REPORTS TO COUNCIL - FOR COUNCIL DECISION

ITEM NUMBER	13.7
SUBJECT	Request for Gateway Determination - Harmonisation Supplementary Matters and Housekeeping Amendment to Parramatta LEP 2023
REFERENCE	F2024/00282 - D09423499
APPLICANT/S	City of Parramatta
OWNERS	City of Parramatta and multiple owners
REPORT OF	Senior Project Officer

CSP THEME: Innovative

WORKSHOP/BRIEFING DATE: 3 JUNE 2024

PURPOSE

To seek Council's approval on the Parramatta Harmonisation Supplementary Matters and Housekeeping Planning Proposal for the purposes of requesting a Gateway Determination from the Department of Planning, Housing and Infrastructure.

RECOMMENDATION

(a) That Council approve the recommended pathways for resolving the outstanding 'Orange Matters' arising from the exhibition of the Parramatta Harmonisation Planning Proposal as detailed in Attachment 1.

(b) That Council approve the 'housekeeping' and administrative changes to the PLEP 2023 contained in Attachment 2.

(c) That Council approve the Parramatta Harmonisation Supplementary Matters and Housekeeping Planning Proposal at Attachment 3, subject to the clause proposed to make sports ground signage complying development being amended to preclude gambling advertising, for the purpose of seeking a Gateway Determination from the Department of Planning, Housing and Infrastructure.

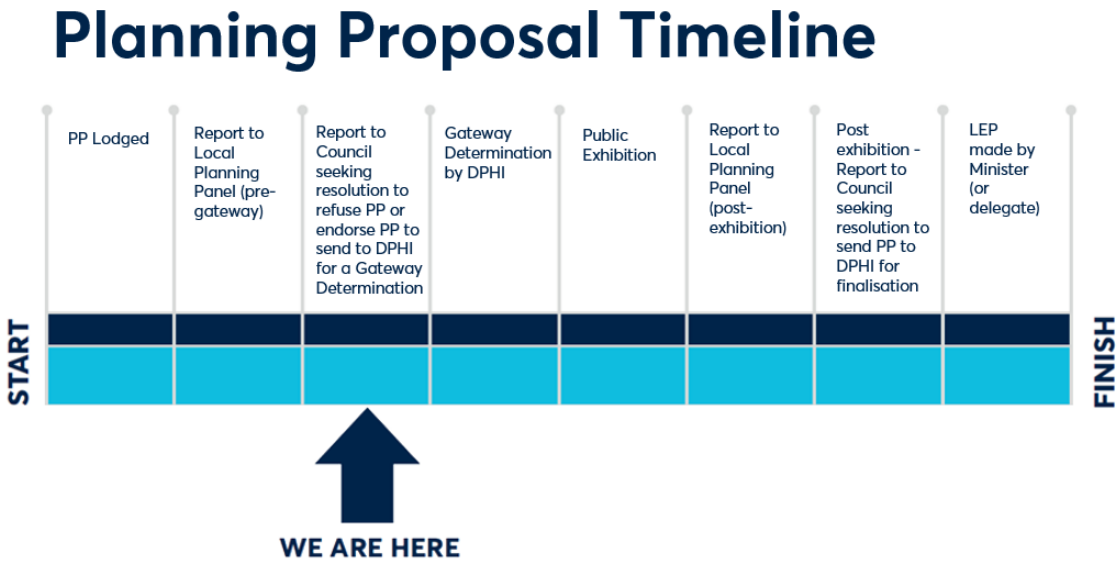
(d) That Council endorse to maintain the prohibition of Places of Public Worship in the R2 Low Density Residential zone and include Places of Public Worship as an Additional Permitted Use on land with an existing Places of Public Worship in the R2 Low Density Residential zone; and update the Planning Proposal at Attachment 4 with the associated amendments prior to forwarding the Planning Proposal to the Department of Planning, Housing and Infrastructure.

(e) That Council advises the Department of Planning, Housing and Infrastructure that the CEO will be seeking to exercise her plan-making delegations for this Planning Proposal as authorised by Council on 26 November 2012.

(f) That Council delegate authority to the CEO to correct any minor anomalies of a non-policy and administrative nature that may arise during the amendment process.

(g) That Council note the Local Planning Panel's advice to Council in support of the Planning Proposal (refer to Attachment 5), which is consistent with the Council Officer's recommendation in the report.

PLANNING PROPOSAL TIMELINE



BACKGROUND

1. Following the Council boundary changes in May 2026, the Parramatta Land Use Planning Harmonisation Framework was established to consolidate the five sets of planning instruments applying to the new City of Parramatta.

2. The Harmonisation Planning Proposal (Harmonisation PP) sought to consolidate the five LEPs applying to the LGA. The Harmonisation PP was placed on public exhibition between August and October 2020. Council received 320 submissions from the community including landholders, state authorities, and other stakeholders.

3. At its meeting of 12 July 2021, Council endorsed the final Harmonisation PP and resolved to further investigate fourteen (14) matters raised from the submissions through a separate planning proposal process referred to in the report as 'Decision Pathway 3 – Orange Matters'. These included requests that:

   - were generally consistent with Council's policy framework for the Harmonisation project, but were more significant changes, and if integrated into the Harmonisation Planning Proposal in the immediate post-exhibition period would have triggered re-exhibition of the Harmonisation Planning Proposal at that time; and/or
   - had some merit on preliminary review, but required further investigation to confirm whether they should be progressed.

4. On 2 March 2023, the Department of Planning, Housing and Infrastructure (DPHI) finalised the Harmonisation PP bringing into effect the Parramatta Local Environmental Plan 2023 (PLEP 2023).

5. Considering the commencement of the PLEP 2023 and the finalisation of the broader Parramatta Land Use Planning Harmonisation Framework with the Parramatta DCP 2023 coming into effect in September 2023, a review of the 'Orange Matters' was considered appropriate and timely to inform a new Planning Proposal to address any 'Orange Matters' (i.e. supplementary policy items) with strategic merit and relevance. In addition, Council officers also identified several 'housekeeping' matters intended to improve the operation and technical accuracy of the LEP.

6. The 'Parramatta Harmonisation Supplementary Matters and Housekeeping Planning Proposal' (the Planning Proposal) has been prepared to consolidate the 'Orange Matters' recommended to progress and the housekeeping requests.

7. Refer to the Local Planning Panel report in **Attachment 5** for a more detailed 'Background'.

FURTHER INVESTIGATION

Review of 'Orange Matters' - Harmonisation Supplementary Matters

8. Council officers have reviewed the fourteen (14) 'Orange Matters' resolved by Council on 12 July 2021. While fourteen (14) items were resolved, these included forty (40) individual requests (or items) seeking a change to the PLEP 2023. Council officers assessed the relevance and planning merit of these items considering:

   - the extent and nature of the requested change,
   - strategic merit and consistency with existing state and local policy,
   - strategic planning processes that have progressed since Council's resolution on 12 July 2021, and
   - any submitted supporting studies.

9. Following this review, Council officers have recommended each item progress via one of four pathways. **Table 1** includes the four pathways. A detailed assessment of the 40 individual requests resulting from the fourteen (14) 'Orange Matters' and the recommended pathway is included in **Attachment 1**.

Table 1 - Pathways for Orange Matters

	Planning Pathway	Total
1	Items supported, or partially supported, and recommended to progress as a part of the Planning Proposal	**4 items detailed in Paragraph 10**
2	Items that are being considered or are to be considered via separate pathway.	**10 items**
3	Items that have been superseded or resolved by another planning project	**11 items**
4	Items that have not been supported due to lack of strategic merit	**15 items**

10. The items that are considered to have sufficient strategic merit and are progressing into the Harmonisation Supplementary Matters and Housekeeping Planning Proposal include:

- Reduction in the extent of the biodiversity map layer on The Kings School to remove the layer from existing buildings given biodiversity values are non-existent or compromised.
- Inclusion of part of 102 Murray Farm Road, Carlingford (North Rocks Fire Brigade) to the Biodiversity Map due to the presence of ecological values.
- Rezoning of land along Terrys Creek Corridor from RE1 Public Recreation to C2 Environmental Conservation due to ecological values of the land.
- Maintaining the prohibition of Places of Public Worship in the R2 Low Density Residential zone but including an Additional Permitted Use to allow for expansion outside of existing use rights. This is further explained below and detailed in **Attachment 4.**

11. The items not progressing as recommended under Planning Pathway 2, 3 and 4 are detailed within the LPP Report in **Attachment 5** and the detailed review of the 'Orange Matters' in **Attachment 1**.

Permissibility of Places of Public Worship in the R2 Low Density Residential zone

12. Council on 12 July 2021 adopted the LPP's advice from 29 June 2021 to re-examine the permissibility of Places of Public Worship (PoPW) in the R2 zone as part of a future review, and adopted the exhibited Harmonisation Planning Proposal that prohibited PoPW in the R2 zone and rezoned existing PoPW from SP1 to R2.

13. Council officers have conducted a detailed review of the permissibility of PoPW in the R2 zone (see **Attachment 4**) that has informed the three (3) options in Table 2. The options were also presented at a Councillor Briefing on 3 June 2024.

14. Council officers recommend 'Option 2' and have worded part (d) of the Report Recommendation accordingly. Option 2 is recommended as this is considered to balance the operational needs of existing PoPW, because expansion beyond existing use rights will be permitted (subject to development consent), whilst prohibiting any new PoPW from being delivered in low-density neighborhoods. See **Attachment 4** for a detailed discussion on the strengths and weaknesses of the options.

Table 2 – Options for the permissibility of PoPW in the R2 zone

Option	Implementation
Option 1: **Maintain Prohibition in R2 zone.**	**No changes to the PLEP 2023 are required.** If Option 1 is the preferred option of Council, the current Recommendation (d) of this Council Report needs to be deleted and replaced with the following: *(d) That Council endorse Option 1 within **Table 2** to maintain the prohibition of Places of Public Worship (PoPW) in the R2 Low Density Residential zone, and the Planning Proposal in **Attachment 3** be updated to remove the proposed Additional Permitted Use (APU) for existing PoPW in the R2 zone (i.e. Option 2) to reflect Option 1 prior to the Planning Proposal being forwarded to the DPHI.*
Option 2: **Maintain Prohibition in R2 zone and add an Additional**	**An Additional Permitted Use in Schedule 1 of the PLEP 2023 will need to be inserted to permit Places of Public Worship on sites with an existing PoPW in the R2 Zone.** If Option 2 is the preferred option of Council, the current Recommendation (d) of this Council Report does not need to be amended.

Permitted Use (APU) for existing PoPW. *Staff recommendation*	
Option 3: **Permit PoPW in R2 zone with supporting LEP and/or DCP controls.**	**The Land Use Table for the R2 Low Density Residential zone within the PLEP 2023 will need to be updated to permit PoPW. Additional design work will be needed to determine principle development standards for PoPW (such as minimum lot size and street frontage) for Part 4 of the PLEP 2023.** **A review of the setbacks and other controls within the PDCP 2023 will need to be reviewed to ensure new PoPW development in the R2 zone deliver suitable building envelopes and manage impacts.** <u>If Option 3 is the preferred option of Council, the current Recommendation (d) of this Council Report needs to be deleted and replaced with the following:</u> *(d) That Council:* • *endorse Option 3 within **Table 2** to permit Places of Public Worship (PoPW) in the R2 Low Density Residential zone with supporting LEP and/or DCP controls; and* • *update the Planning Proposal in **Attachment 3** to remove the request for PoPW to be an Additional Permitted Use for land where there is an existing PoPW in the R2 zone (i.e. Option 2) prior to forwarding the Planning Proposal to DPHI; and* • *progress Option 3 as a stand-alone Planning Proposal with an associated DCP amendment, and not be included in the Parramatta Harmonisation Supplementary Matters and Housekeeping Planning Proposal.*

15. At the Councillor Briefing held on 3 June 2024 where Council officers presented the review of PoPW and the three (3) options, support for Option 2 was indicated. Should Council adopt Option 2, the Planning Proposal in **Attachment 3** will need to be updated to include all existing sites of PoPW for the purposes of including an APU.

HOUSEKEEPING REVIEW

16. Council officers have identified several ‘housekeeping’ matters that are recommended to progress into the Harmonisation Supplementary Matters and Housekeeping Planning Proposal. The matters are largely administrative and aim to:

    - improve the operation of the LEP through the correction of historic errors, omissions and anomalies;
    - clarify the policy intent of clauses to ensure their correct application; and
    - address issues arising during the development assessment process.

17. An overview of the Housekeeping amendments can be found in the LPP report in **Attachment 5;** and further detail is contained in **Attachment 2** and in Part 2 of the Planning Proposal in **Attachment 3**.

18. However, in addition to the administrative housekeeping matters, two new clauses are proposed to address policy omissions within the PLEP 2023. These relate to:

    a) The prescription of an apartment dwelling mix in residential flat buildings and shop top housing with 10 or more dwellings; and
    b) Permitting sports advertising signage on RE1 Public Recreation land as exempt development.

19. Details on the justification for the controls have been discussed in a Councillor workshop and are discussed in detail in Attachment 5 and Part 2 of the Planning Proposal document included as **Attachment 3**. A Briefing Note with details of these changes was also loaded to the Councilor Portal on 9 July 2024 to give Councillors more time to consider the issues given the number of different inclusions in the Planning Proposal.

PLANNING PROPOSAL

20. The Planning Proposal in **Attachment 3** details the proposed changes to the PLEP 2023 required to progress the 'orange matters' (i.e. supplementary matters) and housekeeping matters discussed in the previous sections of this report. A detailed explanation and assessment of each amendment contained in the Planning Proposal can be found in Part 2 – Explanation of Provisions of **Attachment 3**.

21. The Planning Proposal has been prepared in accordance with:

    - Sections 3.31 and 3.33 of the Environmental Planning and Assessment Act 1979 (the EPA Act); and
    - the NSW DPHI Local Environmental Plan Making Guideline dated August 2023.

22. The proposed amendments are not considered to undermine, contradict, or have an adverse impact on the objectives and actions of both state and local planning policies including the Greater Sydney Region Plan, Central City District Plan, Ministerial Directions and Local Strategic Planning Statement.

PARRAMATTA LOCAL PLANNING PANEL

23. The Local Planning Panel (LPP) considered a report on the draft Harmonisation Supplementary Matters and Housekeeping Planning Proposal at its meeting on 16 July 2024 (refer to **Attachment 5**). The LPP advised that Council support Council Officers recommendations (as per resolution (a) to (f) in this Report), and also advised the following:

    (g) In inserting the dwelling mix clause into the LEP, the LPP considers that Council needs to consider:
    - *whether this will just create a more bureaucratic process whereby developers that seek to vary the provision now in the DCP will now still seek to vary it via Clause 4.6 variations and whether the supporting objectives proposed are adequate to maintain Council's policy position;*

- *the adequacy of research undertaken to justify the provision and whether there is likely to be any unintended consequences on housing supply as a result.*

(h) With regard to the proposed provision to enable sports ground advertising as 'exempt' development, the LPP recommends Council also precluding gambling advertising in addition to the other proposed forms of advertising to which the provision will not apply.

(i) In prohibiting Places of Public Worship in the R2 Low Density Zone, Council should ensure all faiths are currently adequately catered for and/or that sufficient opportunities exist for new Places of Public Worship in other zones in the LGA.

24. A Council Officer response to the matters raised by the LPP are included in Table 3.

Table 3 – Council Officer responses to matters raised by the LPP

LPP matter for consideration	Council officer response
Apartment dwelling mix - Reliance on Clause 4.6 and suitability of objectives	As explained within **Attachment 2** and Part 2 of the Planning Proposal in **Attachment 3**, the need to elevate the dwelling mix controls from the PDCP 2023 into the PLEP 2023 is to provide greater statutory weighing during the development assessment process. This is particularly the case for State Significant Development (SSD) applications for Build-to-Rent (BTR) developments where recent approvals have demonstrated minimal consideration for the dwelling mix controls within the PDCP 2023. For example, the SSD for 39-43 Hassall Street, Parramatta was for a BTR development where 49.75% were studio/1-bedroom apartments; 48.2% were 2-bedroom apartments; and only 1.4% were 3-bedroom apartments, which does not provide a balanced dwelling mix. Inserting the controls into the LEP will strengthen the requirement for SSD applications to respond to this control. **Variations under Clause 4.6** As discussed in **Attachment 3**, the current compliance with the PDCP 2023 is low and more difficult to enforce for both DAs and SSDs. This is due to the flexibility of the application of DCP controls and its statutory weighting in the assessment process compared to the controls within the LEP. It is currently 'easier' for applicants to vary a DCP control than it is an LEP control. The inclusion of LEP controls is considered a suitable approach. Council officers acknowledge that moving the controls into the PLEP 2023 could result in applicants lodging a Clause 4.6 variation. However, this should not be a deterrent from including the control in the LEP as it provides more enforcement and provides a statutory policy position that must be addressed in the application. As such, Council

<table>
<tr><td></td><td>Officers retain the recommendation to progress with this item into the Planning Proposal.</td></tr>
<tr><td>Apartment dwelling mix
- Adequacy of research to justify provision</td><td>Council officers reviewed the demographic and housing needs of the current and project population of the LGA; and recent development approvals (particularly Build-to-Rent).

Demographic and housing research

In City of Parramatta, the predominant household type is couples with children, which account for 35.5% of all households. Profile ID shows 32.7% of families living in high density development, which is significantly higher than that in Greater Sydney (14.2%). However, the supply of family-friendly dwellings is dropping due to the prevalence of high density residential development with the number of 3-bedroom dwellings dropping from 36.5% of total dwellings in 2011 to 26.8% in 2021.

Development approval research

Council officers have identified from a review of recent developments that most of the high density residential developments, especially BTR, propose a dwelling mix that does not comply with the PDCP 2023. Developments propose a large portion of studio/1-bedroom units and a small portion of 3-bedroom+ units (or even none).

Six recent BTR developments have delivered 1,900 dwellings in the Parramatta CBD. However, as shown in the table below, there is a significant shortfall of 3-bedroom and 4-bedroom units, and an oversupply of studio/1-bedroom units.

<table>
<tr><td></td><td>Studio/1-bedroom</td><td>2-bedroom</td><td>3-bedroom</td><td>4-bedroom</td></tr>
<tr><td>Total</td><td>970</td><td>820</td><td>110</td><td>0</td></tr>
<tr><td>% of dwellings</td><td>51.05%</td><td>43.15%</td><td>5.7%</td><td>0%</td></tr>
</table>

This demonstrates the need to ensure new high density developments promote housing diversity and can cater for larger households, with the dwelling mix clause intending to ensure the adequate provision of three or more-bedroom apartments.</td></tr>
<tr><td>Apartment dwelling mix
- Impact on housing supply</td><td>Council officers do not consider that the prescribed dwelling mix in the proposed clause will impact on housing supply. The proposed clause will ensure that the housing delivered responds to the needs of the population and delivers a genuine mix in size to accommodate different households (see above for demographic trends in Parramatta).</td></tr>
</table>

	Council has a compelling performance record for determining rezoning applications and for dwelling completions. Council exceeded the former State Government housing capacity target of 23,660 by 1,800 dwellings within the first two-and-a-half years of the 2021- 2026 period and was on track to permit another 48,000 dwellings (almost 8,000 above the 2026-2036 target). Council expects to meet the State Government completed dwelling housing target for the period 30 June 2024 to 30 June 2029 based on average completion data as well as a number of precinct-scale proposals being considered and has brought forward the programmed 'missing middle' investigations and rezonings of suitable areas to deliver medium density housing proximate to rapid transport and services. In summary, Council has evidence of meeting housing targets and the proposed clause will ensure it accommodates for all households.
Sports advertising signage - Excluding gambling products from signage	Council officers agree with the LPP advice, and therefore recommend amendments to the draft clause to list 'gambling products' under the proposed subclause 2 to ensure that 'gambling signage' is not permissible at sportsgrounds. Council officers will ensure that the supporting regulation document is updated to reflect any further changes.
Permissibility of Places of Public Worship - Ensuring all faiths are accommodated for - Ensuring that opportunities existing in other zones in the LGA.	Council officers agree that all faiths should have access to a PoPW. Option 2 does not limit any faith or group to provide a PoPW in a permissible zone across the LGA. As detailed in **Attachment 4**, the inclusion in the APU schedule of PLEP 2023 will maintain permissibility of PoPW at an existing location within the R2 zone. This will provide an opportunity for the established PoPW to continue to serve the various community groups and expand, subject to DA process. Should the existing PoPW operator in the R2 land decide to sell or demolish the existing PoPW, the recommended Option 2 provides the opportunity for the operator of any faith to establish a new PoPW on that specific parcel of land within the R2 zone. Therefore, the approach is maintaining the operation of existing PoPWs but also presents the opportunity for an alternate PoPW of any faith to occupy the same site in the future if the existing PoPW cease operation. There are no changes proposed to the other zones that permit PoPW under PLEP 2023 i.e. R3, R4 and employment zones. All faiths and groups will continue to have opportunities to establish a new PoPW within 8 other zones

	across the LGA. These areas are shown on a map at Figure 2 of **Attachment 4**. As detailed in **Attachment 4**, these other zones are more compatible for this type of land use and accommodate the operational needs of PoPW to serve the community. For example, adaptive re-use of existing buildings to a PoPW within a business or industrial zone is trending across the LGA and received less community objections in comparison to land within R2 zone. Refer to DA activity detailed in Appendix 1 of **Attachment 4**.

25. For the reasons discussed in the table above Council officers consider that the only issues raised by the Panel that warrants amendment to the Planning Proposal is the reference to gambling in the new clause proposed to make sports ground signage exempt development. This change is reflected in the recommendation of this report.

PLAN MAKING DELEGATIONS

26. On 26 November 2012, Council resolved to accept the delegation for plan making functions, and for these functions be delegated to the Chief Executive Officer.

27. It is recommended that Council request to the DPHI to exercise its plan making delegations for this Planning Proposal. This means that after the Planning Proposal has received a Gateway Determination, complied with any conditions (including any requirements for public exhibition), Council officers can deal directly with the Parliamentary Counsel on the legal drafting and finalisation of the amendment to the LEP facilitated by this Planning Proposal.

LEGAL IMPLICATIONS FOR COUNCIL

28. There are no legal implications for Council associated with this report.

FINANCIAL IMPLICATIONS FOR COUNCIL

29. If Council resolves to approve this report in accordance with the recommendation, there are no unbudgeted financial implications for Council.

CONSULTATION & TIMING

Stakeholder Consultation

30. The following stakeholder consultation has been undertaken in relation to this matter:

Date	Stakeholder	Stakeholder Comment	Council Officer Response	Responsibility
May – July 2024	Council officers have contacted the original submitters who requested Council consider the 'Orange Matters',	None of the submitters have raised objections to the recommended approach.	Officer assessment of issues provided in detail in **Attachment 1**. Further consultation with all affected landowners will occur	Strategic Land Use Planning, CP&D

	to advise them of this project.		during the public exhibition of the Planning Proposal.	
13 June 2024	Heritage Advisory Committee	The Committee noted the proposed updates presented to them at the 13 June 2024 Committee Meeting.	Nil Required	Strategic Land Use Planning, CP&D

Councillor Consultation

31. The following Councillor consultation has been undertaken in relation to this matter:

Date	Councillor	Councillor Comment	Council Officer Response	Responsibility
3 June 2024	Councillor Briefing	Councillors requested information on how it can manage the appropriateness of sportsground signage under the proposed new clause	The proposed clause specifies that signage cannot include product advertising for alcohol, tobacco products, and adult entertainment. Refer to **Attachment 5** Clause 28-31 for detailed response.	City Strategic Planning
		Councillors requested additional analysis of the Heritage status of The Kings School before any changes are proposed to Heritage Map for this site.	Further discussions have been held with The Kings School to allow for this analysis to be prepared	City Strategic
9 July 2024	Briefing Note detailing issues and amendments provided on Councillor Portal	No requests for further information were requested	Nil required	City Strategic Planning

32. The Planning Proposal is proposed to proceed on the project timeline detailed in Part 6 of the Planning Proposal in **Attachment 3**. This timeline is subject to the DPHI issuing of the Gateway and subsequent statutory planning process.

CONCLUSION AND NEXT STEPS

33. It is recommended that Council adopt the Parramatta Harmonisation Supplementary Matters and Housekeeping Planning Proposal in **Attachment 3** and forward this to the Department of Planning, Housing and Infrastructure for a Gateway Determination.

Robert Cologna
Group Manager City Strategic Planning

Jennifer Concato
Executive Director City Planning and Design

John Angilley
Executive Director Finance & Information

Gail Connolly
Chief Executive Officer

ATTACHMENTS:

1	Review and Recommended Pathways for Supplementary (Harmonisation Orange) Matters	35 Pages
2	Summary of Housekeeping Amendments to the Parramatta LEP 2023	10 Pages
3	Planning Proposal - Parramatta Harmonisation Supplementary Matters and Housekeeping Planning Proposal	84 Pages
4	Review of the permissibility of Places of Public Worship in the R2 zone	11 Pages
5	Local Planning Panel Report and Advice	11 Pages

REFERENCE MATERIAL

ATTACHMENT 1 – Review and recommended pathways for the Harmonisation 'Orange Matters'

This document outlines Council officers' recommendations and justification to address the list of 'Orange Matters' as resolved by Council on 12 July 2021 in response to submissions received in relation to the public exhibition of the Parramatta Harmonisation Planning Proposal.

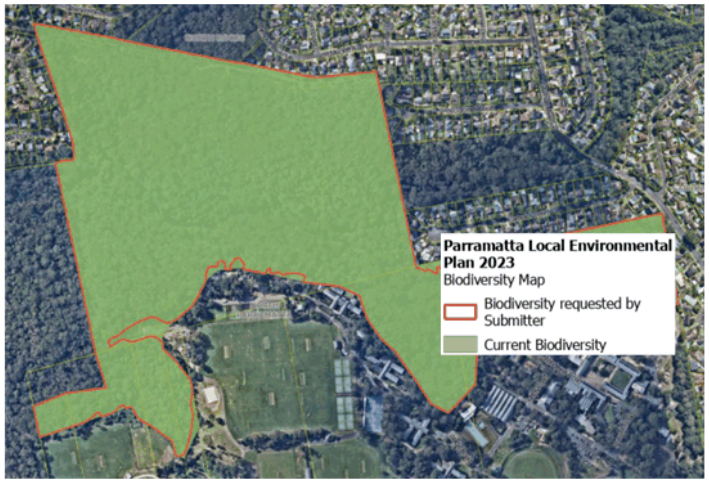
The 'Orange Matters' listed in Table 1 and Table 2 of this document are based on two pathways recommended by Council officers, as follows:

- **Table 1** lists the matters that are supported, or partially supported, and recommended to be progressed through the Parramatta Harmonisation Supplementary Matters and Housekeeping Planning Proposal.
- **Table 2** covers matters that:
  - are being considered or are to be considered via a separate planning pathway;
  - have been superseded via another planning process;
  - are not supported due to lack of strategic merit.

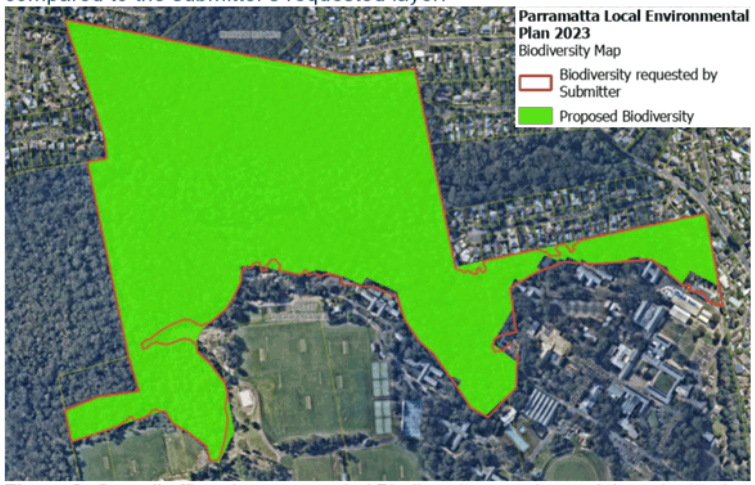
Table 1 – 'Orange Matters' to be progressed via the Parramatta Harmonisation Supplementary Matters and Housekeeping Planning Proposal

#	Orange Matter – 12 July 2021	Description of Orange Matter	Justification and proposed amendment
1.	**Issue:** ***1.*** *Biodiversity layer - Review requested* *Submission requests review of the Biodiversity layer – mapping of certain sites:* • *The Kings School*	**Subject land:** The Kings School: 87-129 Pennant Hills Road, North Parramatta **Submitter:** Urbis on behalf of The Kings School **Request:** The submitter did not support the Harmonisation Planning Proposal's inclusion of the subject land on the Biodiversity Map given it was not shown on the former The Hills LEP. The submitter requested that Council review the biodiversity mapping to reflect the mapping and data prepared by their consultant (Eco-logoical Australia) to ensure that the mapped area provides the appropriate statutory protection for the biodiversity values on the site.	**Request partially supported and recommended to be progressed via the Harmonisation Supplementary Matters and Housekeeping Planning Proposal** As part of the Harmonisation Planning Proposal process, the E2 Environmental Conservation zone (now C2 Environmental Conservation) was consistently applied to all public bushland reserves, and Council also mapped bushland and vegetation with ecological importance on the Biodiversity Map. The Biodiversity Map was based on the ecological significant vegetation identified on the NSW Office of Environment and Heritage's *Native Vegetation of the Sydney Metropolitan Area* mapping. The use of this dataset to inform the Biodiversity Map delivered a consistent approach to mapping environmentally significant land and to ensure development impacts are managed during the development assessment process. The subject land was identified on the Biodiversity Map in the PLEP 2023 as the land has high biodiversity values containing Sydney Turpentine-Ironbark Forest (a critically endangered ecological community), Coastal Enriched Sandstone Forest (both Dry and Moist), Coastal Sandstone Gallery Rainforest, and Coastal Shale-Sandstone Forest. Council officers have reviewed the submission and accompanying Biodiversity Analysis prepared by Eco-Logical Australia which sought to reduce the extent of the site covered by the biodiversity protection layer on the subject site.

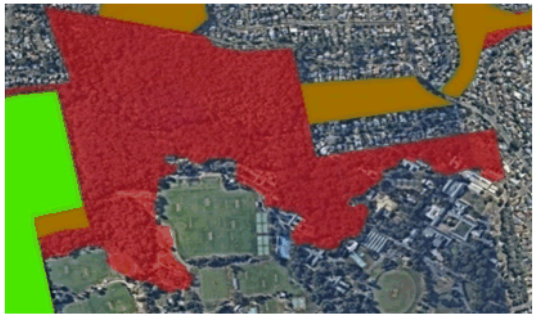
Attachment 1 – Summary of Council Officer Recommendations to the Harmonisation Planning Proposal "Orange Matters"

#	Orange Matter – 12 July 2021	Description of Orange Matter	Justification and proposed amendment
		 Figure 1: Map adjustments requested by The Kings School **Council response – 12 July 2021** *Council Officers are supportive of a review of the exhibited Biodiversity Map but to avoid delay to the Harmonisation Planning Proposal are recommending this be considered as a separate planning process.* *The applicant has prepared a Biodiversity Analysis for their site and this potential map amendment could be pursued either via the landowner lodging a site-specific Planning Proposal or alternatively via a LEP Housekeeping Amendment process. This could be done in conjunction with the amendment to address the Heritage issue.*	Figure 2 below shows the current extent of the biodiversity layer with the submitter's requested amendments to the layers' boundary. The areas the submitter wishes to remove from the protection layer they consider have reduced ecological values because they included exotic vegetation, were cleared areas, or no vegetation due to existing development on the land.  **Figure 2:** Current and Submitter's requested amendment to the Biodiversity Map layer in PLEP 2023 Council officers have reviewed the request and assessment prepared by the submitter and partially support their request to reduce the extent of the Biodiversity Map over the subject land. Council officers consider it appropriate to remove parts of the subject land that currently contain a building (as requested by the submitter) from the biodiversity layer. Council also considers it appropriate to remove the land within a 5m buffer from the building line from the biodiversity layer to provide sufficient curtilage from the buildings and to exclude overhanging tree canopy to the buildings. The above change is considered suitable because the presence of the buildings has removed and/or undermined the vegetation that originally informed the mapping by the NSW Office of Environment and Heritage, and therefore, the land is considered to have compromised biodiversity value and does not warrant inclusion on the map. Requests to remove non-developed areas were not supported as they were considered unnecessary and did not impact on development opportunities for the

Attachment 1 – Summary of Council Officer Recommendations to the Harmonisation Planning Proposal "Orange Matters"

#	Orange Matter – 12 July 2021	Description of Orange Matter	Justification and proposed amendment
			existing buildings, and were considered to undermine the biodiversity values of the land and tree species outlined above. Figure 3 below shows Council officers' new recommended biodiversity layer compared to the submitter's requested layer.  **Figure 3:** Council officers' recommended Biodiversity mapping and the submitter's requested Biodiversity mapping Table 1 shows a comparison of the land currently included on the biodiversity layer under the PLEP 2023, the requested extent by the submitter, and Council's recommended extent. **Current extent of biodiversity layer under the PLEP 2023** / **Requested extent of biodiversity layer by the submitter** / **Council recommended extent of biodiversity layer** 435,403m^2 / 425,586m^2 (reduced by 9,817m^2, or 2.2%) / 425,039m^2 (reduced by 10,364m^2, or 2.4%) **Table 1**: Comparison of current, requested, and recommended biodiversity affectation While Council's proposed changes to the Biodiversity Map deviate from the submitter's original request, the submitter is receiving a greater reduction in land than requested. Council's proposed changes are considered an appropriate balance between protecting the biodiversity values of the site and removing the statutory limitations imposed by the Biodiversity Map for land that has compromised biodiversity values due to existing development.

