

PLANNING PROPOSAL

Relating to various properties in Winston Hills (Lois and Simpson Streets and Naomi Street South)

October 2021

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Planning Proposal Versions

Date	Author	Version
October 2021	City of Parramatta Council	Planning Proposal requesting Gateway Determination from the Department of Planning, Industry and Environment

INTRODUCTION

This planning proposal explains the intended effect of, and justification for, the proposed amendment to *Parramatta Local Environmental Plan 2011*. It has been prepared in accordance with Section 55 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).

1.1. Background and context

This Planning Proposal relates to 27 properties located at 5A, 51-61 and 64-82 Naomi Street South, 1-5 and 2-8 Lois Street and 1 and 3 Simpson Street, Winston Hills, within the boundaries of the City of Parramatta Local Government Area (LGA). The site is situated immediately west of Windsor Road, and directly south of the Winston Hillside Care Community, a seniors housing development in the local area. The site is shown in **Figure 1** below.

The Planning Proposal seeks to prohibit dual occupancy development, by including land within the site on the Dual Occupancy Prohibition Map under the *Parramatta Local Environmental Plan 2011* (PLEP 2011). This Planning Proposal has arisen from the decision-making processes in relation to the Harmonisation Planning Proposal.

The Harmonisation Planning Proposal seeks to consolidate into one Planning Instrument a set of controls that will replace the controls in the five different Local Environmental Plans that currently apply in different parts of the City of Parramatta. This work will create a single LEP and DCP that will apply to the whole LGA. The Harmonisation Planning Proposal for a new draft consolidated LEP was publicly exhibited from 31 August and 12 October 2020. Council at its meeting on 12 July 2021 considered the outcomes of the public submissions in relation to the Planning Proposal and resolved it be forwarded to the DPIE for finalisation. As a next step, DPIE will assess the Planning Proposal for finalisation.

The consolidation of dual occupancy development provisions was a key issue Council considered under the Harmonisation Planning Proposal. This issue was canvassed in Council's Land Use Planning Harmonisation Discussion Paper (finalised in January 2019) and later, a Dual Occupancy Constraints Analysis (December 2019) (refer **Appendix 4**). To consolidate these provisions, an LGA wide review was undertaken that investigated where dual occupancies would be permitted, lot size requirements and whether subdivision would be permitted. The results of this review informed the approach endorsed by Council under the Harmonisation Planning Proposal. This is to prohibit dual occupancy development on certain residential zoned land identified on a Dual Occupancy Prohibition Map. The map will include areas in the LGA where dual occupancy development is not considered appropriate. Outside these areas, dual occupancies will not be permitted on lots less than 600sqm. The Dual Occupancy Prohibition Map has been submitted to the DPIE as part of the finalisation of the Harmonisation Planning Proposal.

On 11 November 2019, Council endorsed the Harmonisation Planning Proposal to be submitted to the DPIE for Gateway Determination. At that meeting, Council was provided with a choice to endorse a version of the Dual Occupancy Prohibition Map that included additional R2 zoned land in locations such as Carlingford, Dundas, Eastwood, Epping and Rydalmere, as well as the subject site. However, that version of the mapping was not endorsed at the meeting. As such, the subject site was not included in the Dual Occupancy Prohibition Map under the Harmonisation Planning Proposal.

There has been strong landowner support for the prohibition of dual occupancy development throughout the harmonisation process. Two individual property owner submissions, plus one petition from 11 property owners in Simpson, Lois and Naomi Street South Winston Hills (within the subject site) were received during exhibition of the Harmonisation Planning Proposal. The submissions raised concerns around traffic and parking issues, waste and emergency vehicle access as well as parking congestion caused by increased development on narrow streets. Inconsistencies of increased development with the low density character of the area was also raised.

It is noted the subject site currently has two lots with dual occupancy development (2/2A Lois Street and 5/5A Naomi Street South). A further dual occupancy development was recently approved at 4 Lois Street in August 2021. Objections from residents have been received in response to this type of development in the area, generally matching the concerns raised during exhibition of the Harmonisation Planning Proposal.

On 29 June 2021, the Harmonisation Planning Proposal was reported to the Local Planning Panel (LPP), in which the Panel considered submissions received on the Planning Proposal during exhibition. At the meeting, the LPP considered the submissions received in support of dual occupancy prohibition within the subject site. The LPP recommended the matter had merit for further investigation and that further research on the constraints mapping related to the subject site be undertaken. Refer **Appendix 1** for a copy of the LPP Report and Minutes.

At the 12 July Council Meeting, Council endorsed the Harmonisation Planning Proposal with minor amendments. Particularly, it was resolved that:

- (a) (vi) *Council prepare a separate Planning Proposal seeking to prohibit dual occupancy in Simpson Street, Lois Street and Naomi Street South, Winston Hills (by adding the properties in these streets to the areas on the Dual Occupancy Prohibition Map) and this separate Planning Proposal is pursued as a matter of urgency to minimise the amount of time when dual occupancy remains permitted in Simpson Street, Lois Street and Naomi Street South and that the CEO be delegated responsibility for endorsing the final form of the Planning Proposal documents.”*

Refer **Appendix 2** for a copy of the Council meeting report and minutes.



Figure 1 – 27 properties subject to the Planning Proposal

Under the *Parramatta Local Environmental Plan*, the subject site:

- is zoned R2 Low Density Residential;
- has a minimum lot size of 550m²;
- has a maximum building height of 9m metres;
- has a maximum floor space ratio (FSR) of 0.5:1; and
- The Dual Occupancy Prohibition Map does not apply to this land.

An extract of the existing PLEP 2011 maps for the site is provided in Part 4 – Mapping; specifically, Section 4.1 Existing controls. These provisions are not varied under the Harmonisation PP.

Property Address	Legal Description	Property Address	Legal Description
1 Simpson Street	Lot 14 DP234507	66 Naomi Street South	Lot 7 DP234507
3 Simpson Street	Lot 13 DP234507	68 Naomi Street South	Lot 8 DP234507
1 Lois Street	Lot 12 DP234507	70 Naomi Street South	Lot 9 DP234507
2 Lois Street	Lot 400 DP1243911	72 Naomi Street South	Lot 1 DP244401
2A Lois Street	Lot 401 DP1243911	74 Naomi Street South	Lot 2 DP244401
3 Lois Street	Lot 11 DP234507	76 Naomi Street South	Lot 3 DP244401
4 Lois Street	Lot 16 DP234507	78 Naomi Street South	Lot 4 DP244401
6 Lois Street	Lot 17 DP234507	80 Naomi Street South	Lot 5 DP244401

8 Lois Street	Lot 18 DP234507	82 Naomi Street South	Lot 6 DP244401
5 Naomi Street South	Lot 1 DP1229275	61 Naomi Street South	Lot 7 DP244401
5A Naomi Street South	Lot 2 DP1229275	59 Naomi Street South	Lot 8 DP244401
64 Naomi Street South	Lot 6 DP234507	57 Naomi Street South	Lot 9 DP244401
55 Naomi Street South	Lot 10 DP244401	53 Naomi Street South	Lot 11 DP244401
51 Naomi Street South	Lot 12 DP244401		

PART 1 – OBJECTIVES OR INTENDED OUTCOMES

The main objective of this Planning Proposal is to prevent adverse development outcomes within the subject site by prohibiting dual occupancy development. The Planning Proposal also aims to address local community concerns regarding the impacts of increased development within the subject site.

