

PLANNING PROPOSAL APPENDIX 7 - POST EXHIBITION CHANGES TO THE PARRAMATTA HARMONISATION PLANNING PROPOSAL, DRAFT LEP INSTRUMENT AND DRAFT MAPS

Table 1 describes the changes required as a result of minor drafting and technical changes.

Table 2 describes changes arising from Local and State government policy endorsed by City of Parramatta or introduced by the NSW Government since exhibition of the Harmonisation Planning Proposal which impact on the Harmonisation Planning Proposal.

Table 3 describes changes resulting from submissions received during the exhibition period.

Table 4 describes consequential changes from site-specific planning proposals which have been notified (i.e. finalised) since the commencement of the exhibition period and must be reflected in the planning proposal documentation for finalisation purposes.

Note:

“Planning Proposal” means the Planning Proposal which forms Attachment 1 to the report.

“Instrument Update” means changes to the exhibited Parramatta Local Environmental 2020 (now 2021) Written Instrument and is Appendix 1 contained in Attachment 1 which is the Planning Proposal document.

“Map Changes” means changes to the exhibited supporting Maps contained in Appendix 8 of the Planning Proposal document in Attachment 1.

“LEP Map Book Changes” means changes to the map sets that support the Written Instrument and contained in Appendix 8A of Attachment 1.

Table 1 – Changes from minor drafting and technical changes

Relevant content clause or map	Summary of consequential changes required
Name of Local Environmental Plan	<p>Planning Proposal:</p> <p>Amend date on front cover to May 2021.</p> <p>Instrument Update:</p> <ul style="list-style-type: none"> Amend name to Parramatta Local Environmental Plan 2021. Amend Clause 1.1 to change 2020 to 2021. <p>LEP Map Book:</p> <p>Name of all Map Sheets to be Parramatta Local Environmental Plan 2021.</p>
Clauses 6.4 Biodiversity protection, 6.5 Riparian Land and Waterways and clause 6.9 Development on landslide risk land	<p>Planning Proposal:</p> <ul style="list-style-type: none"> Replace all references to Natural Resources Map to “Biodiversity Map” that relate to clause 6.4 Biodiversity protection. Replace all references to Natural Resources Map to “Riparian Land and Waterways” that relate to clause 6.5 Riparian Land and Waterways. Replace all references to Natural Resources Map to “Landslide Risk Map” that relate to clause 6.9 Development on landslide risk land. <p>Instrument Update:</p> <ul style="list-style-type: none"> Amend clause 6.4 Biodiversity protection, specifically subclause (2) by replacing “Natural Resources Map” with “Biodiversity Map”. Amend clause 6.5 Riparian Land and Waterways, specifically subclause (2) by replacing ‘Natural Resources Map’ with “Riparian Land and Waterways Map”. Amend clause 6.9 Development on landslide risk land, specifically subclause (2) by replacing “Natural Resources Map” with “Landslide Risk Map”.

Relevant content clause or map	Summary of consequential changes required
	<ul style="list-style-type: none"> • Amend Dictionary by replacing the definition of the “Natural Resources Map” with the following three new definitions: <ul style="list-style-type: none"> ○ “Biodiversity Map” ○ “Landslide Risk Map” ○ “Riparian Land and Waterways Map”.
Schedule 5 Heritage Items – renumbering using local numbers only and update to real property descriptions	<p>Planning Proposal:</p> <p>Amend Part 2 Explanation of Provisions Section 2.1 Table ‘Explanation of proposed provisions under “Schedule 5 – Environmental heritage” by deleting the reference to referencing State level significance using their State Heritage Register inventory number.</p> <p>Instrument Update:</p> <p>Amend Schedule 5 Environmental heritage Part 1 Heritage items column titled “Item No.” using sequential local numbers commencing at 1001 and update any real property descriptions that don’t match current descriptions.</p>
References to draft Council policies that have been finalised since exhibition	<p>Planning Proposal:</p> <p>Part 3 Justification Section 3.2.1 Table of Greater Sydney Regional Plan reference to Council preparing a draft Local Housing Strategy amended to has prepared a Local Housing Strategy.</p>
Community Consultation	<p>Planning Proposal</p> <p>Part 5 – Community Consultation updated to reflect details of consultation completed including the exhibition period</p>
Project timeline	<p>Planning Proposal:</p> <p>Part 6 – Project timeline revised to reflect current anticipated timeframe.</p>