Attachment 1 – Summary of Council Officer Recommendations to the Harmonisation Planning Proposal "Orange Matters"

#	Orange Matter – 12 July 2021	Description of Orange Matter	Justification and proposed amendment
			In addition, Council officers also understand that the Office of Environment and Heritage also undertakes periodic updates to the Biodiversity Values Map and Threshold Tool which involves the removal of mapped areas based on new information. Therefore, it is considered reasonable to review and update the Biodiversity Map in light of new information and justification. The removal of certain areas from the Biodiversity Map enables other planning approval pathways to be utilised on those areas (i.e. complying development), as per the submitter's request. However, Council officers note that the subject land is bushfire prone (Figure 4) which will affect the permissibility of complying development regardless of the area's identification on the Biodiversity Map.  **Figure 4:** Bushfire prone land within The King School boundary (source: Urbis' submission) **Amendment needed to the PLEP 2023** Amend the Biodiversity Map as per the below:

Attachment 1 – Summary of Council Officer Recommendations to the Harmonisation Planning Proposal "Orange Matters"

#	Orange Matter – 12 July 2021	Description of Orange Matter	Justification and proposed amendment
			Current Subject Site Biodiversity **Figure 5a:** Current Biodiversity Map for The Kings School, North Parramatta **Proposed** Subject Site Biodiversity **Figure 5b:** Proposed amendment to the Biodiversity Map for The Kings School, North Parramatta
2.	**Issue:** ***9.*** *Office of Environment, Energy and Science which forms part of the Department of Planning Industry and Environment has suggested numerous amendments to the exhibited Draft Harmonisation Planning Proposal*	**Subject land:** 102 Murray Farm Road, Carlingford - North Rocks Fire Brigade **Submitter:** Office of Environment, Energy and Science **Request:** The submitter did not support the Harmonisation Planning Proposal's change of zone from RU3 Forestry to SP1 Special Activities. The northern and western boundaries of the land adjoin bushland which was proposed to be zoned E2 Environmental Conservation (now C2 Environmental Conservation). The submitter recommended a split rezoning where the southern vegetated half is rezoned E2, and the site with the emergency services facilities is zoned SP1 Special Activities.	**Request partially supported and recommended to be progressed via the Harmonisation Supplementary Matters and Housekeeping Planning Proposal** Council officers reviewed the submitter's request for a split zoning across the subject land. The proposed split zoning of C2 Environmental Conservation on the southern vegetated portion of the site, and SP1 Infrastructure on the northern portion of the site with the emergency services is not supported. The current SP1 Infrastructure zoning was applied under the Harmonisation Planning Proposal to reflect the use of the land for emergency services infrastructure. Rezoning part of the land to C2 Environmental Conservation would restrict future expansion of the facilities and is not considered appropriate. Council officers recommend that the southern vegetated portion of the site be added to the biodiversity layer. The biodiversity layer does not exclude development, however, adds additional considerations during the assessment process to ensure the protection of the significant vegetation. This is considered suitable to respond to the characteristics of the bushland. **Amendment needed to the PLEP 2023** Amend the Biodiversity Map as per the below: **Current** **Proposed**

Table 1 – 'Orange Matters' to be progressed via the Parramatta Harmonisation Supplementary Matters and Housekeeping Planning Proposal 5

Attachment 1 – Summary of Council Officer Recommendations to the Harmonisation Planning Proposal "Orange Matters"

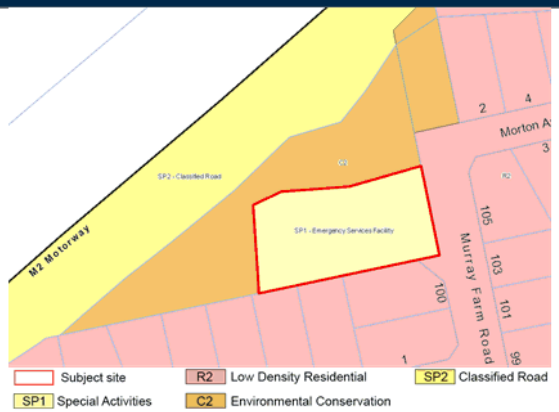
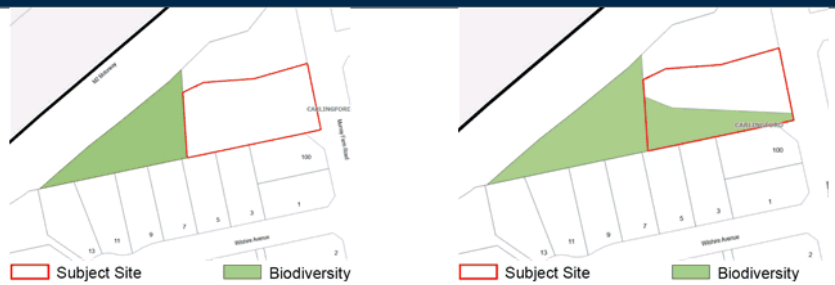
#	Orange Matter – 12 July 2021	Description of Orange Matter	Justification and proposed amendment
		 **Figure 6:** Land Use Zoning of subject land shown as SP1 Special Activities **Figure 7:** Vegetated area of the subject land sought by applicant to be rezoned to C2 Environmental Conservation **Council response – 12 July 2021** *Site specific rezonings are outside the scope of the LEP Harmonisation PP. The numerous rezoning requests detailed in this submission will be considered as part of a future Housekeeping LEP Amendment as this is the most appropriate mechanism for dealing with rezoning requests from public agencies.*	 **Figure 8:** Proposed amendment to the Biodiversity Map for 102 Murray Farm Road, Carlingford

Table 1 – 'Orange Matters' to be progressed via the Parramatta Harmonisation Supplementary Matters and Housekeeping Planning Proposal 6

Attachment 1 – Summary of Council Officer Recommendations to the Harmonisation Planning Proposal "Orange Matters"

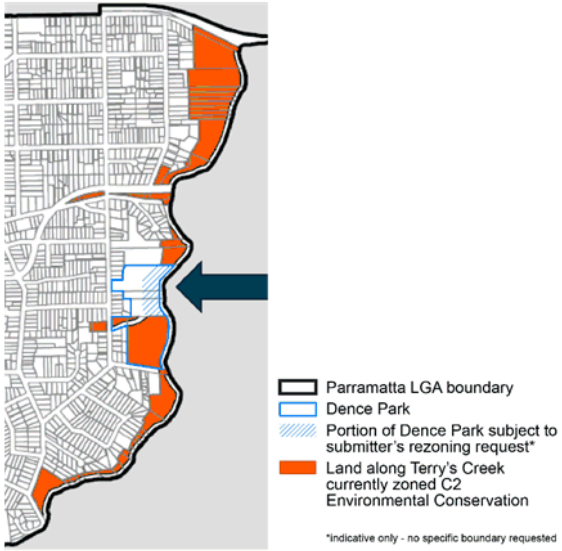
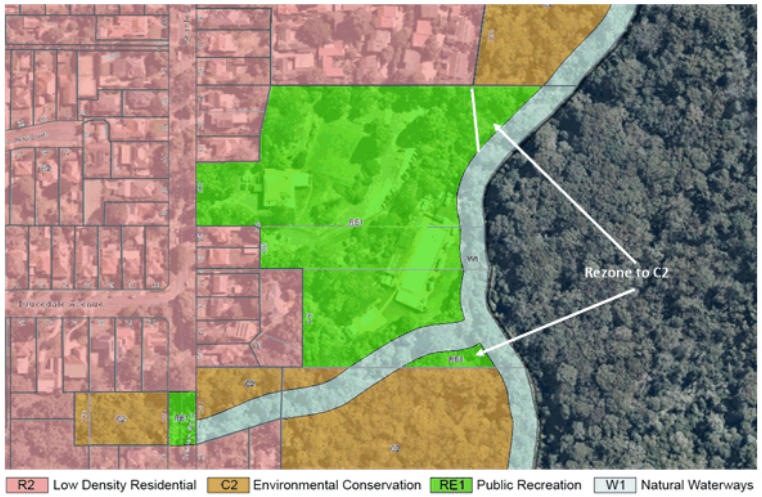
#	Orange Matter – 12 July 2021	Description of Orange Matter	Justification and proposed amendment
		The other rezoning requests included in the submission from the Office of Environment, Energy and Science are addressed in row 3 of Table 1 (below) and rows 20, 35, and 36 of Table 2.	
3.	**Issue:** ***9.*** *Office of Environment, Energy and Science which forms part of the Department of Planning Industry and Environment has suggested numerous amendments to the exhibited Draft Harmonisation Planning Proposal*	**Subject land:** Dence Park and East of Epping Olympic Pool (Epping Aquatic Centre) **Submitter:** Office of Environment, Energy and Science **Request:** The submitter recommends rezoning remnant vegetation within Dence Park from RE1 Public Recreation to C2 Environmental Conservation. As part of this, the submitter did not provide a set boundary for rezoning, however flags a gap in the riparian corridor along Terry's Creek (see Figure 9 below).  **Figure 9:** Dence Park and vegetation east of the Epping Aquatic Centre along Terry's Creek (source: DPIE EES submission, edited by Council officers for clarity) **Council response – 12 July 2021**	**Request supported and recommended to be progressed via the Harmonisation Supplementary Matters and Housekeeping Planning Proposal** The RE1 Public Recreation zone is reflective of the current and future land use of the subject site (i.e. the Epping Aquatic Centre). Therefore, it is not suitable to rezone the whole site to C2 Environmental Conservation. However, Council officers support rezoning pockets of land to the south and north-east corner from RE1 Public Recreation to C2 Environment Conservation that is outside of the Epping Aquatic Centre consistent with the wider Terry Creek corridor. The two areas that are proposed to be rezoned from RE1 to C2 are identified in the Figure below. This will assist in delivering a continuous riparian corridor, and does not conflict with the current development application DA/764/2023 for the alterations and additions to the Epping Aquatic Centre.  **Figure 10:** Land Zoning Map showing Dence Park and vegetation east of the Epping Aquatic Centre **Amendment needed to the PLEP 2023:**

Table 1 – 'Orange Matters' to be progressed via the Parramatta Harmonisation Supplementary Matters and Housekeeping Planning Proposal 7

Attachment 1 – Summary of Council Officer Recommendations to the Harmonisation Planning Proposal "Orange Matters"

#	Orange Matter – 12 July 2021	Description of Orange Matter	Justification and proposed amendment
		Site specific rezonings are outside the scope of the LEP Harmonisation PP. The numerous rezoning requests detailed in this submission will be considered as part of a future Housekeeping LEP Amendment as this is the most appropriate mechanism for dealing with rezoning requests from public agencies. The other rezoning requests included in the submission from the Office of Environment, Energy and Science are addressed in row 2 of Table 1 (above) and rows 20, 35, and 36 of Table 2.	Amend the Land Zoning Map as per the below: **Current** **Proposed** R2 Low Density Residential C2 Environmental Conservation RE1 Public Recreation W1 Natural Waterways **Figure 11:** Proposed amendment to the Land Zoning Map for Dence Park and vegetation east of Epping Aquatic Centre
4.	**Issue:** ***14.*** *Places of Public Worship in the R2 Low Density Zone Review*	**Subject land:** R2 zoned land **Submitter:** Five places of public worship and one industry body provided submissions to the proposed prohibition. The LPP recommended to Council that a review be done to re-examine the approach to permitting Places of Public Worship in the R2 Residential Low-Density zone. Council resolved on 12 July 2021 to do the review. **Request:** The Harmonisation Planning Proposal included: • Prohibition of Places of Public Worship in R2 zone land; and • Rezone existing Places of Public Worship from SP1 Special Activities to R2 Low Density Residential and permit existing Places of Public Worship under "existing-use rights". Council received six submissions on Places of Public Worship, which objected to: • rezoning sites from SP1 Zone to R2 (and requested no change to zoning),	**Request supported and recommended to be progressed via the Harmonisation Supplementary Matters and Housekeeping Planning Proposal** Council officers have undertaken a review of the permissibility of Places of Public Worship (PoPW) in the R2 Low Density Residential. The relevant background, an assessment of the objectives of the R2 Low Density zone, options to proceed, and Council officers' recommendation has been prepared and provided in a separate attachment (see **Attachment 4**). Whilst the options are discussed in **Attachment 4,** Council officers recommend Option 2 which is to maintain the prohibition in the R2 Low Density Residential Zone and add an Additional Permitted Use (APU) for existing PoPW, and therefore recommended to be included in the Harmonisation Supplementary Matters and Housekeeping Planning Proposal.

Table 1 – 'Orange Matters' to be progressed via the Parramatta Harmonisation Supplementary Matters and Housekeeping Planning Proposal 8

Attachment 1 – Summary of Council Officer Recommendations to the Harmonisation Planning Proposal "Orange Matters"

#	Orange Matter – 12 July 2021	Description of Orange Matter	Justification and proposed amendment
		• prohibition in R2 Zone, and • relying on existing use rights. **Council response – 12 July 2021** *Re-examine the approach to permissibility of Places of Public Worship (PoPW) as a matter for future investigation i.e. separate planning pathway outside of the Harmonisation LEP.*	

Table 2 – 'Orange Matters' not to be progressed via the Harmonisation Supplementary Matters and Housekeeping Planning Proposal

#	Orange Matter –12 July 2021	Description	Justification for not progressing request via the Harmonisation Supplementary Matters and Housekeeping Planning Proposal
1.	**Issue:** ***3.*** *Schedule 5 – Environmental Heritage – items that have been demolished.*	**Subject land:** 134-142 Parramatta Rd, 26-38 Good Street and 59-61 Cowper Street, Granville. **Submitter:** PDS Group on behalf of landowners **Request:** The subject land contains Heritage Item I184 – The Barn at 138 Parramatta Road, Granville within the PLEP 2023 (note at the time of submission this was I157 within the former PLEP 2011). Submitter requests that Council: • Remove the heritage listing at 138 Parramatta Road from Schedule 5 of the LEP and the Heritage Map. The subject site was subject to a Site-Specific Planning Proposal (PP_2015_PARRA_007_00) and the heritage item has been approved for demolition as part of an approved development DA/655/2019. **Council response – 12 July 2021** *Consistent approach required across whole of LGA and implemented through a Housekeeping PP.* *Investigation as part of Housekeeping PP.*	**Request to be considered via separate strategic planning process.** Development approval was granted under DA/655/2019 to demolish Heritage Item I184 - The Barn that is on the subject land. At the time of preparing this report, the heritage item is in situ and has not yet been demolished despite other works commencing on the subject land. Council officers consider it best practice to delist an item after it has been demolished. This conservative approach ensures the item is protected until it is no longer in situ, and will ensure the item remains listed in the event development is not actioned as per the current approval. Council officers recommend the delisting occur following the demolition of the heritage item and can occur as part of a future housekeeping process.
2.	**Issue:** ***1.*** *Environmental Heritage listings – review requested.* *Submissions request review of Heritage listings and descriptions for specific sites:* • *38-50 South Street Rydalmere (Truganini House),* • *The Kings School, and*	**Subject land:** 38-50 South Street, Rydalmere (Truganini House) **Submitter:** Urbis on behalf of AMP Capital **Request:** The subject land contains Heritage Item I694 Truganini House and grounds within the PLEP 2023. (note at the time of submission this was I591 within the former PLEP 2011). Submitter requests that Council: • Amend the identified heritage curtilage of Heritage Item I694 on the Heritage Map. • Amend the name of the Heritage Item from 'Truganini House and Grounds' to 'Truganini House'.	**Request being considered via separate strategic planning process.** On the 14 March 2024, the landowner lodged a Site-Specific Planning Proposal (SSPP) with the City of Parramatta requesting their matter be progressed via the SSPP instead of Council's led 'Orange Matter' review process. At the time of lodgement, Council staff advised the landowner that Council was progressing with its review of the Orange Matters with a workplan to report the outcome of the review to the LPP and Council mid-year. Despite Council's project timeline, the landowner decided to continue to progress with a SSPP. The lodged SSPP by the landowner is currently being assessed via a separate strategic planning process outside of the Harmonisation Supplementary Matters and Housekeeping Planning Proposal by Council's Major Projects and Precinct team.

Attachment 1 – Summary of Council Officer Recommendations to the Harmonisation Planning Proposal "Orange Matters"

#	Orange Matter –12 July 2021	Description	Justification for not progressing request via the Harmonisation Supplementary Matters and Housekeeping Planning Proposal
	• *Schools Infrastructure NSW.*	These changes are to limit the heritage listing specifically to Truganini House, the immediate landscaped areas surrounding the house at the west and south, 0.5m from eaves of the house to the east at the north including the awning, the brick drain, and the low height sandstone retaining wall. **Council response – 12 July 2021** *It is recommended that the applicant provide their analysis of the relevant constraints for their site and submit it to Council either as part of a Site-Specific Planning Proposal or to allow Council to include it in a future LEP Housekeeping Amendment process.* *Investigation as part of Housekeeping PP.*	
3.		**Subject land:** 87-129 Pennant Hills Road, North Parramatta **Submitter:** Urbis on behalf of The Kings School **Request:** Submitter requests that Council amend heritage item I292 Gowan Brae Group within the PLEP 2023 (note at the time of the submission this was Item 176 within the former Parramatta (former The Hills) LEP 2012). It was requested that Council review and amend the heritage listing of The Kings School to accurately reflect the heritage items on site. The submitter stated that the current mapping is inclusive of the expanded school grounds and the extent of the heritage mapping does not reflect the heritage significance of the site. As part of their submission to the Harmonisation Planning Proposal, the submitter provided a supporting heritage analysis to support their request.	**Request to be considered via separate strategic planning process.** Council staff have reviewed the submission and heritage analysis prepared by Urbis dated 5 November 2020. The current heritage curtilage that applies to the entire school landholding at 87-129 Pennant Hills Road, North Parramatta (Lot 1, DP 59169; Lots A and B, DP 329288; Lot A, DP 321595; Lot 2, DP 235857; Lot 1, DP 64765; Lot 1, DP 57491; Lot 1, DP 581960; Lot 10, DP 812772) is reflective of a 'Type 1 (Lot Boundary) Curtilage' as defined by the Office of Environment and Heritage in its 'Heritage Curtilages' policy. Type 1 is the most common type of heritage curtilage and is used to protect heritage assets, ancillary structures, context and settings, and the relationship between assets on the landholding; and offers the greatest protection to heritage items. The submitter is seeking a 'Type 2: Reduced Heritage Curtilage' where the curtilage is less than the lot boundary of the property. Council officers consider it a reasonable request to review the 'Type 1' curtilage, however, the proposed reduction under a 'Type 2' cannot be supported in its current form as part of the Harmonisation 'Orange Matters' review. Additional information is needed to justify the requested reduction in heritage curtilage and how the 'Type 2' curtilage would protect all heritage values of one the LGA's largest heritage estates. For Council officers to assess a reduction in the heritage curtilage from a 'Type 1: (Lot Boundary) Curtilage', which provides the greatest protection, to a 'Type 2: Reduced Heritage Curtilage', the following additional information needs to be

Table 2 – 'Orange Matters' not to be progressed via the Harmonisation Supplementary Matters and Housekeeping Planning Proposal 11

Attachment 1 – Summary of Council Officer Recommendations to the Harmonisation Planning Proposal "Orange Matters"

#	Orange Matter –12 July 2021	Description	Justification for not progressing request via the Harmonisation Supplementary Matters and Housekeeping Planning Proposal
		 Subject site Submitter's proposed heritage mapping (Urbis) **Figure 12:** Requested Heritage Mapping for The Kings School (source: Urbis) **Council response – 12 July 2021** *Council Officers do not consider that the change is a minor matter as it is essential that the replacement heritage listing and map properly show the curtilage of the item and that relevant stakeholder including the Heritage Office be given the opportunity to comment on whether the amended controls still provide suitable protections for the Heritage items on site.*	submitted to demonstrate how both European heritage and potential Aboriginal heritage are both being protected. ***Holistic approach to heritage assessment*** In Council officers' opinion, the study provided has not adequately or clearly demonstrated how the proposed changes to the heritage curtilage would be suitable, and appropriate, in preserving and protecting the heritage values of the significant historical buildings, architectural features, and environmental setting. An updated assessment is needed that adopts a holistic approach that not only considers the individual buildings, but also demonstrates how the relationship between the former individual estates and buildings will be maintained. The school site, buildings, and former estates were amalgamated post 1950 to form the current school grounds which include the following: • Gowan Brae House • Former Stables • Gate House • Cedar Plantings • Boundary Fence to Cumberland Highway • Former Aviary • Former Hayshed Former Rotunda • Fountain • King's School Chapel • Grave of Sir James Burns & Family • Horseshoe bridge/dam • The Cedars homestead. A holistic assessment of the heritage curtilage with consideration to the setting and context of the above 13 individual items and former estates is needed to determine adequate 'buffers' around each item, and to preserve the views and connections between items. In addition, the study should also consider its relation to the surrounding educational precincts in immediate vicinity such the Tara School and the Burnside homes. The Kings School is one of the largest heritage estates within the City of Parramatta and a holistic review is needed to ensure appropriate protection. As a comparison, Parramatta Park and the institutional precinct also contain a larger heritage curtilage that was informed by a holistic consideration of the buildings, views, and their setting. A similar approach is needed to ensure adequate protection and set an appropriate precedent for any heritage curtilage reviews. ***Updated statement of significance and description*** The heritage assessment must provide an updated statement of significance and description for the 13 individual items. Council officers consider the current listing descriptions to be broad and generic with no relevant details to describe the separate structures.

Table 2 – 'Orange Matters' not to be progressed via the Harmonisation Supplementary Matters and Housekeeping Planning Proposal 12

Attachment 1 – Summary of Council Officer Recommendations to the Harmonisation Planning Proposal "Orange Matters"

#	Orange Matter –12 July 2021	Description	Justification for not progressing request via the Harmonisation Supplementary Matters and Housekeeping Planning Proposal
		The applicant has prepared a Heritage Assessment, and this potential map amendment could be pursued either via the landowner lodging a site-specific Planning Proposal or alternatively via a LEP Housekeeping Amendment process.	It is also noted that some of the buildings and elements may also warrant State Heritage listing (pending on detailed heritage assessment). This demonstrates the need for an updated statement of significance, and a further review to determine the specific areas that should be designated as a local or state heritage listing. It is recommended the submitter consult the following resource from NSW Environment and Heritage: Assessing heritage significance | NSW Environment and Heritage. ***Preparation of a Heritage Asset Action Plan*** As outlined above, the current adoption of a 'Type 1 (Lot Boundary) Curtilage' provides the greatest heritage protection out of the four types of curtilages identified by Heritage NSW. A 'Type 2: Reduced Heritage Curtilage', where the curtilage is less than the lot boundary of the property, could be considered should sufficient justification be demonstrated via the requested information above and if a Heritage Asset Action Plan (HAAP) is prepared. A HAAP is a succinct document that contains targeted objectives and outcomes to ensure the suitable management and conservation of heritage assets and settings when planning for future uses and development. A HAAP provides the direction and principles to inform a conservation management plan. A HAAP is considered suitable to demonstrate how the relationship between the 13 individual heritage assets will be maintained and conserved should a reduced curtilage be introduced on the site, and provides strategic direction to inform any future development assessment process. It is noted that several development proposals have been submitted for the school, and it is evident the school is still growing. For this reason, it is considered appropriate to consider a Heritage Asset Action Plan particularly if the curtilage is proposed to be reduced. ***Consideration of Aboriginal history and cultural history and issues*** The current heritage listing under Heritage Item – I292 (Gowan Brae Group) relates solely to European heritage and the history of the various estates that form The Kings School grounds. Whilst the current listing does not account for any archaeological or aboriginal heritage values, the whole school site is listed as High Sensitivity on the Aboriginal Sensitivity Map included in Part 7 of the Parramatta DCP 2023. This map was informed by the Aboriginal Heritage Information Management System (AHIMS), and the 'high sensitivity' classification triggers the need to investigate the land for aboriginal significant sites as protected under the *National Parks and Wildlife Act 1974*. By default, the current heritage listing (albeit for European heritage values) across the whole school site indirectly protects any potential aboriginal or archaeological significance that may be present. It would be premature to reduce

Attachment 1 – Summary of Council Officer Recommendations to the Harmonisation Planning Proposal "Orange Matters"

#	Orange Matter –12 July 2021	Description	Justification for not progressing request via the Harmonisation Supplementary Matters and Housekeeping Planning Proposal

			the heritage curtilage without an investigation to determine if there are any aboriginal sites/places.
			
			The submitted heritage assessment by Urbis is absent of consideration of aboriginal cultural heritage values and archaeological values stating this was out of scope. In light of the above, the following additional information is requested to assist Council in determining an appropriate heritage curtilage:
			
			• A due diligence assessment undertaken in accordance with the Office of Environment and Heritage (OEH) publication 'Due Diligence Code of Practice for the protection of Aboriginal objects in NSW' and Part 7.8 Aboriginal Cultural Heritage of PDCP 2023 to:
			  ○ determine whether Aboriginal objects, values are or likely to be present in the area; and
			  ○ to determine any potential impact of the reduced curtilage on the identified place, object and/or cultural heritage values.
			• An Aboriginal Cultural Heritage assessment report (ACHR) prepared in line with the Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in NSW. This includes an outline of the process of investigation, consultation with local communities, and findings (including archaeological assessments) that would also be submitted to Office of Environment and Heritage.
			• An Aboriginal Archaeology Report to form part of an appendix to the ACHR. An Aboriginal Heritage Impact Permit may be required to undertake test excavations to determine the nature and extent of any archaeological deposits. For further guidance, it is necessary to consider the requirements of the Code of Practice for Archaeological Investigation of Aboriginal Objects in NSW | NSW Environment and Heritage.
			
			If the above assessment identifies Aboriginal sites/places, a Management Plan in accordance with Heritage NSW's Declared Aboriginal Places: Guidelines for Developing Management Plans guidelines would be required.
			
			Council has the obligation to make sure that any place of archaeological and aboriginal significance is protected under Clause 5.10 of the PLEP 2023. At a councillor briefing on Monday 3 June 2024, Council identified the need to ensure any review of the curtilage also takes into consideration aboriginal and cultural heritage on the site, rather than just the curtilage for historical buildings. Therefore, the above is considered necessary to determine the reduction of the heritage curtilage.
			
			Conclusion

Table 2 – 'Orange Matters' not to be progressed via the Harmonisation Supplementary Matters and Housekeeping Planning Proposal 14

Attachment 1 – Summary of Council Officer Recommendations to the Harmonisation Planning Proposal "Orange Matters"

#	Orange Matter –12 July 2021	Description	Justification for not progressing request via the Harmonisation Supplementary Matters and Housekeeping Planning Proposal
			An updated heritage study is requested to enable Council staff to assess the merit of the proposal and to determine the extent of the curtilages in order continue to protect the heritage assets. This includes addressing the above limitations to provide the following: • A **holistic heritage assessment** that includes an updated statement of significance and description of the 13 assets that contribute to the group listing. • An **Heritage Asset Action Plan** would help in the asset protection and future master planning requirements. • An **Aboriginal Cultural Heritage Assessment Report** to investigate the 'high sensitivity' identified by AHIMS to determine if there are any Aboriginal heritage places. This includes the preparation of an **Aboriginal Archaeology Report**. Subject to the outcome of this investigation, the preparation of a *Management Plan for Aboriginal Places* may be required. The above information can be provided to Council as part of a Site-Specific Planning Proposal or as a stand-alone report which Council can assess and consider as part of a future housekeeping or other amendment process to the PLEP 2023.
4.		**Subject land:** School sites owned by Schools Infrastructure NSW within the City of Parramatta. **Submitter:** Schools Infrastructure NSW **Request:** The submitter noted that often only a portion of a school site and/or development contains elements or fabric of heritage significance, and requests that Council only map the elements with heritage significance within the LEP. The submitter stated that more specific heritage listings will ensure essential alterations and additions to non-significant school elements can be carried out as exempt or complying development under the Education and Child Care SEPP. **Council response – 12 July 2021** *The intention of the Harmonisation Process was to consolidate the various instruments that apply and making changes to listed items is not consistent with the scope of this project. Including the proposal at this point in time would also require re-exhibition of the plan which would delay finalisation of the Harmonisation Planning Proposal.*	**Request to be considered via separate strategic planning process.** As per Council's response from 12 July 2021, the submitter is requested to provide a detailed heritage assessment report prepared by a suitably qualified specialist for the subject land. The heritage assessment report is to include the submitter's proposed heritage curtilage for each individual site/school, along with a justification for the change and how it maintains the integrity of the listed heritage item. This can be provided to Council as part of a Site-Specific Planning Proposal or as a stand-alone report which Council can assess and consider as part of a future housekeeping amendment or other appropriate process.

Table 2 – 'Orange Matters' not to be progressed via the Harmonisation Supplementary Matters and Housekeeping Planning Proposal 15

Attachment 1 – Summary of Council Officer Recommendations to the Harmonisation Planning Proposal "Orange Matters"

#	Orange Matter –12 July 2021	Description	Justification for not progressing request via the Harmonisation Supplementary Matters and Housekeeping Planning Proposal
		It is recommended that the applicant provide a heritage assessment of what they consider to be the appropriate heritage curtilage for the item on their site and submit it to council either as part of a site-specific Planning Proposal or to allow Council to include it in a future LEP Housekeeping Amendment process.	
5.	**Issue:** ***2.*** *Biodiversity layer - Review requested* *Submissions request review of the Biodiversity layer – mapping of certain sites:* • *361-365 North Rocks Road, North Rocks,* • *Schools Infrastructure NSW.*	**Subject land:** 361-365 North Rocks Road, North Rocks **Submitter:** Mecone on behalf of EG North Rocks Road, North Rocks (former site of Royal Institution for Deaf and Blind Children) **Request:** Submitter opposed the site's proposed biodiversity mapping. Questions the validity of introducing biodiversity land and whether this has been undertaken as part of a ground or aerial assessment. Supporting ecological advice accompanied this submission. **Council response – 12 July 2021** *Policy review and investigation as part of Housekeeping PP.*	**Request superseded via separate strategic planning process.** Since the submission to Council, the landowner has sought other changes to the land via a separate planning pathway, which the site is currently subject to. A Site-Specific Planning Proposal (SSPP) was lodged for the subject land in June 2021 to review land use and density only. The SSPP did not seek to remove or alter the site's inclusion on the PLEP 2023 Biodiversity Map, which does not impact the redevelopment scheme proposed via the SSPP. Therefore, a review of the Biodiversity Map for 361-365 North Rocks Road, North Rocks is not required.
6.		**Subject land:** Carlingford Public School (5 Rickard Street, Carlingford) **Submitter:** Schools Infrastructure NSW **Request:** Submitter notes that the north-east corner of Carlingford Public School was proposed to be included on the PLEP 2023 Biodiversity Map. Submitter supports the proposal to create a consolidated map that identifies environmentally sensitive land, but requests further clarification be provided regarding the specific biodiversity values present on Carlingford Public School. The submitter also requests that biodiversity layers that apply to school sites only apply to those parts of the site that are environmentally sensitive, and not to parts of the site where there are existing buildings. States that these areas should not be considered environmentally sensitive land.	**Request to be considered via separate strategic planning process.** As part of the Harmonisation Planning Proposal process, Council mapped bushland and vegetation with ecological importance on the Biodiversity Map. The Biodiversity Map was based on the ecological significant vegetation identified on the NSW Office of Environment and Heritage's *Native Vegetation of the Sydney Metropolitan Area* mapping. The use of this dataset to inform the Biodiversity Map delivered a consistent approach to mapping environmentally significant land and to ensure development impacts are managed during the development assessment process. As a result of the above approach, the north-east corner of 5 Rickard Street, Carlingford (Carlingford Public School) was added to the Biodiversity Map to protect its Blue Gum High Forest vegetation classification. Whilst identification on the Biodiversity Map excludes the land from exempt or complying development, it is noted that this does not explicitly prohibit development; rather, it triggers the need to provide environmental protection/management measures as part of the DA process. As per the response from 12 July 2021, for Council officers to consider a review of the extent of the site on the Biodiversity Map, the submitter was requested to

Table 2 – 'Orange Matters' not to be progressed via the Harmonisation Supplementary Matters and Housekeeping Planning Proposal 16

Attachment 1 – Summary of Council Officer Recommendations to the Harmonisation Planning Proposal "Orange Matters"

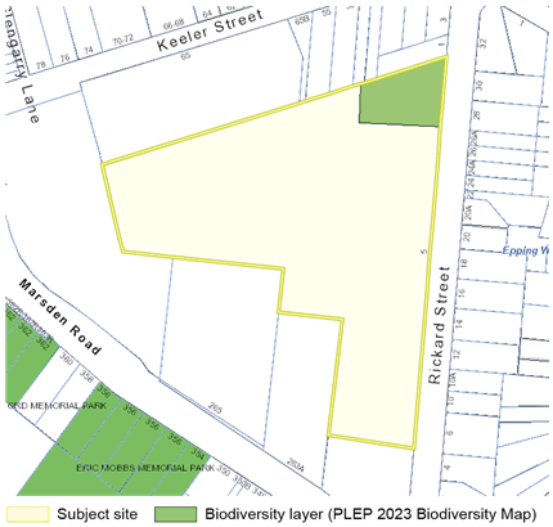
#	Orange Matter –12 July 2021	Description	Justification for not progressing request via the Harmonisation Supplementary Matters and Housekeeping Planning Proposal
		This will ensure that alterations and additions to school elements can be carried out efficiently as exempt or complying development under the Education and Child Care SEPP.  **Figure 13**: Biodiversity mapping of Carlingford Public School (5 Rickard Street, Carlingford). **Council response – 12 July 2021** *It is recommended that the applicant provide their analysis of the relevant constraints for their site and submit it to Council either as part of a site-specific Planning Proposal or to allow Council to include it in a future LEP Housekeeping Amendment process.* *Investigation as part of Housekeeping PP*	provide an analysis of the relevant constraints for the land at Carlingford Public School identified in the submission by a suitably qualified specialist, and the limitations the current Biodiversity mapping imposes. From a review of an aerial map, the part of the site on the map does not include any existing buildings . At the time of writing this report, no further analysis has been received from the submitter. Any Schools Infrastructure NSW site seeking to have its biodiversity mapping reviewed, should be specifically identified with an analysis provided to Council for consideration on the suitability of reducing the affectation on parts of the sites where there are existing buildings. It is noted that Council considers this a reasonable request (as per Council's response to the request and analysis provided by The Kings School). However, the submitter has not submitted a list of school sites where the mapping extends over buildings, therefore, Council officers cannot make this assessment. This analysis can be provided to Council as part of a Site-Specific Planning Proposal or as a stand-alone report which Council can assess and consider as part of a future housekeeping amendment or other appropriate process.
7.		**Subject land:** Northmead Creative and Performing Arts High School **Submitter:** Schools Infrastructure NSW	**Request to be considered via separate strategic planning process.** Riparian Lands on the Natural Resources Map were applied to waterways that were on privately-owned land, and land that was not zoned for RE1 Public

Table 2 – 'Orange Matters' not to be progressed via the Harmonisation Supplementary Matters and Housekeeping Planning Proposal 17

Attachment 1 – Summary of Council Officer Recommendations to the Harmonisation Planning Proposal "Orange Matters"

#	Orange Matter –12 July 2021	Description	Justification for not progressing request via the Harmonisation Supplementary Matters and Housekeeping Planning Proposal
		Request: Submitter noted that the eastern boundary of Northmead Creative and Performing Arts High School shown as Riparian Corridor (known as Darling Mills Creek) will be identified as "Riparian Land and Waterways" on the Natural Resources Map. Subject site Riparian corridor (PLEP 2023 Natural Resources Map) **Figure 14**: Riparian corridor mapping of Northmead Creative and Performing Arts High School. Submitter supports the proposal to create a consolidated map that identifies environmentally sensitive land, but requests further clarification be provided regarding the specific riparian values present on the Northmead Creative and Performing Arts High School. The submitter also requests that biodiversity listings and maps that apply to school sites only apply to those parts of the site that are environmentally sensitive, and not to parts of the site where there are existing buildings and therefore not environmentally sensitive land. This will ensure that alterations and additions to school elements can be carried out efficiently as exempt or	Recreation or C2 Environmental Conservation. The riparian lands layer was applied instead of zoning the land W1 Natural Waterways or W2 Recreational Waterways zone as this would have otherwise significantly restricted the capability and use of the land. Widths were variable and generally measured from the centreline of the watercourse. The width of the riparian land extent, including any land zoned W1 or W2, depended on the level or order a stream had under the Strahler Stream Order Classification System. The higher the order of a stream, the wider the riparian land extent. In the case of Darling Creek at Northmead Creative and Performing Arts High School, the width of the riparian land and waterways control was about 30m (or 15m from the creek's centreline). The 30m extent applied partly to Northmead Creative as well as to houses on the other side of Darling Mills Creek in Speers Road. As per the response from 12 July 2021, for Council officers to consider the removal of Darling Mills Creek from the Natural Resources Map, the submitter is requested to provide an analysis of the relevant constraints for the land at Northmead Creative and Performing Arts High School by a suitably qualified specialist, and the limitations the current Natural Resources Map mapping imposes. As per above, any other Schools Infrastructure NSW site to have its biodiversity mapping or riparian lands reviewed also needs to be provided to Council for consideration on the suitability of reducing the affectation on parts of the sites where there are existing buildings. This analysis can be provided to Council as part of a Site-Specific Planning Proposal or as a stand-alone report which Council can assess and consider as part of a future housekeeping amendment or other appropriate process. All the requests made by Schools Infrastructure NSW regarding heritage, biodiversity, and riparian lands mapping could be presented concurrently to Council to consider the suitability of adjusting the mapping for any of the land owned by the submitter.

Table 2 – 'Orange Matters' not to be progressed via the Harmonisation Supplementary Matters and Housekeeping Planning Proposal 18

Attachment 1 – Summary of Council Officer Recommendations to the Harmonisation Planning Proposal "Orange Matters"

#	Orange Matter –12 July 2021	Description	Justification for not progressing request via the Harmonisation Supplementary Matters and Housekeeping Planning Proposal
		complying development under the Education and Child Care SEPP. **Council response – 12 July 2021** *It is recommended that the applicant provide their analysis of the relevant constraints for their site and submit it to Council either as part of a site-specific Planning Proposal or to allow Council to include it in a future LEP Housekeeping Amendment process.* *Investigation as part of Housekeeping PP*	
8.	**Issue:** ***5.*** *725 Blaxland Road – Request to review land reservation and acquisition.*	**Subject land:** 725 Blaxland Road, Epping – Bowling Club **Submitter:** Landowner **Request:** Request from landowner to acquire or remove the subject land from the Land Reservation Acquisition Map and rezone the land from RE1 Public Recreation to another land use zone. A policy review is required to determine where acquisition is needed and whether funding is available. **Figure 15:** Land Reservation Acquisition layer on Epping Bowling Club **Council response – 12 July 2021** *Precinct-based PP matter - This will be addressed as part of a strategic assessment of future open space provision in Epping and presented to Council for consideration as part of the Epping Precinct work.*	**Request being considered via separate strategic planning process.** The subject land is identified in the *City of Parramatta (Outside CBD) Contributions Plan 2021* for acquisition and embellishment of the subject land. This acquisition and works are listed as a medium priority with a 5-10 years timeframe (see item O30a and O30b in the plan); and may be delivered by a voluntary planning agreement. Council officers are currently discussing options with the landowner to address this matter as part of a separate negotiation process.