PART 2 – EXPLANATION OF PROVISIONS

This planning proposal seeks to amend the Dual Occupancy Prohibition Map under the PLEP 2011.

The following amendment to the PLEP 2011 is required to achieve the desired objectives of this Planning Proposal:

- Create a new map sheet that identifies the 27 properties subject to this Planning Proposal under the **Dual Occupancy Prohibition Map**.

The proposed amendment in this Planning Proposal is consistent with the proposed controls developed in the harmonisation process so as to ensure the translation of controls are straight forward, in the event the Harmonisation Planning Proposal is finalised prior to or following this Planning Proposal.

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 an endorsed local strategic planning statement, strategic study or report?

This Planning Proposal responds to Council's broader work on the Land Use Planning Harmonisation Project. The purpose of this project has been to consolidate planning controls for the City of Parramatta LGA, following Council amalgamations on 12 May 2016. Council's Local Strategic Planning Statement (LSPS) identifies the project as a priority that will improve development assessment processes and provide consistency in the planning framework across the new LGA.

This Planning Proposal will finalise Council's review of dual occupancy prohibition areas in the City of Parramatta LGA, as was initially considered under the Harmonisation Planning Proposal. It will contribute to the achievement of Local Planning Priority 5 "Support and enhance the low-scale character and identity of suburban Parramatta outside of the GPOP Area and Epping Strategic Centre". The Planning Proposal will also assist in the completion of a short-term action in the LSPS (Action A30), which is to 'Finalise the review of dual occupancy and medium density residential zone provisions for Government's consideration as part of the LEP Harmonisation Project'.

The Harmonisation Planning Proposal seeks to prohibit dual occupancy development on certain residential zoned land, identified on a Dual Occupancy Prohibition Map. The map identifies areas where dual occupancy development is not considered appropriate, and, outside these areas, lots less than 600 square metres. To provide a consistent basis for identifying land appropriate for identification on the Dual Occupancy Prohibition Map, Council prepared a Dual Occupancy Constraints Analysis (December 2019) – refer **Appendix 4**. The Dual Occupancy Constraints Analysis (the Analysis) used a methodology that mapped and considered a number of constraints factors in the LGA. These were:

- areas with special character;
- narrow streets;
- areas lacking permeability;
- access to public transport;
- tree coverage;
- bushfire hazard; and
- site availability.

These factors were related to community feedback received during public exhibition of the Land Use Harmonisation Discussion Paper (between 21 January and 4 March 2019), as well as consideration of environmental factors that would contribute to creating negative impacts from dual occupancy development.

The various properties subject to this Planning Proposal were not included in the land proposed for dual occupancy prohibition under the Harmonisation Planning Proposal. However, strong community feedback opposing dual occupancy development within the subject site was received during its exhibition. Consideration of these submissions has prompted a further detailed investigation into the merits of dual occupancy prohibition within the subject site, noting support by the Local Planning Panel to reinvestigate the matter at

their meeting on 29 June 2021 and endorsement from Council at the 12 July 2021 Council meeting to prepare a Planning Proposal.

State Government Planning Directions state that changes to LEPs cannot include provisions that reduce the permissible residential density of land unless this can be justified through a relevant study or is of minor significance. In this regard, the Harmonisation Planning Proposal relied on technical evidence in the Analysis to provide strategic planning justification for prohibition.

This Planning Proposal undertakes a more detailed site specific assessment using the same methodology applied in the Dual Occupancy Constraints Analysis. The intent of this approach is to provide a consistent evidence base, as well as to ensure the recommendations contained in this Proposal are consistent with the broader objectives of the Harmonisation Planning Proposal.

Using the methodology employed in the Dual Occupancy Constraints Analysis, the detailed site specific assessment concludes the subject site is ‘highly constrained’ on the basis of it demonstrating a higher potential for traffic and parking issues as a result of increased densities and lack of permeability. The Planning Proposal recommends inclusion of the subject site on the Dual Occupancy Prohibition Map.

The site-specific assessment is provided in **Appendix 3** of this Planning Proposal.

3.1.2. Is the Planning Proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

The Planning Proposal is considered the best means of achieving the objectives and outcomes intended. Under the Low Rise Housing Diversity Code, dual occupancies can be built in the R2 zone as complying development, so long as this type of development is permitted under a Council’s LEP.

Due to the operation of the Low Rise Housing Diversity Code, should dual occupancy development remain permissible within the subject site, Council will be limited in its ability to address the site specific constraints through a development control plan. Prohibiting dual occupancy development will provide greater certainty to the community that adverse development outcomes can be prevented within the subject sites.

3.2. Section B – Relationship to strategic planning framework

3.2.1. Will the planning proposal give effect to the objectives and actions of the applicable regional, or district plan or strategy (including any exhibited draft plans or strategies)?

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 that each contain Potential Indicators and, generally, a suite of objective/s supported by a Strategy or Strategies. Those objectives and or strategies relevant to this planning proposal are discussed below.

Infrastructure and Collaboration

An assessment of the planning proposal's consistency with the GSRP's relevant Infrastructure and Collaboration objectives is provided in Table 3a, below.

Table 3a – Consistency of planning proposal with relevant GSRP Actions – Infrastructure and Collaboration

Infrastructure and Collaboration Direction	Relevant Objective	Comment
A city supported by infrastructure	O1: Infrastructure supports the three cities	A priority of the City of Parramatta is to ensure that future growth is coordinated and planned for strategically. Council has identified Growth Precincts within the LGA that are anticipated to have the capacity to accommodate growth and be serviced by the infrastructure necessary to accommodate future population needs.
	O2: Infrastructure aligns with forecast growth – growth infrastructure compact	
	O3: Infrastructure adapts to meet future need	
	O4: Infrastructure use is optimised	

Liveability

An assessment of the planning proposal's consistency with the GSRP's relevant Liveability objectives is provided in Table 3b, below.

Table 3b – Consistency of planning proposal with relevant GSRP Actions – Liveability

Liveability Direction	Relevant Objective	Comment
A city for people	O6: Services and infrastructure meet communities' changing needs	These specific objectives are not applicable to the Planning Proposal.
	O7: Communities are healthy, resilient and socially connected	
	O8: Greater Sydney's communities are culturally rich with diverse neighbourhoods	
	O9: Greater Sydney celebrates the arts and supports creative industries and innovation	
Housing the city	O10: Greater housing supply	The Planning Proposal is consistent with the view that greater housing should be delivered in the right locations. It seeks to prevent adverse development outcomes in locations not suitable for increased density. The Planning Proposal will not inhibit the delivery of housing supply, choice and affordability within the LGA. As per Council's Local Housing Strategy, the City has the capacity to deliver more than a 50 year land supply of dual occupancy development on existing R2 and R3 zoned land in the LGA. It is considered the impact of prohibiting
	O11: Housing is more diverse and affordable	

		<p>dual occupancies within the subject site is minor in comparison.</p> <p>The LHS further notes that housing diversity (with innovative options for households with children) is to be explored in future Growth Precincts in the LGA where more effective place-based outcomes can be achieved.</p>
A city of great places	O12: Great places that bring people together	These specific objectives are not applicable to the Planning Proposal.
	O13: Environmental heritage is identified, conserved and enhanced	

Productivity

An assessment of the planning proposal's consistency with the GSRP's relevant Productivity objectives is provided in Table 3c, below.