Table 2 – Changes arising from Local and State government policy introduced by City of Parramatta or the NSW Government which impacts on the Harmonisation Planning Proposal

Relevant policy issue	Summary of consequential changes required
<p>Ministerial Directions under Section 9.1:</p> <ul style="list-style-type: none"> • Revoked <ul style="list-style-type: none"> ○ Direction 3.3 Home Occupations, ○ Direction 7.1 Implementation of a Plan for Growing Sydney. • New: <ul style="list-style-type: none"> ○ 7.11 Implementation of St Leonards and Crows Nest, ○ 7.12 Implementation of Greater Macarthur, ○ 7.13 Implementation of the Pymont Peninsular Place Strategy. 	<p>Planning Proposal:</p> <p>In Part 3 Justification Section 3.2.4 ‘Is the planning proposal consistent with applicable Ministerial Directions’, in the Table, delete revoked directions and add new directions.</p> <p>No impact on City of Parramatta:</p> <ul style="list-style-type: none"> • Direction 3.3 Home Occupations permissible without consent in all residential zones achieved through the Standard Instrument, • Direction 7.1 Plan for Growing Sydney superseded by Greater Sydney Regional Plan addressed under Section 3.2.1. • Directions 7.1, 7.12 and 7.13 do not apply to any land in Parramatta LGA.
<p>Standard Instrument (Local Environmental Plans) Amendment (Secondary Dwellings) Order 2020</p> <p>Notification date – 18 December 2020</p>	<p>Planning Proposal:</p> <p>Inserted at the end of Part 1 a list of consequential LEP amendments incorporated into the Planning Proposal since 3 July 2020.</p> <p>Instrument Update:</p> <ul style="list-style-type: none"> • Amend clause 5.4 Controls relating to miscellaneous permissible uses in respect to subclause 5.4(9) Secondary dwellings on land other than land in a rural zone.

Relevant policy issue	Summary of consequential changes required
Standard Instrument (Local Environmental Plans) Amendment (Definitions) Order 2020 Notification date – 28 October 2020	<p>Planning Proposal:</p> <p>At the end of Part 1, add to the list of consequential LEP amendments incorporated into the Planning Proposal since 3 July 2020.</p> <p>Instrument Update:</p> <ul style="list-style-type: none"> Amend the Dictionary definitions for home business and home industry.
Liquor Amendment (Night-time Economy) Act 2020 No 40 Commenced – 11 December 2020	<p>Planning Proposal:</p> <p>At the end of Part 1, add to the list of consequential LEP amendments incorporated into the Planning Proposal since 3 July 2020.</p> <p>Instrument Update:</p> <ul style="list-style-type: none"> Add clause 5.20 Standards that cannot be used to refuse consent – playing and performing music.
Parramatta Local Housing Strategy Endorsed by Council on 13 July 2020	<p>Planning Proposal:</p> <p>In Part 3 Justification Section 3.2.2 ‘Will the planning proposal give effect to council’s endorsed local strategic planning statement or other or another endorsed local strategy or strategic plan?’, a new section ‘Parramatta Local Housing Strategy (2020)’ which discusses the Harmonisation PP’s consistency with this Strategy.</p>
Parramatta Employment Lands Strategy (2016) and ELS Review and Update (2020) Endorsed by Council in 2016 and on 13 July 2020, respectively	<p>Planning Proposal:</p> <p>In Part 3 Justification Section 3.2.2 ‘Will the planning proposal give effect to council’s endorsed local strategic planning statement or other or another endorsed local strategy or strategic plan?’, a new section ‘Parramatta Employment Lands Strategy (2016) and ELS Review and Update (2020)’ which discusses the Harmonisation PP’s consistency with these two strategies.</p>

Table 3 – Changes resulting from **submissions** received during the exhibition period.