Table 2 – 'Orange Matters' not to be progressed via the Harmonisation Supplementary Matters and Housekeeping Planning Proposal 19

Attachment 1 – Summary of Council Officer Recommendations to the Harmonisation Planning Proposal "Orange Matters"

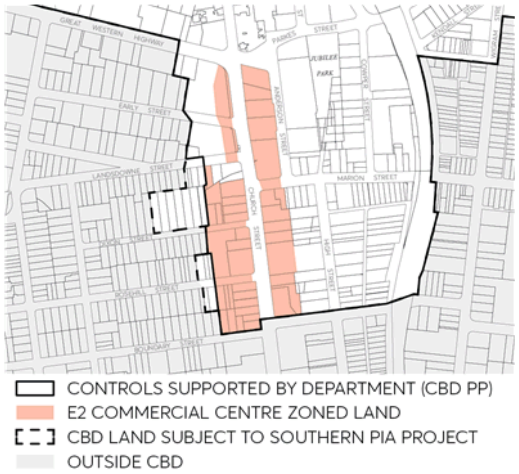
#	Orange Matter –12 July 2021	Description	Justification for not progressing request via the Harmonisation Supplementary Matters and Housekeeping Planning Proposal
9.	**Issue:** ***6.*** *CBD Precinct-Submissions object to various LEP control provisions that were being proposed as part of the CBD Planning Proposal.*	**Subject land:** High Street, Parramatta (Auto Alley Precinct) **Submitter:** Landowner **Request:** Submitter objected to the LEP control provisions that were being proposed as part of the CBD Planning Proposal and requested the following: • Rezone Church Street Auto Alley from E3 Productivity Support (formerly B5) to E2 Commercial Centre (formerly B3) • 10:1 FSR and 60m building height control for both sides of Church Street from Great Western Highway to M4 motorway **Council response – 12 July 2021** *Precinct-based PP matter - Policy matters relating to the Parramatta CBD Precinct are being addressed via the CBD Planning Proposal.* *Most land fronting Church Street is within the CBD Planning Proposal boundary and is proposed to be zoned B3 with an FSR of 10:1 and building heights of 72m and 100m. Land to the east of Church Street is within the CBD Planning Proposal. This land is proposed to be zoned B4 with varying building height and FSR controls to reflect the transition in scale, solar access and heritage matters, as resolved by Council on 25 November 2019.*	**Request superseded via separate strategic planning process.** As part of the finalisation of the Parramatta CBD Planning Proposal (CBD PP), the Department of Planning Infrastructure and Environment finalised changes to the planning controls for the land fronting Church Street from Great Western Highway to the M4 Motorway. The land was zoned E2 Commercial Centre, and a FSR of 10:1 and HOB of 72m and 100m was introduced. The Figure below shows the land that was rezoned to E2 via the CBD PP:  **Figure 16:** Auto Alley precinct 2024 It is also noted that some land west of Auto Alley will be investigated as part of the Southern Planning Investigation Area as endorsed at the Council Meeting of 20 November 2023 (refer to Item 13.8).
10.		**Subject land:** 23-27 Harold Street, Parramatta **Submitter:** Knight Frank **Request:** Submitter sought an uplift due to the site's proximity to the City Centre (in relation to the proposed uplift as part of the CBD Planning Proposal) and was concerned that the Harmonisation process would undermine uplift outcomes.	**Request superseded via separate strategic planning process.** The submitter's SSPP (RR-2023-37) was recently subject to a Rezoning Review and the Panel decided on 3/5/2024 that the planning proposal should be submitted for a Gateway Determination subject to 53 Sorrell Street being removed from the proposal and the HOB increasing to 40m and FSR to 3.6:1. Additionally, the subject site is part of the North-East Planning Investigation Area, wherein Council officers have proposed a 60m maximum height of building and 3.6:1 floor space ratio for the subject land. The matter was endorsed by the

Table 2 – 'Orange Matters' not to be progressed via the Harmonisation Supplementary Matters and Housekeeping Planning Proposal 20

Attachment 1 – Summary of Council Officer Recommendations to the Harmonisation Planning Proposal "Orange Matters"

#	Orange Matter –12 July 2021	Description	Justification for not progressing request via the Harmonisation Supplementary Matters and Housekeeping Planning Proposal
		This submitter also provided a submission to the original North-East Planning Investigation Area exhibition and lodged a Site-Specific Planning Proposal (SSPP). The submitter reiterated the suitability of an uplift in planning controls (in relation to the SSPP for the site) due to the site's proximity to the City Centre, walkability to/from the light rail, and R4 High Density Residential zoning. **Council response – 12 July 2021** *Precinct-based PP matter - Investigation Area will be dealt with as part of that continuation of CBD Planning Review process.*	Local Planning Panel on 16 April 2024, and Council at its meeting on 27 May 2024 (refer to Item 13.9) for endorsement of the Planning Proposal (PP) to be forwarded for a Gateway Determination. Therefore, the submitter's request has been superseded via both the proponent initiated SSPP (which is currently under assessment by DPHI), as well as the Council initiated PP which has been endorsed by Council to be forwarded to DPHI for Gateway Determination.
11.	**Issue:** ***8.*** *Various sites in CBD Planning Investigation Areas - Submissions were lodged requesting a review of controls in 3 of the Planning Investigation Areas currently identified as part of the CBD planning policy review process.*	**Subject land:** Fennell Street, Parramatta. **Submitter:** Landowner from Fennell Street, Parramatta **Request:** Submitter requests to increase the building height from 11m to 24m for residential properties along Fennell Street, Parramatta. **Council response – 12 July 2021** *Precinct-based PP matter - Investigation Area will be dealt with as part of that continuation of CBD Planning Review process.*	**Request to be considered via separate strategic planning process.** On 20 November 2023 (refer to Item 13.8), Council resolved matters relating to the Parramatta CBD Planning Framework, including a work program for North-East PIA, Southern PIA, and Northern PIA. The subject area is located within the North-East PIA and is subject to a separate planning review which is ongoing. As part of the North-East PIA, Council officers have proposed a 40m maximum height of building and 3:1 floor space ratio for the subject land. The matter was endorsed by the Local Planning Panel on 16 April 2024, and Council at its meeting on 27 May 2024 (refer to Item 13.9) for endorsement of the Planning Proposal to be forwarded for a Gateway Determination. The submission has been forwarded to the relevant project team and can be considered as part of the broader strategic planning investigation for the North-East PIA.
12.		**Subject land:** 29-31 Dixon Street, Parramatta. **Submitter:** Knight Frank on behalf of landowners **Request:** Submitter requested to increase the planning controls for the subject land. The existing planning controls for the site are R4, 11m height, and 0.8:1 FSR. Submitter stated that, while the site is outside of the Parramatta CBD boundary, it is part of the West Auto Alley Precinct which indicated the site has potential for uplift. It also adjoins Church Street which the Parramatta CBD Planning Proposal was proposing to increase the FSR control from 2:1 to 10:1, and the height from 2m to 100m.	**Request to be considered via separate strategic planning process.** On 20 November 2023, Council resolved matters relating to the Parramatta CBD Planning Framework, including a work program for North East PIA, Southern PIA, and Northern PIA. The subject area is located within the Southern PIA and will be subject to a separate planning review which is scheduled to commence as part of Phase 2 - early 2024. The submission has been forwarded to the relevant project team and will be considered as part of the broader strategic planning investigation for the Southern PIA.

Table 2 – 'Orange Matters' not to be progressed via the Harmonisation Supplementary Matters and Housekeeping Planning Proposal 21

Attachment 1 – Summary of Council Officer Recommendations to the Harmonisation Planning Proposal "Orange Matters"

#	Orange Matter –12 July 2021	Description	Justification for not progressing request via the Harmonisation Supplementary Matters and Housekeeping Planning Proposal
		Council response – 12 July 2021 *Precinct-based PP matter - Investigation Area will be dealt with as part of that continuation of CBD Planning Review process.*	
13.	**Issue:** ***10.*** *Car parking rates*	**Subject land:** N/A – LGA wide **Submitter:** Transport for NSW **Request:** TfNSW recommended Council consider setting maximum car parking rates (including visitor parking) for development located close to public transport and services. **Council response –12 July 2021** *As part of the Harmonisation Planning Proposal, it was noted by Council that controls for car parking rates will be reviewed as part of the preparation of the consolidated Parramatta DCP.* *DCP Review Matter*	**Request superseded via separate strategic planning process** As part of the preparation and finalisation of the Parramatta DCP 2023 (i.e. the Harmonisation DCP), Council also received a similar submission from TfNSW requesting that Council consider setting maximum parking rates for precincts within the LGA that have a high level of public and active transport. The car parking rate in the PDCP 2023 was informed by the Land Use Planning Harmonisation Discussion Paper recommendations, and was consistent with the TfNSW Guide to Traffic Generating Developments. It is noted that it retained the precinct specific car parking rates, some of which utilise maximum parking rates (for example, the Parramatta CBD and Epping CBD). While not a maximum car parking rate, the PDCP 2023 car parking rates for development near transport nodes (including business premises, residential flat buildings, multi-dwelling housing, and the residential component of mixed-use development) respond to TfNSW's request to reduce parking close to public transport. For these developments, the DCP requires a 25% reduction in car parking for sites within 800m of a train station or light rail stop, or 400m from a transitway bus stop. The Parramatta DCP 2023 came into effect on 18 September 2023. Although Council officers have recently considered this matter as part of the new DCP, council officers can consider the request for maximum parking rates further as part of future Integrated Transport Study for the LGA.
14.	**Issue:** ***13.*** *Dual Occupancy Prohibition Mapping in Winston Hills area*	**Subject land:** 1 and 3 Simpson Street; 1, 2, 2A, 3-6 and 8 Lois Street; 5A, 51, 53, 55, 57, 59, 61, 64, 66, 68, 70, 72, 74, 76, 78, 80, and 82 Naomi Street South, Winston Hills **Submitters:** Residents of Winston Hills – Lois, Simpson and Naomi Street South **Request:** As part of the exhibition of the Harmonisation process, Council exhibited the Harmonisation Planning Proposal including the supporting Dual Occupancy Constraints Analysis. The Planning Proposal did not involve the expansion of dual occupancy prohibition in Winston Hills.	**Request superseded via separate strategic planning process** Council officers proposed to expand dual occupancy prohibition to Louis, Simpson and Naomi Street South via a Site-Specific Planning Proposal (SSPP) submitted to the then Department of Planning and Environment (Department) on 2 November 2021. On 13 December 2021, the Department issued a Gateway Determination that the SSPP should not proceed. Council requested a review of the Gateway Determination, leading to a review of the SSPP by the NSW Independent Planning Commission (IPC). On 5 May 2022, Council officers received written notice from the Department stating that no amendments would be made to the Gateway Determination received in December 2021, in line with the recommendations made by the IPC. Therefore, no changes were made to the Dual Occupancy Prohibition Map in the PLEP

Table 2 – 'Orange Matters' not to be progressed via the Harmonisation Supplementary Matters and Housekeeping Planning Proposal 22

Attachment 1 – Summary of Council Officer Recommendations to the Harmonisation Planning Proposal "Orange Matters"

#	Orange Matter –12 July 2021	Description	Justification for not progressing request via the Harmonisation Supplementary Matters and Housekeeping Planning Proposal
		In response, Council received two submissions and one petition from 11 properties in Simpson, Lois and Naomi Street seeking prohibition of dual occupancy development at the Site, with concerns raised regarding the potential worsening traffic and parking conditions. **Council response – 12 July 2021** *Prepare a Planning Proposal prohibiting dual occupancy development on Lois, Simpson and Naomi Street South, Winston Hills as per Council resolution on 12 July 2021.*	2023 as the SSPP was not supported. Dual occupancy continues to be permitted on the subject land. In addition, in December 2023/January 2024, the Department exhibited the *Explanation of Intended Effect: Changes to create low and mid-rise housing.* The proposed reforms sought to expand the permissibility of dual occupancy development to all R2 Low Density zoned land, including land identified in the PLEP 2023 Dual Occupancy Prohibition Map. On 1 July 2024, Stage 1 of the low and mid-rise housing reforms were implemented with an amendment to SEPP (Housing) 2021 coming into effect to permit dual occupancy development and semi-detached dwellings on R2 zoned land across NSW. In light of the policy direction from the State Government regarding housing delivery, it is unlikely the subject land would be prohibited for dual occupancy via another SSPP.
15.	**Issue:** ***11.*** *Setback controls for residential development*	**Subject land:** N/A – land where dual occupancy is permitted **Submitter:** Landowner from North Rocks Road, North Rocks. **Request:** Submission recommends 1.5m side setback for first and second floor dual occupancy development. **Council response – 12 July 2021** *As part of the Harmonisation Planning Proposal, it was noted by Council that setback controls for residential development will be reviewed as part of the preparation of the consolidated Parramatta DCP.*	**Request superseded via separate strategic planning process** As part of the preparation and finalisation of the Parramatta DCP 2023 (i.e. the Harmonisation DCP), setback controls for dual occupancy development were amended following detailed urban design analysis to respond to the different site configurations and context of low-density neighbourhoods within the new City of Parramatta. As part of this, a minimum setback of 1.5m for all levels was considered appropriate for dual occupancies within the Parramatta context. This is considered an improved design response as it would allow for adequate separation with neighbouring buildings, landscaping within side setbacks, reduction of the development's bulk, and improved access to direct sunlight. Therefore, this orange matter has been resolved via the Harmonisation DCP process. As part of State Government's exhibition of the low and mid rise housing reforms in December/ January 2024, non-refusal standards for dual occupancies were included such as maximum building height and floor space ratio, and minimum site area and lot width. It was intended that these would supersede the relevant controls within PLEP 2023 and PDCP 2023. On 1 July 2024, Stage 1 of the low and mid-rise housing reforms were implemented with an amendment to SEPP (Housing) 2021 coming into effect to permit dual occupancy development and semi-detached dwellings on R2 zoned land across NSW. The non-refusal standards outlined above were not introduced

Table 2 – 'Orange Matters' not to be progressed via the Harmonisation Supplementary Matters and Housekeeping Planning Proposal 23

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#	Orange Matter –12 July 2021	Description	Justification for not progressing request via the Harmonisation Supplementary Matters and Housekeeping Planning Proposal
			as part of Stage 1 of the housing reforms, however, may be introduced as part of Stage 2 scheduled for later in 2024. It is therefore unknown at this point in time if dual occupancies with side setbacks of 1.5m will be part of the state government's housing reforms.
16.	**Issue:** ***7.*** *Clause 6.12 - ground floor uses in B1 and B2 Zones.*	**Subject land:** E1 Local Centre zoned land (formerly B1 Neighbourhood Centre and B2 Local Centre) **Submitter:** Unknown **Request:** Investigate significance of issues - Consider excluding tourist and visitor accommodation and car parks at ground floor. **Council response – 12 July 2021** *Policy review and investigation.* *This will be dealt with as part of Actions A6 in the LSPS which involves a review of the B1 and B2 Neighbourhood zones*	**Request superseded via separate strategic planning process** The Employment Zones Reform process administered by the State Government superseded the review triggered via Action A6 within the Parramatta LSPS. The Employment Zones Reform reviewed land uses within the former B1 and B2 zones when it prepared the E1 Local Centre zone currently within the PLEP 2023. This process retained some tourist and visitor accommodation uses and car parks within the zone. In addition, the PLEP 2023 contains Clause 6.12 'Ground floor development in Zone E1' which has the objective to encourage the presence of movement of people by ensuring active uses are provided at street level in the E1 zone. This clause assists in promoting non-residential uses on the ground floor within the E1 zone, and refinements are further sought to require the consent authority to be satisfied the ground floor uses interact with the public domain (see Housekeeping amendment in **Attachment 2**). For developments where carparking is demonstrated to be required at ground floor due to site constraints/configuration, it is recommended that DCP controls for sleeving to require activation and mitigate amenity issues be explored to further support the use of active uses on ground floors in developments, and to support the implementation of Clause 6.12 in the PLEP 2023.
17.	**Issue:** ***4.*** *Epping Precinct -* *Submissions object to various LEP control provisions that are currently being reviewed as part of a separate Planning Proposal for the Epping Precinct.*	**Subject land:** Rose Street Precinct, Epping **Submitter:** Multiple landowners from Essex Street, Brigg Road, Rose Street, Blaxland Road, High Street, Epping. **Request:** Submitters requested to rezone land within Rose Street Precinct from R2 to R4 to match the development on Maida Road with Brigg Road, which is part of the Epping Planning Review. **Council response – 12 July 2021** *This area has been the subject of a Council resolution requiring a flood analysis to be completed before any rezoning can be progressed.* *Precinct based PP matter.*	**Request superseded via separate strategic planning process** On 5 December 2022 (refer to Item 13.2), Council resolved not to proceed with the consideration of planning control amendments for the Rose Street Precinct, including the preparation of a drainage analysis. Council officers determined that an increase in density for the precinct would be inconsistent with Council's LSPS and LHS which seek to retain the local character of existing low density residential areas. As part of this, Council wrote to landowners in the Rose Street Precinct advising them of Council's decision and no further action is needed.

Table 2 – 'Orange Matters' not to be progressed via the Harmonisation Supplementary Matters and Housekeeping Planning Proposal 24

Attachment 1 – Summary of Council Officer Recommendations to the Harmonisation Planning Proposal "Orange Matters"

#	Orange Matter –12 July 2021	Description	Justification for not progressing request via the Harmonisation Supplementary Matters and Housekeeping Planning Proposal
18.		**Subject land:** Rosebank Avenue, Epping **Submitter:** Landowner Forest Grove, Epping **Request:** The submitter objected to the proposed planning controls for Rosebank Avenue, specifically the increase in height from 8.5m to 11m. The submitter objected to the proposed FSR of 0.8:1 for the south end of Rosebank Avenue. The submitter also opposes the removal of the southern end of the Rosebank Avenue HCA, stating that it needs to be retained to manage interface areas. **Council response – 12 July 2021** *A Planning Proposal for the Rosebank Avenue is being progressed separately to the Harmonised LEP.*	**Request superseded via separate strategic planning process** The planning controls for Rosebank Avenue were resolved as part of a Site-Specific Planning Proposal (SSPP) for 1-7 and 2-8 Rosebank Avenue. This was finalised by the Department of Planning, Housing and Infrastructure on 30 July 2021. Changes associated with this SSPP are as follows: • Removal of the subject sites from the Rosebank Avenue HCA. • Rezoning from R2 Low Density Residential to R4 High Density Residential. • Increase of maximum height of building from 8.5m to 11m (up to 3 storeys). • Introduction of 0.8:1 floor space ratio. To ensure an appropriate interface to the Rosebank Avenue HCA, DCP controls were carried over from Hornsby DCP 2013 into the finalised Parramatta DCP 2023 as Section 8.1.1.3.8 – Rosebank Avenue, Epping Precinct. Planning for the Rosebank Avenue area has been completed and no further action needed.
19.	**Issue:** ***12.*** *Dual Occupancy permissibility based on bushfire prone land*	**Subject land:** Bushfire prone land **Submitter:** NSW Rural Fire Service (NSW RFS) **Request:** The RFS noted that the Dual Occupancy constraints analysis that informed the draft Dual Occupancy Prohibition Map (part of the Harmonisation Planning Proposal package) appears to have been completed without the benefit of bushfire prone land analysis which is now available to Council. As part of their submission, NSW RFS recommended that Council investigate and expand the dual occupancy prohibition to land directly abutting bushfire prone areas, which include: • Terrys Creek • Hunts Creek • Darling Mills Creek and Rifle Range Creek • Northmead Gully and Toongabbie Creek • Galaringi and Cox Park • Rapanea Community Forest • Vineyard Creek **Council response – 12 July 2021**	**Request to be considered via separate strategic planning process.** As part of the finalisation of PLEP 2023 in March 2023, the then Department of Planning and Environment (the Department) did not support the expansion of the Dual Occupancy Prohibition Map due to concerns with housing delivery. In December 2023, the Department exhibited the *Explanation of Intended Effect: Changes to create low and mid-rise housing*. The reforms as exhibited in December 2023 proposed to expand the permissibility of dual occupancy development to all R2 Low Density Residential zoned land including, - land currently included on the PLEP 2023 Dual Occupancy Prohibition Map, and - land effected by environmental hazards (such as bushfire). In response to this December 2023 draft policy direction from the State Government, Council officers at this time a Planning Proposal to prohibit dual occupancy development across bushfire prone land was unlikely to be supported. However, on 1 July 2024, Stage 1 of the low and mid-rise housing reforms were implemented with an amendment to SEPP (Housing) 2021 coming into effect to permit dual occupancy development and semi-detached dwellings on R2 zoned land across NSW excluding bushfire prone land (and on land with other site characteristics as per Clause 141B of the SEPP (Housing) 2021)). In addition, the 'Policy exclusions factsheet' explains that bushfire prone land (which includes vegetation categories 1, 2 and 3, as well as the buffer zone) are

Table 2 – 'Orange Matters' not to be progressed via the Harmonisation Supplementary Matters and Housekeeping Planning Proposal 25

Attachment 1 – Summary of Council Officer Recommendations to the Harmonisation Planning Proposal "Orange Matters"

#	Orange Matter –12 July 2021	Description	Justification for not progressing request via the Harmonisation Supplementary Matters and Housekeeping Planning Proposal
		This matter be addressed via a future housekeeping review and investigate whether the permissibility of dual occupancy should be further reviewed based on more recently available bushfire prone land mapping.	excluded from the policy changes to reduce the risks associated with increased density in bushfire-prone areas. Furthermore, Council staff reviewed the bushfire prone land within the City of Parramatta and dual occupancy permissibility under the PLEP 2023. There are a total of 425 parcels (shown in red in Figure 17) where dual occupancy development is prohibited under the PLEP 2023. These sites will remain prohibited under the Stage 1 reforms due to their bushfire affection. The green and blue sites within Figure 17 are bushfire affected sites within the City of Parramatta that currently permit dual occupancy development under the PLEP 2023. As dual occupancy is already permitted on this bushfire prone land, the Stage 1 reforms do not have any affect to permissibility. The Stage 1 reforms expand dual occupancy permissibility across R2 land that does not have existing permissibility under an Environmental Planning Instrument such as an LEP. As the dual occupancy land use is already permitted under the PLEP 2023 on the green and blue bushfire affect sites, the restriction on dual occupancy permissibility to exclude bushfire affect sites (via Clause 141B of the SEPP (Housing) 2021) does not apply. As the PLEP 2023 already permitted dual occupancy on these bushfire prone land sites, the development assessment process will manage bushfire risk under the *Rural Fires Act 1997*, Infrastructure SEPP, and other relevant planning controls when assessing the suitability of proposed development.

Attachment 1 – Summary of Council Officer Recommendations to the Harmonisation Planning Proposal "Orange Matters"

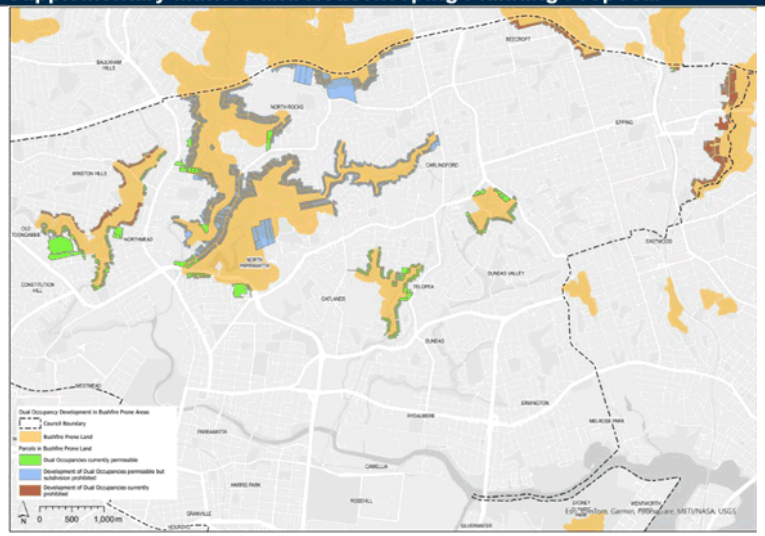
#	Orange Matter –12 July 2021	Description	Justification for not progressing request via the Harmonisation Supplementary Matters and Housekeeping Planning Proposal
			 **Figure 17:** Permissibility of dual occupancy development on bushfire prone land within the City of Parramatta Therefore, in light of this recent policy direction and precedent set by the Stage 1 reforms to the SEPP (Housing) 2021 implemented on 1 July 2024 to exclude dual occupancy development from bushfire prone land, Council officers recommend the permissibility of dual occupancy on the green and blue sites shown in Figure 17 be reviewed as part of a future housekeeping amendment. In addition, Council officers will also undertake a review of the bushfire prone land database available on NSW Planning Portal Spatial Viewer to ensure Council's database is up-to-date given the NSW Planning Portal data will be used to inform permissibility of dual occupancy under the SEPP (Housing) 2021.
20.	**Issue:** ***9.*** *Office of Environment, Energy and Science which forms part of the Department of Planning Industry and Environment has*	**Subject land:** Endangered ecological communities within public reserves **Submitter:** Office of Environment, Energy and Science **Request:** The submitter requests that endangered ecological communities (EECs) within the following public reserves be mapped as E2 Environmental Conservation (now C2 Environmental Conservation):	**Request not supported due to lack of strategic merit** The existing RE1 Public Recreation zone of the public reserves listed within the submitters request reflects the primary recreation purposes of the specified reserves. As land zoned RE1 Public Recreation are owned by Council, the identified endangered ecological communities are adequately managed in alignment with Council's Community and Crown Land Plan of Management 2023.

Table 2 – 'Orange Matters' not to be progressed via the Harmonisation Supplementary Matters and Housekeeping Planning Proposal 27

Attachment 1 – Summary of Council Officer Recommendations to the Harmonisation Planning Proposal "Orange Matters"

#	Orange Matter –12 July 2021	Description	Justification for not progressing request via the Harmonisation Supplementary Matters and Housekeeping Planning Proposal
	suggested numerous amendments to the exhibited Draft Harmonisation Planning Proposal **Council response – 12 July 2021** *Requested amendment will be considered as part of a future LEP Housekeeping amendment*	• **Blue Gum High Forest:** Mobbs Lane Reserve, Fred Spurway Park, Boronia Park, Charles Fraser Park, Barayly Park, and Allan Cunningham Reserve. • **Sydney Turpentine-Ironbark Forest:** George Gollan Reserve, Burnside Gollan Reserve, Winton Avenue Reserve, Don Moore Reserve, Kilpack Park, Upjohn Park, and Boronia Park. • **River-flat Eucalypt Forest and Cumberland Plain Woodland:** Palestine Park. The submitter also requests that bushland at the rear of The Kings School be considered for E2 Environmental Conservation (now C2 Environmental Conservation) due to the threatened flora records.	Additionally, Council is permitted to undertake a range of development as 'exempt' or 'without consent' under *State Environmental Planning Policy (Transport and Infrastructure) 2021* regardless of the LEP land zoning. Therefore, the current zoning and management of the specified reserves is adequate in protecting the relevant endangered ecological communities, and a rezoning to C2 Environmental Conservation is not necessary. The Kings School land recognised to form part of an important bushland corridor between Council public reserves, and has been included on the Biodiversity Map to reflect this, which triggers Clause 6.3 (Biodiversity) consistent with the adjoining C2 zone objectives. This protection via the Biodiversity mapping is considered adequate. It is also noted as per Item 1 in Table 1 above, that the Biodiversity mapping is being adjusted following assessment of analysis provided by The Kings School and will be removed from existing buildings.
21.		**Subject land:** Land zoned E2 Environmental Conservation (now C2 Environmental Conservation) **Submitter:** Office of Environment, Energy and Science **Request:** Submitter recommends the protection, maintenance and rehabilitation of waters is included as a zone objective for land zoned C2 Environmental Conservation.	**Request not supported due to lack of strategic merit** The objectives for the C2 Environmental Conservation zone under PLEP 2023 adequately capture the intent of the requested change. This includes the protection, maintenance, and restoration of waters of high ecological, scientific, cultural or aesthetic values. Therefore, no changes are required to address the submitter's request.
22.		**Subject land:** All land with residential, business, industrial, and recreation zones. **Submitter:** Office of Environment, Energy and Science **Request:** Submitter recommended the following objective *to protect and enhance tree canopy, existing vegetation and other natural features* is included for all residential, business, industrial and recreation zones.	**Request not supported due to lack of strategic merit** It is acknowledged that objectives that to refer to tree canopy, existing vegetation and natural features is not present in all residential, business, industrial and recreation zones under PLEP 2023. However, the current objectives within each zone are considered to capture the intent of the requested change to protect the amenity of neighbourhoods and the natural environment (including tree canopy and vegetation). For example, the E3, E4, E5, and MU1 zones include the following objective: *To minimise adverse effects on natural environment.* A future review of zone objectives within PLEP 2023 could be undertaken following finalisation of Council's canopy plan.
23.		**Subject land:** All land zoned RE1 **Submitter:** Office of Environment, Energy and Science **Request:** The Hornsby LEP 2013 included an objective to protect and maintain areas of bushland that have ecological value. However, the Harmonisation Planning	**Request not supported due to lack of strategic merit** The current wording of the RE1 Public Recreation zone objectives are considered to be inclusive of natural assets along waterways and riparian land: • *To conserve, enhance and promote the natural assets and cultural heritage significance of parks and open spaces in the zone.*

Table 2 – 'Orange Matters' not to be progressed via the Harmonisation Supplementary Matters and Housekeeping Planning Proposal 28

Attachment 1 – Summary of Council Officer Recommendations to the Harmonisation Planning Proposal "Orange Matters"

#	Orange Matter –12 July 2021	Description	Justification for not progressing request via the Harmonisation Supplementary Matters and Housekeeping Planning Proposal
		Proposal states this objective is not considered necessary as public bushland is proposed to be rezoned from RE1 to E2. The submitter recommended that a zone objective is included to conserve and enhance natural assets along waterways and riparian land in the RE1 zone, and requests Council consider the RE1 zone objectives included in the Ku-ring-gai and Campbelltown LEPs.	• *To protect and enhance the natural environment for recreational purposes.* Therefore, the requested change is adequately captured in the existing objectives and an additional objective is not required for the RE1 zone under PLEP 2023.
24.		**Subject land:** All land zoned E3 Productivity Support (previously B7 Business Park) and E4 General Industrial (previously IN1 General Industrial) **Submitter:** Office of Environment, Energy and Science **Request:** Submitter supported having objective to minimise adverse effects on the natural environment as an objective for the E3 Productivity Support and E4 General Industrial zone.	**Request superseded by separate strategic planning process.** The objective to minimise adverse effects on the natural environment was carried over into the finalised PLEP 2023 for the E3 Productivity Support and E4 General Industrial zones. Therefore, no changes are required to address the submitter's request.
25.		**Subject land:** All land zoned E3 Productivity Support (previously B5 Business Development) **Submitter:** Office of Environment, Energy and Science **Request:** Submitter questioned whether it is appropriate to have an objective in the LEP to encourage a range of tourism, recreation, and entertainment uses in proximity to the Parramatta River could inhibit the potential to protect and enhance the riparian corridor along the Parramatta River.	**Request superseded by separate strategic planning process.** The referenced objective has been amended as part of the Department's finalisation of PLEP 2023: *To encourage a range of tourism, recreation, function and entertainment uses near major community infrastructure ~~in proximity to the Rosehill Racecourse, the Parramatta River and the Western Sydney University~~.* This amended objective, in addition to the objective to *minimise adverse effects on the natural environment*, is not considered to inhibit the potential to protect/enhance the riparian corridor along Parramatta River. This is considered to address the submitters request.
26.		**Subject land:** All land mapped as Riparian Land and Waterways **Submitter:** Office of Environment, Energy and Science **Request:** The submitter recommends to include minimum riparian corridor widths for land identified as "Riparian Land and Waterways" on the Natural Resources Map. Additionally recommends that the Land Application Map is amended to show the waterways in blue colour to be more obvious.	**Request not supported due to lack of strategic merit.** The format, symbology, and labelling of mapping (including the PLEP 2023 Land Application Map and Natural Resources Map Map) is consistent with the NSW Government *Standard Technical Requirements for Spatial Datasets and Maps*. As all LEP mapping is guided by these state government requirements, a graphical amendment for the identification of waterways in the PLEP 2023 Land Application Map is not required.

Table 2 – 'Orange Matters' not to be progressed via the Harmonisation Supplementary Matters and Housekeeping Planning Proposal 29

Attachment 1 – Summary of Council Officer Recommendations to the Harmonisation Planning Proposal "Orange Matters"

#	Orange Matter –12 July 2021	Description	Justification for not progressing request via the Harmonisation Supplementary Matters and Housekeeping Planning Proposal
			Similarly, the recommendation to amend the Natural Resources Map to indicate minimum riparian corridor widths is not in alignment with the state government's standard technical requirements
27.		**Subject clause:** Clause 6.6 – Foreshore area **Submitter:** Office of Environment, Energy and Science **Request:** The submitter requests amendments to Clause 6.6, including the objectives of the clause, to ensure that development consent is not granted unless the development will not cause environmental harm to riparian land and connectivity and remnant native vegetation.	**Request not supported due to lack of strategic merit.** The current wording of the subclauses (1)(b), (3)(c) and (f) within Clause 6.6 Foreshore area of PLEP 2023 adequately protects waterways and its adjoining land. *(1) The objective of this clause is to protect the Parramatta River and its tributaries by ensuring development in the foreshore area—* *(b) will not affect the significance and amenity of the area, and* *(3) Development consent must not be granted under subclause (2) unless the consent authority is satisfied of the following—* *(c) the development will not cause environmental harm, for example—* *(i) pollution or siltation of the waterway, or* *(ii) an adverse effect on surrounding uses, marine habitat, wetland areas, fauna and flora habitats, or* *(iii) an adverse effect on drainage patterns,* *(f) historic, scientific, cultural, social, archaeological, architectural, natural or aesthetic significance of the land on which the development will be carried out, and of surrounding land, will be maintained.* This is inclusive of riparian land, riparian connectivity, and remnant native vegetation. Therefore, the requested change is sufficiently captured in the existing wording of Clause 6.6. Foreshore area, and further amendments are not required.
28.		**Subject clause:** Clause 6.4 – Protection of riparian land and waterways **Submitter:** Office of Environment, Energy and Science **Request:** The submitter requests amendments to Clause 6.4 including the objectives (subclause (1)), and requirements for the consent authority before determining a development application (subclause (3) and (4)) to explicitly refer to protecting and improving natural flow regimes and ecological values of waterways.	**Request not supported due to lack of strategic merit.** The referred subclauses within Clause 6.4 Riparian land and waterways of PLEP 2023 make reference to the protection and maintenance *natural water flows in waterways* and *aquatic and riparian species, habitats and ecosystems of the waterway*. This is considered to be inclusive of natural flow regimes and ecological values of waterways. Similarly, subclause (3)(vi) explicitly refers to the *future rehabilitation of the waterways and riparian areas*. Therefore, the requested change is sufficiently captured in the existing wording of Clause 6.4 Riparian land and waterways, and further amendments are not required.

Table 2 – 'Orange Matters' not to be progressed via the Harmonisation Supplementary Matters and Housekeeping Planning Proposal 30

Attachment 1 – Summary of Council Officer Recommendations to the Harmonisation Planning Proposal "Orange Matters"

#	Orange Matter –12 July 2021	Description	Justification for not progressing request via the Harmonisation Supplementary Matters and Housekeeping Planning Proposal
		The submitter requests an additional subclause to ensure that development consent is not granted unless the development is consistent with the objectives of this clause.	
29.		**Subject clause:** Clause 6.3 – Biodiversity **Submitter:** Office of Environment, Energy and Science **Request:** Submitter requests amendments to Clause 6.3 including the objectives (subclause (1)) and requirements for the consent authority before determining a development application (subclause (3) and (4)) to explicitly refer to measures to *protect, improve and enhance ecological communities and threatened species*. Requests an additional subclause to ensure that development consent is not granted unless the development is consistent with the objectives of this clause.	**Request not supported due to lack of strategic merit.** The referred subclauses within Clause 6.3 Biodiversity of PLEP 2023 make reference to *adverse environmental impact* (including impacts on ecological communities and threatened species). This includes the consideration of *the potential to fragment, disturb or diminish the biodiversity structure, function and composition of land* when deciding whether to grant development consent. Therefore, the requested change is sufficiently captured in the existing wording of Clause 6.3 Biodiversity, and further amendments are not required.
30.		**Subject clause:** Clause 6.2 – Earthworks **Submitter:** Office of Environment, Energy and Science **Request:** Submitter requests amendments to Clause 6.2 to specifically require the consent authority to consider the impact of proposed earthworks/excavation on biodiversity values, the health of existing trees, remnant native vegetation, and riparian land.	**Request not supported due to lack of strategic merit.** Land with elements of biodiversity values, riparian land and waterways are sufficiently protected as environmentally sensitive areas through identification on the PLEP 2023 Natural Resources Map and Biodiversity Map. In those instances, relevant provisions in Clause 6.3 Biodiversity, 6.4 Riparian land and waterways, and 6.8 Landslide risk would be applicable during the DA process. These clauses ensure that appropriate environmental management measures are undertaken to protect environmentally sensitive areas. Similarly, Clause 6.2(3)(g) requires consideration of the *proximity to, and potential adverse impacts on, a waterway, drinking water catchment or environmentally sensitive area* when assessing proposed development. As such, it is not necessary to amend Clause 6.2 Earthworks or Clause 4.1 Minimum subdivision lot size to fulfill this purpose.
31.		**Subject clause:** Clause 4.1 – Minimum subdivision lot size **Submitter:** Office of Environment, Energy and Science **Request:** Submitter supports the inclusion of Objective (1)(d) in draft Clause 4.1, with suggested amendments. The submitter recommends an additional objective 1(e) to *allow development to be sited to protect and/or enhance natural features including remnant vegetation, waterways and riparian land.*	
32.		**Subject clause:** Clause 3.3 – Environmentally sensitive areas excluded	**Request not supported due to lack of strategic merit.** As part of the Harmonisation Planning Proposal, all bushlands and waterways on public land were rezoned to C2 Environmental Conservation and W1 Natural

Table 2 – 'Orange Matters' not to be progressed via the Harmonisation Supplementary Matters and Housekeeping Planning Proposal 31

Attachment 1 – Summary of Council Officer Recommendations to the Harmonisation Planning Proposal "Orange Matters"

#	Orange Matter –12 July 2021	Description	Justification for not progressing request via the Harmonisation Supplementary Matters and Housekeeping Planning Proposal
		Submitter: Office of Environment, Energy and Science **Request:** Submitter supports the proposal to include land identified on the LEP Biodiversity Map as an 'environmentally sensitive area'. Submitter recommends that Council add waterways and riparian land, and land in the C2 Environmental Conservation and W1 Natural Waterways zones to the list of environmentally sensitive areas. It is noted that exempt and complying development within riparian lands will adversely affect its values and functions. Submitter recommends Council consider inclusion of wording within Clause 3.3 that is similar to the Penrith and Kiama LEPs.	Waterways, respectively. Bushlands in privately owned land were identified in the PLEP 2023 Biodiversity Map, and natural creek corridors on private land were added to the PLEP 2023 Riparian Lands and Waterways Map. This was to ensure impacts of development are appropriately considered and managed. As all land within the C2 and W1 zones are council owned, all proposed development would be in alignment with the zone objectives to prevent development that would have an adverse effect on the high ecological, scientific, cultural or aesthetic values of the land (including riparian land). Additionally, Council and other public authorities are permitted to undertake a range of development as 'exempt' or 'complying' on public reserves or other land under their control via the *State Environmental Planning Policy (Transport and Infrastructure) 2021* regardless of the LEP land zone. Therefore, the exclusion of C2 and W1 zones under Clause 3.3 Environmentally sensitive areas would not result in additional protection than that already afforded by the zone objectives.
33.		**Subject clause:** Clause 2.8 – Temporary use of land **Submitter:** Office of Environment, Energy and Science **Request:** Submitter recommends amendments to Clause 2.8 (3)(c) Temporary use of land to make specific reference to biodiversity values, remnant vegetation, waterways and riparian land.	**Request not supported due to lack of strategic merit.** Clause 2.8(3)(c) of PLEP 2023 makes reference to *environmental attributes or features of the land* (including biodiversity values, remnant vegetation, waterways and riparian land). As such, the submitter's requested changes are considered to be adequately captured in the existing wording of Clause 2.8 Temporary Use of land of PLEP 2023.
34.		**Subject clause:** Clause 1.2 – Aims of Plan **Submitter:** Office of Environment, Energy and Science **Request:** Submitter recommended that the Aims of Clause 1.2 specifically protect and improve biodiversity in the LGA and that Council consider certain Aims included within other gazetted LEPs (including the Kuring-gai, Ashfield and Hornsby LEP).	**Request not supported due to lack of strategic merit.** Clause 1.2(2)(c) to (h) of PLEP 2023 makes reference to the protection and enhancement of the natural environment (including biodiversity): *(2) The particular aims of this Plan are as follows—* *(c) to identify, conserve and promote the City of Parramatta's natural and cultural heritage,* *(d) to protect and enhance the natural environment, including urban tree canopy cover and areas of remnant bushland,* *(e) to ensure development occurs in a way that protects, conserves and enhances natural resources, including waterways, riparian land, surface and groundwater quality and flows and dependent ecosystems,* *(f) to encourage ecologically sustainable development,* *(g) to minimise risk to the community in areas subject to environmental hazards, particularly flooding and bushfire, by restricting development in sensitive areas,*

Table 2 – 'Orange Matters' not to be progressed via the Harmonisation Supplementary Matters and Housekeeping Planning Proposal 32

Attachment 1 – Summary of Council Officer Recommendations to the Harmonisation Planning Proposal "Orange Matters"