Table 3c – Consistency of planning proposal with relevant GSRP Actions – Productivity

Productivity Direction	Relevant Objective	Comment
A well connected city	O14: The plan integrates land use and transport creates walkable and 30 minute cities	<p>The Planning Proposal is not in a growth precinct, where place based outcomes that efficiently integrate land use, infrastructure and transport planning can be delivered to achieve a 30 minute city.</p> <p>The subject site is low density in character and demonstrates unique limitations in the local road infrastructure that would pose challenges to land use and transport integration if increased densities were to occur.</p>
	O15: The Eastern, GPOP and Western Economic Corridors are better connected and more competitive	This specific objective is not applicable to the Planning Proposal.
Jobs and skills for the city	O19: Greater Parramatta is stronger and better connected	These specific objectives are not applicable to the Planning Proposal.
	O21: Internationally competitive health, education, research and innovation precincts	
	O22: Investment and business activity in centres	
	O23: Industrial and urban services land is planned, retained and managed	
	O24: Economic sectors are targeted for success	

Sustainability

An assessment of the planning proposal's consistency with the GSRP's relevant Sustainability objectives is provided in Table 3d, below.

Table 3d – Consistency of planning proposal with relevant GSRP Actions – Sustainability

Sustainability Direction	Relevant Objective	Comment
A city in its landscape	O25: The coast and waterways are protected and healthier	These specific objectives are not applicable to the Planning Proposal.
	O27: Biodiversity is protected, urban bushland and remnant vegetation is enhanced	
	O28: Scenic and cultural landscapes are protected	
	O29: Environmental, social and economic values in rural areas are protected and enhanced	
	O30: Urban tree canopy cover is increased	These specific objectives are not applicable to the Planning Proposal.
	O31: Public open space is accessible, protected and enhanced	
	O32: The Green grid links Parks, open spaces, bushland and walking and cycling paths	
An efficient city	O33: A low-carbon city contributes to net-zero emissions by 2050 and mitigates climate change	
	O34: Energy and water flows are captured, used and re-used	
	O35: More waste is re-used and recycled to support the development of a circular economy	
A resilient city	O36: People and places adapt to climate change and future shocks and stresses	
	O37: Exposure to natural and urban hazards is reduced	
	O38: Heatwaves and extreme heat are managed	Urban design testing reveals that dual occupancy development may negatively impact street trees, as additional driveway crossings are often required and reduced overall deep soil. The Planning Proposal will contribute to the retention of mature tree canopy prevalent within the subject site. This will assist with reducing the local impacts of urban heat island effect.

Implementation

An assessment of the planning proposal's consistency with the GSRP's relevant Implementation objectives is provided in Table 3d, below.

Table 3d – Consistency of planning proposal with relevant GSRP Actions – Implementation

Implementation Direction	Relevant Objective	Comment
Implementation	O39: A collaborative approach to city planning	The Planning Proposal is in direct response to the broader harmonisation work undertaken by Council under the Harmonisation PP. The Harmonisation PP was subject to extensive community consultation, including a Discussion Paper (January 2019) and Dual Occupancies Constraints Analysis (December 2019). The Planning Proposal responds to community feedback received during those consultation periods.

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 that are each supported by corresponding Actions. Those Planning Priorities and Actions relevant to this planning proposal are discussed below.

Infrastructure and Collaboration

An assessment of the planning proposal’s consistency with the CCDP’s relevant Infrastructure and Collaboration Priorities and Actions is provided in Table 4a, below.

Table 4a – Consistency of planning proposal with relevant CCDP Actions – Infrastructure and Collaboration

Infrastructure and Collaboration Direction	Planning Priority/Action	Comment
A city supported by infrastructure O1: Infrastructure supports the three cities O2: Infrastructure aligns with forecast growth – growth infrastructure compact O3: Infrastructure adapts to meet future need O4: Infrastructure use is optimised	PP C1: Planning for a city supported by infrastructure <ul style="list-style-type: none"> A1: Prioritise infrastructure investments to support the vision of <i>A metropolis</i> A2: Sequence growth across the three cities to promote north-south and east-west connections A3: Align forecast growth with infrastructure A4: Sequence infrastructure provision using a place based approach A5: Consider the adaptability of infrastructure and its potential shared use when preparing infrastructure strategies and plans A6: Maximise the utility of existing infrastructure assets and consider strategies to influence behaviour changes to reduce the demand for new infrastructure, supporting the 	<p>The City of Parramatta is experiencing significant housing growth. Infrastructure considerations are a key element in the planning process for Growth Precincts – these are precincts identified within the LGA that are anticipated to have the capacity to accommodate growth and be serviced by the infrastructure necessary to accommodate future population needs.</p> <p>The subject site is not located in a Growth Precinct, but in the low scale, residential suburbs to the north of the LGA. Council seeks to protect these areas from further encroachment of high density development. These areas have limited infrastructure capacity to accommodate growth.</p>

	development of adaptive and flexible regulations to allow decentralised utilities	
O5: Benefits of growth realised by collaboration of governments, community and business	PP C2: Working through collaboration <ul style="list-style-type: none"> • A7: Identify prioritise and delivery collaboration areas 	The Planning Proposal is a result of extensive community and stakeholder consultation undertaken during the harmonisation process.

Liveability

An assessment of the planning proposal's consistency with the CCDP's relevant Liveability Priorities and Actions is provided in Table 4b, below.

Table 4b – Consistency of planning proposal with relevant CCDP Actions – Liveability

Liveability Direction	Planning Priority/Action	Comment
A city for people O6: Services and infrastructure meet communities' changing needs	PP C3: Provide services and social infrastructure to meet people's changing needs <ul style="list-style-type: none"> • A8: Deliver social infrastructure that reflects the need of the community now and in the future • A9: Optimise the use of available public land for social infrastructure 	The Planning Proposal seeks to prohibit increased density within the subject site. The Planning Proposal will not generate additional demand for social infrastructure in the local area.
O7: Communities are healthy, resilient and socially connected O8: Greater Sydney's communities are culturally rich with diverse neighbourhoods O9: Greater Sydney celebrates the arts and supports creative industries and innovation	PP C4: Working through collaboration <ul style="list-style-type: none"> • A10: Deliver healthy, safe and inclusive places for people of all ages and abilities that support active, resilient and socially connected communities. • A11: Incorporate cultural and linguistic diversity in strategic planning and engagement. • A12: Consider the local infrastructure implications of areas that accommodate large migrant and refugee populations. 	The Planning Proposal is a result of extensive community consultation undertaken during the harmonisation process. Consultation took place through a variety of mechanisms to ensure a diverse range of people could provide feedback. It is noted summaries of the proposed changes under the Harmonisation Planning Proposal were translated for members of the community of a non-English Speaking Background.