This table summarises the amendments as a result of assessment of submissions detailed in the Community Engagement Report including Appendices A, B and C.

Issue	Summary of consequential changes required
<p>The exhibited version mapped on the Dual Occupancy Prohibition Map sites identified as being less than 600m².</p> <p>Consideration of submissions resulted in the deletion of sites identified as being less than 600m² that were shown on the Dual Occupancy Prohibition Maps and maintain the prohibition by relying on clause 4.1D to set minimum lot size</p>	<p>Planning Proposal:</p> <ul style="list-style-type: none"> In Part 2 Explanation of provisions, Section 2.1 Consolidation of written instruments, in the Table Explanation of proposed provisions under: <ul style="list-style-type: none"> Part 6 – Dual occupancies on land in Zones R2, R3 and R4, the following was deleted “and outside these areas, lots less than 600m²” and “In all cases the minimum lot size for dual occupancies of 600sqm must be complied with.” In Part 3 Justification, Section 3.2.4 Is the planning proposal consistent with applicable Ministerial Directions, in the Table under “3. Housing, Infrastructure and Urban Development: Direction 3.1 Residential Zones <ul style="list-style-type: none"> adjacent the item “R2 zoned lots outside the above locations with a site area less than 600sqm, the reference to adding these sites to the Dual Occupancy Prohibition Map was deleted and a note added stating this is achieved through proposed clause 4.1D, and under the heading “<u>Applying a consistent minimum lot size of 600sqm for dual occupancy development</u>”, the reference to Adding R2 zoned sites of less than 600sqm to the Dual Occupancy Prohibition Map was deleted and a note added that proposed clause 4.1D limit unintended increase in density occurring in low density residential environments.