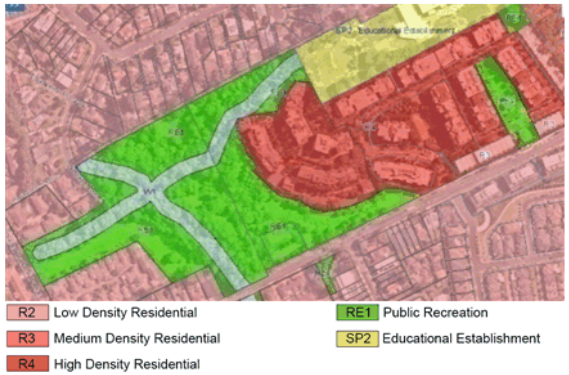
#	Orange Matter –12 July 2021	Description	Justification for not progressing request via the Harmonisation Supplementary Matters and Housekeeping Planning Proposal
			(h) to improve public access along waterways if the access does not adversely impact the natural value of the waterways. As such, the submitter's requested changes are considered to be adequately captured in the existing wording of Clause 1.2 Aims of Plan of PLEP 2023.
35.		**Subject land:** Mobbs Lane Reserve, Epping **Submitter:** Office of Environment, Energy and Science **Request:** Submitter notes that 27-29 Seven Street, 5-20 Epping Park Drive and 1 Ferntree Place, Epping have been rezoned R1 General Residential to R4 High Density Residential. Comments that the north-western and western boundaries of these sites adjoin Mobbs Lane Reserve, which is identified on the draft Biodiversity Map and contains remnant vegetation. Submitter recommends that this land be rezoned from RE1 to C2 Environmental Conservation.  **Figure 20:** Zoning map of Mobbs Lane Reserve	**Request not supported due to lack of strategic merit.** As part of the finalisation of PLEP 2023, 27-29 Seven Street, 5-20 Epping Park Drive and 1 Ferntree Place, Epping was rezoned from R1 General Residential to R4 High Density Residential. This was due to the existing residential flat buildings that were present in the area, consistent with development expected in R4 zoning. The submitter's request to rezone the RE1 Public Recreation land that adjoining Mobbs Lane Reserve to C2 Environmental Conservation is not considered necessary, as the RE1 and W1 zoning has been retained to reflect its primary recreation function. Additionally, the identification of the remnant vegetation on the Biodiversity Map is considered adequate to protect biodiversity values.
36.		**Subject clause:** Riparian land along Parramatta River and Duck River **Submitter:** Office of Environment, Energy and Science **Request:** Submitter requests to rezone riparian land along Parramatta River, Duck River, and saltwater wetlands which are identified as Priority Fauna Habitats in	**Request not supported due to lack of strategic merit.** Riparian land along Parramatta River and Duck River are currently zoned W2 Recreational Waterways to reflect its primary transport and recreational function. Where further environmental protection is required (i.e. priority fauna habitats), these lands are identified in the Coastal Wetlands and Littoral Rainforest Area

Table 2 – 'Orange Matters' not to be progressed via the Harmonisation Supplementary Matters and Housekeeping Planning Proposal 33

Attachment 1 – Summary of Council Officer Recommendations to the Harmonisation Planning Proposal "Orange Matters"

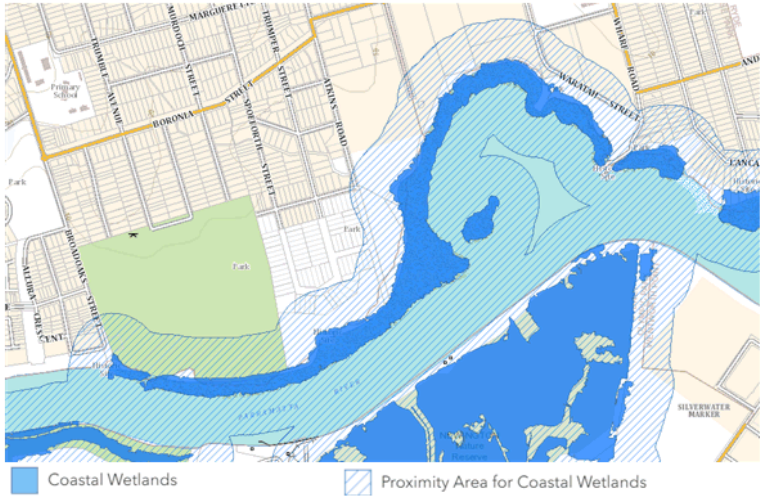
#	Orange Matter –12 July 2021	Description	Justification for not progressing request via the Harmonisation Supplementary Matters and Housekeeping Planning Proposal
		the *Rapid Fauna Habitat Assessment of the Sydney Metropolitan Catchment Management Authority Area* (DECC 2008) to C2 Environmental Conservation.	Map under the *State Environmental Planning Policy (Resilience and Hazards) 2021*:  **Figure 21:** Riparian land along the Parramatta River and land protected under SEPP Resilience and Hazards 2021 Similarly, these lands are protected through identification in the Foreshore Building Line Map PLEP 2023 and the *State Environmental Planning Policy (Biodiversity and Conservation) 2021* Rocky Foreshores and Significant Seagrasses Map:

Table 2 – 'Orange Matters' not to be progressed via the Harmonisation Supplementary Matters and Housekeeping Planning Proposal 34

Attachment 1 – Summary of Council Officer Recommendations to the Harmonisation Planning Proposal "Orange Matters"

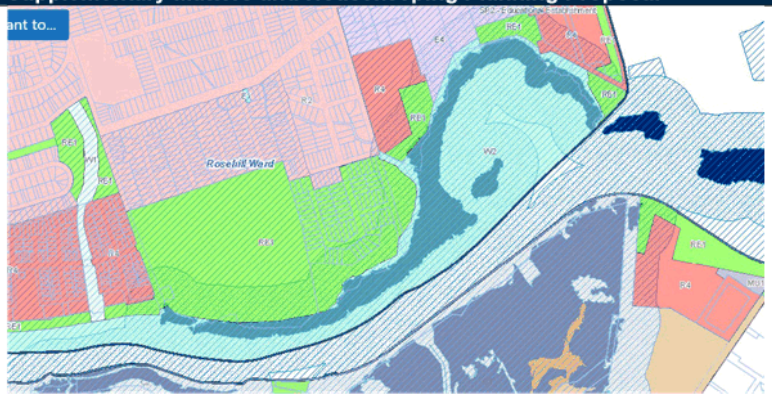
#	Orange Matter –12 July 2021	Description	Justification for not progressing request via the Harmonisation Supplementary Matters and Housekeeping Planning Proposal
			 **Figure 22:** *State Environmental Planning Policy (Biodiversity and Conservation) 2021* Rocky Foreshores and Significant Seagrasses Map As such, the saltwater wetlands and riparian land along Parramatta River and Duck River are considered to be sufficiently protected under the existing provisions within PLEP 2023 and relevant SEPPs. Therefore, a rezoning to C2 Environmental Conservation is not required.

Table 2 – 'Orange Matters' not to be progressed via the Harmonisation Supplementary Matters and Housekeeping Planning Proposal 35

ATTACHMENT 2 – Summary of Housekeeping Amendments to the Parramatta LEP 2023

This document summarises the housekeeping matters proposed to be included as part of the **Parramatta Harmonisation Supplementary Matters and Housekeeping Planning Proposal.**

Table 1 - Summary of Proposed Housekeeping Amendments

No.	Nature of Change	Explanation
1.	**Administrative heritage matter – changes to name and extent of heritage listing** **Affected sites:** • Heritage Item I151 - 64 Hughes Avenue, Ermington • Heritage Item 1541 – 153 George Street, Parramatta • Heritage Item I25 – 262 Marsden Road, Carlingford	Amendments to Schedule 5 - Environmental Heritage of the PLEP 2023 are needed to correct the name of three (3) items to accurately reflect their heritage significance and/or direction provided by previous Council resolutions. Additionally, Heritage Item - I541 requires the removal of 153A George Street from the Heritage Map in the PLEP 2023 as the Heritage Item – I541 is contained wholly on 153 George Street (as per the address in Schedule 5). 153A George Street does not contain any heritage significance and is not required to be identified on the Heritage Map as part of Heritage Item – I541. These changes will ensure the technical accuracy of Schedule 5 and the Heritage Map.
2.	**Administrative heritage matter – delisting of heritage item** **Affected sites:** • Heritage Item I221 – 1-3 Ada Street, Harris Park • Heritage Item I169 – 3 A'Beckett Street, Granville • Heritage Item I55 – 25 Station Street, Dundas • Heritage Item I332 – 7 Galloway Street, North Parramatta	Amendments to Schedule 5 - Environmental Heritage and the Heritage Map in the PLEP 2023 are needed to remove items that have been incorrectly mapped, demolished, and/or redeveloped following development approval. These changes will ensure the technical accuracy of Schedule 5 and the Heritage Map, and ensure the listings accurately reflect the heritage items within the City.
3.	**Amendments to the Land Reservation Acquisition map for** 88 Church Street, Parramatta.	The land at 88 Church Street (Figure 1) needs to be removed from the Land Reservation Acquisition Map as the reservation is no longer required. The land has been dedicated to

Table 1 – Summary of Proposed Housekeeping Amendments

Attachment 2 – Summary of Housekeeping Amendments to the Parramatta LEP 2023

No.	Nature of Change	Explanation
		Council as part of a mixed-used development scheme that delivered the road widening intended to improve traffic movements. **Figure 1:**Site shown at 88 Church Street, Parramatta to be removed from LRA outlined in red
4.	**Amendments to the Land Reservation Acquisition map and Zoning map for** thirteen (13) lots along Epping Road between Blaxland Road and Essex Street.	Thirteen (13) lots along Epping Road between Blaxland Road and Essex Street were identified on the LRA Map to deliver an additional west-bound lane to assist with traffic movements. The additional lane was delivered in 2018, and the thirteen lots have been acquired by TfNSW. As such, these lots can be removed from the LRA map and rezoned to SP2 Classified Road to reflect the infrastructure land use.

Table 1 – Summary of Proposed Housekeeping Amendments

Attachment 2 – Summary of Housekeeping Amendments to the Parramatta LEP 2023

No.	Nature of Change	Explanation
		 Figure 2: Sites along Epping Road to be removed from LRA Map and rezoned to SP2
5.	**Minor non-policy amendments to** Clause 3.3 Environmentally sensitive areas and Clause 6.3 Biodiversity.	An amendment is needed to rationalise inconsistent wording between the LEP clauses and the labels of the associated mapping (i.e 'Biodiversity Map' is correct; not "land identified as 'Biodiversity' on the Natural Resources Map"). The map layers and names changed during the finalisation of the PLEP 2023, however, the change in names were not updated in the related clauses. This update will assist in navigation of the PLEP 2023 and ensure technical accuracy.
6.	**Minor non-policy amendments to** Clause 4.1C Minimum subdivision lot size for dual occupancy and manor houses.	An amendment is needed to remove the word 'subdivision' from the clause title to ensure the clause correctly identifies the provisions within the clause. The intent of Clause 4.1C is to prescribe a minimum lot size requirement for dual occupancy and manor houses. The title of this clause implies that the clause prescribes a minimum lot size for subdivision. However, none of the provisions within the clause relate to subdivision and therefore can have the word subdivision removed.
7.	**Minor non-policy amendments to** Clause 5.1 Relevant Acquisition Authority and Clause 5.1A Development on land intended to be acquired for public purposes.	Amendments are recommended to fix inconsistent wording between references within the clause and the Land Reservation Acquisition map. This will assist in navigation of the PLEP 2023, and ensure technical accuracy
8.	**Minor non-policy amendments to** Clause 6.20 Height of Buildings for certain land in Telopea Precinct; and Clause 6.21 Floor Space Ratio for certain land in Telopea Precinct.	Changes are required to remove reference to map line colour features (e.g. "land shown edged light blue") within the clauses that were included to identify where the clauses apply. At finalisation of the PLEP 2023, the digital maps were unable to display the map line colour features. As the clauses also identify the land using labels (e.g. "Area A"), the land is adequately identified on the height and FSR maps. Therefore, the map colour features in the clauses are not necessary and can be removed.

Table 1 – Summary of Proposed Housekeeping Amendments

Attachment 2 – Summary of Housekeeping Amendments to the Parramatta LEP 2023

No.	Nature of Change	Explanation
9.	**Minor non-policy amendments to** Clause 7.17 Car Parking – General.	This clause provides parking rates for specific land uses for parts of the Parramatta City Centre. The current wording of this clause means any development for retail premises over 2,000m2 would not currently be subject to the parking requirements within the LEP, and has a merit-based assessment. Council officers consider it appropriate to amend this clause to ensure that all retail development (including buildings with more than 2,000m2 of retail gross floor area) be subject to the parking requirements.
10.	**Minor non-policy amendments to** Clause 7.25 High Performing Building Design.	This clause provides energy and water targets for different land uses for parts of the Parramatta City Centre. This includes buildings used for the purposes of hotel or motel accommodation or serviced apartments. The use of the words 'per room' in subclause (4)(c) makes it unclear as to whether the targets apply per bedroom or per unit of a hotel, motel, or serviced apartment. An amendment is required to clarify that the clause is to apply per 'hotel or motel room' or 'serviced apartment' to ensure the policy intent is delivered during the development process.
11.	**Clause refinements to** Schedule 1 Additional permitted uses 10A Use of land at Melrose Park South and update to Additional Permitted Uses map.	It is recommended that the existing Additional Permitted Use that applies to Melrose Park South in 10A of Schedule 1 be updated to also allow 'food and drink premises' on R4 High Density zoned land at Melrose Park North. This additional permitted use will allow other land uses that meet the day to day needs of residents and support liveability within the community.
12.	**Clause refinements to** Clause 6.12 Ground Floor development in Zone E1; Clause 7.10 Active Frontages; and Clause 8.4 Active Frontages in Zone E1.	The three clauses have the objective of providing non-residential uses that attract pedestrian traffic and interaction between the public domain and the ground floor at street level in E1 zones and parts of the Parramatta City Centre. Additional wording is proposed to assist in ensuring active uses are provided on the ground floor due to the difficulty in defining explicitly what land uses constitute an 'active use' or deliver 'active frontages'.
13.	**Inclusion of new provisions to PLEP 2023** – 'Dwelling mix in residential flat buildings and shop top housing' *Presented at Councillor Briefing on 3 June 2024*	An additional clause is proposed to prescribe a dwelling mix for residential flat buildings and shop top housing that have at least 10 dwellings. The PDCP 2023 currently contains dwelling mix controls. However, due to the flexibility of the application of the controls within the PDCP 2023, and its statutory weighting in the assessment process compared to the PLEP 2023, recent developments have delivered limited 3-bedroom dwellings. This impacts on Council's housing supply and the ability to provide housing for all households. Therefore, it is recommended controls be added into the LEP to provide greater statutory weighting and ensure developments are providing a dwelling mix for the current and future population.

Table 1 – Summary of Proposed Housekeeping Amendments

Attachment 2 – Summary of Housekeeping Amendments to the Parramatta LEP 2023

No.	Nature of Change	Explanation
14.	**Inclusion of new provisions to PLEP 2023** – 'Signage on sportsground in public recreation zones' *Presented at Councillor Briefing on 3 June 2024*	An additional clause is proposed to introduce provisions for advertising signage at public sporting facilities in public recreation zones. This is due to the absence of controls in both the LEP and relevant SEPPs. Due to the scale and nature of the signage, it is considered appropriate to introduce sportsground sponsorship advertising (with appropriate size, impact, and locational criteria) as exempt development within PLEP 2023. Currently a DA is required for this type of signage which Council officers consider onerous for the scale of development. At the Councillor Briefing on 3 June 2024, Council requested information on how Council can manage the appropriateness of sportsground signage under the proposed new clause. The proposed clause requires that any sports advertising signage to go through the exempt development pathway must not contain product advertising for alcohol, tobacco products, and adult entertainment. This is to prevent any adverse social impacts on the community from inappropriate signage. In addition, the draft clause is intended to work in conjunction with a draft 'Advertising Signs on Council's Sportsgrounds, Parks and Reserves' regulation document that is currently being developed by Council's Parks and Open Space and Recreation Facilities Teams. The document contains the information applicants need to provide to council (including materials, layout, fixture specifications, graphics/design and content, and evidence of sponsorship agreement) with their application to ensure that hirers who operate a leased Council facility install appropriate signage. The proposed clause and draft policy provide a transparent framework for the regulation of this type of signage within the City and eliminates the requirement for this type of signage to be delivered via the DA process.
15.	**Amendments to HOB map** that applies to Part of 431-435 Church Street and 17 Villiers Street, North Parramatta	An amendment to the Height of Buildings Map is needed to allocate a 0-metre height limit in the location of the proposed civic space to assist with the delivery of the future civic space in the Draft Church Street North Precinct DCP Amendment (see Figure 3). This change will not impact on the achievement of the FSR control to come in under the *State Environmental Planning Policy (Church Street North Precinct) 2023* which takes effect from 1 July 2024.

Table 1 – Summary of Proposed Housekeeping Amendments

Attachment 2 – Summary of Housekeeping Amendments to the Parramatta LEP 2023

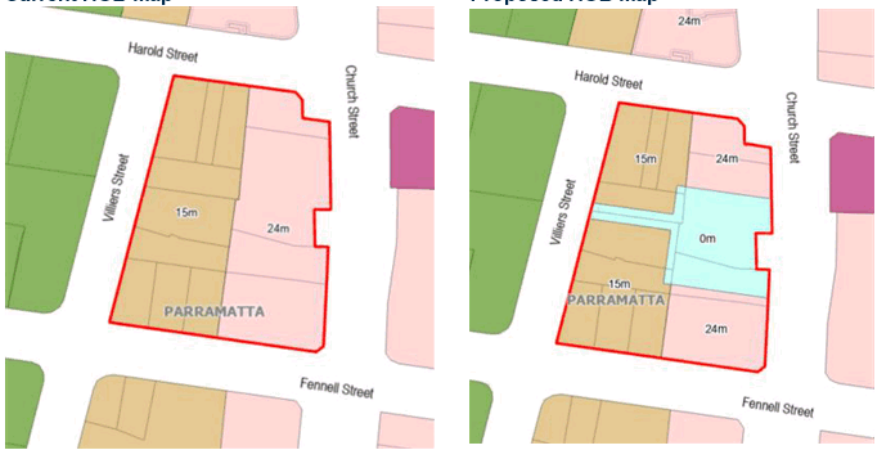
No.	Nature of Change	Explanation
		Current HOB Map **Proposed HOB Map**  **Figure 3:** Amendments to HOB map that applies to Part of 431-435 Church Street and 17 Villiers Street, North Parramatta
16.	**Repeal of Intensive Urban Development (IUD) Area Map**	The State Government on 1 October 2023 via *SEPP (Housing and Productivity Contributions) 2023* repealed clauses within the PLEP 2023 that referred to the Intensive Urban Development (IUD) Area Map. However, the IUD Area Map was not repealed and the State Government has advised councils they can repeal it via a housekeeping process. The IUD Area map can be repealed given no current clauses refer to the map, and any development applications lodged prior to 1 October 2023 can rely on the repealed PLEP 2023 and maps.
17.	**Administrative changes to Zoning Map** for 288 Marsden Road.	The land at 288 Marsden Road, Carlingford has a partial SP2 Classified Road zoning that is proposed to be rezoned to R2 Low Density Residential to reflect the primary residential use of the lot. As seen in Figure 4, this is a minor administrative change to correct an anomaly.

Table 1 – Summary of Proposed Housekeeping Amendments

Attachment 2 – Summary of Housekeeping Amendments to the Parramatta LEP 2023

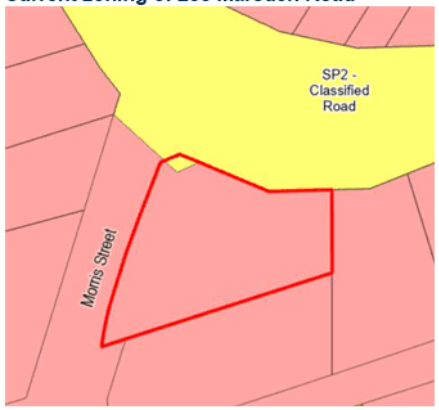
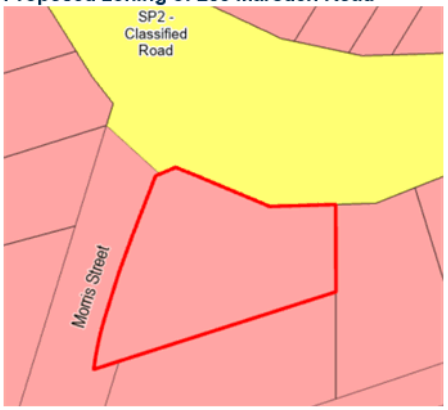
No.	Nature of Change	Explanation
		Current zoning of 288 Marsden Road  **Proposed zoning of 288 Marsden Road**  **Figure 4:** Zoning Map for 288 Marsden Road.
18.	**Administrative changes to Zoning Map for** 17B Short Street, Wentworthville.	Land at 17B Short Street (see Figure 5) forms part of a stormwater channel that is zoned W1 Natural Waterways. The land is currently zoned R4 High Density Residential and does not reflect its use. It is recommended this land be rezoned to W1 Natural Waterways to reflect its function and adjacent zoning.

Table 1 – Summary of Proposed Housekeeping Amendments

Attachment 2 – Summary of Housekeeping Amendments to the Parramatta LEP 2023

No.	Nature of Change	Explanation
		Current zoning of 17B Short Street **Proposed zoning of 17B Short Street** **Figure 5:** Land to be rezoned to W1 Natural Waterway
19.	**Administrative changes to Zoning Map for** 2A Crimea Street, Parramatta.	The land at 2A Crimea Street (see Figure 6) is used as a water main and stormwater channel. The current R2 Low Density Residential zoning does not reflect use, and its relationship to the adjoining Ollie Webb Reserve and Clay Cliff Creek. The following is recommended: • Rezone the northern portion of this land from R2 Low Density Residential to RE1 Public Recreation, in alignment with Ollie Webb reserve. • Rezone the concrete channel from R2 Low Density Residential to W1 Natural Waterways, in alignment with Clay Cliff Creek. • Retain R2 zoning south of the proposed W1 zoned land, as this is disconnected from the wider reserve.

Table 1 – Summary of Proposed Housekeeping Amendments

Attachment 2 – Summary of Housekeeping Amendments to the Parramatta LEP 2023

No.	Nature of Change	Explanation
		Current zoning of 2A Crimea Street **Proposed zoning of 2A Crimea Street** **Figure 6:** Land to be rezoned to RE1 Public Recreation and W1 Natural Waterway
20.	**Administrative changes to Zoning Map** for specific Public Reserves across the LGA.	To inform the preparation of a new consolidated Community and Crown Land Plan of Management 2023, Council officers undertook an audit of Council's parks and reserves. As part of this process, zoning anomalies were identified where parks and reserves were reflecting the adjoining land use. The audit identified 41 sites of community and crown land that contribute to the public reserve network which are not zoned for their purpose and long-term use. Council adopted the Community and Crown Land Plan of Management 2023 that requires public reserves to be zoned for their intended purpose and characteristics (e.g. public recreation). Therefore, it is appropriate to rezone the 41 sites from their current residential and employment zones to RE1 Public Recreation, W1 Natural Waterways, W2 Recreational Waterways, and C2 Environmental Conservation to ensure that Council's public reserves are appropriately zoned and protected.

Table 1 – Summary of Proposed Housekeeping Amendments

Attachment 2 – Summary of Housekeeping Amendments to the Parramatta LEP 2023

No.	Nature of Change	Explanation
21.	**Changes to the following maps for Melrose Park North:** • Height of Building • Land zoning • Land Reservation Acquisition • Design Excellence	The approval of the Melrose Park North Infrastructure DA (DA/1100/2021) requires minor amendments to the LEP mapping as the proposed street network has been reconfigured. The current LEP maps for Melrose Park North reflect the Melrose Park Master Plan in Parramatta DCP 2023 (prepared as part of the relevant planning proposal). DA/1100/2021 partially modified the Masterplan's street network by straightening a proposed east-west street in relation to Wharf Road, and closing another prosed east-west street at Wharf Road. The realigned street network also resulted in a reconfigured subdivision layout. Consequently, the approved street network and subdivision layout for "Area 1" of Melrose Park North is now inconsistent with the existing LEP maps. The LEP mapping amendments would not alter the intent of the controls (such as open space and permissible gross floor area), but ensure the mapping is reflective of the existing development consent (DA/1100/2021).

Table 1 – Summary of Proposed Housekeeping Amendments

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TABLE OF CONTENTS

INTRODUCTION 1
1.1. Background 2
1.2. The Proposal 4
PART 1 – OBJECTIVES AND INTENDED OUTCOMES 6
PART 2 – EXPLANATION OF PROVISIONS 7
PART 3 – JUSTIFICATION OF STRATEGIC AND SITE-SPECIFIC MERIT 61
3.1 Section A - Need for the Planning Proposal 61
3.2 Section B – Relationship to strategic planning framework 62
3.3 Section C – Environmental, social and economic impact 83
3.4 Section D – State and Commonwealth Interests 85
PART 4 – MAPS 86
PART 5 – COMMUNITY CONSULTATION 87
PART 6 – PROJECT TIMELINE 88
Appendix 1 – Council resolution of 12 July 2021 – Decision Pathway 3 – Orange Matters 90

Planning Proposal drafts

Council versions:

No.	Author	Version
1.	City of Parramatta Council	Report to Local Planning Panel (16/7/24)

INTRODUCTION

This Planning Proposal explains the intended effect of, and justification for, the proposed amendment to *Parramatta Local Environmental Plan 2023* (PLEP 2023). The proposed changes address supplementary matters that arose from the *Harmonisation Planning Proposal* (i.e. consolidated Parramatta Local Environmental Plan 2023 (PLEP 2023)) and housekeeping items identified since the finalisation of the PLEP 2023 intended to improve the overall operation and accuracy of LEP. This is further discussed in Section 1.1 below.

This Planning Proposal was endorsed by Council at their meeting of [TO BE INSERTED] and has been prepared in accordance with Section 3.31 and 3.33 of the *Environmental Planning and Assessment Act 1979* (the EP&A Act) and the Local Environment Plan Making Guideline (August 2023) by the Department of Planning, Housing and Infrastructure (DPHI).

1.1. Background

Supplementary Matters arising from Parramatta Land Use Planning Harmonisation Framework

Following the Council boundary changes in May 2016, the City of Parramatta inherited parts of the former council areas of Auburn, Holroyd, Hornsby, Parramatta, and The Hills. This resulted in different planning controls applying to different parts of the new City of Parramatta Local Government Area (LGA).

The *Parramatta Land Use Planning Harmonisation Framework* was established to consolidate or 'harmonise' the multiple Local Environmental Plans, Development Control Plans, and Development Contribution Plans that applied to the new City of Parramatta. As per Figure 1, the harmonisation framework is complete with consolidated plans now in force.

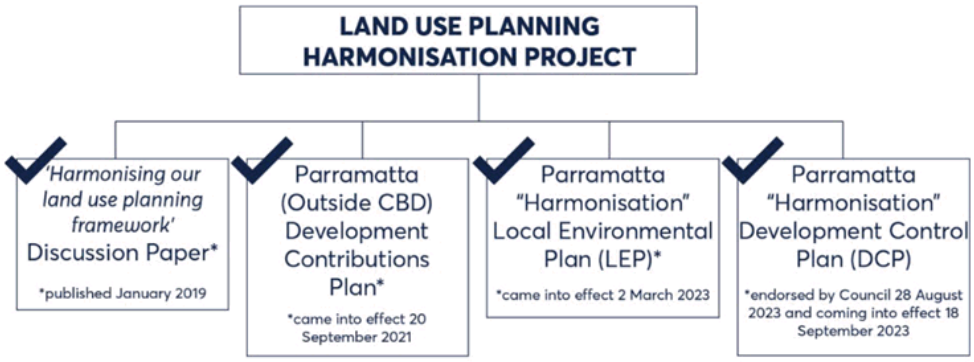


Figure 1: Parramatta Land Use Planning Harmonisation Framework project

The Harmonisation Planning Proposal (Harmonisation PP) sought to consolidate the five LEPs applying to the LGA. During the preparation of the Harmonisation PP, as per the conditions of the Gateway Determination, Council held a public exhibition between August and October 2020. During the exhibition period, Council received 320 submissions from the community including landholders, state authorities, and other stakeholders.

Council at its meeting of 12 July 2021 considered a report on the outcome of the public exhibition and resolved to finalise the Harmonisation PP. In addition, Council also resolved to further

investigate twelve (12) requests from submitters that sought a further review of controls for certain land and/or a further review of policy matters that:

- were generally consistent with Council's policy framework, but were more significant changes and if integrated into the Harmonisation PP in the immediate post-exhibition period would have triggered re-exhibition of the Harmonisation PP at that time; and/or
- had some merit on preliminary review, but required further investigation to confirm whether they should be progressed; and/or
- were inconsistent with Council strategy in their current form, however, could be evolved following further investigation into a proposed amendment, which could be supported in the future.

These requests were referred to in the Council Report dated 12 July 2021 as '*Decision Pathway 3 – Orange Matters*', and were recommended to be investigated as part of an alternate planning process separate to the Harmonisation PP to not delay the finalisation of the consolidated LEP (refer **to Appendix 1**).

In addition to the twelve (12) 'Orange Matters' recommended by staff for further review, Council requested two additional issues be added for further investigation. This increased the total number of 'Orange Matters' from twelve (12) to fourteen (14). A combined list of 'Orange Matters', as endorsed by Council 12 July 2021 are detailed in **Appendix 1**.

On 2 March 2023, the Department of Planning, Housing and Infrastructure (DPHI) finalised the Harmonisation PP bringing into effect the Parramatta Local Environmental Plan 2023 (PLEP 2023).

Considering the commencement of PLEP 2023 and the finalisation of the broader Parramatta Land Use Planning Harmonisation Framework with the Parramatta DCP 2023 coming into effect in September 2023, it is appropriate and timely to report on the outcome of the Council officer's review of the 'Orange Matters'.

Housekeeping Review

It is standard planning practice in NSW for councils to make minor changes, correct anomalies, clarify clauses, and other administrative changes to ensure the policy intent of provisions is clear within an LEP. In order to limit the number of amendments to an LEP, it is accepted practice to group the proposed amendments together in what is commonly known as 'housekeeping amendment'.

Due to the prioritisation and timing of the Parramatta Land Use Planning Harmonisation Framework, Council officers had not prepared a Housekeeping Planning Proposal since September 2018. The Harmonisation PP was not prepared as a comprehensive review of all planning controls or as a housekeeping exercise - the intended outcome was to consolidate the former LEPs. During this period and to date, Council staff have identified housekeeping requests that need to be considered to improve the accuracy of the LEP as part of the next round of housekeeping following the finalisation of the PLEP 2023.

Therefore, Council officers have considered that it is timely and most effective to undertake both an audit of housekeeping requests and a review of the 'Orange Matters' to inform the preparation of a combined Parramatta Harmonisation Supplementary Matters and Housekeeping Planning Proposal to amend the PLEP 2023.

Affected Land

The Planning Proposal is collectively referred to as the 'Harmonisation Supplementary Matters and Housekeeping Planning Proposal' and applies to various sites and precincts within the Parramatta Local Government Area, as described in **Part 2 – Explanation of Provisions**.

1.2. The Proposal

The combined Parramatta Harmonisation Supplementary Matters and Housekeeping Planning Proposal (the Planning Proposal) has been prepared to consolidate:

- the **four (4) supplementary items** from the review of 'orange matters' from the Harmonisation Planning Proposal, and
- the **69 housekeeping items** to the Parramatta LEP 2023 which consists of administrative changes to the LEP instrument and mapping.

As this Planning Proposal includes 73 items, these have been grouped below as follows:

- **Reduction in the extent of the Biodiversity Map** on The Kings School to remove the biodiversity layer from existing buildings given biodiversity values are non-existent or compromised.
- **Inclusion on the Biodiversity Map** for part of 102 Murray Farm Road, Carlingford (North Rocks Fire Brigade site) due to ecological values
- **Rezoning of land from RE1 Public Recreation to C2 Environmental Conservation** along Terrys Creek Corridor due to presence of ecological values.
- **Inclusion of an Additional Permitted Use (APU) for existing Places of Public Worship** in the R2 Low Density Residential zone to permit expansion beyond existing use rights in Schedule 1 Additional permitted uses and on the Additional Permitted Uses map.
- **Inclusion of an APU for Melrose Park North** to permit food and drink premises in R4 High Density Residential zoned land in Schedule 1 Additional permitted uses and on the Additional Permitted Uses map.
- **Administrative changes to the description of three (3) Heritage Items** in Schedule 5 – Environmental Heritage to accurately reflect heritage significance and item.
- **Administrative changes to remove or amend six (6) Heritage Items** in Schedule 5 – Environmental Heritage and Heritage Map as the items have been incorrectly mapped, demolished, and/or redeveloped.
- **Removal of fourteen (14) lots from the Land Reservation Acquisition Map** and rezoning of thirteen (13) lots to SP2 Infrastructure as the land has been acquired by the relevant acquisition authority for infrastructure.
- **Minor non-policy amendments to nine (9) LEP clauses** to correct anomalies and improve technical accuracy, including clause refinements to four (4) LEP clauses to deliver and clarify policy intent.
- **Inclusion of two (2) new LEP clauses** to address current policy deficiencies regarding dwelling mix provisions for Residential Flat Buildings and Shop Top Housing; and advertising signage on sportsgrounds in RE1 zones.
- **Amendments to the Height of Buildings map** that applies to Part of 431-435 Church Street and 17 Villiers Street, North Parramatta to support implementation of Church Street North DCP.
- **Administrative changes to the Zoning Map for three (3) sites** to address anomalies and ensure appropriate zoning to reflect long term use of land.
- **Administrative changes to Zoning Map for forty-one (41) public reserves** across the City to rezone to RE1 Public Recreation, W1 Natural Waterways, W2 Recreational Waterways, and C2 Environmental Conservation to ensure the land is zoned for their purpose and long-term use.

- **Repeal of Intensive Urban Development (IUD) map** following repeal of LEP clauses that relate to IUD Map by State Government on 1 October 2023 via *SEPP (Housing and Productivity Contributions) 2023*.
- **Amendments to following maps for Melrose Park North** to reflect the approved DA/1100/2021:
    - Height of Building
    - Land zoning
    - Land Reservation Acquisition
    - Design Excellence

A detailed explanation and assessment of each amendment contained in this Planning Proposal can be found in Part 2 – Explanation of Provisions.

PART 1 – OBJECTIVES AND INTENDED OUTCOMES

The objective of this Planning Proposal is to address supplementary matters resulting from the finalisation of the Parramatta Harmonisation Planning Proposal (i.e. consolidated Parramatta LEP 2023) and address housekeeping amendments intended to address anomalies, clarify policy, and ensure technical accuracy of the planning instrument. policy clarification. The intended outcomes of this Planning Proposal are:

Intended Outcomes

1. To finalise specific supplementary matters (referred to as 'Orange Matters') remaining from the Parramatta Harmonisation Planning Proposal.
2. To clarify the policy intent of clauses and ensure consistency in their application.
3. To address constraints or limitations imposed by the absence of certain clauses.
4. To correct anomalies, omissions, and inconsistencies in the written instrument and maps.
5. To implement recommendations of Council adopted plans (e.g. Community and Crown Land Plan of Management 2023).

PART 2 – EXPLANATION OF PROVISIONS

This Planning Proposal seeks to amend *Parramatta LEP 2023* (*PLEP 2023*) in relation to a number of anomalies and outstanding supplementary matters that have been identified since the exhibition of the Harmonisation Planning Proposal. This is comprised of:

- **Four (4) supplementary matters** from the review of 'orange matters' from the Harmonisation Planning Proposal, and
- **Sixty-nine (69) housekeeping items** to the Parramatta LEP 2023 which consists of administrative changes to the LEP instrument and mapping.

In order to achieve the desired objectives the following amendments to the *PLEP 2023* would need to be made:

<table>
<tr><th>#</th><th>Subject land or relevant clause</th><th>Nature of Change</th></tr>
<tr><td>1.</td><td>87-129 Pennant Hills Road, North Parramatta

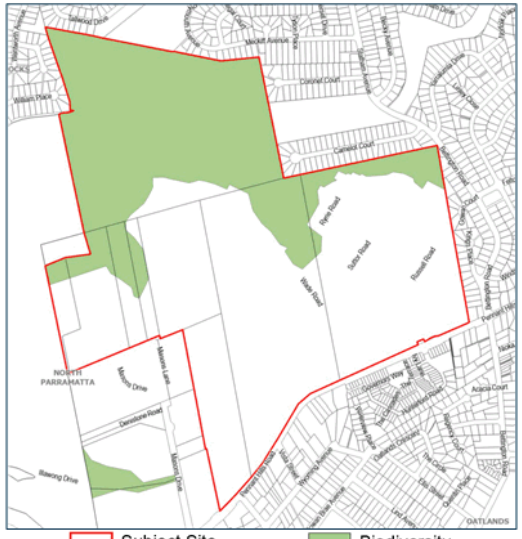
(Lot 1, DP 59169; Lots A and B, DP 329288; Lot A, DP 321595; Lot 2, DP 235857; Lot 1, DP 64765; Lot 1, DP 57491; Lot 1, DP 581960; Lot 10, DP 812772)</td><td>
Amend the Biodiversity Map to reduce the extent of the affectation on 87-129 Pennant Hills Road, North Parramatta

Part of the subject land is identified on the Biodiversity Map in the PLEP 2023. The inclusion of part of the site on Biodiversity Map was due to the presence of high biodiversity values (critically endangered Sydney Turpentine-Ironbark Forest both Dry and Moist Coastal Enriched Sandstone Forest, Coastal Sandstone Gallery Rainforest, and Coastal Shale-Sandstone Forest).

