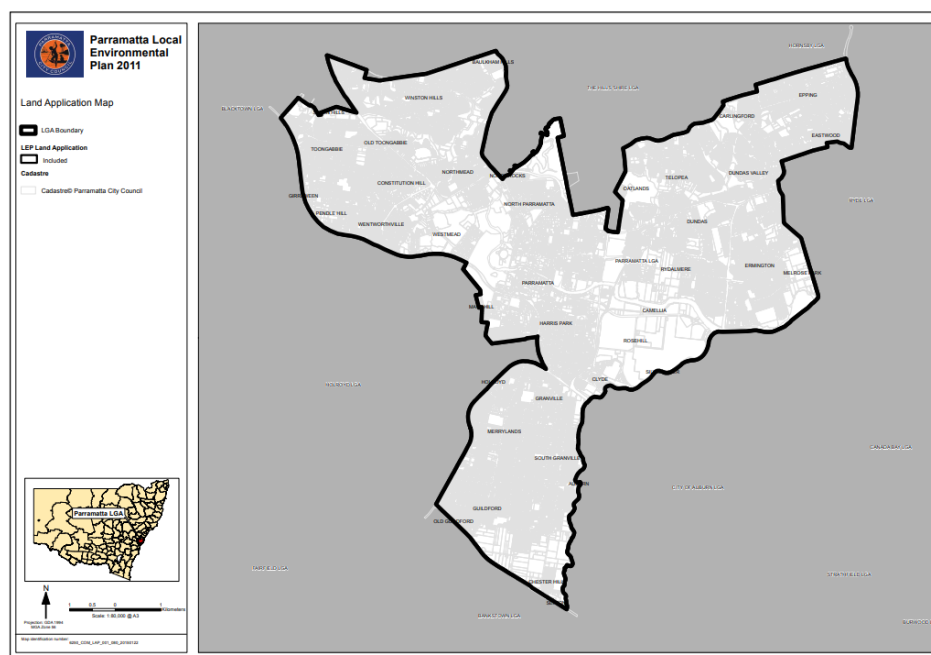


Figure 1 – Former Parramatta City Council LGA subject to the planning proposal

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 site.</p>
4	86 Chelmsford Avenue, Epping	<p><i>Rectify the Land Use Zoning with property boundary</i></p>

		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).
6	191Z Old Windsor Road, Old Toongabbie	<i>Amend the Heritage Map & 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 & Schedule</i> To correctly identify the heritage listing of I628 to Lot 1, DP 1227281 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 Schedule and Map</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 MP10_0171. The site has been redeveloped and holds no heritage significance.
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, 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 'Butt 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

State Environmental Planning Policies (SEPPs)	Consistent: Yes - ✓ No - ✗ or N/A	Comment
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
1. Employment and Resources		
Direction 1.1 – Business and Industrial Zones	<p>Applicable to this direction are the following items:</p> <ul style="list-style-type: none"> • Item 6: Amend planning controls on industrial zoned property to reflect archaeological significance, • Item 15: Amend the cadaster on business zoned properties to reflect true boundaries of site. <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

2. Environment and Heritage		
Direction 2.3 - Heritage Conservation	<p>Applicable to this direction are the following items:</p> <ul style="list-style-type: none"> Item 6: List property as part of Archaeology site A01903 Item 7: Isolate heritage I628 to Lot 1, DP1337381 and remove heritage listing on remaining lots Item 8: Amend the address for I459 in Schedule 4 to reflect true extent of listing Item 9: Remove heritage labelling or listed roads as no heritage significance identifiable Item 10: Amend level of significance from local to state for I686 in Schedule 4. Item 11: Remove listing of 302 Church Street given heritage extent located on adjacent property Item 12: To amend the address of Sch.4 I672 to include properties 292 and 298 Church Street. Item 13: To remove listing of 330 Church Street given the no heritage value remaining on the property. <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
3. Housing, Infrastructure and Urban Development		
Direction 3.1 - Residential Zones	<p>Applicable to this direction are the following items:</p> <ul style="list-style-type: none"> Item 1: Change to car parking provision for residential flat development in Parramatta CBD. Item 3: Amend the land zoning map to reflect true property and zoning boundaries. Item 8: To list 11A Betts Street as part of I459, Schedule 4. 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 zzone. <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
4. Hazard and Risk		
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

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

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

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

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