	<ul style="list-style-type: none"> • A13: Strengthen the economic self-determination of Aboriginal communities by engagement and consultation with Local Aboriginal Land Council's. • A14: Facilitate opportunities for creative and artistic expression and participation, wherever feasible with a minimum regulatory burden including. • A15: Strengthen social connections within and between communities through better understanding of the nature of social networks and supporting infrastructure in local places 	
Housing the city O10: Greater housing supply O11: Housing is more diverse and affordable	PP C5: Providing housing supply, choice and affordability, with access to jobs, services and public transport <ul style="list-style-type: none"> • A16: Prepare local or district housing strategies that address housing targets [abridged version] • A17: Prepare Affordable Rental Housing Target Schemes 	<p>The Planning Proposal does not materially inhibit the delivery of housing supply, choice and affordability within the LGA. It is consistent with the position held in Council's Local Housing Strategy, which seeks to ensure more housing can be accommodated in the right locations.</p> <p>As per Council's LHS, the City has the capacity to deliver more than a 50 year land supply of dual occupancy development on existing R2 and R3 zoned land in the LGA. It is considered the impact of prohibiting dual occupancies within the subject site is minor in comparison.</p>
A city of great places O12: Great places that bring people together O13: Environmental heritage is identified, conserved and enhanced	PP C6: Creating and renewing great places and local centres, and respecting the District's heritage <ul style="list-style-type: none"> • A18: Using a place-based and collaborative approach throughout planning, design, development and management deliver great places. • A19: Identify, conserve and enhance environmental heritage. • A20: Use place-based planning to support the role of centres as a focus for connected neighbourhoods • A21: In Collaboration Areas, Planned Precincts and planning for centres. • A22: Use flexible and innovative approaches to revitalise high streets in decline. 	<p>This specific objective does not apply to the Planning Proposal.</p>

Productivity

An assessment of the planning proposal's consistency with the CCDP's relevant Productivity Priorities and Actions is provided in Table 4c, below.

Table 4c – Consistency of planning proposal with relevant CCDP Actions – Productivity

Productivity Direction	Planning Priority/Action	Comment
A well-connected city O19: Greater Parramatta is stronger and better connected	PP C7: Growing a stronger and more competitive Greater Parramatta <ul style="list-style-type: none"> • A23: Strengthen the economic competitiveness of Greater Parramatta and grow its vibrancy [abridged] • A24: Revitalise Hawkesbury Road so that it becomes the civic, transport, commercial and community heart of Westmead • A25: Support the emergency services transport, including helicopter access • A26: Prioritise infrastructure investment [abridged] • A27: Manage car parking and identify smart traffic management strategies • A28: Investigate opportunities for renewal of Westmead East as a mixed use precinct 	These specific objectives do not apply to the Planning Proposal.
Jobs and skills for the city O15: The Eastern, GOPP and Western Economic Corridors are better connected and more competitive	PP C8: Delivering a more connected and competitive GOPP Economic Corridor <ul style="list-style-type: none"> • A28: Investigate opportunities for renewal of Westmead East as a mixed use precinct PPC8 • A29: Prioritise public transport investment to deliver the 30-minute city objective for strategic centres along the GOPP Economic Corridor • A30: Prioritise transport investments that enhance access to the GOPP between centres within GOPP 	
O14: The plan integrates land use and transport creates walkable and 30 minute cities	PP C9: Delivering integrated land use and transport planning and a 30-minute city <ul style="list-style-type: none"> • A32: Integrate land use and transport plans to deliver a 30-minute city • A33: Investigate, plan and protect future transport and infrastructure corridors • A34: Support innovative approaches to the operation of business, educational and institutional establishments to improve the performance of the transport network • A35: Optimise the efficiency and effectiveness of the freight handling and logistics network. 	

	<ul style="list-style-type: none"> • A36: Protect transport corridors as appropriate, including the Western Sydney Freight Line, North South train link from Schofields to WS Airport as well as Outer Sydney Orbital and Bells Line of Road-Castlereagh connections 	
O23: Industrial and urban services land is planned, retained and managed	<p>PP C10: Growing investment, business opportunities and jobs in strategic centres</p> <ul style="list-style-type: none"> • A37: Provide access to jobs, goods and services in centres [abridged] • A38: Create new centres in accordance with the principles for Greater Sydney's centres • A39: Prioritise strategic land use and infrastructure plans for growing centres, particularly those with capacity for additional floorspace 	These specific objectives do not apply to the Planning Proposal.
O23: Industrial and urban services land is planned, retained and managed	<p>PP C11: Maximising opportunities to attract advanced manufacturing and innovation in industrial and urban services land</p> <ul style="list-style-type: none"> • A49: Review and manage industrial and urban service land, in line with the principles for managing industrial and urban services land, in the identified local government area • A51: Facilitate the contemporary adaption of industrial and warehouse buildings through increased floor to ceiling heights • A52: Manage the interfaces of industrial areas, trade gateways and intermodal facilities by land use activities and transport operations [abridged] 	
O24: Economic sectors are targeted for success	<p>PP C12: Supporting growth of targeted industry sectors</p> <ul style="list-style-type: none"> • A53: Facilitate health and education precincts [abridged] • A54: Provide a regulatory environment that enables economic opportunities created by changing technologies • A55: Consider the barriers to the growth of internationally competitive trade sectors, including engaging with industry and assessing regulatory barriers • A56: Protect and support agricultural production and mineral resources by preventing inappropriate dispersed urban activities • A57: Consider opportunities to implement place-based initiatives 	These specific objectives do not apply to the Planning Proposal.

	<p>to attract more visitors, improve visitor experience and ensure connections to transport at key tourist attractions</p> <ul style="list-style-type: none"> • A58: Consider opportunities to enhance the tourist and visitor economy in the district, including a coordinated approach to tourism activities, events and accommodation • A59: When preparing plans for tourism and visitation consider the relevant factors under this action. 	
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Sustainability

An assessment of the planning proposal's consistency with the CCDP's relevant Sustainability Priorities and Actions is provided in Table 4d, below.

Table 4d – Consistency of planning proposal with relevant CCDP Actions – Sustainability

Sustainability Direction	Planning Priority/Action	Comment
<p>A city in its landscape</p> <p>O25: The coast and waterways are protected and healthier</p>	<p>PP C13: Protecting and improving the health and enjoyment of the District's Waterways</p> <ul style="list-style-type: none"> • A60: Protect environmentally sensitive areas of waterways • A61: Enhance sustainability and liveability by improving and managing access to waterways and foreshores for recreation, tourism, cultural events and water based transport • A62: Improve the health of catchments and waterways through a risk based approach to managing the cumulative impacts of development including coordinated monitoring of outcomes • A63: Work towards reinstating more natural conditions in highly modified urban waterways 	<p>These specific objectives do not apply to the Planning Proposal.</p>
<p>O26: The coast and waterways are protected and healthier</p>	<p>PP C14: Creating a Parkland City urban structure and identity, with South Creek as a defining spatial element</p> <ul style="list-style-type: none"> • A64: Implement South Creek Corridor Project and use the design principles for South Creek to deliver a cool and green Western Parkland City 	

<p>O27: Biodiversity is protected, urban bushland and remnant vegetation is enhanced</p> <p>O28: Scenic and cultural landscapes are protected</p>	<p>PP C15: Protecting and enhancing bushland, biodiversity and scenic and cultural landscapes</p> <ul style="list-style-type: none"> • A65: Protect and enhance biodiversity by (a-c) [abridged] • A66: Identify and protect scenic and cultural landscapes • A67: Enhance and protect views of scenic and cultural landscapes from the public realm 	<p>These specific objectives do not apply to the Planning Proposal.</p>
<p>O30: Urban tree canopy cover is increased</p> <p>O32: The Green grid links Parks, open spaces, bushland and walking and cycling paths</p>	<p>PP C16: Increasing urban tree canopy cover and delivering Green grid connections</p> <ul style="list-style-type: none"> • A68: Expand urban tree canopy in the public realm • A69: progressively refine the detailed design and delivery of (a-c) [abridged] • A70: Create Greater Sydney green Grid connections to the Western Sydney Parklands 	<p>As the Planning Proposal seeks to prohibit further development in the subject site, it reduces the probability of urban tree canopy loss as a result of development. For example, Council's Dual Occupancy Constraints Analysis acknowledges that dual occupancies can negatively impact street trees, as additional driveway crossings are often required.</p>
<p>O31: Public open space is accessible, protected and enhanced</p>	<p>PP C17: Delivering high quality open space</p> <ul style="list-style-type: none"> • A71: Maximise the use of existing open space and protect, enhance and expand public open space by (a-g) [abridged] 	<p>These specific objectives do not apply to the Planning Proposal.</p>
<p>An efficient city</p> <p>O33: A low-carbon city contributes to net-zero emissions by 2050 and mitigates climate change</p> <p>O34: Energy and water flows are captured, used and re-used</p> <p>O35: More waste is re-used and recycled to support the development of a circular economy</p>	<p>PP C19: Reducing carbon emissions and managing energy, water and waste efficiently</p> <ul style="list-style-type: none"> • A75: Support initiatives that contribute to the aspirational objectives of achieving net-zero emissions by 2050 • A76: Support precinct-based initiatives to increase renewable energy generation and energy and water efficiency • A77: Protect existing and identify new locations for waste recycling and management • A78: Support innovative solutions to reduce the volume of waste and reduce waste transport requirements • A79: Encourage the preparation of low carbon, high efficiency strategies to reduce emissions, 	