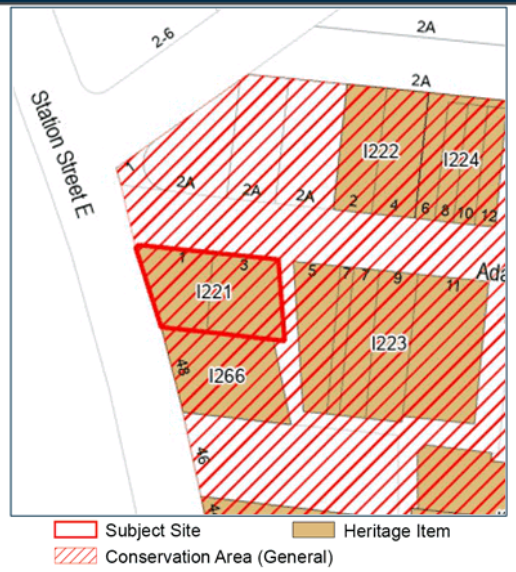
When the Biodiversity Map was prepared as part of the consolidated Parramatta LEP 2023 (i.e. the Harmonisation Planning Proposal), the biodiversity mapping was informed by the ecological significant vegetation identified on the NSW Office of Environment and Heritage's Native Vegetation of the Sydney Metropolitan Area mapping. The use of this dataset to inform the Biodiversity Map delivered a consistent approach to mapping environmentally significant land and to ensure development impacts are managed during the development assessment process.

Following a closer review of the extent of the biodiversity layer across the subject land, it was identified that the biodiversity layer extends across parts of the sites that currently contain a building and/or other development. As the buildings have removed and/or undermined the vegetation that originally informed the NSW Office of Environment and Heritage mapping and subsequent Biodiversity Map it is considered appropriate to remove the biodiversity layer from these parts of the site. Council also considers it appropriate to remove the land within a 5m buffer from the building line from the Biodiversity Map to provide sufficient curtilage from the buildings and to exclude overhanging tree canopy to the buildings. Table 1 includes the current amount of land on the biodiversity map and the resulting amount proposed under this Planning Proposal.
<table>
<tr><th>Current extent of biodiversity layer under the PLEP 2023</th><th>Proposed extent of biodiversity layer under the PLEP 2023</th></tr>
<tr><td>435,403 sqm</td><td>425,039 sqm (reduced by 10,364 sqm, or 2.4%)</td></tr>
</table>
Table 1: Comparison of current and proposed biodiversity affectation

Council's proposed changes are considered an appropriate balance between protecting the biodiversity values of the site and removing the statutory limitations imposed by the Biodiversity Map for land that has compromised biodiversity values due to existing development.
</td></tr>
</table>

#	Subject land or relevant clause	Nature of Change
		In addition, Council officers also understand that the Office of Environment and Heritage also undertakes periodic updates to the *Biodiversity Values Map and Threshold Tool* which involves the removal of mapping based on new information. Therefore, it is considered reasonable to review and update the Biodiversity Map in light of new information and justification. The subject land is identified on the Biodiversity Map in the PLEP 2023 due to its very high biodiversity values (critically endangered Sydney Turpentine-Ironbark Forest), and high biodiversity values (both Dry and Moist Coastal Enriched Sandstone Forest, Coastal Sandstone Gallery Rainforest, and Coastal Shale-Sandstone Forest). It is considered appropriate to amend the Biodiversity Map to exclude parts of the subject land that contain existing development as the presence of buildings has removed and/or undermined the vegetation that originally informed the NSW Office of Environment and Heritage mapping. Council also considers it appropriate to remove the land within a 5m buffer from the building line from the Biodiversity Map to provide sufficient curtilage from the buildings and to exclude overhanging tree canopy to the buildings. **Proposed map amendment**: Amend the Biodiversity Map for the subject site in line with the below: **Current** Subject Site Biodiversity **Proposed**  Subject Site Biodiversity
2.	102 Murray	***Amend the Biodiversity Map to include part of 102 Murray Farm Road, Carlingford on the Biodiversity Map*** The southern portion of

#	Subject land or relevant clause	Nature of Change
	Farm Road, Carlingford (Lot 25, DP 848644)	the subject land (which comprises of Coastal Enriched Sandstone Dry Forest) is recommended be added to the Biodiversity Map to increase the level of assessment required during the DA process should the vegetation be disturbed as part of a future redevelopment. This is considered suitable to respond to the characteristics of the bushland, and ensure the protection of the site's significant native vegetation. **Proposed map amendment** Amend the Biodiversity Map for the subject site in line with the below: **Current** Subject Site Biodiversity **Proposed** Subject Site Biodiversity
3.	1-3 Ada Street, Harris Park (Lots A and B, DP 382156)	***Amend the Heritage Schedule and Map – remove Heritage Item I221*** The property at 1-3 Ada Street, Harris Park (Lot A and Lot B, DP 382156) is listed as Heritage Item I221 – 'Single storey residence' within Schedule 5 of the PLEP 2023. The building associated with Heritage Item I221 was demolished in 2020 with approval under DA/487/2018. Therefore, the heritage listing of the site is no longer valid or required and can be removed to ensure accuracy of the schedule and map. It is noted that the site will still be subject to the Heritage Conservation Area that applies across the site. **Proposed amendment** Amend Schedule 5 Environmental heritage, Part 1 Heritage items **Suburb** / **Item name** / **Address** / **Property description** / **Significance** / **Item no** ~~Harris Park~~ / ~~Single storey residence~~ / ~~1 and 3 Ada Street~~ / ~~Lots A and B, DP 382156~~ / ~~Local~~ / ~~I221~~ **Proposed map amendment** Amend the Heritage Map for the subject site in line with the below: **Current** **Proposed**

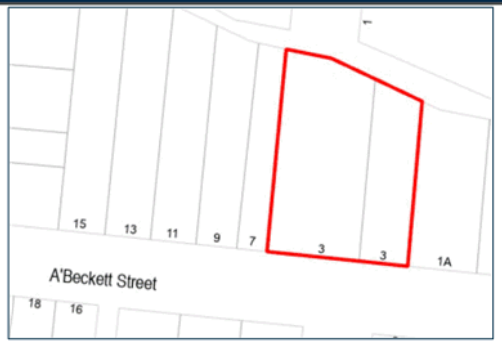
#	Subject land or relevant clause	Nature of Change
		
4.	3 A'Beckett Street, Granville (Lots 4A and 5A, DP 101963)	***Amend the Heritage Schedule and Map – remove Heritage Item I169*** In 2012, Local Heritage Item I169 – 'T.C. Barker and Son Pottery' at 3 A'Beckett Street, Granville was demolished without approval and was issued a fine to address the matter. While Council did not approve the demolition of the item via the development assessment process, the item is no longer in situ. As such, the listing of the site in Schedule 5 of the PLEP 2023 and the site's location on the Heritage Map is no longer valid or required and can be removed to ensure accuracy of the schedule and map.

Proposed amendment	Amend Schedule 5 Environmental heritage, Part 1 Heritage items

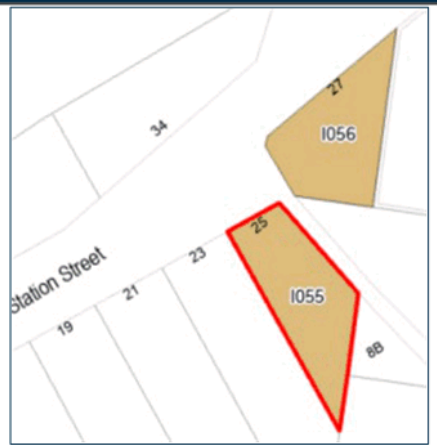
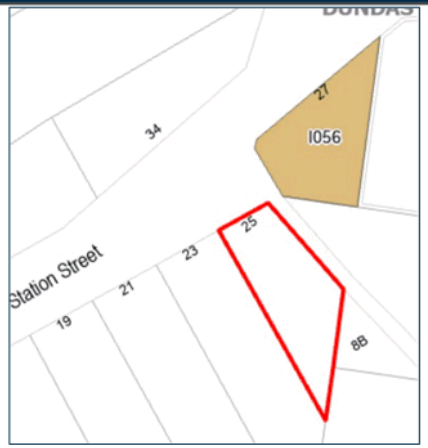
Suburb	Item name	Address	Property description	Significance	Item no
~~Granville~~	~~T.C. Barker and Son Pottery~~	~~3 A'Beckett Street~~	~~Lots 4A and 5A, DP 101953~~	~~Local~~	~~I169~~

Proposed map amendment	Amend the Heritage Map for the subject site in line with the below:

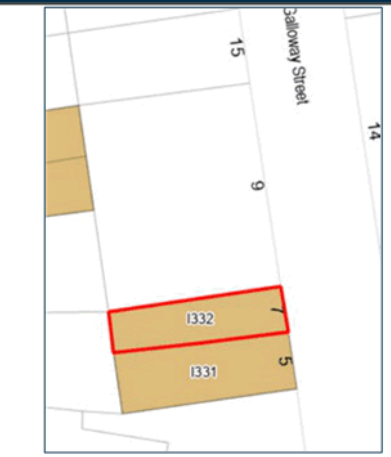
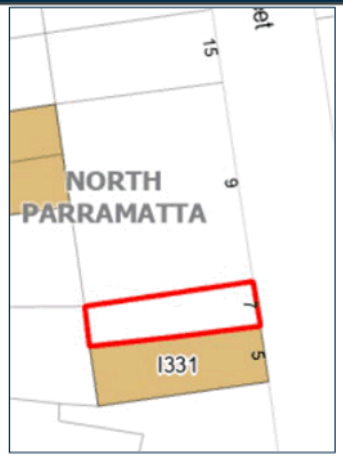
Current	Proposed

#	Subject land or relevant clause	Nature of Change
		
5.	25 Station Street, Dundas (Lot 1, DP 215527)	***Amend the Heritage Schedule and Map – remove Heritage Item I55*** In 2020, the landowner demolished Local Heritage Item I55 – Single storey residence at 25 Station Street, Dundas (Lot 1, DP 215527) with development approval (DA/899/2016). Therefore, the listing of the site in the PLEP 2023 Heritage Map and Schedule is no longer valid or required and can be removed to ensure accuracy of the schedule and map.

Proposed amendment	Amend Schedule 5 Environmental heritage, Part 1 Heritage items					
	Suburb	**Item name**	**Address**	**Property description**	**Significance**	**Item no**
	~~Granville~~	~~Single storey residence~~	~~25 Station Street~~	~~Lot 1, DP 215527~~	~~Local~~	~~I55~~
Proposed map amendment	Amend the Heritage Map for the subject site in line with the below:					
	Current			**Proposed**		

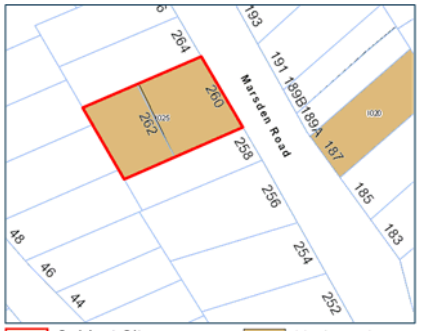
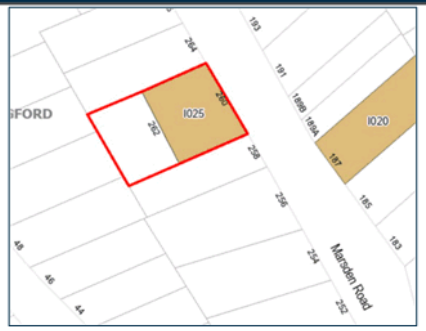
#	Subject land or relevant clause	Nature of Change
		 
6.	7 Galloway Street, North Parramatta (Lot 1, DP 1277626)	***Amend the Heritage Schedule and Map – remove Heritage Item I332*** In 2018, Local Heritage Item I332 – 'Single storey residence' at 7 Galloway Street, North Parramatta (Lot 1, DP 1277626) was demolished with development approval (DA/371/2018). Therefore, the listing of the site in the PLEP 2023 Heritage Map and Schedule is no longer valid or required and can be removed to ensure accuracy of the schedule and map.

Proposed amendment	Amend Schedule 5 Environmental heritage, Part 1 Heritage items					
	Suburb	**Item name**	**Address**	**Property description**	**Significance**	**Item no**
	~~North Parramatta~~	~~Single storey residence~~	~~7 Galloway Street~~	~~Lot 1, DP 127064~~	~~Local~~	~~I332~~
Proposed map amendment	Amend the Heritage Map for the subject site in line with the below:					
	Current			**Proposed**		

#	Subject land or relevant clause	Nature of Change
		 
7.	260 and 262 Marsden Road (Lots 52 and 51, DP 1256234)	***Amend the Heritage Schedule and Map – amend Heritage Item I25*** In 2006, the subject site was subdivided into two parcels (DA/169/2006). The two parcels are 262 Marsden Street and 260 Marsden Street (Lots 51 and 52, DP 1256234). This subdivision was supported by a Statement of Heritage Impact prepared by Comber Consultants in February 2006, which detailed the lack of heritage significance of the rear yard and ability of the site to support additional dwellings without compromising the heritage significance of the Local Heritage Item I25 – 'Brick house' at the front. As a result of this subdivision, the heritage item is now wholly located on 260 Marsden Road, however 262 Marsden Road remains incorrectly identified in the PLEP 2023 Heritage Map and Heritage Schedule. It was also identified that the property description within Schedule 5 was incorrect for the item. In light of the above, the heritage schedule and map needs to be updated to remove 262 Marsden Road from the listing to ensure accuracy of the schedule and map.

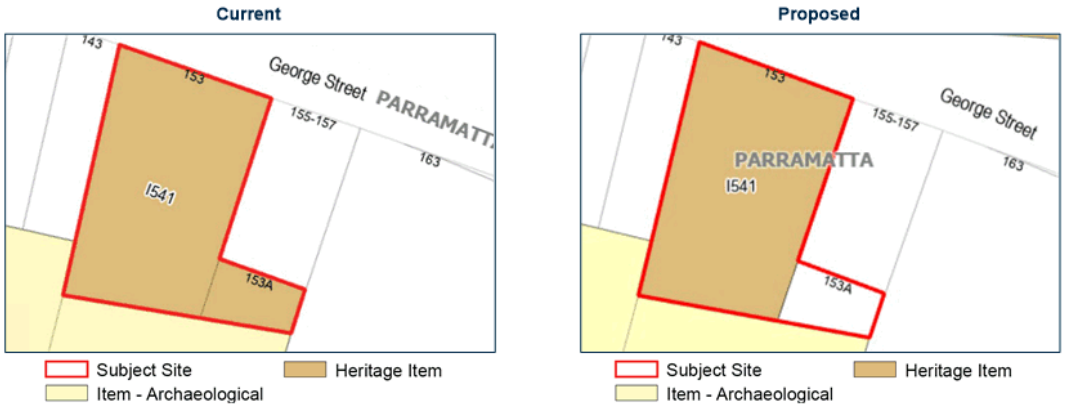
Proposed amendment	Amend Schedule 5 Environmental heritage, Part 1 Heritage items					
	Suburb	**Item name**	**Address**	**Property description**	**Significance**	**Item no**
	Carlingford	Brick house	~~262~~ 260 Marsden Road	~~Lot 4, DP 128360~~ Lot 52, DP 1256234	Local	I25
Proposed map	Amend the Heritage Map for the subject site in line with the below:					
	Current			Proposed		

13

#	Subject land or relevant clause	Nature of Change
		amendment  
8.	**64 Hughes Avenue, Ermington (Lot 1, DP 128574)**	***Amend the Heritage Schedule – amend Heritage Item I64*** On 11 February 2019, Council resolved to prepare a comprehensive report on the cultural significance of the heritage item on 64 Hughes Avenue, Ermington. The review determined that the Bulla Cream Dairy factory building is of little heritage significance and could be suitable for redevelopment. However, the main house, billiards room in outbuilding, grounds, gardens, and three canary island date palms were considered to have high heritage significance and should be retained8/07/2024 and conserved. On 11 Jube 2019, Council resolved to amend the name of I164 from Bulla Cream Dairy to Willowmere – house, billiards room, grounds, gardens and three mature Canary Island date palm (Phoenix Canarenis) in line with the findings of the heritage review. See Item 15.3 *Minutes of Council Meeting – 11 June 2019* and therefore the item name can be amended to ensure accuracy of the schedule **Proposed amendment** Amend Schedule 5 Environmental heritage, Part 1 Heritage items

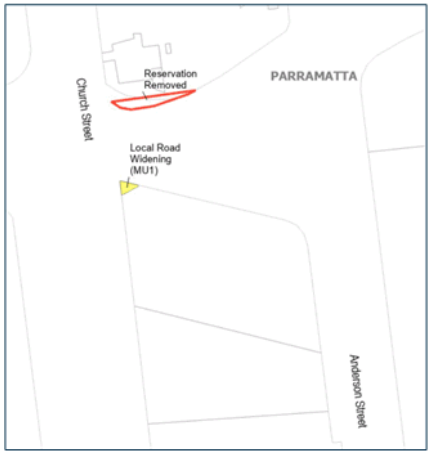
Suburb	Item name	Address	Property description	Significance	Item no
Ermington	~~Bulla Cream Dairy~~ Willowmere – house, billiards room, grounds, garden and three mature Canary Island date palms (Phoenix Canarenis)	64 Hughes Avenue	Lot 1, DP 128574	Local	I151

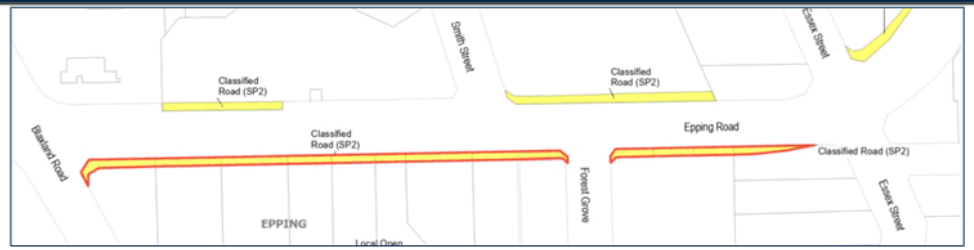
9.	153 George Street (Lot 30, DP 1285977) and 153A	***Amend the Heritage Schedule and Map – amend Heritage Item I541*** During the preparation of the Parramatta DCP 2023, inconsistencies in the PLEP 2023 heritage mapping and the name for the Local Heritage Item I541 – 'Tara, also known as Ellengowan' at 153 and 153A George Street were identified by the Heritage Advisory Committee.

<table>
<tr><th>#</th><th>Subject land or relevant clause</th><th>Nature of Change</th></tr>
<tr><td></td><td>George Street (Lot 2, DP 1257603)</td><td>153A George Street, Parramatta is incorrectly mapped on the Heritage Map as part of Heritage Item I541. The two storey Georgian house that the listing is attributed to is located solely at 153 George Street, Parramatta and therefore 153A George Street should be removed from the Heritage Map. Additionally, the name of the Heritage Item needs to be updated from Tara, also known as Ellengowan to Tara, also known as Ellangowan and the property description must be updated to Lot 30, DP 1285977. It was also identified that the property description within Schedule 5 was incorrect for the item. Therefore, amendments are needed to the schedule and map to ensure accuracy of the PLEP 2023.
<table>
<tr><td>Proposed amendment</td><td>Amend Schedule 5 Environmental heritage, Part 1 Heritage items
<table>
<tr><th>Suburb</th><th>Item name</th><th>Address</th><th>Property description</th><th>Significance</th><th>Item no</th></tr>
<tr><td>Parramatta</td><td>~~Ellengowan~~Ellangowan</td><td>153 George Street</td><td>~~Lot 1, DP 182726~~
Lot 30, DP 1285977</td><td>Local</td><td>I151</td></tr>
</table></td></tr>
<tr><td>Proposed map amendment</td><td>Amend the Heritage Map for the subject site in line with the below:

</td></tr>
</table></td></tr>
<tr><td>10.</td><td>88 Church Street, Parramatta (SP 95239)</td><td>Amend the Land Reservation Acquisition Map to remove 88 Church Street, Parramatta

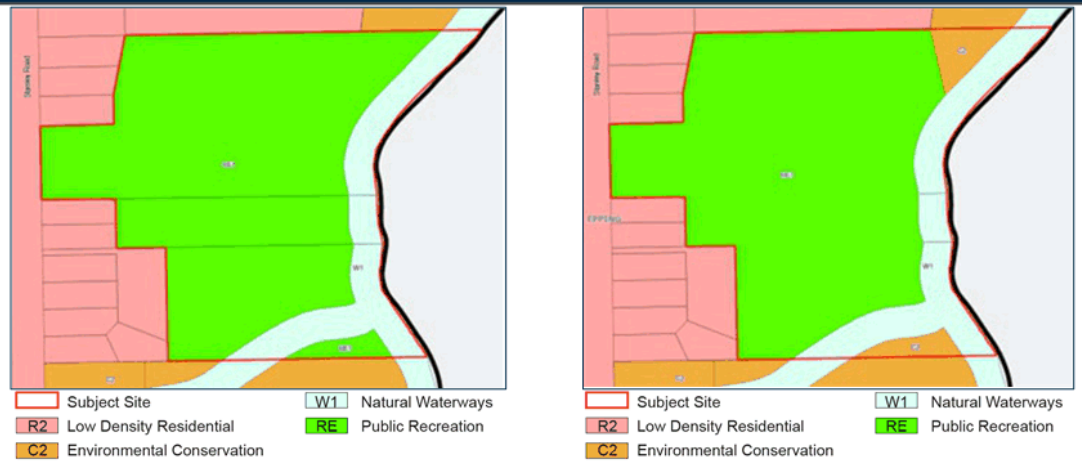
Land on the south-western corner of 88 Church Street, Parramatta (SP 95239) is identified on the Land Reservation Acquisition (LRA) Map for local road widening, which was intended to improve traffic circulation at the corner of Parkes Street and Church Street, Parramatta. The land was dedicated to Council as part of a mixed-use development scheme that delivered the road widening to improve sight lines for oncoming vehicles and convenience for turning traffic.

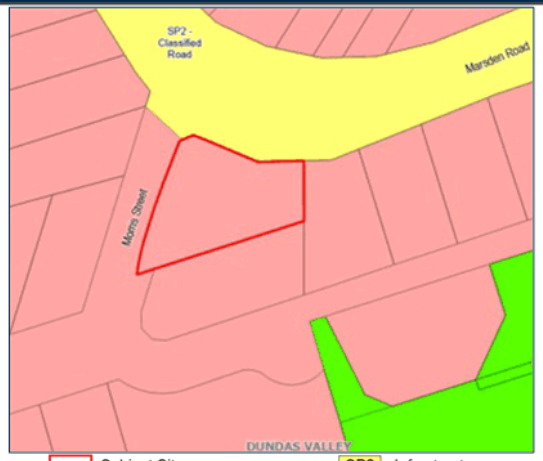
Therefore, the LRA annotation at 88 Church Street is no longer required and can be removed to improve the technical accuracy of the LRA Map.</td></tr>
</table>

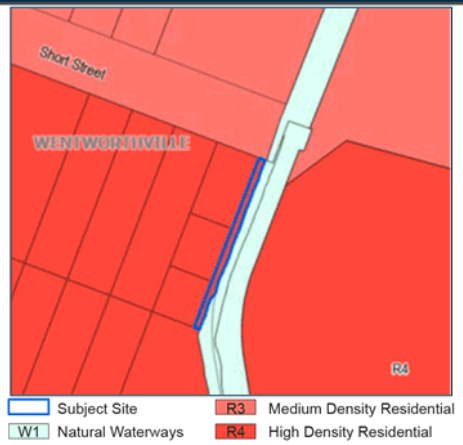
#	Subject land or relevant clause	Nature of Change	
		Proposed map amendment	Amend the Land Reservation Acquisition Map for the subject site in line with the below: **Current** **Proposed** 
11.	13 lots along Epping Road, Epping between Blaxland Road and Essex Street (Lot 11 DP 1204058; Lot 5, DP 1204059; Lots 9 and 10, DP	***Amend the Land Reservation Acquisition Map to remove land along Epping Road, Epping*** 13 lots along the south side of Epping Road between Blaxland Road and Essex Street are currently identified as 'Classified Road SP2' on the PLEP 2023 Land Reservation Acquisition (LRA) Map, with Transport for NSW as the relevant acquisition authority. This was to deliver an additional west-bound lane to assist in improving traffic movements through the Epping Strategic Centre. The additional lane was delivered via Epping Road Widening Project that was completed in July 2018 by Roads and Martine Services (now known as Transport for NSW). The delivery of the additional lane means that the land's inclusion on the LRA map is no longer required and can be removed to improve the technical accuracy of the LRA Map. **Proposed map amendment** — Amend the Land Reservation Acquisition Map for the subject site in line with the below: **Current**	

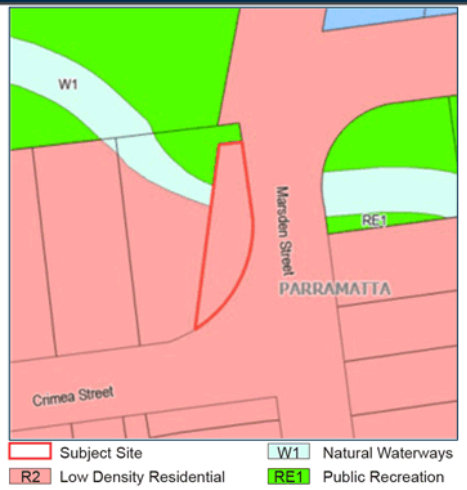
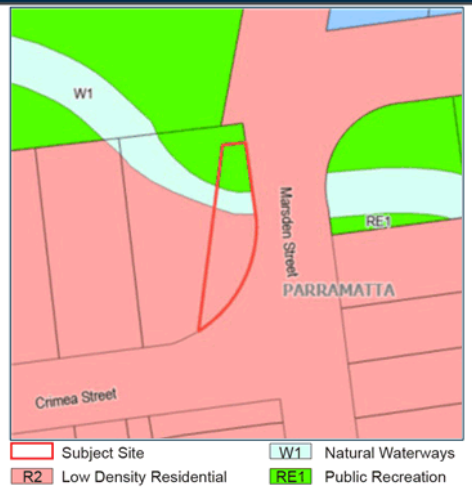
#	Subject land or relevant clause	Nature of Change
	1204060; Lots 13 and 14, DP 1204061; Lot 16, DP 1204062; Lot 20, DP 10385; Lot 6, DP 1204059; Lot 19, DP 1204063; Lot 3 and 4, DP 1204064; and Lot 20, DP 1204063)	 **Proposed**
12.		***Amend the Land Zoning Map – rezone from R4 High Density Residential or R2 Low Density Residential to SP2 Classified Road*** In line with Item 11 above, the identified parcels that are no longer required to be included on the LRA Map are required to be appropriately rezoned from R4 High Density Residential or R2 Low Density Residential to SP2 Classified Road, in line with the zoning of Epping Road. This zoning change will ensure the sites are zoned for their intended long term use, and will improve the technical accuracy of the Land Zoning Map. **Proposed map amendment**: Amend the Land Zoning Map for the subject site in line with the below: **Current**

#	Subject land or relevant clause	Nature of Change
		 Proposed
13.	Part of Dence Park (Lot 1, DP 1083761 and Lot 1, DP 441025)	***Amend the Land Zoning Map – rezone from RE1 Public Recreation to C2 Environmental Conservation*** It is proposed to rezone two areas within Dence Park, Epping (part of Lot 1, DP 1083761 and part of Lot 1, DP 441025) from RE1 Public Recreation to C2 Environmental Conservation. The zoning change will ensure the environmental significant of the land is recognised and protected, and will assist with delivering a consistent riparian corridor in alignment with the existing wider Terry Creek corridor. This zoning change will ensure the sites are zoned for their intended long term use, and will improve the technical accuracy of the Land Zoning Map. **Proposed map amendment**: Amend the Land Zoning Map for the subject site in line with the below: **Current** **Proposed**

#	Subject land or relevant clause	Nature of Change
		
14.	228 Marsden Road, Carlingford (Lot 1, DP 1284636)	***Amend the Land Zoning Map – rezone from SP2 Infrastructure to R2 Low Density Residential*** In 2021, part of Morris Street, Carlingford was closed and subdivided to create 2R Morris Street (Lot 10, DP 1273153). This was then privately acquired and consolidated with 228 Marsden Street in 2022. However, the partial SP2 Infrastructure zoning of the previous 2R Morris Street currently remains at the northern end of the site, resulting in a split zoning of SP2 Infrastructure and R2 Low Density Residential. The rezoning is required to resolve a zoning anomaly resulting from this subdivision and subsequent consolidation. As the land is now privately owned and forms part of the residential lot at 228 Marsden Street, it is appropriate to apply to R2 Low Density Residential zoning across the whole site. This zoning change will ensure the site is zoned for its intended long term use and will improve the technical accuracy of the Land Zoning Map. **Proposed map amendment**: Amend the Land Zoning Map for the subject site in line with the below: **Current** **Proposed**

#	Subject land or relevant clause	Nature of Change
		
15.	17B Short Street, Wentworthville (Lot 2, DP 547478)	***Amend the Land Zoning Map – rezone from R4 High Density Residential to W1 Natural Waterway*** On 27 August 2019, Council received a request from Sydney Water to rezone several sites currently used as water and/or sewerage infrastructure. This rezoning request is to align the site zoning with the permanence of the infrastructure, and to provide clarity to the current and intended use of the land. As part of this, it was identified that the R4 High Density Residential zoning of 17B Short Street, Wentworthville does not appropriately reflect the lands function as a stormwater channel. It is proposed to rezone the land from R4 High Density Residential to W1 Natural Waterway to ensure the site is zoned for its intended long term use. This will improve the technical accuracy of the Land Zoning Map. **Proposed map amendment** — Amend the Land Zoning Map for the subject site in line with the below: **Current** **Proposed**

#	Subject land or relevant clause	Nature of Change
		
16.	2A Crimea Street, Parramatta (Lot 1, DP 745112)	***Amend the Land Zoning Map – partially rezone from R2 Low Density Residential to RE1 Public Recreation and W1 Natural Waterways*** In line with Item 15 above, it was identified that the R2 Low Density Residential zoning of 2A Crimea Street, Parramatta does not appropriately reflect its function as a water main and stormwater channel. Similarly, the current zoning of the site does not reflect its relationship to the adjoining Ollie Webb Reserve and Clay Cliff Creek. It is proposed to rezone part of the land from R2 Low Density Residential to part RE1 Public Recreation and part W1 Natural Waterway to ensure the site is zoned for its intended long term use. This will improve the technical accuracy of the Land Zoning Map. **Proposed map amendment**: Amend the Land Zoning Map for the subject site in line with the below: **Current** **Proposed**

#	Subject land or relevant clause	Nature of Change
		 
17.	Part of 431 Church Street (Lot 1 and B, DP 998949), 435 Church Street (Lot 1, DP 631527) and 17 Villiers Street (Lot 9, DP 73283)	***Amend the Height of Building Map – reduce height from part 15m and 24m to 0m*** As part of proposed new special area controls in the Draft Church Street North Precinct DCP Amendment, a part of the block on the western side of Church Street between Harold Street and Fennell Street has been identified as a location for a future civic space due to its proximity to the Parramatta Light Rail stop (see Figure 2). The affected sites are also predominately in either Council or State Government ownership and may be delivered alongside community floorspace.

#	Subject land or relevant clause	Nature of Change

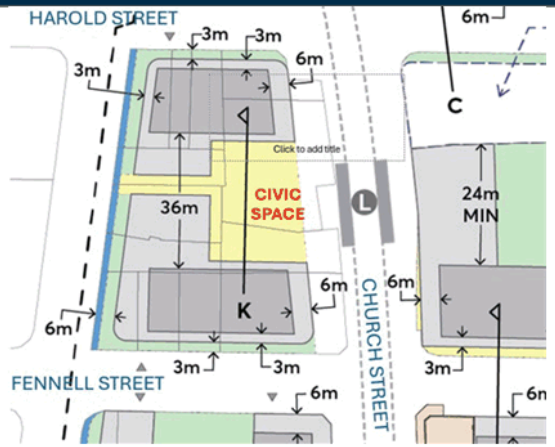


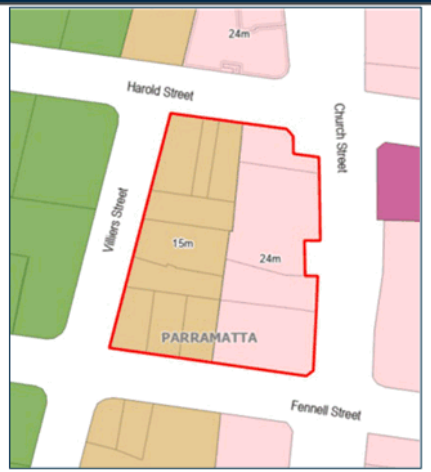
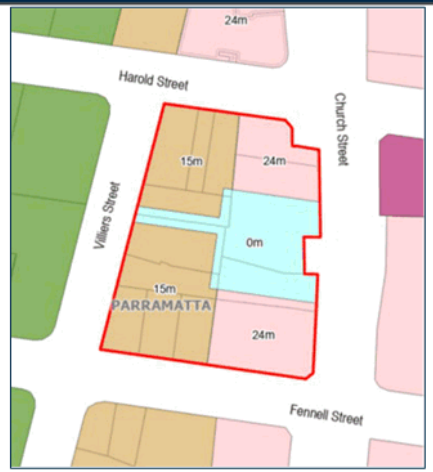
Figure 2: Excerpt from the Church Street North DCP showing planned civic space

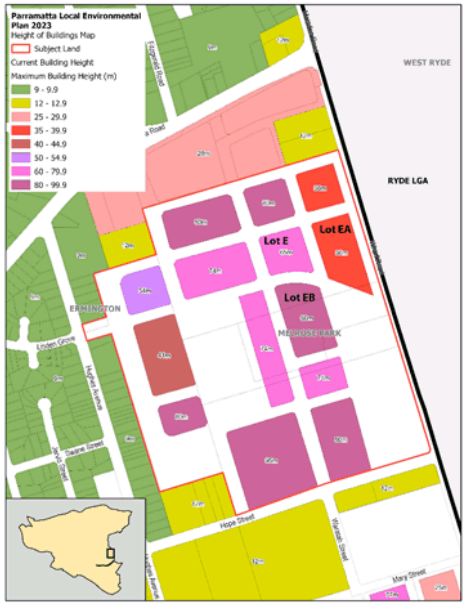
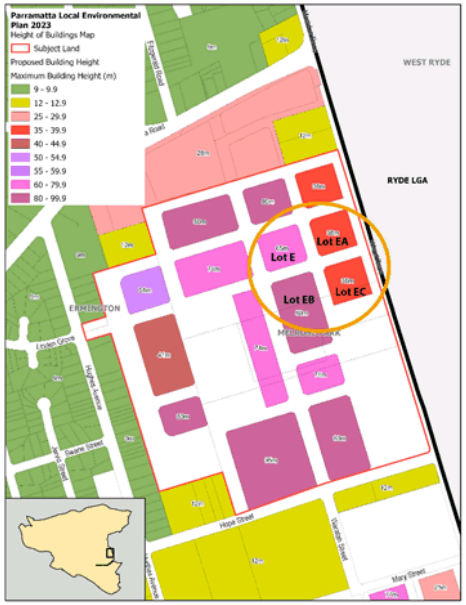
The *Parramatta Community Infrastructure Strategy 2020* identifies the need for 1,500m^2 of multi-purpose community space in this locality and notes an open space deficit proportionate to the anticipated population growth for this area. This civic space does not hinder the achievement of the forthcoming FSR control on either landholding as per *State Environmental Planning Policy (Church Street North Precinct) 2023* which takes effect from 1 July 2024.

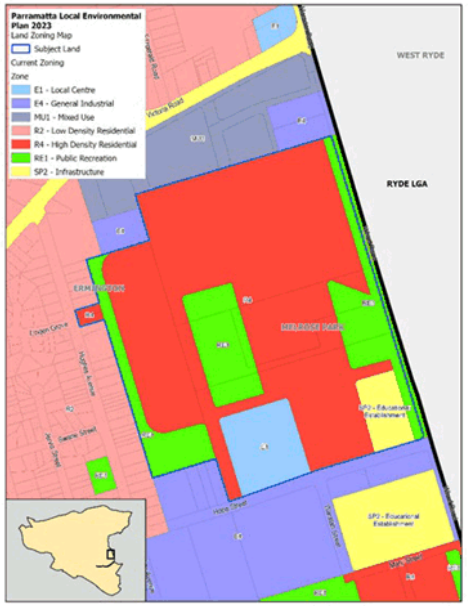
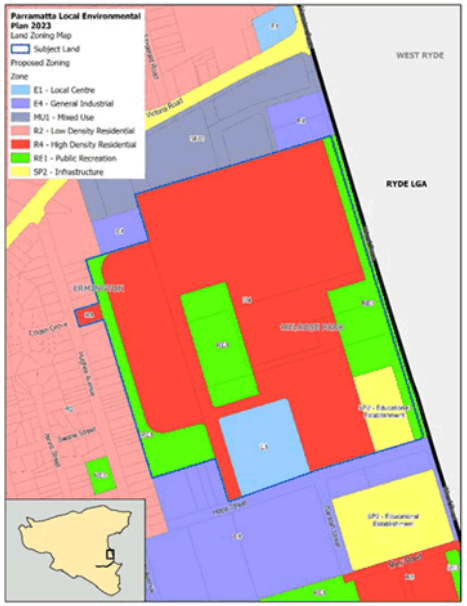
To assist with the delivery of this civic space, a 0m height limit is required to be applied via the PLEP 2023 Height of Buildings Map.

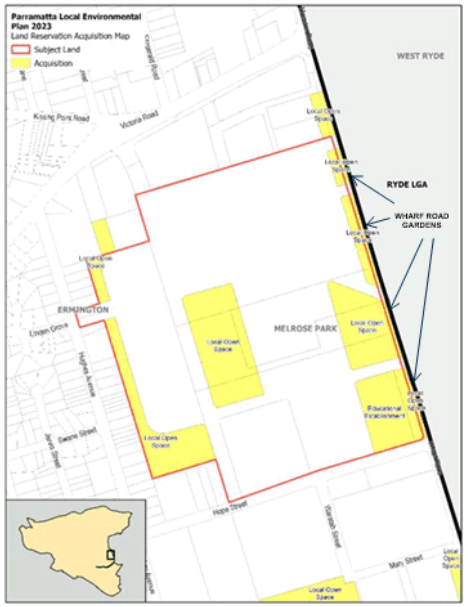
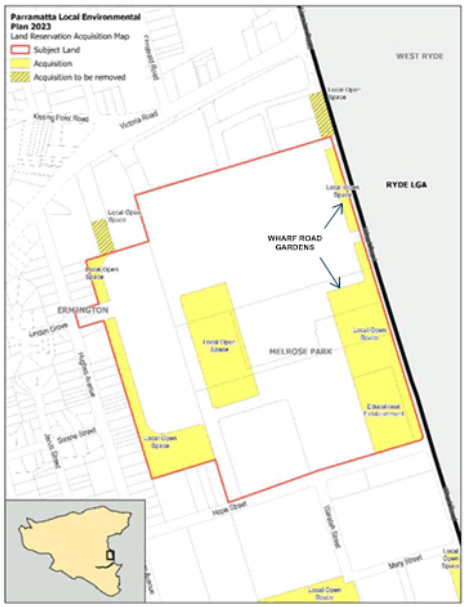
Transport for NSW (TfNSW), owner of the State Government land holding, has been informed of this proposal as part of the notification process for the Draft Church Street North Precinct DCP amendment exhibition period. As at the timing of writing this planning proposal, no response had been received from TfNSW in relation to the civic space proposal. TfNSW will also be consulted as part of the Housekeeping amendment, consistent with the statutory framework.