Issue	Summary of consequential changes required
	<ul style="list-style-type: none"> In Appendix 8 – Mapping: Sites smaller than 600m² were deleted from the Maps relating to Item 46 in Part 4 – Dual Occupancy Prohibition Map: Maps 1 to 4.
<p>In the area of Newington, the exhibited version of the Planning Proposal proposed to:</p> <ul style="list-style-type: none"> Increase building height in R3 zones from 9m to 11m. Introduce, through the Minimum Lot Size Map a minimum lot size (MLS) of 550sqm. <p>Consideration of submission resulted in recommendation to retain existing controls of 9m and no MLS.</p>	<p>Planning Proposal:</p> <ul style="list-style-type: none"> In Part 2 Explanation of provisions, Section 2.3 Consolidation of mapping, in the Table under: <ul style="list-style-type: none"> "Lot Size Map" added to first dot point, a note that Newington will not be subject to the 550sqm minimum lot size but will retain the current situation of no minimum lot size, "Height of Buildings Maps" add to second dot point an exception to increasing the height limit of R3 zoned land from 9m to 11m for the Newington Community Title Development. In Part 3 Justification Section 3.2.2 Will the planning proposal give effect to council's endorsed local strategic planning statement, in the Table to Parramatta Local Strategic Planning Statement City Plan 2036 under Action A30, add to the comment column a note that existing controls will not be changed in respect to R3 zoned land at Newington. In Part 3 Justification Section 3.2.4 Is the planning proposal consistent with applicable Ministerial Directions, in the Table under Direction 3.1 Residential Zones and under "Applying a maximum height of 11 metres to R3 zoned land in the former Auburn, Hornsby and The Hills council area", add a note in respect to Newington being considered a special case. In Part 4 – Mapping, delete Item 36 in respect to Newington amendment of Height of Buildings Map. In Appendix 8 – Mapping: Maps relating to Item 39A in Part 4: Certain land currently zoned Residential and subject to Auburn LEP 2010, Holroyd LEP 2013 and Hornsby LEP 2013 — Amend the Lot Size Map, remove the shading of land in Newington which is shown as 'Land proposed to have a Minimum Lot Size amended to 550m²' on Pages 1 and 3. <p>Instrument Update:</p> <ul style="list-style-type: none"> No changes.
<p>Mapping errors:</p> <ul style="list-style-type: none"> Dunrosil Avenue road reserve shown as 0.5:1 on FSR Map. 725 Blaxland Road Epping shown as affected by Classified Road zone. 	<p>Planning Proposal</p> <ul style="list-style-type: none"> In Appendix 8 – Mapping: <ul style="list-style-type: none"> Maps relating to Item 18 in Part 4: All land zoned R2 Low Density Residential and currently subject to Hornsby LEP 2013 or Parramatta (former The Hills) LEP 2012 – Amend the Floor Space Ratio Map – Map 2 of 2 – remove the shading and red outline from land within the Dunrosil Avenue road reserve. Maps relating to Item 17 in Part 4: Classified Roads — Certain land currently subject to The Hills LEP 2012 — Amend the Land Zoning Map, Height of Buildings Map and Lot Size Map - Map 3 of 4 – remove from 725 Blaxland Road the heavy grey outline indicating "Existing land zoned SP2 Infrastructure".
<p>Ministerial Direction 3.5 Development Near Regulated Airports and Defence Airfields:</p> <p>Submission from Sydney Airports (CER Appendix B) advised that the airspace associated with Bankstown Airport overlies all areas in the LGA.</p>	<p>Planning Proposal:</p> <ul style="list-style-type: none"> In Part 3 Justification Section 3.2.4 Is the planning proposal consistent with applicable Ministerial Directions, in the Table under Direction 3.5, note added acknowledging the airspace is regulated by CASA and that clause 7.6 of the proposed written instrument contains existing provisions for areas within Parramatta CBD requiring approval under the Airports Act 1996. <p>Instrument Update:</p> <ul style="list-style-type: none"> No changes.

Table 4 – Consequential changes from **site-specific planning proposals** which have been notified (i.e. finalised) since the commencement of the exhibition period and must be reflected in the planning proposal documentation for finalisation purposes.

Affected site & Amendment No.	Summary of changes that have occurred to PLEP 2011
<p>Teloepa Precinct (Amendment 52) Notification date – 28 August 2020</p>	<p>Planning Proposal: Inserted at the end of Part 1 a list of LEP amendments incorporated into the Planning Proposal since 3 July 2020.</p> <p>Instrument Update:</p> <ul style="list-style-type: none"> • Inserted subclause (2A) in clause 6.18 Development requiring the preparation of a development control plan. <p>LEP Map Book Changes:</p> <ul style="list-style-type: none"> • No map changes required.
<p>87 Church Street and 6 Great Western Highway Parramatta (Amendment 30) Notification date – 4 September 2020</p>	<p>Planning Proposal: Added at the end of Part 1 to the list of LEP amendments incorporated into the Planning Proposal since 3 July 2020.</p> <p>Instrument Update:</p> <ul style="list-style-type: none"> • Amended subclause 7.6(2) in Airspace Operations. • Amended subclause 7.14(1) in Car Parking for certain land in Parramatta City Centre. • Inserted new clause 7.19 Development on land at 87 Church Street and 6 Great Western Highway, Parramatta <p>LEP Map Book Changes:</p> <ul style="list-style-type: none"> • Amended the Height of Buildings Map to indicate 180m on the land. • Amended the Floor Space Ratio Map to indicate a 10:1 Floor Space Ratio. • Amended the Special Provisions Area Map to indicate “Area 10”. • Amend the Incentive Height of Buildings and Incentive Floor Space Ratio Maps to remove controls applying to this land.
<p>189 Macquarie Street, Parramatta (Amendment 51) Notification date – 4 September 2020</p>	<p>Planning Proposal: Added at the end of Part 1 to the list of LEP amendments incorporated into the Planning Proposal since 3 July 2020.</p> <p>Instrument Update:</p> <ul style="list-style-type: none"> • Amended clause 7.9 Development on land at 189 Macquarie Street, Parramatta specifically subclauses 7.9(2)(d), 7.9(2)(e) and 7.9(2)(f). • Amended subclauses 7.9(2) by adding afterwards new subclauses (2A)–(2C) in Development on land at 189 Macquarie Street, Parramatta. • Amended subclause 7.9(3) in Development on land at 189 Macquarie Street, Parramatta. <p>LEP Map Book Changes: No map changes required.</p>
<p>55 Aird Street, Parramatta (Amendment 55) Notification date – 2 October 2020</p>	<p>Planning Proposal: Added at the end of Part 1 to the list of LEP amendments incorporated into the Planning Proposal since 3 July 2020.</p> <p>Instrument Update:</p> <ul style="list-style-type: none"> • Amended subclause 7.14(1) in Car Parking for certain land in Parramatta City Centre. • Insert new clause 7.20 Development on land at 55 Aird Street, Parramatta.