	optimise the use of water, reduce waste and optimising car parking provisions where an increase in total floor in 100,000sqm	
<p>O36: People and places adapt to climate change and future shocks and stresses</p> <p>O37: Exposure to natural and urban hazards is reduced</p> <p>O38: Heatwaves and extreme heat are managed</p>	<p>PP C20: Adapting to the impacts of urban and natural hazards and climate change</p> <ul style="list-style-type: none"> • A81: Support initiatives that respond to the impacts of climate change • A82: Avoid locating new urban development in areas exposed to natural and urban hazards and consider options to limit the intensification of development in existing areas most exposed to hazards • A83: Mitigate the urban heat island effect and reduce the vulnerability to extreme heat • A84: Respond to the direction for managing flood risk in Hawkesbury-Nepean Valley • A85: Consider strategies and measures to manage flash flooding and safe evacuation when planning for growth in Parramatta CBD 	<p>The Planning Proposal assists in the retention of urban tree canopy within the subject site, by reducing the probability of street trees needing to be removed to accommodate dual occupancy development. Urban tree canopy is an important tool in mitigating the impacts of urban heat island effect.</p>

3.2.1. Will the planning proposal give effect to a council's endorsed local strategic planning statement, or another endorsed local strategy or 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 planning proposal is considered to meet the strategies and key objectives identified in the plan, such as the management of growth the City is currently experiencing, to ensure an improved quality of life for local communities.

Parramatta Local Strategic Planning Statement

The Local Strategic Planning Statement (LSPS) sets out the long-term vision for land use planning in the City of Parramatta's local government area (LGA) and responds to broader priorities identified in the District Plans and integrated with Council's Community Strategic Plan. The LSPS came into effect on 31 March 2020. Any new Planning Proposal must justify any inconsistency with this framework.

This Planning Proposal is consistent with Planning Priority 4 of the LSPS "Focus housing and employment growth in the GPOP and Strategic Centres; as well as stage housing release consistent with the Parramatta Local Housing Strategy (when endorsed)".

The Parramatta Local Housing Strategy was approved on 29 July 2021. The Strategy supports the approach adopted under the Harmonisation Planning Proposal, that seeks to prohibit dual occupancy development in certain areas in residential zoned land.

The Planning Proposal is also consistent with Planning Priority 5 of the LSPS “Support and enhance the low-scale character and identity of suburban Parramatta outside of the GPOP area and Epping Strategic Centre”. The Planning Proposal seeks to maintain the low-density residential character of the subject site and finalise the review of dual occupancy development under the LEP Harmonisation Project.

Parramatta Local Housing Strategy

The Parramatta Local Housing Strategy (LHS) provides direction at the local level about when and where future housing growth will occur and how it aligns with the broader NSW Government strategic planning framework. The Strategy was approved on 29 July 2021.

The Planning Proposal is consistent with the key findings of the Local Housing Strategy, that considers the need to investigate more medium density housing in suitable locations. Specifically, the LHS considers the benefit of Council exploring the potential of medium density zones (terraces and townhouses) in new planning proposals and new planned precincts, as well as carefully identifying potential ‘Housing Diversity Precincts’ for additional planned medium density housing outside the Growth Precincts.

The LHS supports the intent of the Harmonisation Planning Proposal, to prohibit dual occupancy development in certain ‘constrained’ areas of residential zoned land. The Planning Proposal seeks to be consistent with this approach.

3.2.2. 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)	Consistency: Yes = ✓ No = x N/A = Not applicable	Comment
SEPP No 1 Development Standards	N/A	This SEPP is not applicable to the subject land under Clause 1.9 of the <i>Parramatta LEP 2011</i> .
SEPP 19 – Bushland in Urban Areas	N/A	Not relevant to proposed amendment
SEPP 33 – Hazardous and Offensive Development	N/A	Not relevant to proposed amendment.
SEPP No 55 Remediation of Land	N/A	Not relevant to proposed amendment.

State Environmental Planning Policies (SEPPs)	Consistency: Yes = ✓ No = x N/A = Not applicable	Comment
SEPP 64 – Advertising and Signage	N/A	Not relevant to proposed amendment.
SEPP No 65 Design Quality of Residential Flat Development	N/A	Not relevant to proposed amendment.
SEPP No.70 Affordable Housing (Revised Schemes)	N/A	Not relevant to proposed amendment.
SEPP (Affordable Rental Housing) 2009	✓	Irrespective of this Planning Proposal, secondary dwellings will remain permissible within the subject site on lots greater than 450sqm.
SEPP (BASIX) 2004	N/A	Not relevant to proposed amendment.
SEPP (Exempt and Complying Development Codes) 2008	✓	The provisions of this SEPP relating to the Low Rise Housing Diversity Code will cease to apply to the subject land if dual occupancy development is prohibited on the land as per the intent of this Planning Proposal.
SEPP (Infrastructure) 2007	✓	Not relevant to proposed amendment.
Sydney Regional Environmental Plan No 18– Public Transport Corridors	N/A	Not relevant to proposed amendment.
Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005	N/A	Not relevant to proposed amendment.
SEPP (Urban Renewal) 2010	✓	Not relevant to proposed amendment.

3.2.3. 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 apply 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	The Planning Proposal does not affect land within an existing or proposed business or industrial zone, nor does not seek to alter any existing business or industrial zone.	N/A
2. Environment and Heritage		
Direction 2.3 - Heritage Conservation	The subject site does not contain any environmental or known indigenous heritage significance.	Yes
3. Housing, Infrastructure and Urban Development		
Direction 3.1 - Residential Zones	<p>The Planning Proposal is inconsistent with this direction, as it seeks to reduce the permissible residential density of the subject land by prohibiting dual occupancy development.</p> <p>Direction 3.1(6) stipulates that a planning proposal may be inconsistent with the terms of this direction, provided the inconsistency can be satisfactorily justified. The Planning Proposal seeks to justify the inconsistency under 3.1(6)(d) – matter of minor significance.</p> <p>Prohibition of dual occupancy development of the subject site will not materially impact on the delivery of medium density housing in the City of Parramatta LGA. According to Council's Local Housing Strategy. At current rates of take up (160 dwellings per year in total on R3 zoned land and 154 dwellings per year on R2 zoned land), there would remain more than 50 years of land supply for dual occupancy development on residential zoned land.</p> <p>It is considered the prohibition of dual occupancy development within the subject site is of minor significance, affecting a total of 27 properties (i.e. potentially 54 dual occupancy dwellings). The land subject to this Planning Proposal has been assessed as constrained land and will likely lead to adverse development outcomes with increased density on the site. Specifically, it displays constraints such as narrow road widths and an impermeable street network that will likely result in adverse development outcomes such as parking congestion and difficulties with vehicle access and manoeuvrability within the site.</p> <p>Additionally, it is noted the capacities for medium density housing referred to above, only consider the take up for such development on low residential density land in the LGA outside the Growth Precincts. Council's Local Housing Strategy strongly encourages further investigation of housing diversity in the Growth Precincts – for example hybrid town houses and residential flat building forms.</p> <p>Despite the proposal to prohibit dual occupancy development within the subject site, there remains a strong emphasis by Council to ensure a supply of diverse housing forms, delivered through efficient, place based outcomes in these precincts.</p>	No - justification provided.