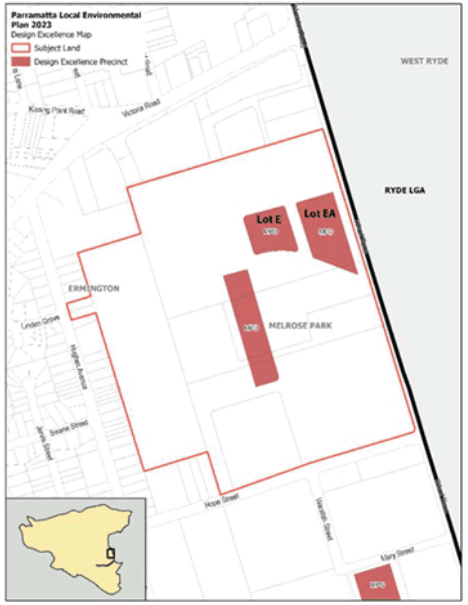
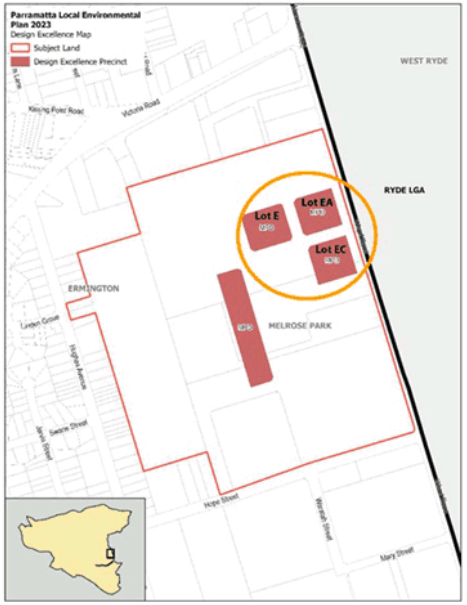
Proposed map amendment	Amend the Height of Building Map for the subject site in line with the below:	
	Current	**Proposed**

#	Subject land or relevant clause	Nature of Change
		 
18.	Melrose Park North	***Amend the street network for part of Melrose Park North for the Land Zoning Map, Land Reservation Acquisition Map, Design Excellence Map, and Height of Building Map*** The approval of the Melrose Park North Infrastructure DA (DA/1100/2021) requires minor amendments to the LEP mapping as the proposed street network has been reconfigured. The current LEP maps for Melrose Park North reflect the Melrose Park Master Plan in Parramatta DCP 2023 (prepared as part of the planning proposal). DA/1100/2021 partially modified the Masterplan's street network by straightening a proposed east-west street in relation to Wharf Road, and closing another prosed east-west street at Wharf Road. The realigned street network also resulted in a reconfigured subdivision layout. Consequently, the approved street network and subdivision layout for "Area 1" of Melrose Park North is now inconsistent with the existing LEP maps. The LEP mapping amendments would not alter the intent of the controls (such as open space and permissible gross floor area), but ensure the mapping is reflective of the existing development consent (DA/1100/2021) and improve the technical accuracy of the PLEP 2023. **Proposed map amendment**: Amend the Melrose Park street network within the following PLEP 2023 maps: **1. Height of Building Map** The proposed Height of Building map applies a 36m height limit to the new lot EC created by the realignment of road EWR-4. Lots EB (36m HoB control), EA (50m HoB control) and E (65m HoB control) have also been

#	Subject land or relevant clause	Nature of Change
		reconfigured. The total development yield has not changed. **Current** **Proposed**   **2. Land Zoning Map** The proposed Land Zoning map reconfigures the RE1 land and R4 land to accommodate the straightened street EWR-4. The quantum of developable (R4 zoned) land does not change. **Current** **Proposed**

#	Subject land or relevant clause	Nature of Change
		  **3. Land Reservation Acquisition Map** The proposed Land Reservation Acquisition map reconfigures affected land to reflect the realignment of EWR-4 and removal of the street between the school and the playing field. Additionally, the Local Open Space (Wharf Road Gardens) has slightly increased in size due to the closure of EWR-3. Land has also been removed from "Area 2" and "Area 3" as those controls have yet to come into effect. **Current** **Proposed**

#	Subject land or relevant clause	Nature of Change
		  **4. Design Excellence Map** The proposed Design Excellence Map reconfigures affected land to reflect the realignment of EWR-4 and newly created lot EC. The existing Design Excellence mapping applies to what was a trapezium shaped lot EA. DA/1100/2021 split lot EA into two rectangular lots – lot EA and (the new) lot EC. The proposed Design Excellence mapping applies to Lot EA and Lot EC to maintain the intent of the original controls. **Current** **Proposed**

#	Subject land or relevant clause	Nature of Change
		 
19	PLEP – Intensive Urban Development Area Map	***Delete the Intensive Urban Development Area Map*** On 1 October 2023, the *State Environmental Planning Policy Amendment (Housing and Productivity Contributions) 2023* was finalised by the State Government. As part of this, former Clauses 6.14, 7.27 and 8.11 of PLEP 2023 which referred to the Intensive Urban Development (IUD) Area Map were repealed however the IUD Area Map was retained. The Department of Planning, Housing and Infrastructure advised this was retained to assist in transitional arrangements and councils were to repeal the map as part of future LEP amendments. As such, the map can be repealed given no current clauses refer to the map, and any development applications lodged prior to 1 October 2023 can rely on the repealed PLEP 2023 and maps. This change will improve the technical accuracy of the PLEP 2023 by removing a redundant map layer. **Proposed amendment**: Delete the Intensive Urban Development Area Map

28

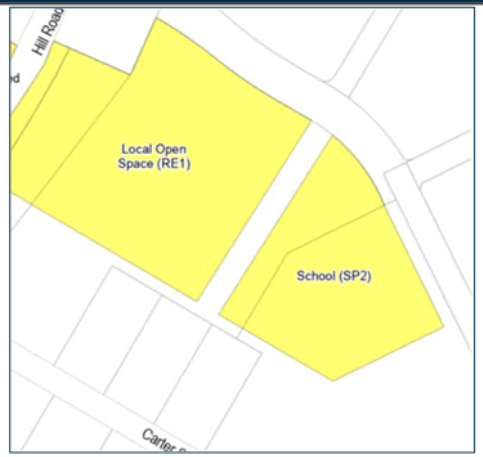
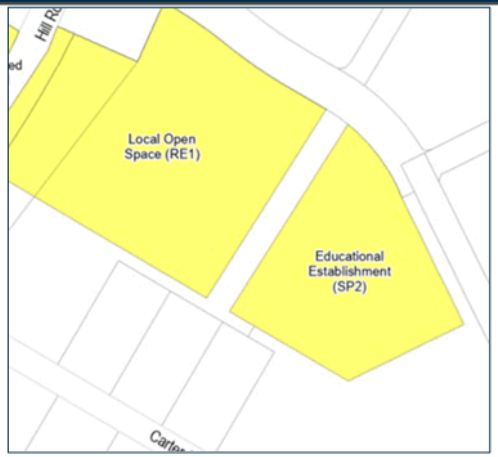
#	Subject land or relevant clause	Nature of Change
20.	PLEP – Clause 3.3 Environmentally sensitive areas and 6.3 Biodiversity	***Correct references to the Biodiversity Map within Clause 3.3(2) and 6.3(2)*** As part of the finalisation of the PLEP 2023 mapping, the Biodiversity layer was separated to the Biodiversity Map to address overlapping features with the Riparian Land and Waterways layer (which was retained as part of the Natural Resources Map). The respective LEP clauses were not subsequently updated to reflect the change in maps. An amendment is needed to rationalise inconsistent wording between the clauses and the labels of the associated mapping (i.e 'Biodiversity Map' is correct; not "land identified as 'Biodiversity' on the Natural Resources Map'). The map layers and names changed during the finalisation of the PLEP 2023, however, the change in names were not updated in the related clauses. To ensure consistency between the plan and the Biodiversity Map, updates to the wording of Clause 3.3(2)(ja), 6.3(2), and the Dictionary are required. This update will assist in navigation of the PLEP 2023 and ensure technical accuracy Amend Clauses 3.3(2) and 6.3(2) as follows: **3.3 Environmentally sensitive areas** (2) For the purpose of this clause – environmentally sensitive area for exempt or complying development means any of the following – (ja) land identified ~~as "Biodiversity"~~ on the ~~Natural Resources~~ Biodiversity Map. **6.3 Biodiversity** (2) This clause applies to land identified ~~as "Biodiversity"~~ on the ~~Natural Resources~~ Biodiversity Map. Insert the following definition into the Dictionary section of PLEP 2023:
21.	PLEP – Clause 4.1C Minimum subdivision lot size for dual occupancy	***Amend the title of Clause 4.1C to omit 'subdivision'*** The intent of Clause 4.1C is to prescribe a minimum lot size requirement for dual occupancy and manor houses. The title of this clause implies that the clause prescribes a minimum lot size for subdivision of dual occupancies and manor houses, whilst none of the provisions within the clause relate to subdivision. To rectify this anomaly, Council officers recommend to remove the word 'subdivision' from the title. This change will improve the technical accuracy of the PLEP 2023. **Proposed amendment**: Amend the title of Clause 4.1C in line with the below: **4.1C Minimum ~~subdivision~~ lot size for dual occupancy and manor houses**
22.	PLEP – Clause 5.1 Relevant Acquisition	***Amend Clause 5.1(2) and the Land Reservation Acquisition Map*** Council officers have reviewed this clause and associated mapping and identified label references that need to be updated within the clause and within the Land Reservation Acquisition Map. To rationalise inconsistent wording between the references in the clause and the

#	Subject land or relevant clause	Nature of Change
	Authority & Land Reservation Acquisition Map	Land Reservation Acquisition map, the following words must be updated: • 'local road' needs to be updated to 'local road widening', and • 'school' needs to be updated to 'educational establishment'. This subsequently needs to be amended on the Land Reservation Acquisition Map to improve consistencies between the map and the clause. These changes will improve the technical accuracy of the PLEP 2023.

Proposed amendment	Amend the table in Clause 5.1(2) as follows: **5.1 Relevant Acquisition Authority** (2) The authority of the State that will be the relevant authority to acquire land, if the land is required to be acquired under the owner-initiated acquisition provisions, is the authority of the State specified below in relation to the land shown on the Land Reservation Acquisition Map (or, if an authority of the State is not specified in relation to land required to be so acquired, the authority designated or determined under those provisions).

Type of land shown on Map	Authority of the State
Zone RE1 Public Recreation and marked "Local open space"	Council
Zone RE1 Public Recreation and marked "Regional open space"	The corporation constituted under Section 2.5 of the Act
Zone SP2 Infrastructure and marked "Classified road"	Transport for NSW
Zone C1 National Parks and Nature Reserves and marked "National Park"	Minister administering the *National Parks and Wildlife Act 1974*
Zone SP2 Infrastructure and marked "Local road widening"	Council
…	…
Zone SP2 Infrastructure and marked "~~School~~ Educational establishment"	Department of Education

Proposed map amendment	Update the LRA Map labelling within the Carter Street precinct in line with the below: **Current** **Proposed**

#	Subject land or relevant clause	Nature of Change
		 
23.	PLEP – Clause 5.1A Development on land intended to be acquired for public purposes	***Amend the table in Clause 5.1A(3) to include LRAs marked "Regional cycleway"*** Council officers have reviewed this clause and have identified LRAs marked "Regional cycleway" in the E2 Commercial Centre or MU1 Mixed Use zone that need to be included within the clause. This change will improve the technical accuracy of the PLEP 2023 and the Land Reservation Acquisition Map. To rationalise inconsistent wording between the land listed in the clause and the Land Reservation Acquisition Map, E2 or MU1 zoned land marked "Regional cycleway" are required to be identified in the table in Clause 5.1A(3).

Proposed amendment	Amend the table in Clause 5.1A(3) as follows:

Land	Development
Zone R4 High Density Residential and marked "Classified road"	Roads
Zone E1 Local Centre, Zone E2 Commercial Centre, Zone E3 Productivity Support, Zone MU1 Mixed Use of Zone R2 Low Density Residential and marked "Local road widening"	Roads
Zone SP2 Infrastructure and marked "Classified road"	Roads
Zone SP2 Infrastructure and marked "Public transport"	Roads
Zone RE1 Public Recreation and marked "Local open space"	Recreation areas
Zone RE1 Public Recreation and marked "Regional open space"	Recreation areas
Zone C2 Environmental Conservation and marked "Local environmental conservation"	Environmental facilities
Zone E2 Commercial Centre or MU1 Mixed Use and marked	Regional

31

#	Subject land or relevant clause	Nature of Change
		"Regional cycleway" cycleways
24.	PLEP – Clause 6.12 Ground floor development in Zone E1, 7.10 Active Frontages, and 8.4 Active street frontages in Zone E1	***Clarify "active uses" in Clause 6.12, 7.10 and 8.4*** Clauses 6.12, 7.10, and 8.4 have the objective of delivering ground floor activation within the respective precincts and/or zones where the clauses apply. The clauses are to provide non-residential uses that would attract pedestrian traffic and interaction between the public domain and the ground floor at street level. Additional wording is proposed to assist in ensuring active uses are provided on the ground floor due to the difficulty in defining explicitly what land uses constitute an 'active use' or deliver 'active frontages'. For example, requiring non-residential or commercial uses on the ground floor could result in carparks or hotel and motel accommodation which strictly comply with the requirement for non-residential or commercial uses but do not deliver the intended 'active uses' along the ground floor. As such, additional wording is proposed to assist in the development assessment process for both the relevant planning authority and the applicant. These changes will assist in delivering on the policy intent of the clauses during the development assessment process. **Proposed amendment**: Amend Clauses 6.12(2), 7.10(3), and 8.4(3) as follows: **6.12 Ground floor development in Zone E1** (2) Development consent must not be granted to the erection of a building, or a change of use of a building, on land in Zone E1 Local Centre unless the consent authority is satisfied the part of the ground floor of the building that faces a street – (a) will not be used for the purposes of residential accommodation or serviced apartments, and (b) will provide for uses and building design elements that encourage interaction between the inside of the building and the external public areas adjoining the building. **7.10 Active frontages** (3) Development consent must not be granted to the erection of a building, or the change of use of a building, on the land unless the consent authority is satisfied the building will have an active frontage for the part of the ground floor of the building facing the street, river or a public space and the ground floor- (a) will not be used for the purposes of residential accommodation or serviced apartments, and (b) will provide for uses and building design elements that encourage interaction between the inside of the building and the external public areas adjoining the building. **8.4 Active street frontages in Zone E1** (3) Development consent must not be granted to the erection of a building, or a change of use of a building, on the land unless the consent authority is satisfied the building will have an active street frontage and the ground floor – (a) will not be used for the purposes of residential accommodation or serviced apartments, and (b) will provide for uses and building design elements that encourage interaction between the inside of the building and the external public areas adjoining the building.
25.	PLEP – Clause 6.20 Height of buildings for	***Amend Clause 6.20(1) to (2) to omit references to mapping colour*** Clause 6.20 of PLEP 2023 refers to "land shown edged light blue" and "land shown edged heavy blue" on the Height of Buildings map. Under the previous tiled PDF maps, these areas (respectively labelled as "Area A" and "Area B") were additionally differentiated by light or

#	Subject land or relevant clause	Nature of Change
	certain land in Telopea Precinct	heavy blue edging. However, this graphical variation is not reflected on the PLEP 2023 maps via the digital EPI viewer. As the clause uses both colour references and labels to identify the applicable areas, it is considered appropriate to delete the colour references from the clause and rely on the "Area A" and "Area B" labelling instead given the mapping limitations. As the labels are unique identifiers on the HOB map for PLEP 2023, differentiating by colour is not required. These changes will remove unnecessary wording from the clauses and improve their interpretation when referring to the Height of Building map. **Proposed amendment** Amend Clauses 6.20(1) and (2) as follows: **6.20 Height of buildings for certain land in Telopea Precinct** (1) The following maximum height applies to a building on land ~~shown edged light blue and~~ identified as "Area A" on the Height of Buildings Map if development involving the erection of the building includes the provision of a footpath or road, at least 8m wide, between Benaud Place and Evans Road, Telopea – (2) The height of a building on land ~~showed edged heavy blue and~~ identified as "Area B" on the Height of Buildings Map may exceed the maximum height shown for the land on the Height of Buildings Map by 5m if the consent authority is satisfied the ground floor of the building will be used for one or more of the following purposes –
26.	PLEP – Clause 6.21 Floor Space Ratio for certain land	***Amend Clause 6.21(1) to(3) to omit references to mapping colour*** Clause 6.21 of PLEP 2023 refers to "land shown edged light blue", "land shown edged heavy blue", and "land shown edged heavy pink" on the FSR map. Under the previous tiled PDF maps, these areas (respectively labelled as "Area A", "Area B", and "Area C") were additionally differentiated by light or heavy blue edging and heavy pink edging. However, this graphical variation is not reflected on the PLEP 2023 maps via the digital EPI viewer. As the clause uses both colour references and labels to identify the applicable areas, it is considered appropriate to delete the colour references from the clause and rely on the "Area A", "Area B", and "Area C" labelling instead given the mapping limitations. As the labels are unique identifiers on the FSR map for PLEP 2023, differentiating by colour is not required. These changes will remove unnecessary wording from the clauses and improve their interpretation when referring to the FSR map. **Proposed amendment** Amend Clauses 6.21 as follows **6.21 Floor space ratio for certain land in Telopea Precinct** (1) The following maximum floor space ratio applies to a building on land ~~shown edged light blue and identified~~ as "Area A" on the Floor Space Ratio Map if development involving the erection of the building includes the provision of a footpath or road, at least 8m wide, between Benaud Place and Evans Road, Telopea – (2) The floor space ratio for a building on land ~~shown edged heavy blue and~~ identified as "Area B" on the Floor Space Ratio Map may exceed the floor space ratio shown for the land on the Floor Space Ratio Map if the consent authority is satisfied the additional floor space will be used for community facilities. (3) The maximum floor space ratio for a building on land ~~shown edged heavy pink and~~ identified as "Area C" on the Floor Space Ratio Map is 2:1 if the site area is at least 2,000m^2.

#	Subject land or relevant clause	Nature of Change
27	PLEP – Part 6 Additional local provisions	***Insert new provisions as Clause 6.24 Mix of dwelling sizes in residential flat buildings and shop top housing*** Council officers have identified the need for an additional clause prescribing dwelling mix within residential flat buildings and shop top housing with at least 10 dwellings across the LGA. The additional clause is required to ensure a range of dwelling sizes are delivered in new high-density developments. According to the ABS, in City of Parramatta, the predominant household type is couples with children, which account for 35.5% of all households. In total, 44.5% of households have at least one child. In addition, 32.7% of families are living in high density development, which is significantly higher than that in Greater Sydney (14.2%). Therefore, high density developments must cater for larger households, such as families with children, through ensuring the adequate provision of three or more bedroom apartments. The clause will assist in accommodating for the diverse household compositions within the LGA and help promote a dwelling supply that can respond to the changing needs of the population. The need for the clause has been triggered by recent development outcomes resulting from both Development Applications and State Significant Development (SSD) (particularly for Build-To-Rent (BTR)). Currently in the context of the City of Parramatta, dwelling mix controls are contained within the PDCP 2023 and include percentage ranges across one-, two-, and three-bedroom dwellings. The control as it stands in the PDCP 2023 gives unfitting flexibility in the dwelling mix requirements, and has less statutory weight in the assessment process compared to the PLEP 2023. As a result, council officers have identified that recent DAs and SSDs have proposed a dwelling mix that does not comply with the PDCP 2023 requirements. For example, the SSD for 39-43 Hassall Street, Parramatta was for a BTR development where 49.75% were studio/1-bedroom apartments; 48.2% were 2-bedroom apartments; and only 1.4% were 3-bedroom apartments, which does not provide a balanced dwelling mix. Development trends indicate that the current drafting and flexibility inadvertently embedded in the PDCP 2023 controls allows applicants to deliver a dwelling mix that maximise dwelling yield (and subsequently sales) by delivering predominantly one- and two-bedroom apartments versus delivering a dwelling mix to cater for all household types. This is particularly evident with BTR developments delivered via the SSDs process which have demonstrated low compliance with the PDCP 2023 and deliver a high number of one bedroom/studio apartments. The low compliance with the PDCP 2023 requirement has led to a significant loss of 3-bedroom units in high density developments in the LGA. This is problematic as housing market and demographic studies indicate that the current dwelling mix in high density developments does not reflect the household composition in the City of Parramatta LGA. There are limited 3-bedroom units (also considered as family-sized units) available to support the needs of families with children, which is the predominant household type in the LGA.

#	Subject land or relevant clause	Nature of Change

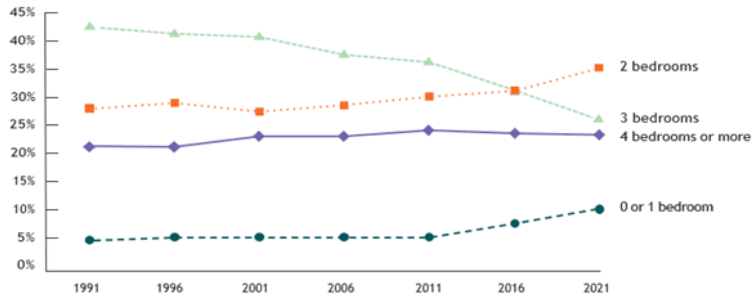


Figure 3: Number of bedrooms per dwelling in Parramatta LGA 1991-2021 (Source: ABS Census)

In order to ensure a suitable dwelling mix for the current and future population of the City of Parramatta, dwelling mix controls need to be elevated from the PDCP 2023 into the PLEP 2023 to increase adherence as part of the development assessment process. Adding the dwelling mix requirements in PLEP 2023 will help safeguard housing diversity in the LGA more efficiently. The additional clause will also affirm Council's role in providing a diversity of housing sizes to meet community needs into the future as per the Local Strategic Planning Statement 2036, as well as ensuring access to quality and affordable housing that accommodates the needs of all household types as per the Draft Social Sustainability Strategy 2024-2033.

It is noted that other LEPs within the Greater Sydney Region (including Canada Bay LEP 2013, Inner West LEP 2022, The Hills LEP 2019) contain dwelling mix controls providing statutory precedence for this policy being elevated from council DCPs.

Proposed amendment	Insert the following in Part 6 Additional local provisions:

6.24 Mix of dwelling sizes in residential flat buildings and shop top housing

(1) The objectives of this clause are to promote residential development across the Parramatta Local Government Area that provides for –

(a) Delivery of a mix of dwelling sizes to promote housing diversity with the City of Parramatta.

(b) Encourage developments that can accommodate diverse household types and the changing needs of households within the City of Parramatta.

(2) This clause applies to development for the following purposes that results in at least 10 dwellings –

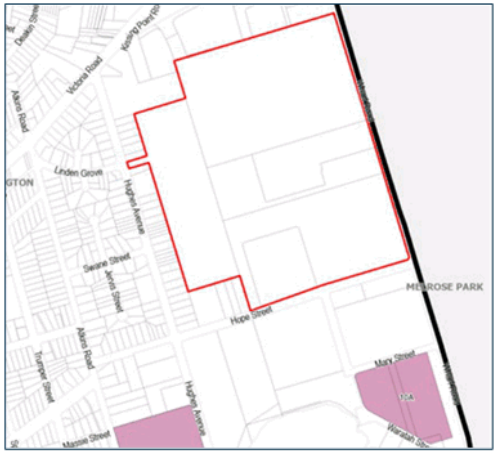
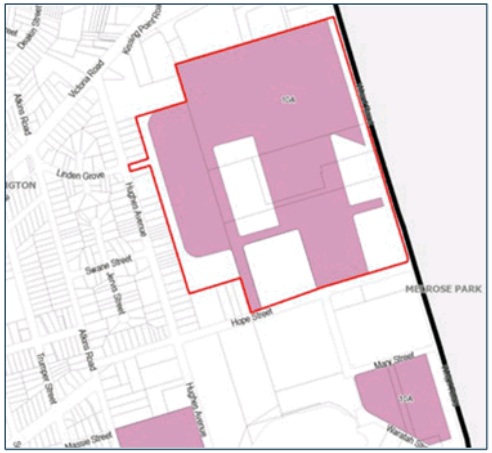
(a) residential flat buildings, and

(b) shop top housing.

(3) Development consent must not be granted under this clause unless the consent authority is satisfied that –

#	Subject land or relevant clause	Nature of Change
		(a) at least 15% of dwellings, rounded to the nearest whole number of dwellings, in the development to be 3 or more bedrooms (b) no more than 75% of dwellings, rounded down to the nearest whole number of dwellings, in the development to be 2 bedrooms, and (c) at least 10% of dwellings, rounded up to the nearest whole number of dwellings, in the development to have 1 bedroom/studio.
28.	PLEP – Clause 7.17 Car parking – General	***Amend Clause 7.17(2) to omit reference to buildings with a GFA <2,000m2*** This clause provides parking rates for specific land uses for parts of the Parramatta City Centre. The existing wording of the table in subclause 7.17(2) applies the maximum number of car parking spaces for the development of retail premises with a total gross floor area of 2,000m2 or less. This means that any development for retail premises over 2,000m2 would not currently be subject to the parking requirement and requires the preparation of a Parking and Access Report as a merit-based assessment to determine parking requirements. Council officers have identified that it is necessary to revoke the 2,000m2 limit and amend the clause to ensure that parking requirements are clearly applicable regardless of gross floor area. Further, in reviewing this clause, Council officers have also considered the recent changes by City of Sydney to Clause 7.7 whereby a similar amendment has been made to remove the maximum limit of 2,000m2 for retail development. This change will remove any ambiguity around parking rates for development for retail premises over 2,000m2 and ensure consistency in parking rates that are applied. This will improve the interpretation and application of the clause during the development assessment process. **Proposed amendment**: Amend the table in Clause 7.17(2) as follows: **7.17 Car Parking – General** (2) The maximum number of car parking spaces, including existing car parking spaces, for development to which this clause applies is the number calculated for the land use in accordance with the following table— Retail premises: ~~For a building with no more than 2,000m2 of gross floor area used for retail premises –~~ a) If the building has a floor space ratio of no more than 3.5:1 – 1 space for every 90m2 of gross floor area, or b) otherwise – as calculated using the car parking formula
29.	PLEP – Clause 7.25 High performing building design	***Amend Clause 7.25(4)(c)(i) to (ii) to clarify 'room' in the context of hotel, motel, and serviced apartments*** The use of the words 'per room' in Clause 7.25 of PLEP 2023 makes it unclear as to whether the requirement applies per bedroom or per unit of a hotel, motel, or serviced apartment. To ensure that the clause is correctly applied to certain types of development, minor changes are proposed to replace the word 'room' with 'hotel or motel room or serviced apartment'. For example, this means that for the purpose of applying this subclause, a hotel room with 3 bedrooms is classified as a single hotel room. This change will remove any ambiguity around calculating energy targets for developments and ensure consistency of application during

#	Subject land or relevant clause	Nature of Change
		the development assessment process. **Proposed amendment**: Amend Clauses 7.25 as follows: **7.25 High performing building design** (c) the part of a building used for the purposes of hotel or motel accommodation or serviced apartments is capable of achieving the following— (i) a maximum energy target of 5,220kg CO2e per hotel or motel room or serviced apartment each year, (ii) a maximum water target of 76.1kL per hotel or motel room or serviced apartment each year.
30.	Existing Places of Public Worship	***Amend the Additional Permitted Use Schedule and Map to include Places of Public Worship*** Council recommends to permit places of public worship (PoPW) as an Additional Permitted Use for existing PoPW in the R2 Low Density Residential zone. This allows the expansion and/or redevelopment of existing sites beyond the limitations of existing use rights and ensures that any new PoPW is developed in other residential or employment zones, which are considered to be more suitable to the increased traffic and noise likely to be generated by the land use. The proposed change will only apply to existing PoPW that are currently operating on land zoned R2 and require amendments to identify specific land in the APU schedule and APU Map. Refer to **Attachment 4 – Review of the Permissibility of Places of Public Worship in the R3 Low Density Residential zone**. **Proposed amendment**: Insert the following clause into Schedule 1 Additional permitted uses **25 Use of certain R2 Low Density Residential zones land for the purposes of Places of Public Worship** (1) This clause applies to land identified as "21" on the Additional Permitted Uses Map. (2) Development for the purposes of Places of Public Worship is permitted with development consent **Proposed map amendment**: Refer to **Attachment 4 – Review of the permissibility of Places of Public Worship in the R2 Low Density Residential zone** to the 16 July 2024 Local Planning Panel report for the indicative location of Places of Public Worship within City of Parramatta. [TO BE INSERTED FOLLOWING COUNCIL RESOLUTION ON 12 AUGUST 2024].
31.	R4 zoned land in Melrose Park North	***Amend Schedule 1 and the Additional Permitted Uses Map to allow food and drink premises in R4 zoned land in Melrose Park North*** In June 2022, the Melrose Park North Planning Proposal was finalised by the then Department of Planning and Environment. This planning proposal sought to enable the transition from industrial land to a mixed use urban renewal (in line with its identification as a Growth Precinct in the LHS and ELS and Proposed Local Centre under the LSPS). As a result, parts of Melrose Park North were rezoned from IN1 General Industrial to R4 High Density Residential, E1 Local Centre, SP2 Educational Establishment, and RE1 Public Recreation. Under PLEP 2023, the R4 zoning permits limited uses needed to support urban living. This excludes food and drink premises, which are

#	Subject land or relevant clause	Nature of Change
		considered compatible with the intended outcome of the Melrose Park North Planning Proposal and the needs of future communities in R4 zoned areas of the precinct. The permissibility of this use also supports the zone objective to enable other land uses that provide facilities or services to meet the day to day needs of residents, as evidenced in the existing additional permitted use of food and drink premises for Melrose Park South under PLEP 2023. To ensure that development in the R4 zoned land in Melrose Park North foster liveable, sustainable and productive communities, it is recommended to align the additional permitted uses in Melrose Park North with Melrose Park South for R4 zoned land. **Proposed amendment**: Amend Section 10A of Schedule 1 Additional permitted use as follows: **10A Use of land at Melrose Park ~~South~~**(1) This clause applies to land identified as "10A" on the Additional Permitted Uses Map. (2) Development for the purposes of food and drink premises is permitted with development consent. **Proposed map amendment**: Amend the Additional Permitted Uses Map for the subject site in line with the below: **Current**  **Proposed** 
32.	PLEP – Schedule 2 Exempt Development	***Introduce advertising signage for public sportsgrounds in RE1 Public Recreation zoned land in Schedule 2 Exempt Development*** Under PLEP 2023, signage for sportsground sponsorship advertising for land in the RE1 Public Recreation zone is not permitted. However, Clause 3.8 of *State Environmental Planning Policy (Industry and Employment) 2021* prohibits advertisements (other than building identification signs) on land zoned as open space (i.e. RE1 Public Recreation or C2 Environmental Conservation), with the exception

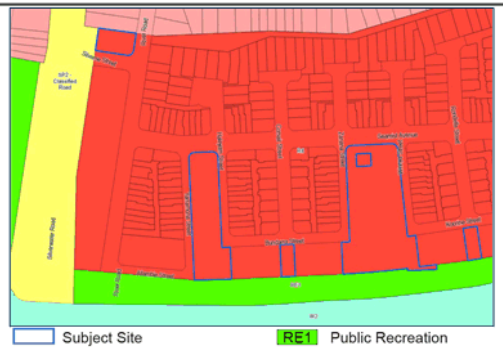
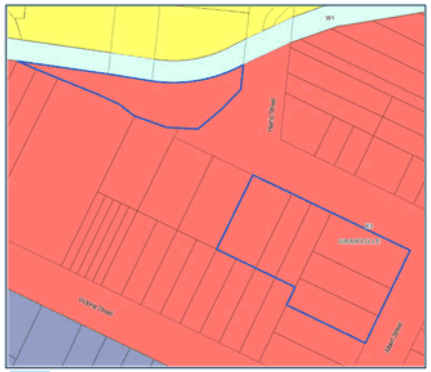
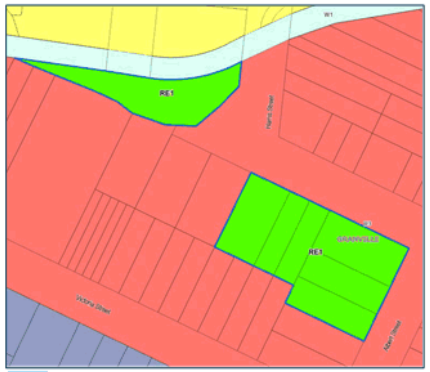
#	Subject land or relevant clause	Nature of Change
		of:*advertisement at a public sporting facility situated on land zoned public recreation under an environmental planning instrument, being an advertisement that provides information about the sponsors of the teams or organisations using the sporting facility or about the products of these sponsors.* Therefore, the Industry and Employment SEPP permits signage for sportsground sponsorship advertising for RE1 Public Recreation zoned land within the City regardless of its permissibility in PLEP 2023. As the Codes SEPP does not include development controls for such sponsorship advertising, applicants must seek consent via a Development Application. The absence of development controls for sponsorship advertising within PLEP 2023 results in Development Applications relying on interim guidelines in DPE's*Transport Corridor Outdoor Advertising and Signage Guidelines: Assessing evelopment pplications under SEPP 64*(page 8).Due to the scale and nature of the signage, it is considered appropriate to introduce sportsground sponsorship advertising (with appropriate size, content, and locational criteria) as exempt development within PLEP 2023. This provides a transparent framework for the regulation of this types of signage within the City and eliminates the requirement for such development to be delivered via the DA process. It is noted that other Council's within Greater Sydney (Holroyd LEP 2013, Campbelltown LEP 2015) also have similar clauses to exempt this form of development and provide clear guidance to both applicants and council. Sufficient requirements are included within the proposed clause to ensure signage approved via the exempt development pathway limit social impacts on communities by stating the advertising cannot be for alcohol, tobacco products, and adult entertainment. **Proposed amendment**: Insert the following provisions into PLEP 2023 'Schedule 2 Exempt Development': **Advertisements – signs on field fencing and amenity facilities at sports fields in Zone RE1** (1) Must only provide information about sponsors of teams or organisations using the sporting facility. (2) Must not contain direct product advertising for the following – a. alcohol, b. tobacco products, c. adult entertainment, being entertainment including nudity indecent acts, or sexual activity. (3) Must not obstruct any gates, access points or openings. (4) Must face the playing area and must not be visible from outside of the site on which it is displayed. (5) If affixed to permitter fencing of the playing area: a. must not extend beyond the top or bottom of the fencing, and b. have a maximum length of 6m, and c. have a maximum height of 1m. (6) Must not obstruct the sight line of vehicular traffic. (7) Must be removable signs or fixings and must not be painted directly onto fencing or amenity facilities. (8) Must not cover more than 25% of the field facing surface area of any amenity facilities. (9) Must not be illuminated. (10) Must be installed in accordance with the following: a. AS/NZS 1170 2002, Structure design actions, Part 0: General principles,

#	Subject land or relevant clause	Nature of Change		
			b. AS/NZ 1170.2 2011, Structural design actions, Part 2: Wind actions	

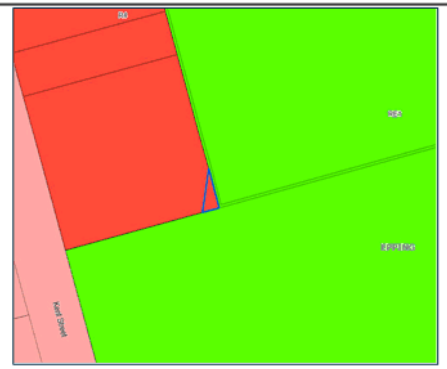
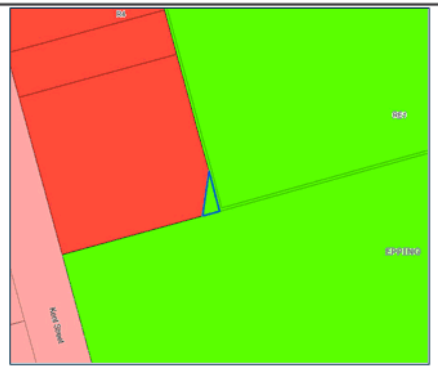
Rezoning of 41 public reserves from current residential or employment uses to appropriate recreational or waterway use			
Council manages approximately 835ha of Community and Crown land that comprises a network of around 375 parks and reserves throughout the City. Council officers have identified 41 sites that are not zoned to reflect their current principal intended use/s as public reserves. Some of these include R2 Low Density Residential, R4 High Density Residential, E4 General Industrial, MU1 Mixed Use, and E1 Local Centre. These parcels were identified as part of the preparation of Council's Community and Crown Land Plan of Management 2023, which included an audit of Council's parks and reserves and identified zoning anomalies, which reflected the adjoining land use instead of the public purpose. Council recently adopted the Community and Crown Land Plan of Management 2023 (Plan of Management) which applies to all our parks and reserves, and provides a framework to ensure a consistent and transparent approach to guide the management and use of public land. The Plan of Management includes specific actions to ensure that relevant Environmental Planning Instrument (EPI) (in this case the PLEP 2023) zones public reserves for the intended purpose and characteristics (e.g. public recreation) and that all land dedicated for open space under Voluntary Planning Agreements are appropriately zoned. Therefore, it is appropriate to rezone the 41 sites to either RE1 Public Recreation, W1 Natural Waterways, W2 Recreational Waterways, or C2 Environmental Conservation to ensure that Council's public reserves are appropriately zoned and protected and deliver on the requirements of the Plan of Management. Furthermore, in addition to 'community land' (which public reserves are classified as) needing to be managed by an adopted plan of management under Section 36 of the Local Government Act 1993, Council under Schedule 7 Clause 6 of the *Local Government Act 1993* is required to ensure that 'community land' is reserved, zoned or otherwise designated for use under an Environmental Planning Instrument as open space. This further supports the rezoning of the 41 sites to ensure Council is meeting its legal requirements. The below 41 sites are proposed to be rezoned:		
33.	Adderton Road Reserve, Telopea (Lot 1, DP 128244)	**Proposed map amendment**	Amend the subject site's zoning from R2 Low Density Residential to RE1 Public Recreation: **Current** **Proposed**