Affected site & Amendment No.	Summary of changes that have occurred to PLEP 2011
	<p>LEP Map Book Changes:</p> <ul style="list-style-type: none"> • Amended Height of Buildings Map to show a height of 80m and remove the Incentive Height of Building control. • Amended Floor Space Ratio Map to show a FSR of 10:1 and remove the Incentive Floor Space Ratio control. • Amended the Special Provisions Area Map to indicate “Area 14”. • Amended the Incentive Height of Buildings and Incentive Floor Space Ratio Maps to remove controls applying to this land.
<p>142-154 Macquarie Street, Parramatta (Amendment 48) Notification date – 27 November 2020</p>	<p>Planning Proposal: Added at the end of Part 1 to the list of LEP amendments incorporated into the Planning Proposal since 3 July 2020.</p> <p>Instrument Update:</p> <ul style="list-style-type: none"> • Amended subclause 7.6(2) in Airspace Operations. • Amended subclause 7.14(1) in Car Parking for certain land in Parramatta City Centre. • Inserted new clause 7.21 Development on land at 142–154 Macquarie Street, Parramatta. <p>LEP Map Book Changes:</p> <ul style="list-style-type: none"> • Amended Height of Buildings Map to show heights of 0m, 76m, 84m, 97m, and 156m. • Amended Floor Space Ratio Map to show a FSR of 7:1. • Amended the Special Provisions Area Map to indicate “Area 12”. • Amended the Incentive Height of Buildings and Incentive Floor Space Ratio Maps to remove controls applying to this land.
<p>87 Church Street and 6 Great Western Highway Parramatta (Amendment 58) Notification date – 11 December 2020</p>	<p>Planning Proposal: Added at the end of Part 1 to the list of LEP amendments incorporated into the Planning Proposal since 3 July 2020.</p> <p>Instrument Update:</p> <ul style="list-style-type: none"> • Amended subclause 7.19(1) Development on land at 87 Church Street and 6 Great Western Highway, Parramatta. <p>LEP Map Book Changes:</p> <ul style="list-style-type: none"> • No Map change required.
<p>470 Church Street, Parramatta (Amendment 47) Notification date – 19 February 2021</p>	<p>Planning Proposal: Added at the end of Part 1 to the list of LEP amendments incorporated into the Planning Proposal since 3 July 2020.</p> <p>Instrument Update:</p> <ul style="list-style-type: none"> • Amended subclause 7.2(3) in Floor space ratio • Amended subclause 7.14(1) in Car Parking for certain land in Parramatta City Centre <p>LEP Map Book Changes:</p> <ul style="list-style-type: none"> • Amended Height of Buildings Map to show a height of 80m • Amended Floor Space Ratio Map to show a FSR of 6:1 • Amended Special Provisions Areas Map to indicate “Area 11” • Amended the Incentive Height of Buildings and Incentive Floor Space Ratio Maps to remove controls applying to this land.