Direction 3.4 - Integrating Land Use and Transport	<p>The Planning Proposal is inconsistent with the objectives of this direction, as the site is located within an 800m walkable catchment of the Windsor Road – a major bus corridor in the area.</p> <p>The Planning Proposal seeks to prohibit dual occupancy development in a site that would otherwise integrate medium density housing within a 10-minute walk to public transport services.</p> <p>Direction 3.4(5) stipulates that a planning proposal may be inconsistent with the terms of this direction, provided the inconsistency can be satisfactorily justified. The Planning Proposal seeks to justify the inconsistency under 3.4(5)(d) – matter of minor significance.</p> <p>The Planning Proposal is minor in nature, as it seeks to exclude dual occupancies from a specific location in the Winston Hills area, due to a concentration of localised environmental constraints, that make this development unsuitable on the land.</p> <p>However, the Planning Proposal does not preclude opportunities for integrated medium density housing with nearby public transport services in the area. These locations are unconstrained and dual occupancy development will remain permissible.</p> <p>Additionally, the integration of land use and transport is a key focus of Council, particularly with respect to achieving place-based outcomes in the Growth Precincts of the LGA. Council's Local Housing Strategy strongly encourages further investigation of medium density housing opportunities in these areas.</p>	No, justification provided.
4. Hazard and Risk		
Direction 4.1 - Acid Sulfate Soils	The site is Class 5 under the Acid Sulfate Soils Map (Sheet ASS_008) of the Parramatta Local Environmental Plan 2011.	Yes
Direction 4.3 - Flood Prone Land	The site is not flood prone and is above the 1:100 year flood level.	Yes
5. 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.	Yes
Direction 6.3 - Site Specific Provisions	The Planning Proposal does not introduce any site specific provisions.	Yes
6. Metropolitan Planning		
Direction 7.1 - Implementation of A Plan for Growing Sydney.	The Planning Proposal does not propose any substantive amendments and is in keeping with the overall intent of the Plan for Growing Sydney. The achievements of the plan's planning principles, directions, priorities for subregions, strategic centres and transport gateways are not undermined by this Planning Proposal.	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 Planning Proposal will not result in any outcomes that will adversely affect critical habitat or threatened species, populations or 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?

The Planning Proposal will not result in any outcomes that will generate environmental effects.

3.3.3. How has the planning proposal adequately addressed any social and economic effects?

The Planning Proposal seeks to prohibit increased densities within the subject site. The Planning Proposal would therefore not create an impact on any new or existing demands for social infrastructure – for example, public open space, schools or health care services.

The Planning Proposal may have a minor economic impact. For example, prohibition of dual occupancy development may reduce the availability of construction activity or development contributions to Council, however this is of minor impact.

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 result in an outcome that will generate additional demand for public infrastructure.

3.4.2. What are the views of State and Commonwealth public authorities consulted in accordance with the gateway determination?

If determined by Gateway Determination, consultation with the State and Commonwealth public authorities will be 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. **Existing controls**

This section illustrates the current *PLEP 2011* controls which apply to the site.

Figure 1 illustrates the existing R2 Low Density Residential Zone over the site.

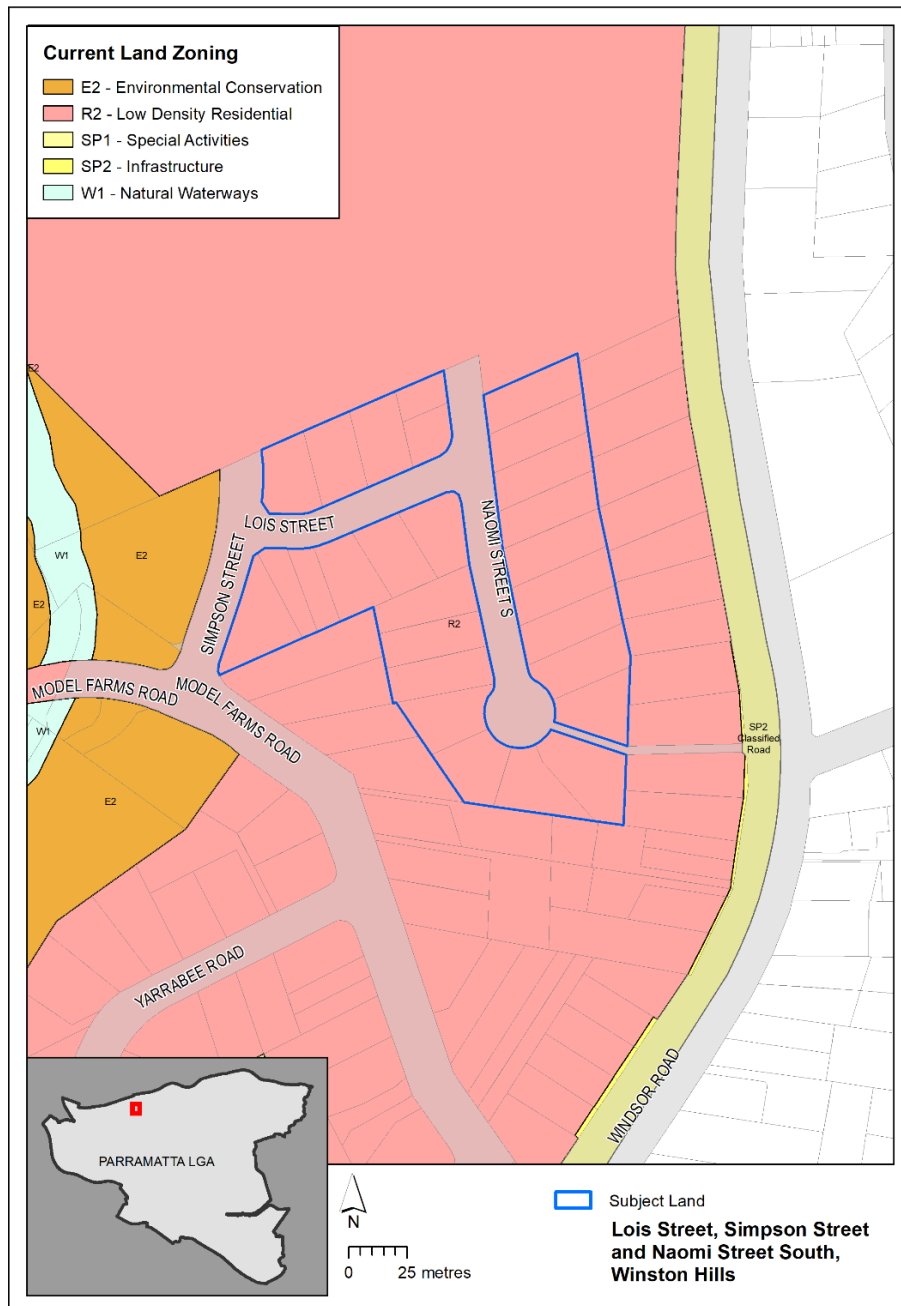


Figure 1 – Existing land zoning map extracted from *Parramatta LEP 2011* Land Zoning Map

Figure 2 illustrates the current 9.5m building height over the site.