34.	Alan Street Reserve, Rydalmere (Lots 1 and 3, DP 1126501 and Lot 11, DP 1212303)	**Proposed map amendment**	Amend the subject site's zoning from E4 General Industrial to RE1 Public Recreation: **Current** **Proposed**
35.	Ae2 Park, Ermington (Lot 312, DP 1187812)	**Proposed map amendment**	Amend the subject site's zoning from R4 High Density Residential to RE1 Public Recreation: **Current** **Proposed**

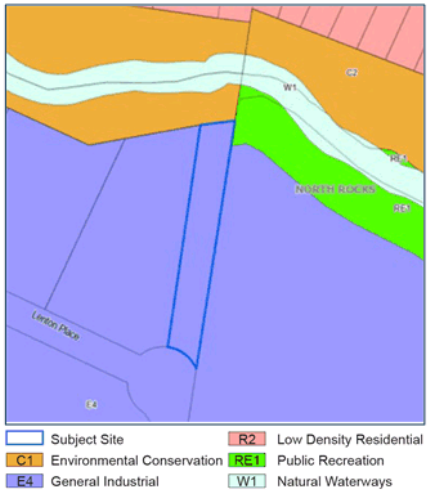
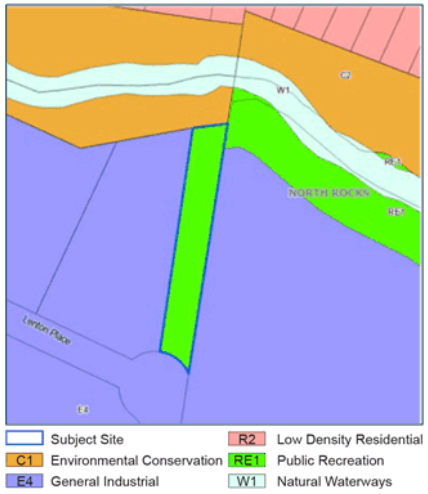
41

36.	Halvorsen Park, Ermington (Lot 310, DP 1187812)		
37.	Navy Park, Ermington (Lot 309, DP 1187812)		
38.	River Park, Ermington (Lots 313 and 314, DP 1187812)		
39.	Albert Street Reserve, Granville (Lot 1, DP 997315; Lot 1, DP 76437; Lot 1, DP 76113; Lot 10, DP 72942; Lots Y and X, DP 412709)	**Proposed map amendment**	Amend the subject site's zoning from R2 Low Density Residential to RE1 Public Recreation: **Current**  **Proposed** 
40.	Prince Street Reserve, Harris Park (Lot 7033, DP 93890)		
41.	Boronia Park, Epping (Lot B,	**Proposed map**	Amend the subject site's zoning from R4 High Density Residential to RE1 Public Recreation: **Current** **Proposed**

42

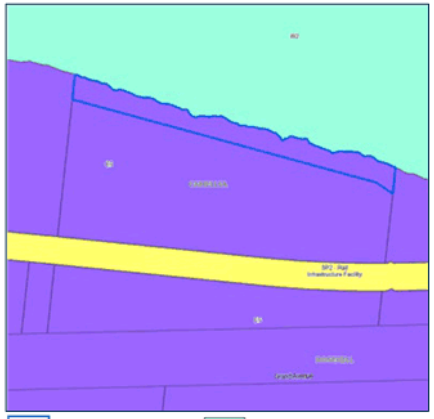
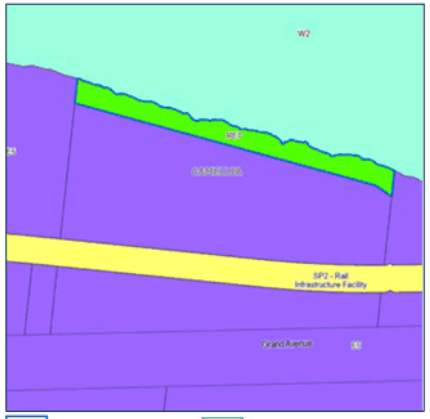
	DP 160976)	**amendment**	 
42.	Church Street Reserve, Parramatta (Lot 203, DP 1237698)	**Proposed map amendment**	Amend the subject site's zoning from MU1 Mixed Use to RE1 Public Recreation: **Current** **Proposed**
43.	Cowper Street Reserve,	**Proposed map**	Amend the subject site's zoning from MU1 Mixed Use to RE1 Public Recreation: **Current** **Proposed**

	Granville (Lot 50, DP 1284122)	**amendment**	
44.	Dan Mahoney Reserve, North Parramatta (Part of Lot 7052, DP 1050528)	**Proposed map amendment**	Amend the subject site's zoning from R3 Medium Density Residential to RE1 Public Recreation: **Current** **Proposed**

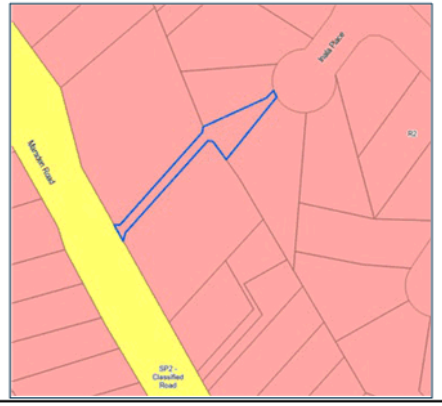
45.	Darling Mills Creek Reserve, North Rocks (Lot 91, DP 851951)	**Proposed map amendment**	Amend the subject site's zoning from R2 Low Density Residential to RE1 Public Recreation: **Current** **Proposed**
46.	Darling Mills Creek Reserve, North Rocks (Lot 5, DP 263454)	**Proposed map amendment**	Amend the subject site's zoning from E4 General Industrial to RE1 Public Recreation: **Current**  **Proposed** 

47.	Dixon Park, Parramatta (Lot 21, DP 1346)	**Proposed map amendment**	Amend the subject site's zoning from R4 High Density Residential to RE1 Public Recreation: **Current** Subject Site; RE1 Public Recreation; R4 High Density Residential; W2 Recreational Waterways **Proposed** Subject Site; RE1 Public Recreation; R4 High Density Residential; W2 Recreational Waterways
48.	Finch Reserve, Beecroft (Lot 5, DP 234158)	**Proposed map amendment**	Amend the subject site's zoning from R2 Low Density Residential to RE1 Public Recreation: **Current** Subject Site; RE1 Public Recreation; C1 Environmental Conservation; W1 Natural Waterways; R2 Low Density Residential **Proposed** Subject Site; RE1 Public Recreation; C1 Environmental Conservation; W1 Natural Waterways; R2 Low Density Residential

46

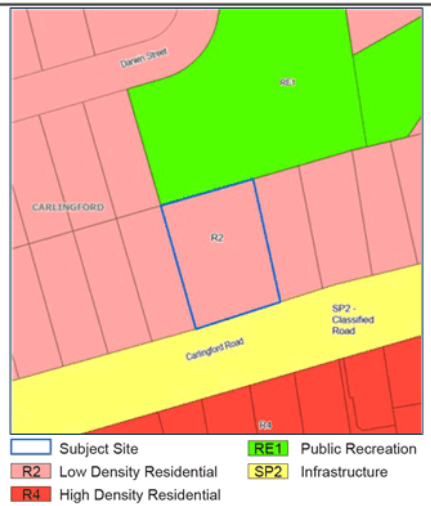
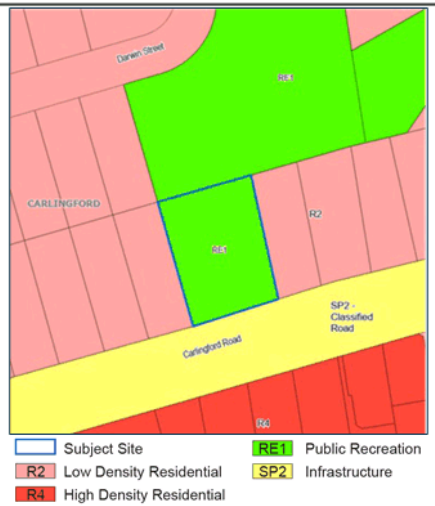
49.	Grand Avenue Reserve, Camelia (Lot 2, DP 628186)	**Proposed map amendment**	Amend the subject site's zoning from E5 Heavy Industrial to RE1 Public Recreation: **Current**  Subject Site / W2 Recreational Waterways / E5 Heavy Industrial / SP2 Infrastructure / RE1 Public Recreation **Proposed**  Subject Site / W2 Recreational Waterways / E5 Heavy Industrial / SP2 Infrastructure / RE1 Public Recreation
50.	Hazlewood Rose Park, Carlingford (Lot 50, DP 1217719)	**Proposed map amendment**	Amend the subject site's zoning from R2 Low Density Residential to RE1 Public Recreation: **Current** **Proposed**

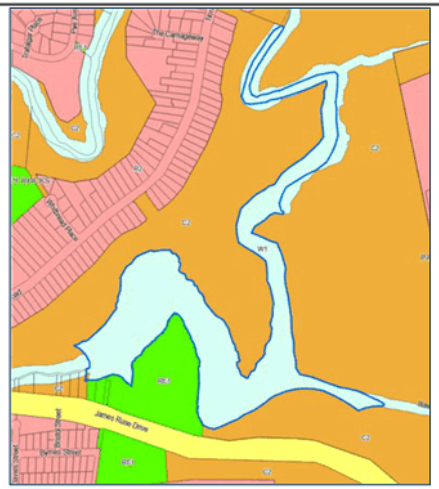
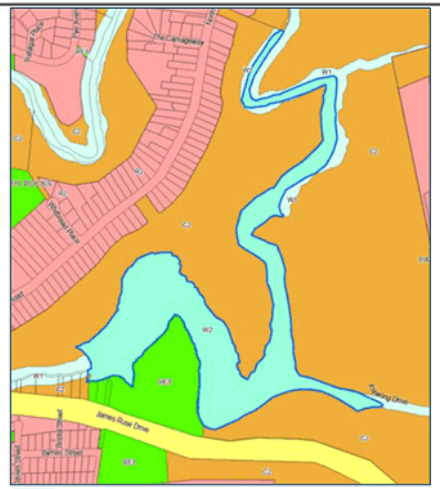
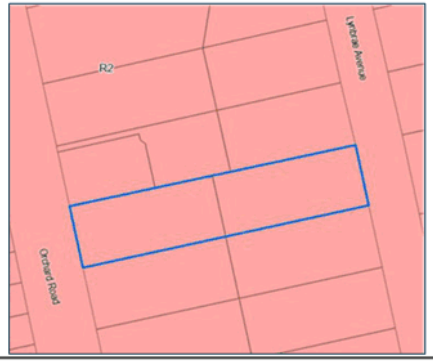
47

			Subject Site; W1 Natural Waterways; R2 Low Density Residential; RE1 Public Recreation Subject Site; W1 Natural Waterways; R2 Low Density Residential; RE1 Public Recreation
51.	Holker Street Reserve, Silverwater (Lot 397, DP 752058)	**Proposed map amendment**	Amend the subject site's zoning from E4 General Industrial to RE1 Public Recreation: **Current** **Proposed** Subject Site; W1 Natural Waterways; E4 General Industrial; RE1 Public Recreation Subject Site; W1 Natural Waterways; E4 General Industrial; RE1 Public Recreation
52.	Inala Place Reserve, Carlingford (Lot 2, DP 1215904)	**Proposed map amendment**	Amend the subject site's zoning from R2 Low Density Residential to RE1 Public Recreation: **Current**  **Proposed**

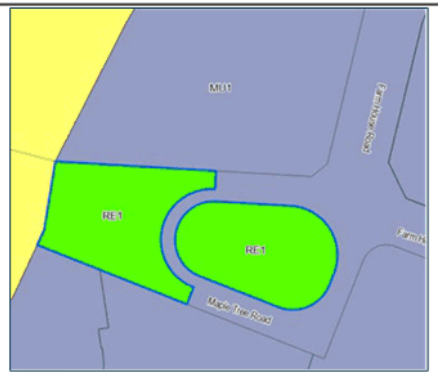
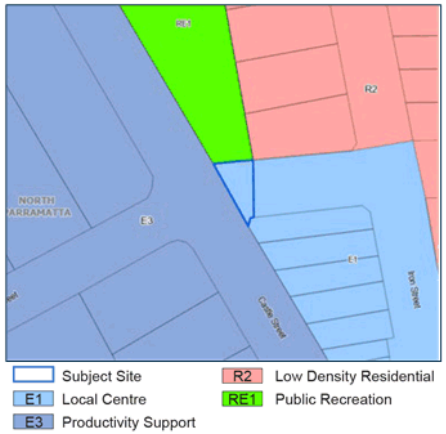
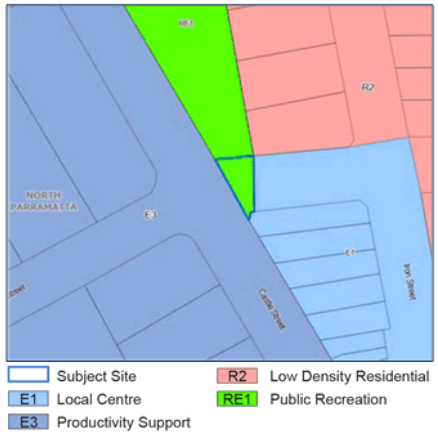
48

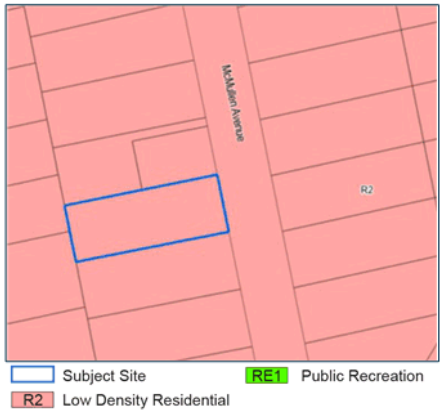
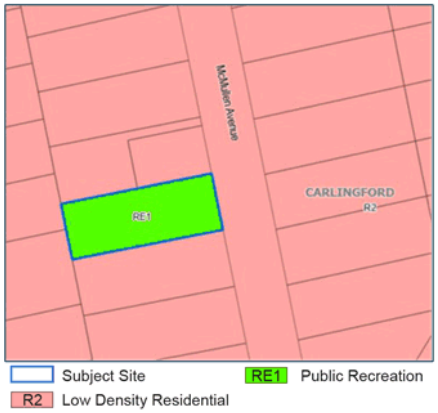
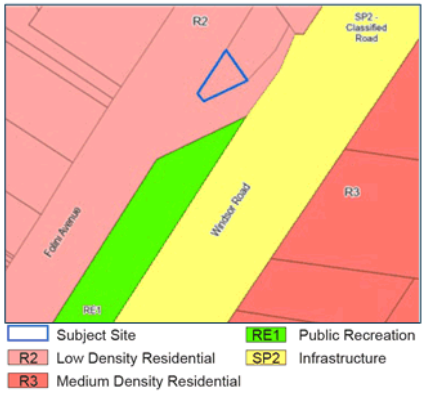
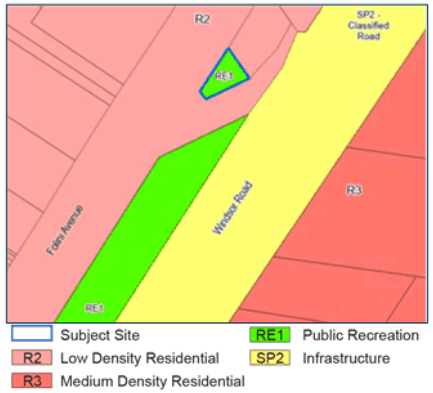
			Subject Site; RE1 Public Recreation; R2 Low Density Residential; SP2 Infrastructure Subject Site; RE1 Public Recreation; R2 Low Density Residential; SP2 Infrastructure
53.	Jubilee Park, Parramatta (Lot 3, DP 529663 and Lot 62, DP 633712)	**Proposed map amendment**	Amend the subject site's zoning from MU1 Mixed Use to RE1 Public Recreation: **Current** Subject Site; RE1 Public Recreation; MU1 Mixed Use **Proposed** Subject Site; RE1 Public Recreation; MU1 Mixed Use
54.	Kilpack Park Carlingford (Lot 9, DP 216437)	**Proposed map amendment**	Amend the subject site's zoning from R2 Low Density Residential to RE1 Public Recreation: **Current** **Proposed**

				 
55.	Lake Parramatta, North Parramatta (Lot 7304, DP 1148769)	**Proposed map amendment**	Amend the subject site's zoning from W1 Natural Waterways to W2 Recreational Waterways: **Current** **Proposed**	

				 
56.	Lynbrae Avenue Reserve, Beecroft (Lot 19 and 30, DP 31270)	**Proposed map amendment**	Amend the subject site's zoning from R2 Low Density Residential to RE1 Public Recreation: **Current**  **Proposed**	

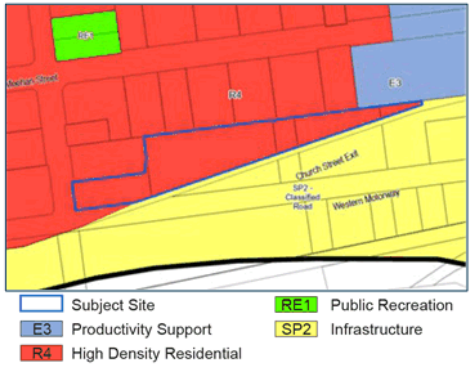
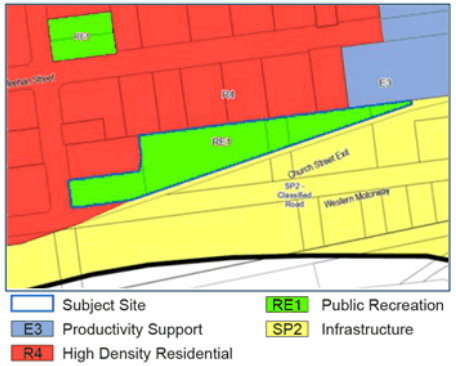
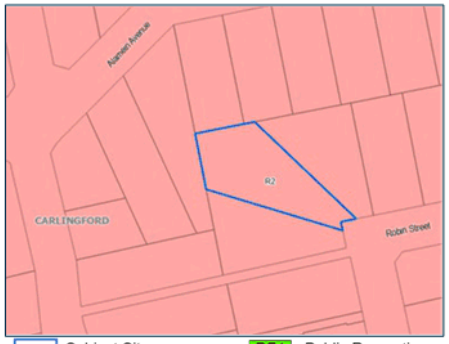
			Subject Site; RE1 Public Recreation; R2 Low Density Residential Subject Site; RE1 Public Recreation; R2 Low Density Residential
57.	Maid Marion Reserve, Northmead (Lot 27, DP 218355)	**Proposed map amendment**	Amend the subject site's zoning from E1 Local Centre to RE1 Public Recreation: **Current** Subject Site; R2 Low Density Residential; E1 Local Centre; RE1 Public Recreation **Proposed** Subject Site; R2 Low Density Residential; E1 Local Centre; RE1 Public Recreation
58.	Maple Tree Road Reserve, Westmead (Lot 6, DP 1227281)	**Proposed map amendment**	Amend the subject site's zoning from MU1 Mixed Use to RE1 Public Recreation: **Current** **Proposed**

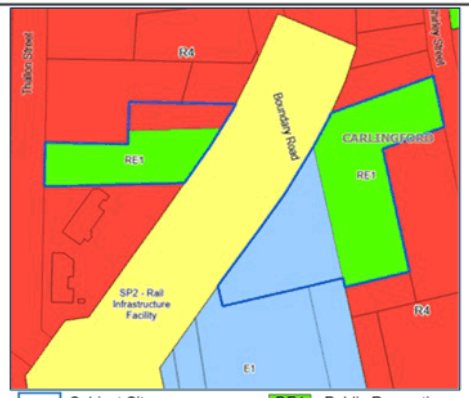
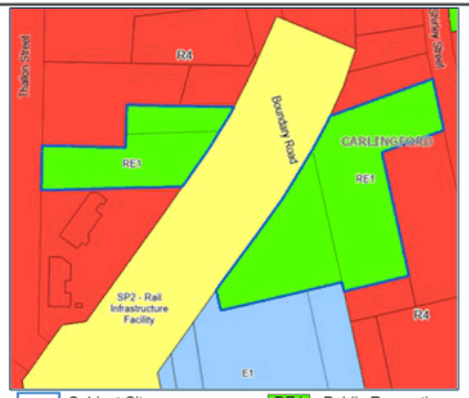
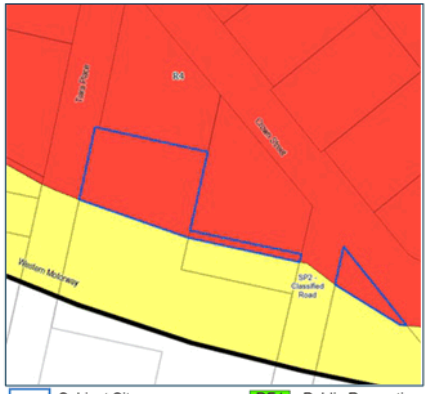
				
59.	Maria Lock Park, North Parramatta (Lot 7038, DP 1123939)		**Proposed map amendment**	Amend the subject site's zoning from E1 Local Centre to RE1 Public Recreation: **Current**  **Proposed** 
60.	McMullen Avenue Reserve,		**Proposed map**	Amend the subject site's zoning from R2 Low Density Residential to RE1 Public Recreation:

	Carlingford (Lot 40, DP 26990)	**amendment**	**Current**  **Proposed** 
61.	Model Farms Siding Reserve, Winston Hills (Lot 7014, DP 1058971)	**Proposed map amendment**	Amend the subject site's zoning from R2 Low Density Residential to RE1 Public Recreation: **Current**  **Proposed** 
62.	Oakes Road Reserve, Winston	**Proposed map**	Amend the subject site's zoning from R2 Low Density Residential to RE1 Public Recreation:

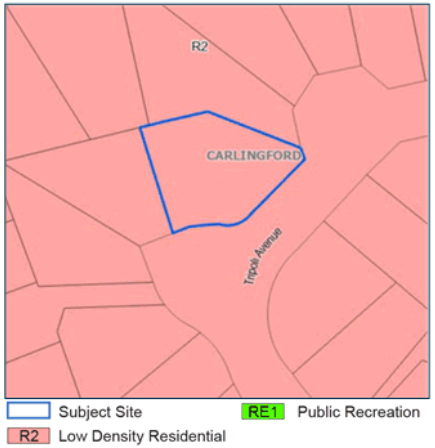
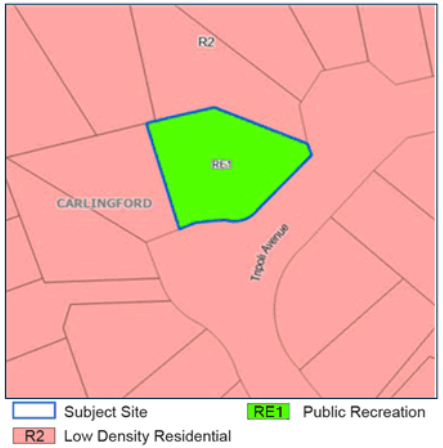
	Hills (Lot 4, DP 1138907)	**amendment**	**Current** Subject Site RE1 Public Recreation R2 Low Density Residential **Proposed** Subject Site RE1 Public Recreation R2 Low Density Residential
63.	Putt Putt Park, Melrose Park (Lot 30, DP 1304564)	**Proposed map amendment**	Amend the subject site's zoning from MU1 Mixed Use to RE1 Public Recreation: **Current** Subject Site MU1 Mixed Use R2 Low Density Residential SP2 Infrastructure RE1 Public Recreation **Proposed** Subject Site MU1 Mixed Use R2 Low Density Residential SP2 Infrastructure RE1 Public Recreation

55

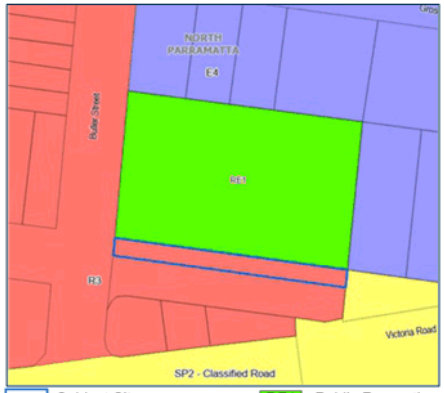
64.	Railway Street Reserve, Granville (Lots 20-22, DP 801968; Lot 102, DP 883680; Lot 19, 801968)	**Proposed map amendment**	Amend the subject site's zoning from R4 High Density Residential to RE1 Public Recreation: **Current**  **Proposed** 
65.	Robin Street Park, Carlingford (Lot 36, DP 29440)	**Proposed map amendment**	Amend the subject site's zoning from R2 Low Density Residential to RE1 Public Recreation: **Current**  **Proposed**
66.	Shirley Street Reserve, Carlingford (part	**Proposed map**	Amend the subject site's zoning from E1 Local Centre and R4 High Density Residential to RE1 Public Recreation: **Current** **Proposed**

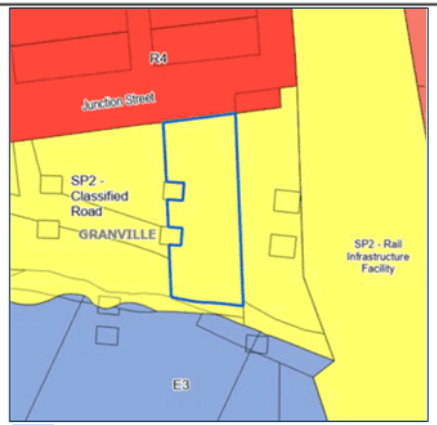
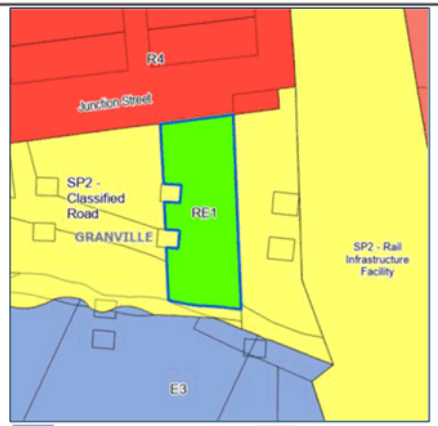
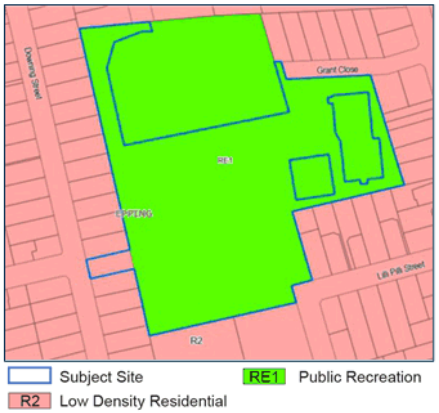
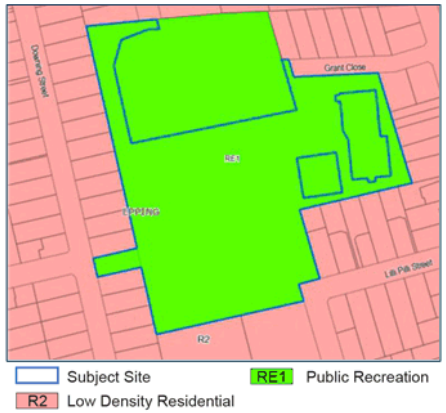
	of Lot 10, DP 1255614)	**amendment**	 Subject Site; RE1 Public Recreation; E1 Local Centre; SP2 Infrastructure; R4 High Density Residential  Subject Site; RE1 Public Recreation; E1 Local Centre; SP2 Infrastructure; R4 High Density Residential
67.	Thallon Street Reserve, Carlingford (part of Lot 2, DP 1240443)		
68.	Tiara Place Reserve, Granville (Lots 12, 13 and 14, DP 801968)	**Proposed map amendment**	Amend the subject site's zoning from R4 High Density Residential to RE1 Public Recreation: **Current**  Subject Site; RE1 Public Recreation; R4 High Density Residential; SP2 Infrastructure **Proposed** Subject Site; RE1 Public Recreation; R4 High Density Residential; SP2 Infrastructure

57

69.	Tripoli Avenue Reserve, Carlingford (Lot 34, DP 263807)	**Proposed map amendment**	Amend the subject site's zoning from R4 High Density Residential to RE1 Public Recreation: **Current**  **Proposed** 
70.	Tynan Park, Ermington (Lot 48, DP 31538)	**Proposed map amendment**	Amend the subject site's zoning from R2 Low Density Residential to RE1 Public Recreation: **Current** **Proposed**

58

			Subject Site; RE1 Public Recreation; R2 Low Density Residential Subject Site; RE1 Public Recreation; R2 Low Density Residential
71.	Walter Lawry Memorial Park, North Parramatta (Lot 983, DP 823996)	**Proposed map amendment**	Amend the subject site's zoning from R3 Medium Density Residential to RE1 Public Recreation: **Current**  Subject Site; RE1 Public Recreation; E4 Generial Industrial; SP2 Infrastructure; R3 Medium Density Residential **Proposed** Subject Site; RE1 Public Recreation; E4 Generial Industrial; SP2 Infrastructure; R3 Medium Density Residential
72.	Warawara Reserve, Granville (Lot 53, DP 825637)	**Proposed map amendment**	Amend the subject site's zoning from SP2 Infrastructure to RE1 Public Recreation: **Current** **Proposed**

				 
73.	West Epping Park, Epping (part of Lot 100, DP 834523)		**Proposed map amendment**	Amend the subject site's zoning from R2 Low Density Residential to RE1 Public Recreation: **Current**  **Proposed** 

PART 3 – JUSTIFICATION OF STRATEGIC AND SITE-SPECIFIC MERIT

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

This section establishes the need for a Planning Proposal in achieving the key outcome and objectives. The set questions address the strategic origins of the proposal and whether amending the LEP is the best mechanism to achieve the aims on the proposal.

3.1.1 Is the Planning Proposal a result of an endorsed local strategic planning statement, strategic study or report?

The Planning Proposal is not a direct result of a single strategic study or report. The Planning Proposal addresses supplementary matters that arose from the public exhibition of the Harmonisation Planning Proposal (i.e. consolidated Parramatta Local Environmental Plan 2023 (PLEP 2023)) and also addresses housekeeping items intended to improve the accuracy and application of the PLEP 2023.

The Harmonisation Planning Proposal was a deliverable of the Land Use Planning Harmonisation Framework intended to provide a consolidated set of planning instruments following the council boundary changes in May 2016. This Planning Proposal captures supplementary matters that arose from the Land Use Planning Harmonisation Framework. The completion of the Land Use Planning Harmonisation Framework is a priority within the Parramatta Local Strategic Planning Statement (LSPS). Therefore, this Planning Proposal is in alignment with the priorities and actions of the LSPS.

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 most effective way of achieving the intended outcomes.

The Planning Proposal includes matters that relate to statutory issues under Part 3 of the *Environmental Planning and Assessment Act 1979*. 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 strategies outlined in Section 3.2.

A Planning Proposal will provide certainty for Council, landowners, the local community and developers to understand the proposed changes in a transparent way.

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 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 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.

While there are some minor policy changes proposed within this Planning Proposal, the majority of the amendments proposed are 'housekeeping' and are considered minor and/or administrative. These administrative changes are clarifying existing policy or aligning policy with previous planning decisions (e.g. removing a heritage listing from Schedule 5 following its approved demolition via the DA process).

As such, the proposed amendments are not considered to undermine, contradict, or have an adverse impact on the objectives and actions contained in the GSRP and have not been explicitly discussed below. However, the objectives relevant to the more substantive policy changes within this Planning Proposal have been included and discussed.

Infrastructure and Collaboration

An assessment of the Planning Proposal's consistency with the GSRP's applicable Infrastructure and Collaboration objectives is provided in Table 3a below *(see above for explanation of inclusions)*.

Table 3a – Consistency of Planning Proposal with relevant GSRP Actions – Infrastructure and Collaboration

Direction	Relevant Objective	Comment
A city supported by infrastructure	**O2:** Infrastructure aligns with forecast growth – growth infrastructure compact **O4:** Infrastructure use is optimised	**Land Reservation Acquisition amendments** Whilst an administrative change, the Planning Proposal aligns with this objective by updating the Land Reservation Acquisition (LRA) maps within the PLEP 2023 to remove sites that have already been delivered for public infrastructure (i.e. Epping Road Widening between Blaxland Road and Essex Street, and expansion at 88 Church Street, Parramatta). This change ensures the LRA maps are reflective of the current acquisitions required to deliver infrastructure for the community.

Liveability

An assessment of the Planning Proposal's consistency with the GSRP's applicable Liveability objectives is provided in Table 3b below *(see above for explanation of inclusions)*.

Table 3b – Consistency of Planning Proposal with relevant GSRP Actions – Liveability

Direction	Relevant Objective	Comment
Housing the city	**O10**: Greater housing supply **O11:** Housing is more diverse and affordable	**Dwelling Mix in PLEP 2023** Council has identified the need to elevate the dwelling mix objectives and controls from the Parramatta DCP 2023 into the Parramatta LEP 2023. This is due to the controls within the PDCP 2023 inadvertently resulting in high density residential development not delivering a genuine mix of dwelling sizes to serve the community of Parramatta due to the flexibility and range of the controls per dwelling size, and as it holds less statutory weighting compared to controls within the PLEP 2023. New dwelling mix controls are proposed for residential flat buildings and shop top housing with at least 10 dwellings across the Parramatta Local Government Area (LGA). The clause will assist in accommodating for the diverse household compositions within the LGA and help promote a dwelling supply that can respond to the changing needs of the population. Adding the dwelling mix requirements in PLEP 2023 will help safeguard housing diversity in the LGA more efficiently. The clause will also affirm Council's role in providing a diversity of housing sizes to meet community needs into the future as per the Local Strategic Planning Statement 2036, as well as ensuring access to quality and affordable housing that accommodates the needs of all household types as per the Draft Social Sustainability Strategy 2024-2033. This supports the delivery of the Liveability direction and objectives.
A city of great places	**O12:** Great places that bring people together	**Active Uses in PLEP 2023** The Planning Proposal includes improvements to LEP Clause 6.12 Ground Floor development in zone E1, Clause 8.4 Active Street Frontages, and Clause 7.10 Active Frontages. The proposed changes are intended to encourage the appropriate types of ground floor uses that will encourage the movement of people within these areas. The Planning Proposal also includes changes to the APU for Melrose Park North to enable the development of food and drink premises on R4 zoned land. Changes to Melrose Park North align with the current provisions of Melrose Park South for R4 High Density Residential. Additionally, existing Places of Public Worship are proposed to be added as an APU to enable expansions that support operational needs beyond existing use rights. These changes align with the liveability direction and objectives.
	O13: Environmental heritage is identified, conserved and enhanced	**Heritage Matters** The Planning Proposal contains several heritage administrative changes to specific heritage items identified in PLEP 2023. In some instances, changes include amendments to heritage boundaries to reflect approved Development Applications and updates to name of heritage items to reflect heritage findings. These changes are ensuring the heritage listings in Schedule 5 and the maps are up to date.

Productivity

The proposed changes under the Planning Proposal have nil impact on the GSRP's applicable Productivity objectives. Therefore, no objectives have been commented on

below. As explained above, the majority of the amendments proposed are 'housekeeping' and are considered minor and/or administrative. As such, the proposed amendments are not considered to undermine, contradict, or have an adverse impact on the objectives and actions contained in the GSRP and have not been explicitly discussed in relation to Productivity objectives.

Sustainability

An assessment of the Planning Proposal's consistency with the GSRP's applicable Sustainability objectives is provided in Table 3c below *(see above for explanation of inclusions).*

Table 3c – 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	The Planning Proposal includes rezonings of 17B Short Street, Wentworthville (**Item 15**) and part of 2A Crimea Street, Parramatta (**Item 16**) to W1 Natural Waterways. This assists in the prevention of development that would have an adverse impact on the natural values of those sites' waterways, as well as the ongoing protection and management of these sites via Council's Community and Crown Land Plan of Management. Additionally, the Planning Proposal seeks to rezone part of Lake Parramatta from W1 Natural Waterways to W2 Recreational Waterways. This is considered appropriate as the W2 zone reflects the primarily recreational function of Lake Parramatta. As such, the planning proposal is consistent with this direction.
	O27: Biodiversity is protected, urban bushland and remnant vegetation is enhanced	The Planning Proposal includes amendments to include the vegetated parts of 3 Morton Avenue, Carlingford (also known as North Rocks Fire Brigade) on the Biodiversity Map of PLEP 2023. The Planning Proposal includes a reduction to the extent of the Biodiversity mapping at The Kings School). Council reduced areas identified on the Biodiversity Map that included existing development on the southern portion of the site, and therefore had nil or compromised biodiversity values. Intact areas of biodiversity were retained. The changes are considered a suitable adjustment to the biodiversity layer. As such, the planning proposal is consistent with this direction.
	O31: Public open space is accessible, protected and enhanced	***Rezoning of specific land*** The Planning Proposal includes changes to the zoning of remanent vegetation along Terry' s Creek and Dence Park from RE1 Public Recreation to E2 Environment Conservation. This will ensure appropriate management of the lands and also deliver a continuous corridor along Terry's Creek. ***Rezoning of Public Reserves*** Council recently adopted the *Community and Crown Land Plan of Management 2023* (Plan of Management) which applies to all parks and reserves. It provides a framework to ensure a consistent and transparent approach to guide the management and use of public land. The Plan of Management includes specific actions to ensure that relevant Environmental Planning Instrument (EPI) (in this case the PLEP 2023) zones public reserves for the intended purpose and characteristics (e.g. public recreation) and that all land dedicated for open space under Voluntary Planning Agreements are appropriately zoned. The Planning Proposal includes amendments to various public reserves across the LGA to be rezoned from the existing zone to either RE1 Public Recreation, W1 Natural Waterway, or W2 Recreational Waterway to ensure that Council's public reserves

		and appropriately zoned and protected and deliver on the requirements of the Plan of Management. As such, the planning proposal is consistent with this direction.