Affected site & Amendment No.	Summary of changes that have occurred to PLEP 2011
<p>33-43 Marion Street, Parramatta (Amendment 57) Notification date – 26 February 2021</p>	<p>Planning Proposal: Added at the end of Part 1 to the list of LEP amendments incorporated into the Planning Proposal since 3 July 2020.</p> <p>Instrument Update:</p> <ul style="list-style-type: none"> • Inserted new clause 7.22 Development on land at 33–43 Marion Street, Parramatta • Inserted new clause 7.23 Car parking on land at 33–43 Marion Street, Parramatta • Deleted heritage item I731 from Part 1 from Schedule 5 Environmental heritage <p>LEP Map Book Changes:</p> <ul style="list-style-type: none"> • Amended Height of Buildings Map to show a height of 80m • Amended Floor Space Ratio Map to show a FSR of 6:1 • Amended Heritage Map to delete local heritage item I731 over No. 37 Marion Street • Amended the Special Provisions Area Map to indicate “Area 15” • Amended the Incentive Height of Buildings and Incentive Floor Space Ratio Maps to remove controls applying to this land.
<p>5 Aird Street, 12 Hassall Street & 20 Macquarie Street, Parramatta (Amendment 54) Notification date – 1 April 2021</p>	<p>Planning Proposal: Added at the end of Part 1 to the list of LEP amendments incorporated into the Planning Proposal since 3 July 2020.</p> <p>Instrument Update:</p> <ul style="list-style-type: none"> • Amended subclause 7.6(2) in Airspace Operations. • Amended subclause 7.14(1) in Car Parking for certain land in Parramatta City Centre. • Inserted new subclause 7.24(5) in Car Parking for certain land in Parramatta City Centre • Inserted new clause 7.24 Development on land at 5 Aird Street and 12 Hassall Street, Parramatta • Inserted new clause 7.25 Development on land at 20 Macquarie Street, Parramatta <p>LEP Map Book Changes:</p> <ul style="list-style-type: none"> • Amended Height of Buildings Map to show: <ul style="list-style-type: none"> ○ A Height of 217m at 5 Aird Street; ○ A Height of 192m at 12 Hassall Street; and ○ A Height of 90m at 20 Macquarie Street • Amended Floor Space Ratio Map to show: <ul style="list-style-type: none"> ○ A FSR of 14.5:1 at 5 Aird Street and 12 Hassall Street; and ○ A FSR of 10:1 at 20 Macquarie Street • Amended the Special Provisions Area Map to indicate: <ul style="list-style-type: none"> ○ “Area 16” at 5 Aird Street; ○ “Area 17” at 12 Hassall Street; and ○ “Area 18” at 20 Macquarie Street • Amended the Incentive Height of Buildings and Incentive Floor Space Ratio Maps to remove controls applying to this land.

Affected site & Amendment No.	Summary of changes that have occurred to PLEP 2011
	<ul style="list-style-type: none">• Amended the Additional Local Provisions Map to remove the Minimum Commercial Provision (MCP) requirement from 5 Aird Street and 12 Hassall Street.• Amended the Opportunity Sites Map to remove the sites at 5 Aird Street and 12 Hassall Street.

Note: Other SSPPs that are in train are likely to come into effect in the time between the Harmonisation PP being finalised for reporting to Council and before its notification. To ensure any SSPP caught in this scenario is dealt with, the CEO is proposed to be given delegated authority to enable to work with DPIE and Parliamentary Counsel so as to incorporate these amendments. This will ensure that no SSPP is undone when the Harmonisation PP is notified.