Figure 2 – Existing building heights extracted from the *Parramatta LEP 2011* Height of Buildings Map

Figure 3 illustrates the existing 0.5:1 floor space ratio over the site.

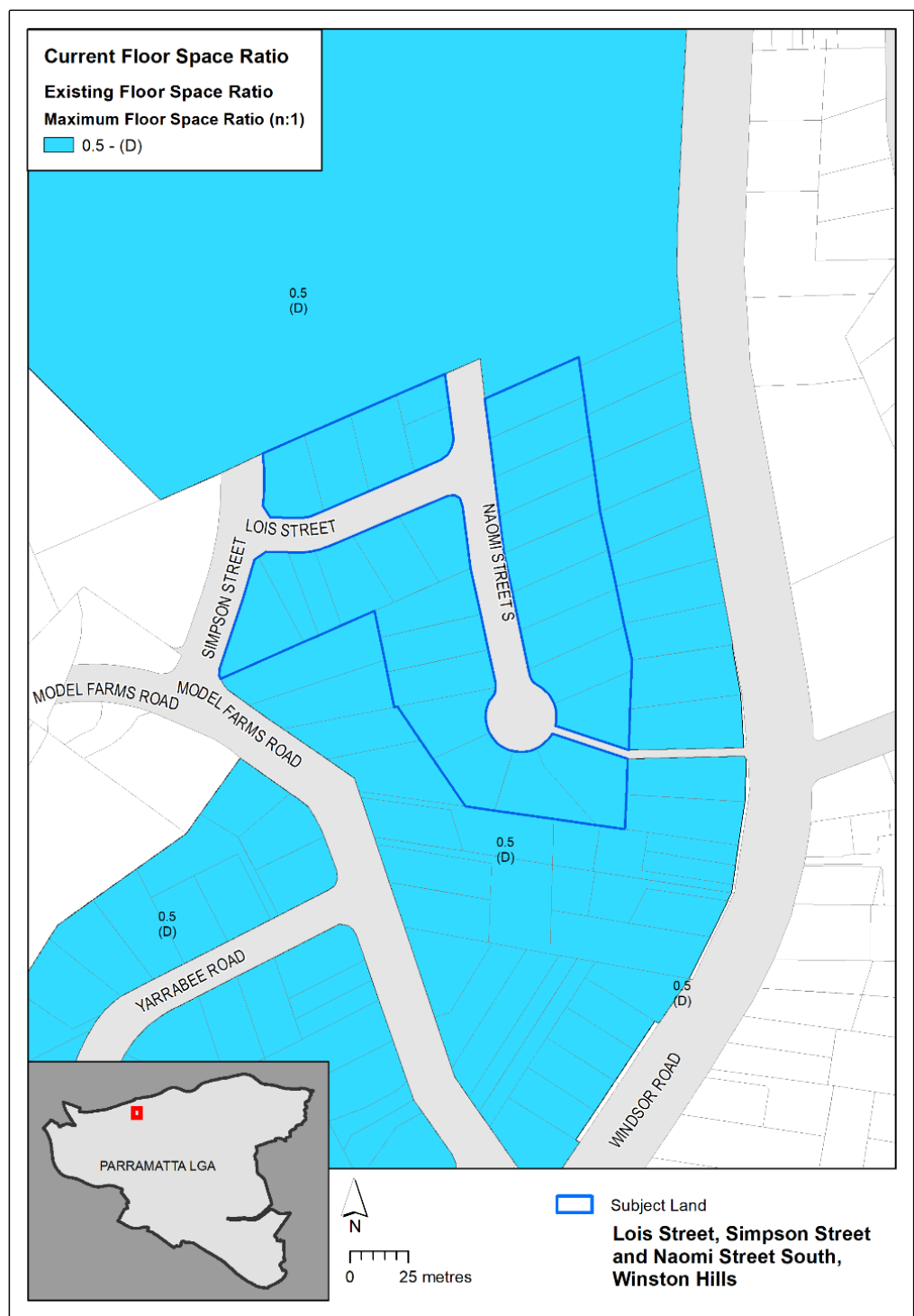


Figure 3 – Existing floor space ratio extracted from the *Parramatta LEP 2011* Floor Space Ratio Map

Figure 4 illustrates the existing Dual Occupancy Prohibition over the site.

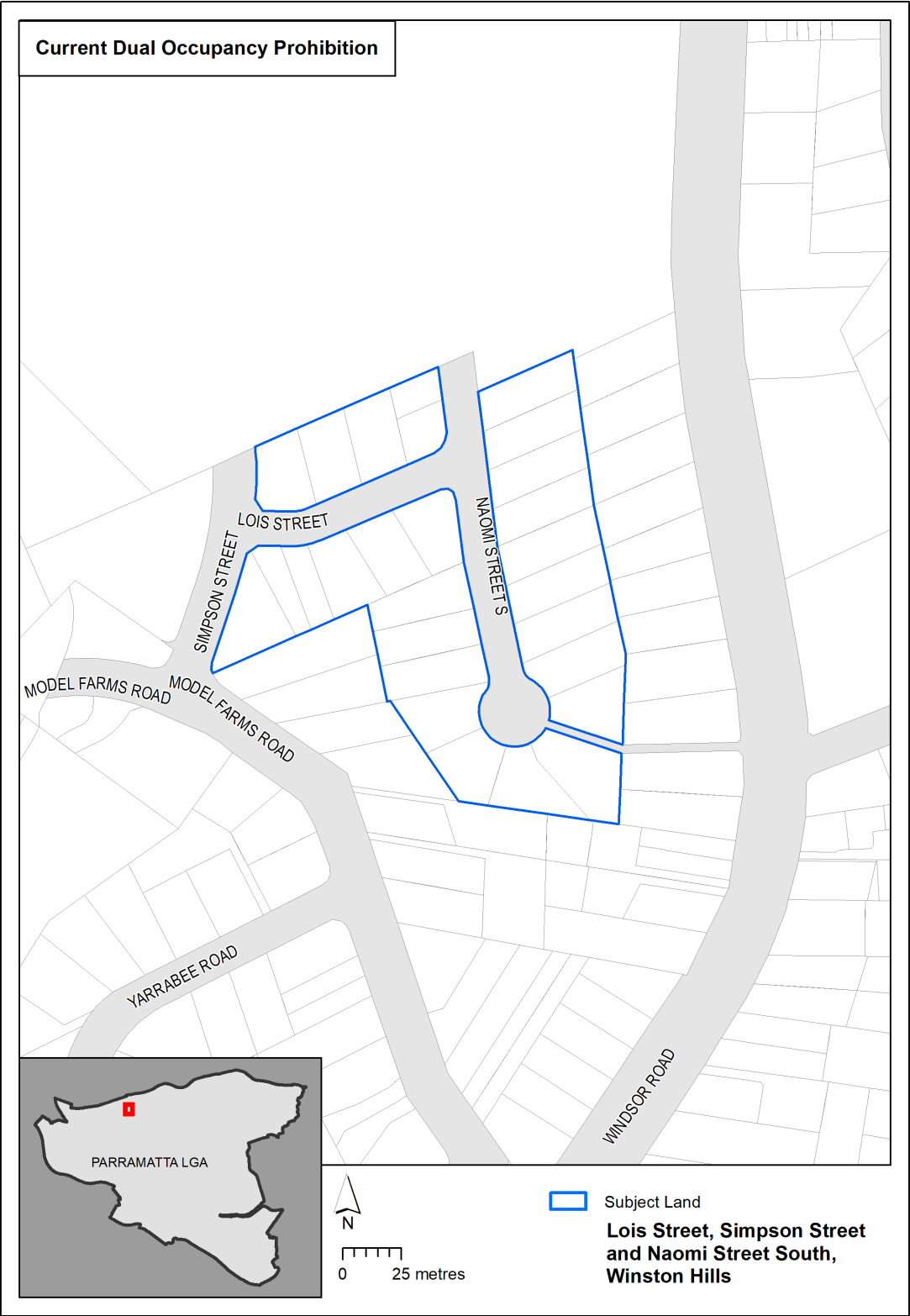


Figure 4 – Existing Dual Occupancy Prohibition Map extracted from the *Parramatta LEP 2011* Dual Occupancy Prohibition Map.

4.2 Proposed controls

The figure in this section illustrates the mapping amendment proposed under this Planning Proposal.

The Planning Proposal seeks to amend the Dual Occupancy Prohibition Map under the *Parramatta Local Environmental Plan 2011* to include the 27 properties subject to this Planning Proposal. Figure 5 shows the proposed Dual Occupancy Prohibition over the site.

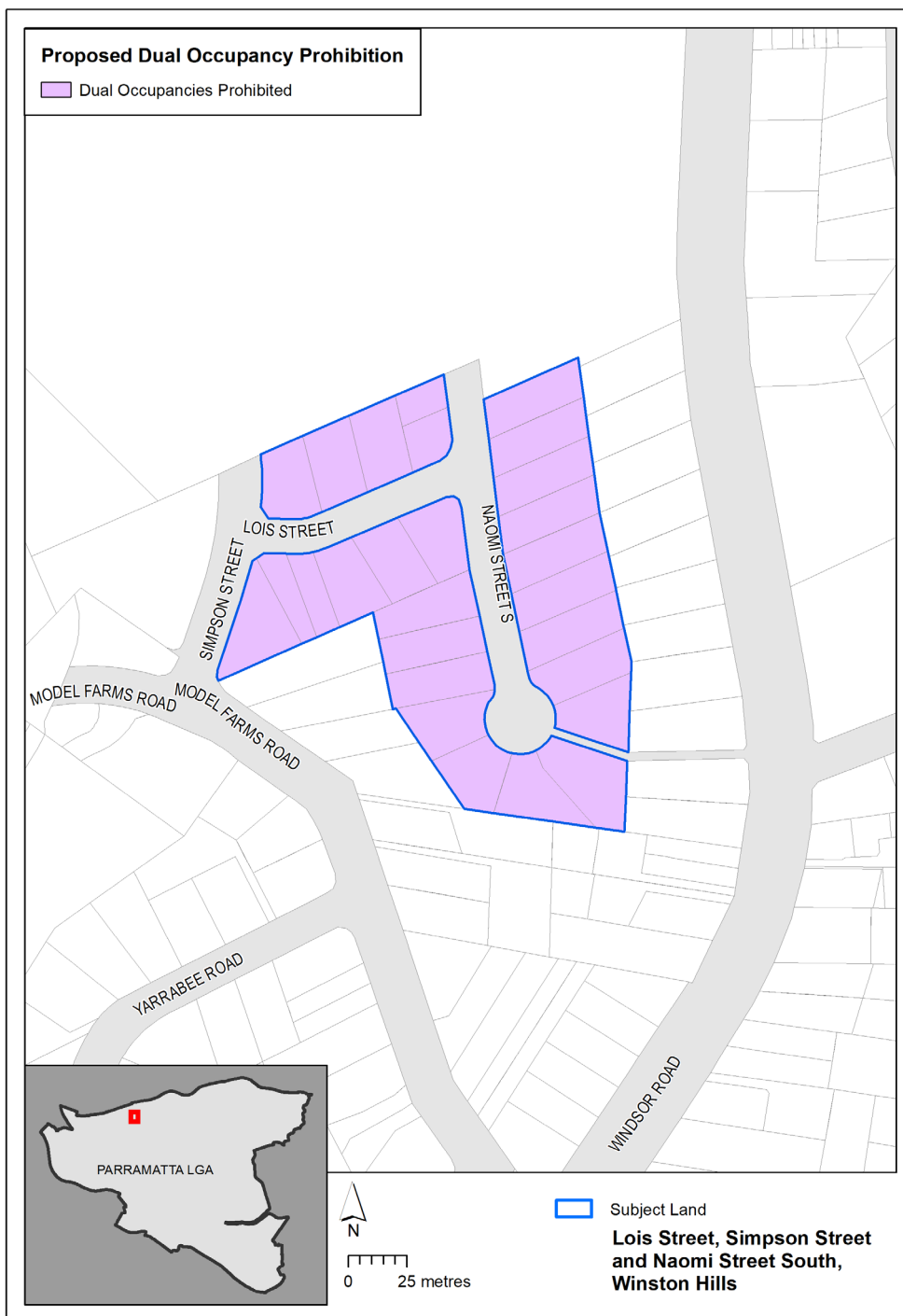


Figure 5 – Proposed amendment to the *Parramatta LEP 2011* Dual Occupancy Prohibition Map

PART 5 – COMMUNITY CONSULTATION

Following the issue of Gateway Determination, the planning proposal is to be publicly available for community consultation.

Public exhibition is likely to include uploading the planning proposal onto Council's website and a written notification to landowners and occupiers within and surrounding the subject site and surrounding landowners and occupiers.

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.

Consistent with sections 3.34(4) and 3.34(8) of the *EP&A Act 1979*, where community consultation is required, an instrument cannot be made unless the community has been given an opportunity to make submissions and the submissions have been considered.

PART 6 – PROJECT TIMELINE

Once the planning proposal has been referred to the Minister for review of the Gateway Determination and received a Gateway determination, the anticipated project timeline will be further refined, including at each major milestone throughout the planning proposal's process. Table 7 below outlines the anticipated timeframe for the completion of the planning proposal.

Table 7 – Anticipated timeframe to planning proposal process

MILESTONE	ANTICIPATED TIMEFRAME
Submission of Planning Proposal for Gateway determination request	October 2021
Date of issue of the Gateway determination	December 2021
Report to Council post-Gateway determination	February 2022
Commencement and completion dates for public exhibition period	March/April 2022
Commencement and completion dates for government agency notification	March/April 2022
Consideration of submissions	April/May 2022
Consideration of planning proposal post exhibition and associated report to Council	May/June 2022
Submission to the Department to finalise the LEP	June 2022
Notification of instrument	July/August 2022

Appendix 1 – Local Planning Panel Report and Minutes 29 June 2021

Appendix 2 – Council Meeting Report and Minutes 12 July 2021

Appendix 3 – Site Specific Assessment (August 2021)

Appendix 4 – Copy of Dual Occupancies Constraints Analysis – Technical Report (December 2019)