Implementation

An assessment of the Planning Proposal's consistency with the GSRP's applicable Implementation objectives is provided in Table 3d below *(see above for explanation of inclusions)*.

Table 3d – Consistency of Planning Proposal with relevant GSRP Actions – Implementation

Direction	Relevant Objective	Comment
Implementation	**O39**: A collaborative approach to city planning	This planning proposal aims to promote orderly development that aligns with local, district and regional planning frameworks. The planning proposal will ensure a collaborative approach to city planning is achieved through consultation with relevant state agencies and the Department of Planning, Housing and Infrastructure. Additionally, the planning proposal will be placed on public exhibition for community consultation and feedback. The planning proposal supports the objectives of Parramatta's Community Engagement Strategy. This strategy is consistent with the Greater Sydney Region Plan and outlines a collaborative approach with the community throughout planning, design, development and management. As such, the planning proposal is consistent with this direction.

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.

While there are some minor policy changes proposed within this Planning Proposal, the majority of the amendments proposed are 'housekeeping' and are considered minor and/or administrative. These administrative changes are clarifying existing policy or aligning policy with previous planning decisions (e.g. removing a heritage listing from Schedule 5 following its approved demolition via the DA process).

As such, the proposed amendments are not considered to undermine, contradict, or have an adverse impact on the objectives and actions contained in the CCDP and have not been explicitly discussed below. However, the Planning Priorities and Actions relevant to the more substantive policy changes within this Planning Proposal have been included and discussed.

Infrastructure and Collaboration

An assessment of the Planning Proposal's consistency with the CCDP's applicable Infrastructure and Collaboration Priorities and Actions is provided in Table 4a below *(see above for explanation of inclusions)*.

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** • **A1:** Prioritise infrastructure investments to support the vision of *A metropolis* • **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 development of adaptive and flexible regulations to allow decentralised utilities	Refer to the response against the GSRP above, O2 and O4 in Table 3a.
O5: Benefits of growth realized by collaboration of governments, community and business	**PP C2: Working through collaboration** • **A7:** Identify prioritise and delivery collaboration areas	Refer to the response against the GSRP above, O39 in Table 3d.

Liveability

An assessment of the Planning Proposal's consistency with the CCDP's applicable Liveability Priorities and Actions is provided in Table 4b below *(see above for explanation of inclusions)*.

Table 4b – Consistency of Planning Proposal with relevant CCDP Actions – Liveability

Liveability Direction	Planning Priority/Action	Comment
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**	Refer to the response against the GSRP above, O10 and O11 in Table 3b.
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** • **A18**: Using a place-based and collaborative approach throughout planning, design, development and management deliver great places by (a-e) • **A19**: Identify, conserve and enhance environmental heritage by (a-c) • **A20**: Use place-based planning to support the role of centres as a focus for connected neighbourhoods • **A22**: Use flexible and innovative approaches to revitalise high streets in decline.	Refer to the response against the GSRP above, O13 in Table 3b.

Productivity

The proposed changes under the Planning Proposal have nil impact on the CCDP's applicable Productivity objectives. Therefore, no objectives have been commented on below. As explained above, the majority of the amendments proposed are 'housekeeping' and are considered minor and/or administrative. As such, the proposed amendments are not considered to undermine, contradict, or have an adverse impact on the objectives and actions contained in the CCDP and have not been explicitly discussed in relation to Productivity objectives.

Sustainability

An assessment of the Planning Proposal's consistency with the CCDP's applicable Productivity Priorities and Actions is provided in Table 4d below *(see above for explanation of inclusions)*.

Table 4c – Consistency of Planning Proposal with relevant CCDP Actions – Sustainability

Sustainability Direction	Planning Priority/Action	Comment
A city in its landscape **O25**: The coast and waterways are protected and healthier	**PP C13: Protecting and improving the health and enjoyment of the District's Waterways** • **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	Refer to the response against the GSRP above, O27 and O31 in Table 3c.
O27: Biodiversity is protected, urban bushland and remnant vegetation is enhanced	**PP C15: Protecting and enhancing bushland, biodiversity and scenic and cultural landscapes** • **A65:** Protect and enhance biodiversity by (a-c) [abridged]	Refer to the response against the GSRP above, O27 and O31 in Table 3c.
O31: Public open space is accessible, protected and enhanced	**PP C17: Delivering high quality open space** • **A71**: Maximise the use of existing open space and protect, enhance and expand public open space by (a-g) [abridged]	Refer to the response against the GSRP above, O31 in Table 3c.

3.2.2 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.

Community Strategic Plan 2018-2036 (City of Parramatta)

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 the planning proposal are minor and mostly administrative in nature and will not undermine the initiatives within this plan.

Parramatta Local Strategic Planning Statement City Plan 2036

The Parramatta Local Strategic Planning Statement City Plan 2036 (LSPS) came into effect on 31 March 2020, becoming the primary strategic planning document for guiding and monitoring Council's long-term vision for land use and infrastructure provision within the LGA. The LSPS outlines considerations for housing, economic growth, heritage protection, and local character whist ensuring sustainable growth within Parramatta and its role as Greater Sydney's Central City.

The progression of this Planning Proposal is consistent with the priorities described within the LSPS with particular focus on the following:

LSPS Planning Priority	Planning Proposal mechanism
Planning priority 1 – Expand Parramatta's economic role as the Central City of Greater Sydney	**Item 24: Clarification of ground floor active uses within the E1 zone.** **Item 31: Application of food and drink premises as an additional permitted use for R4 High Density Residential zoned land within Melrose Park North.**
Planning priority 6 – Provide for community infrastructure and recreation opportunities **Planning priority 14 – Protect and enhance our trees and green infrastructure to improve liveability and ecological health**	**Item 32: Introduction of advertising signage for public sportsgrounds in the RE1 Public Recreation zone as exempt development.** **Items 33 to 73: Rezoning of public reserves and waterways to RE1 Public Recreation and W1 Natural Waterway.**
Planning priority 4 – 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) **Planning priority 7 – Provide for a diversity of housing types and sizes to meet community needs into the future**	**Item 27: Introduction of mix of dwelling sizes for residential flat buildings and shop top housing.**

Parramatta Local Housing Strategy 2020

The City of Parramatta has prepared its Local Housing Strategy (LHS), which was approved by Council on 13 July 2020 to support and inform the LSPS. Key objectives of the LHS include the following:

- Housing delivery that complements the economic significance of the City;
- Housing affordability and place-based outcomes that meet the needs of residents;
- Additional housing is sequenced with existing transport and capacity improvements;
- Community infrastructure is adequately funded and delivered with new housing; and
- Local mechanisms improve built form environmental performance and reduce urban heat impacts.

The planning proposal is consistent with the key objectives of the LHS, by supporting diverse dwelling mixes within residential flat buildings and shop top housing. This ensures that 3-bedroom apartments will be delivered across the LGA. A copy of the LHS approved by the Secretary, Department of Planning, Industry and Environment on 29 July 2021 can be accessed via: *https://www.cityofparramatta.nsw.gov.au/local-housing-strategy*

3.2.3 Is the Planning Proposal consistent with any other applicable State and regional studies or strategies?

Not applicable - the Planning Proposal does not have any relationship to state and regional studies or strategies.

3.2.4 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

SEPP	Consistency	Comment
SEPP (Exempt and Complying Development Codes) 2008	✓	Consistent. The planning proposal does not contain any provisions that contradict or would hinder the application of the SEPP. May apply to future development.
SEPP (Housing) 2021	N/A	The planning proposal does not contain provisions that would affect the application of this SEPP.
SEPP (Resilience and Hazards) 2021	N/A	The planning proposal does not contain provisions that would affect the application of this SEPP.
SEPP (Industry and Employment) 2021	✓	Consistent. The planning proposal seeks to introduce advertising signage at public sporting facilities that are zoned RE1 Public Recreation as exempt development, in line with Clause 3.8 of the SEPP. This ensures that an appropriate size and locational criteria is provided within PLEP 2023. The planning proposal does not contain any provisions that contradict or would hinder the application of the SEPP.
SEPP (Transport and Infrastructure) 2021	✓	Consistent. The planning proposal does not contain any provisions that contradict or would hinder the application of the SEPP.
SEPP (Biodiversity and Conservation) 2021	✓	Consistent. The planning proposal seeks to apply the C2 Environmental Conservation zone to Dence Park and vegetation east of Epping Aquatic Centre. This ensures a continuous riparian corridor along Terry's Creek. The proposal also seeks to amend the Biodiversity Map for two sites: 1. Identify bushland and vegetation with ecological value at the southern portion of 102 Murray Farm Road, Carlingford (North Rocks Fire Brigade) on the Biodiversity Map. 2. Amend the biodiversity layer for 87-129 Pennant Hills Road, North Parramatta (The Kings School) to remove areas that have existing development. Due to the nil or compromised biodiversity values of the identified areas, the reduction in the biodiversity layer is considered a suitable adjustment. This will enhance the recognition and protection of biodiversity values within these sites and ensure a consistent approach is taken to managing development impacts.
SEPP (Planning Systems) 2021	✓	Consistent. The planning proposal does not contain any provisions that contradict or would hinder the application of the SEPP.
SEPP (Precincts – Central River City) 2021	✓	Consistent. The planning proposal does not contain any provisions that contradict or would hinder the application of the SEPP.
SEPP (Sustainable Buildings) 2022	✓	Consistent. The planning proposal does not contain any provisions that contradict or would hinder the application of the SEPP. Detailed compliance with the SEPP will be demonstrated at the Development Application stage.

3.2.5 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 nine focus areas:

1. Planning Systems and Planning Systems – Place Based
2. Design and Place (This Focus Area was blank when the Directions were made)
3. Biodiversity and Conservation
4. Resilience and Hazards
5. Transport and Infrastructure
6. Housing
7. Industry and Employment
8. Resources and Energy
9. Primary production

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. **Planning Systems and Planning Systems – Place Based**		
Direction 1.1 – Implementation of Regional Plans The objective of this direction is to give legal effect to the vision, land use strategy, goals, directions and actions contained in Regional Plans.	The Planning Proposal applies to land within Sydney's Central City. The Planning Proposal is consistent with the goals, directions and actions contained in the Greater Sydney Region Plan as discussed in Section 3.2.1 and 3.2.2 of this Planning Proposal, respectively.	Yes
Direction 1.3 – Approval and Referral Requirements The objective of this direction is to ensure that LEP provisions encourage the efficient and appropriate assessment of development.	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 1.4 – Site Specific Provisions The objective of this direction is to discourage unnecessarily restrictive site specific planning controls.	The Planning Proposal seeks to amend Clause 10A of Schedule 1 of the PLEP 2023 to extend the existing 'food and drink premises' Additional Permitted Use (APU) for R4 High Density Residential zoned land in the Melrose Park South to Melrose Park North (**Item 31**). This is to mirror the existing APU and ensure the APU applies across the Melrose Park Precinct. This provision is to ensure the daily needs of residents are met within the R4 High Density zone and contribute to liveability. No additional development standards or requirements other than those already contained in PLEP 2023 are proposed and expand the application of an existing site specific provision. As such, the planning proposal is consistent with this direction.	Yes
2. **Design and Place**		
This Focus Area was blank at the time the Directions were made.	The Direction was blank when made.	Yes.

Relevant Direction	Comment	Compliance
3. **Biodiversity and Conservation**		
Direction 3.1 – Conservation Zones The objective of this direction is to protect and conserve environmentally sensitive areas.	Application to this direction are the following items: • **Item 1:** Amendments to the Biodiversity Map to remove areas with existing development within The Kings School site. These areas had nil or compromised biodiversity values. Intact areas of biodiversity were retained. The changes are considered a suitable adjustment to the biodiversity layer. • **Item 2:** Inclusion of significant vegetation located at the southern portion of the North Rocks Fire Brigade site on the Biodiversity Map. • **Item 13:** Rezoning of Dence Park and vegetation east of Epping Aquatic Centre from RE1 Public Recreation to C2 Environmental Conservation. The Planning Proposal is consistent with this direction, in that it seeks to facilitate the protection and conservation of environmentally sensitive areas.	Yes
Direction 3.2 – Heritage Conservation The objective of this direction is to protect and conserve environmentally sensitive areas.	Application to this direction are the following items: • **Item 3:** Remove listing of 1-3 Ada Street, Harris Park (I221) given the no heritage value remaining on the property. • **Item 4:** Remove listing of 3 A'Beckett Street, Granville (I169) given the no heritage value remaining on the property. • **Item 5:** Remove the listing of 25 Station Street, Dundas (I55) given the no heritage value remaining on the property. • **Item 6:** Remove the listing of 7 Galloway Street, North Parramatta (I332) given the no heritage value remaining on the property. • **Item 7:** Amend the address and property description of I25 to reflect true extent of listing. • **Item 8:** Amend the item name of I64 to reflect true heritage attributes of the listing. • **Item 9:** Amend the item name and property description of I541 to reflect true heritage attributes of the listing. The property changes are generally of minor significance, seek to conserve items of heritage significance, delist sites where the heritage item has been removed, accurately identify heritage items, and reflect the existing uses.	Yes
Direction 3.5 – Recreation Vehicle Areas The objective of this direction is to protect sensitive land or land with significant conservation values from adverse impacts from recreation vehicles.	The Planning Proposal is consistent with this direction, in that it: is not proposing to enable land to be developed for the purpose of a recreation vehicle area.	Yes
4. **Resilience and Hazards**		
Direction 4.1 – Flooding The objectives of this direction are to:	This planning proposal maintains the current planning provisions with respect to the management of flood prone land. Any potential impacts as a result of development on the site, such as stormwater runoff,	Yes

Relevant Direction	Comment	Compliance
(a) Ensure that development of flood prone land is consistent with the NSW Government's Flood Prone Land Policy and the principles of the Floodplain Development Manual 2005, and (b) Ensure that the provisions of an LEP that apply to flood prone land are commensurate with flood behaviour and includes consideration of the potential flood impacts both on and off the subject land.	will be considered and addressed appropriately at DA stage. This will also include any design detail required to ensure compliance with Council's water management controls within the Parramatta DCP 2023. The proposed changes are of minor significance and are consistent with this direction.	
Direction 4.3 Planning for Bushfire Protection The objectives of this direction are to: (a) Protect life, property and the environment from bush fire hazards, by discouraging the establishment of incompatible land uses in bush fire prone areas, and (b) Encourage sound management of bush fire prone areas.	The planning proposal maintains the current planning provisions with respect to permitted densities and land uses within bushfire prone land. As the planning proposal does not seek to introduce incompatible land uses or deliver additionally housing within bushfire prone area, the planning proposal is consistent with this direction.	Yes
Direction 4.4 – Remediation of Contaminated Land The objective of this direction is to reduce the risk of harm to human health and the environment by ensuring that contamination and remediation are considered by Planning Proposal authorities.	The land is not within an investigation area within the meaning of the *Contaminated Land Management Act 1997* and has not been subject to development as described in Table 1 of the contaminated land planning guidelines. As such, the planning proposal is consistent with this direction.	Yes
Direction 4.5 - Acid Sulfate Soils The objective of this direction is to avoid significant adverse environmental impacts from the use of land that has a probability of containing acid sulfate soils.	The planning proposal maintains the current planning provisions with respect to the management of acid sulfate soils. The proposed changes are of minor significance, does not propose an intensification of land uses, and are consistent with this direction.	Yes
5. **Transport and Infrastructure**		
Direction 5.1 – Integrating Land Use and Transport The objective of this direction is to ensure that development reduces dependence on cars, increases the choice of available transport and improves access to housing, jobs and services by walking, cycling and public transport.	The Planning Proposal does not change residential land uses near transport nodes, impact on transport connectivity, or promote car usage. The proposed amendments are of administrative nature and do not undermine the intent of this direction.	Yes
Direction 5.2 – Reserving Land for Public Purposes The objectives of this direction are to facilitate the provision pf public services and facilities by reserving land for public purposes and facilitate the removal of reservations	The Planning Proposal will amend the Land Reservation Acquisition (LRA) Map for road widenings within the Epping Strategic Centre and Parramatta City Centre. It proposes to remove the reserved local road widening at 88 Church Street, Parramatta and classified road widenings along Epping Road (between Blaxland Road and Essex	Yes

Relevant Direction	Comment	Compliance
where the land is no longer required for acquisition.	Street), as these have been delivered and do not require identification on the LRA Map. As such, the Planning Proposal is consistent with this direction.	
6. **Housing**		
Direction 6.1 – Residential Zones The objectives of this direction are to encourage a variety and choice of housing types, make efficient use of existing infrastructure and services and minimise the impact of residential development.	The proposed inclusion of dwelling mix rates for residential flat buildings and shop top housing ensures that suitable dwelling mixes are delivered across the LGA – this includes 3-bedroom units (considered suitable family-sized units) to support the needs of families and children, which is the predominant household type in the LGA. This is consistent with this direction, in that it: • supports residential development in an existing urban area that will be fully serviced by existing infrastructure, and • does not reduce the permissible residential density of land. As such, the Planning Proposal is consistent with this direction.	Yes
7. **Industry and Employment**		
Direction 7.1 – Business and Industrial Zones The objectives of this direction are to: (a) Encourage employment growth in suitable locations, (b) Protect employment land in business and industrial zones; and (c) Support the viability of identified centres.	The proposed changes are generally of minor significance, do not propose changes to employment lands or undermine any existing controls design to encourage employment growth, and reflects existing uses thereby maintaining the viability of the City of Parramatta. Applicable to this direction are: • **Item 24:** Clarification of "active uses" for ground floor development in Zone E1. • **Item 31:** Introduce food and drink premises in R4 zoned land in Melrose Park North as an additional permitted use. • **Items 33 to 73**: which seeks to rezone a number of public reserves from their current business or industrial zonings (MU1 Mixed Use, E4 General Industrial, E5 Heavy Industrial, or E1 Local Centre) to RE1 Public Recreation. These changes reflect the existing use and/or intended development outcomes of the land, does not reduce employment land in the business and industrial zones, and supports the viability of Melrose Park. As such, the Planning Proposal is consistent with this direction.	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 proposed amendments are mostly minor and/or administrative and will have no significant impacts on critical habitats, threatened species, populations, ecological communities or their habitats.

Biodiversity management

The planning proposal makes updates to the Biodiversity Map within the PLEP 2023 for two sites within the City. The extent of the application of the Biodiversity Map for the land at 87-129 Pennant Hills Road, North Parramatta (The Kings School) is proposed to be adjusted to remove the affectation from where there are existing buildings and do not contain vegetation of biodiversity value. In addition, part of the land at 102 Murray Farm Road, Carlingford (North Rocks Fire Brigade) is being added to the Biodiversity Map to require further environmental protection measures. Both changes will improve the accuracy of the PLEP 2023 Biodiversity Map and ensure suitable protection for lands that contain significant vegetation with biodiversity values.

In addition, Council officers also understand that the Office of Environment and Heritage also undertakes periodic updates to the *Biodiversity Values Map and Threshold Tool* which involves the removal of mapping based on new information. Therefore, it is considered reasonable to review and update the Biodiversity Map in light of new information and justification.

Environmental conservation

This Planning Proposal also seeks to rezone 41 parcels identified as community land by the *Community and Crown Land Plan of Management* 2023 from residential, commercial, or industrial zones to suitable environmental or waterway zones. This update ensures that all public reserves are zoned to reflect their principal intended use and will improve the accuracy of the PLEP 2023 Land Use Zoning Map.

Heritage management

This Planning Proposal removed items from Schedule 5 of the PLEP 2023 and the Heritage Map. These changes are strictly administrative to remove items that have been demolition as part of development approvals; and seeks to update the names of heritage items to ensure they are more accurate. These changes to not have a fundamental impact on heritage values in the LGA and are design to improve the accuracy of the schedule and mapping.

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?

There are not potential environmental effects as a result of this Planning Proposal. The Planning Proposal makes minor changes and on certain sites increases the protection of environmental values via a rezoning to C2 Environmental Conservation or by including the land on the Biodiversity map. Any impacts on environmental values will be addressed as part of any future development applications.

3.3.3 Has the Planning Proposal adequately addressed any social and economic effects?

The planning proposal addresses the following social effects:

Social

Apartment dwelling mix

The Planning Proposal seeks to introduce a new clause relating to apartment dwelling mix within residential flat buildings and shop top housing. The new clause elevates dwelling mix requirements from the PDCP 2023 to the PLEP 2023 to increase adherence and statutory weighting of this policy during the assessment process.

The absence of this control in the PLEP 2023 has resulted in recent residential developments providing limited 3-bedroom (i.e. family sized apartments) and resulting development outcomes not delivering an appropriate dwelling mix to meet the needs of the City. The new clause will help ensure that the City meets housing directions in the Parramatta LSPS 2036 and the Draft Social Sustainability Strategy 2024-2033, and ensure housing is provided for all household types.

Places of Public Worship

The Planning Proposal also seeks to include Places of Public Worship (PoPW) as an Additional Permitted Use on R2 zoned sites with an existing PoPW. The R2 Low Density Residential zone in the PLEP 2023 does not currently permit PoPW in order to preserve the low-density residential environment of this zone. However, existing PoPW that are zoned R2 currently function under existing use rights which limits their ability to expand within their landholdings. The Planning Proposal seeks to permit PoPW on these sites to allow them to grow and alter their structures as needed to support their communities.

Economic

There are not economic impacts from 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. The Planning Proposal contains minor changes of low impact and do not increasing development or housing, and therefore do not impact on infrastructure demand.

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

Consultation with the State and Commonwealth public authorities will be undertaken once the gateway determination has been issued.

PART 4 – MAPS

This section contains existing and proposed controls for mapping and site-specific provisions of this Planning Proposal in accordance with the DPE's *Local Environmental Pan Making Guideline 2023*.

4.1 Mapping

This planning proposal seeks to amend the following:

- Amend the Land Zoning Map to rectify zoning anomalies across 53 sites within the LGA.
    - 13 parcels along Epping Road (refer to **Item 12**).
    - Part of 2 parcels within Dence Park, Epping (refer to **Item 13**).
    - 3 other zoning anomalies (refer to **Items 14 to 16**).
    - 41 sites within public reserves (refer to **Items 33 to 73**).
- Amend the Heritage Map to remove or amend 7 local heritage items across the LGA. Refer to **Items 3 to 9**.
- Amend the Additional Permitted Uses Map to include land zoned R4 High Density Residential within the Melrose Park North Precinct. Refer to **Item 31**.
- Amend the Land Reservation Acquisition Map to remove 88 Church Street, Parramatta and 13 lots along Epping Road, Epping between Blaxland Road and Essex Street. Additionally, update inconsistent wording. Refer to **Items 10 and 11**, respectively.
- Amend the Biodiversity Map to remove part of 87-129 Pennant Hills Road and include part of 102 Murray Farm Road, Carlingford, North Parramatta. Refer to **Item 1 and 2**, respectively.
- Amend the Height of Building Map to include a 0m maximum building height for planned civic space within North Parramatta. Refer to **Item 17**.
- Delete the Intensive Urban Development Area Map. Refer to **Item 19**.
- Amend the street network for part of Melrose Park North within the Land Zoning Map, Design Excellence Map, Height of Building Map, and Land Reservation Acquisition Map. Refer to **Item 18**.
- Include [TO BE INSERTED FOLLOWING COUNCIL RESOLUTION ON 12 AUGUST 2024] sites with an existing Place of Public Worship within the R2 Low Density Residential zone on the Additional Permitted Uses Map [TO BE INSERTED FOLLOWING COUNCIL RESOLUTION ON 12 AUGUST 2024]. Refer to **Item 30**.

A copy of the proposed changes to these maps are outlined in Part 2.

PART 5 – COMMUNITY CONSULTATION

The Planning Proposal is to be publicly available for community consultation. Given that elements of the Planning Proposal are in response to specific submissions received during the exhibition of Harmonisation Planning Proposal, Council officers have notified these specific submitters to keep them informed of the progress of the outcome of the review of the orange matters process which is ahead of the formal exhibition period (community consultation).

Public exhibition is likely to include:

- newspaper advertisement;
- display on the Council's website; 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.

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
Report to LPP on the assessment of the PP	July 2024
Report to Council on the assessment of the PP	August 2024
Referral to Minister for review of Gateway determination	September 2024
Date of issue of the Gateway determination	October to November 2024
Commencement and completion dates for public exhibition period	December to January 2025
Commencement and completion dates for government agency notification	December to January 2025
Consideration of submissions	February 2025
Consideration of Planning Proposal post exhibition and associated reports to LPP and Council	March/ April 2025
Submission to the Department to finalise the LEP	April/May 2025
Notification of instrument	May 2025

a. Appendix 1 – Council resolution of 12 July 2021 – Decision Pathway 3 – Orange Matters

Council on 12 July 2021 (refer to Item 17.3) resolved to investigate fourteen (14) matters as part of 'Decision Pathway 3 – Orange Matters' as part of an alternate planning process (i.e. a Housekeeping Planning Proposal) separate to the Harmonisation Planning Proposal. A copy of the fourteen (14) matters, including specific matters identified to be part of a housekeeping planning proposal, are included below in Table 3.

Table 3 – Changes that have merit for further investigation (via Decision Pathway 3 - Orange)

Issue		Details	Proposed Grouping
1.	Environmental Heritage listings – review requested	Submissions request review of Heritage listings and descriptions for specific sites: 38-50 South Street Rydalmere (Truganini House), The Kings School and Schools Infrastructure NSW.	**Policy review and investigation as part of Housekeeping PP.**
2.	Biodiversity layer - Review requested	Submissions request review of the Biodiversity layer – mapping of certain sites: 361-365 North Rocks Road, North Rocks, The Kings School and Schools Infrastructure NSW.	**Policy review and investigation as part of Housekeeping PP.**
3.	Schedule 5 – Environmental Heritage – items that have been demolished.	Submission requests to remove specific item that has been demolished as part of approved development. Consistent approach required across whole of LGA and implemented through a Housekeeping PP.	**Housekeeping PP**
4.	Epping Precinct	Submissions object to various LEP control provisions that are currently being reviewed as part of a separate Planning Proposal for the Epping Precinct.	**Precinct-based PP matter**
5.	725 Blaxland Road – Land reservation and acquisition.	Request from landowner to acquire or remove from LRA Map and rezone site from RE1. Policy review to determine where acquisition is needed and whether funding is available.	**Precinct-based PP matter** This will be addressed as part of a strategic assessment of future open space provision in Epping and presented to Council for consideration as part of the Epping Precinct work.
6.	CBD Precinct	Submissions object to various LEP control provisions that are currently being proposed as part of the CBD Planning Proposal.	**Precinct-based PP matter** Policy matters relating to the Parramatta CBD Precinct are being addressed via the CBD Planning Proposal.
7.	Clause 6.13 - ground floor uses in B1 and B2 Zones.	Investigate significance of issues - Consider excluding tourist and visitor accommodation and car parks at ground floor.	**Policy review and investigation** This will be dealt with as part of Actions A6 in the LSPS which involves a review of the B1 and B2 Neighbourhood zones
8.	Various sites in CBD Planning Investigation Areas	Submissions were lodged requesting a review of controls in 3 of the Planning Investigation Areas currently identified as part of the CBD planning policy review process.	**Precinct-based PP matter** Investigation Area will be dealt with as part of that continuation of CBD Planning Review process.

Issue		Details	Proposed Grouping
9.	Office of Environment Energy and Science which forms part of the Department of Planning Industry and Environment has suggested numerous amendments to the exhibited Draft Harmonisation Planning Proposal	For details of the numerous requests refer to CER Appendix B Row 8 but suggested amendments include • Changes to the zoning treatment of river and riparian zone areas, wetlands and vegetation corridors and pockets and site specific rezonings; • Changes to objectives of the plan and objectives of various zones; • Introducing further environmental protections in clauses related to Temporary use of land and Exempt and Complying Development, Minimum lot size and Earthworks	**Addressed as part of future LEP Housekeeping amendment process.**
10.	Car parking rates.	TfNSW recommends Council consider setting maximum car parking rates for development located close to public transport.	**DCP Review Matter** This will be dealt with as part of addressing Actions A15 and A23 in Council's LSPS and is also being addressed across Council's various Precinct projects.
11.	Setback controls for residential development.	Submission recommends 1.5m side setback for first and second floor residential buildings.	**DCP Review Matter** A harmonisation DCP will be prepared by Council that will address various development controls.
12.	Dual Occupancy permissibility based on bushfire prone land	The NSW Rural Fire Service and DPIE noted that the Dual Occupancy constraints analysis seems to have been completed without the benefit of bushfire prone land analysis which is now available to Council.	**Addressed as part of future LEP Housekeeping amendment process.**
Additional matters included following Council Resolution of 12 July 2021:			
13.	Dual Occupancy Prohibition Mapping in Winston Hills area	Prepare Planning Proposal seeking to include certain land in the Winston Hills area for inclusion in the Dual Occupancy Prohibition Map.	Separate Planning Proposal to be prepared and submitted to DPIE for Gateway Request by end of 2021.
14	Places of Public Worship Review.	Re-examine the approach to permitting Places of Public Worship in the R2 Low Density Residential Zone noting: Submissions objected to proposed change to Places of Public Worship – Zoning changed from primarily SP2 to R2 and prohibition of Places of Public Worship within R2 zones which has the impact of these Places of Public Worship operating under existing use rights provisions: • Opposed to rezoning sites from current zoning to R2: submissions requested no change to zoning. • Opposed to prohibition in R2: submissions requested no prohibition of Places of Public Worship in this zone, Submission requested that if rezoning proceeds, then existing sites be identified on the Additional Permitted Uses Map.	**Policy review and investigation as part of Housekeeping PP.**

ATTACHMENT 4 – Review of the permissibility of Places of Public Worship in the R2 Low Density Residential zone

1. Introduction

Council officers have conducted a review of the permissibility of Places of Public Worship (PoPW) in the R2 Low Density Residential Zone. This review responds to Council's resolution from 12 July 2021 (Item 17.3(a)(viii)) that adopted the Local Planning Panels (LPP) advice from 29 June 2021 to re-examine the permissibility of Places of Public Worship (PoPW) in the R2 zone following the adoption of the exhibited Harmonisation Planning Proposal that prohibited PoPW in the R2 zone and rezoned existing PoPW from SP1 to R2.

The review addresses the following:

- Relevant background including the historic permissibility of PoPW prior to the finalisation of the Harmonisation Planning Proposal and historic development activity relating to PoPW.
- State Government direction on PoPW permissibility (including relevant Practice Notes).
- The objectives of the R2 zone and the compatibility of PoPW in the R2 zone, and where PoPW are permitted in other zones.
- The number of existing PoPW operating under existing use rights in the R2 zone.

Three options for the permissibility of PoPW in the R2 zone have been prepared for Council's consideration to guide the development and management of this land use in the future, along with Council officers recommendation.

2. Background

2.1. Historic permissibility of PoPW

The permissibility of PoPW within the current City of Parramatta LGA has evolved since the formation of the new City of Parramatta in May 2016 when parts of the former Hills, Hornsby, Holroyd and Auburn Council arras were merged with the Parramatta LGA.

Table 1 below includes a concise summary of the changes in permissibility prior to the Harmonisation Planning Proposal being finalised and bringing into effect the consolidated Parramatta LEP 2023 (PLEP 2023) which applied across the new City of Parramatta boundary.

Table 1 - Summary of policy approach to PoPW between May 2016 to date

Timeframe	Explanation
May 2016 ***Previous permissibility of PoPW at the time of council boundary changes***	The permissibility of PoPW varied across the new City of Parramatta LGA following the council boundary changes in May 2016, Four of the five LEPs (Auburn, Hornsby, The Hills, Holroyd LEPs) permitted PoPW (such as churches) in the zone. The former Parramatta LEP 2011 (PLEP 2011) prohibited PoPW in the R2 zone, and existing PoPW in the PLEP 2011 were zoned SP1 Special Activities. The PLEP 2011 prohibited PoPW in the R2 because applications in the LGA tended to be for larger premises (over 250 seats) which served a broader catchment than the immediate neighbourhood. The PoPW also tended to propose longer hours of operation across more days of the week than traditional places of public worship, increasing the potential for traffic and amenity impacts. In addition, community concerns of amenity impacts on residential areas from noise, traffic, and parking congestion were also influential in the policy

Timeframe	Explanation
	approach. As such, new PoPW were not considered compatible with the character and amenity of the R2 zone.
November 2019 ***Proposed PoPW permissibility under the Harmonisation Planning Proposal***	In the draft Harmonisation Planning Proposal (Harmonisation PP) reported to Council seeking approval to forward the proposal for a Gateway Determination, Council officers recommended to: • Prohibit PoPW in the R2 zone (consistent with the approach in the PLEP 2011) • Rezone existing PoPW within the inherited council areas from R2 to SP1. In November 2019, Council did not support Council officers' recommendation and resolved to: • Prohibit PoPW in the R2 zone (consistent with the approach in the PLEP 2011) • Rezone existing PoPW zoned SP1 to R2.
August – October 2020 ***Exhibited PoPW permissibility under the Harmonisation Planning Proposal***	Council exhibited the Harmonisation PP with the following draft controls: • Prohibit PoPW in the R2 zone (consistent with the approach in the PLEP 2011) • Rezone existing PoPW zoned SP1 to R2. During the public exhibition of the planning proposal and Council received six (6) submissions opposing the rezoning and prohibition in the R2 zone due to impacts on the ongoing viability and expansion of PoPW and the need to rely upon existing use rights for continued operation. This would restrict any minor expansion on the existing site. A submitter recommended an Additional Permitted Use (APU) be applied to enable use beyond the limitations of existing use rights.
29 June 2021 ***LPP advice: post exhibition consideration of PoPW permissibility***	The Local Planning Panel (LPP) made recommendations for Council to re-examine the permissibility of PoPW in the R2 zone as part of a future review in response to the outcome of the exhibition process.
21 July 2021 ***Council resolution: post exhibition consideration of PoPW permissibility***	Council resolved to support the draft controls as resolved by Council in November 2019 and reexamine the policy approach to PoPW as part of a future review. The PP was sent off to the Department with controls that prohibited PoPW in the R2 zone and rezoned existing PoPW from SP1 to R2.
3 March 2023 ***Current permissibility in the PLEP 2023***	The Harmonisation PP was finalised and brought into effect the consolidated PLEP 2023 which adopted the approach contained within the exhibited version of the Harmonisation PP which was to prohibit PoPW in the R2 zone and existing PoPW were zoned from SP1 to R2.

2.2. Development activity relating to PoPW

The permissibility of PoPW within the former and current City of Parramatta boundary has varied over the last two decades. Council officers have reviewed development applications relating to PoPW in this timeframe to understand development trends as permissibility changed.

Over the last 20 years, a total of 37 applications[1] that relate to PoPW have been assessed by Council (see **Appendix 1** for detail). Based on the development activity in **Appendix 1**, the following conclusions can be made:

1. **The frequency of DAs for a new PoPW on land within the R2 zone was low when PoPW were a permitted land use** within parts of the new City of Parramatta between 2016 to 2023.
    - This could indicate R2 zoned land is not favourable for PoPW operators looking to establish a new PoPW.
2. **DAs for alterations and additions; expansions; extensions; and ancillary structures to an existing PoPW were frequent** on SP1 zoned PoPW sites between 2011 to 2023; and R2 zoned PoPW sites between 2016 to 2023 when PoPW were permitted in the R2 zone within parts of the new City of Parramatta between 2016 to 2023.
    - This indicates existing PoPW have the need to renew existing facilities and/or expand within their sites to cater for the evolving needs of their communities.
3. **DAs for a new PoPW were common within business or industrial zones** – i.e. business park, light industry, mixed use, and local centre zones (former B7, IN1, B4, B2) – where an application for a 'change of use' was lodged to convert an existing building into a PoPW between 2016 and 2023.
    - This could indicate land within these zones are more favourable than residential zones for the development of new PoPW.
        - In addition, PoPW in these zones can better manage the community concerns raised in **Appendix 1** relating to noise and amenity due to the other type of employment land uses permitted in these zones that also generated similar impacts.
4. Whilst the prohibition of PoPW within the R2 zone delivered via the PLEP 2023 has only been in force since March 2023, **the low DA activity since the prohibition could indicate the restrictiveness of relying on existing use rights for existing PoPW zoned R2**. DAs were for minor alterations only; and a Pre-DA did not progress to a lodged DA.

The above development trends and insight into the type and nature of development relating to PoPW has been used to inform the preparation of options relating to the permissibility of PoPW in the R2 zone. This is discussed below within 'Options'.

2.3. State Government direction on PoPW permissibility

As a result of the Employment Zones Reform 2023, DPHI made changes to the permissibility of places of public worship and produced a guidance document 'Allowing places of public worship in employment zones' that outlined the changes to permissibility for a place of public worship.

The changes included mandating the use of a PoPW in the following employment zones:

- E1 Local Centre
- E2 Commercial Centre
- E3 Productivity Support
- MU1 Mixed Use

[1] *Note: The development application data collected has been compiled from an extraction of DAs lodged as a 'Community Facility' within Council's Pathway System. 'Places of Public Worship' are lodged as a 'Community Facility' in the absence of a development category titled 'Place of Public Worship' in Pathway. Therefore, Council officers extracted 'Community Facility' DAs for the specified time periods and searched for any applications with the term 'Place of Public Worship' within the description. As such, the DAs presented in Appendix 1 may have omissions due to the way applications are categorised and described in Council's system (e.g. if the description did not include the term 'place of public worship' it would not have been identified in the search). In addition, due to the Council boundary changes, the data presented for 2000 to 2016 excludes DAs from the former Hills, Hornsby, Auburn, and Holroyd, and only includes the City of Parramatta subject to the PLEP 2011.*

As part of this process, the Department also provided direction for Council's when considering the introduction of PoPWs into the land-use table for a zone where a PoPW is not a mandated use. It states that councils should consider:

- the strategic intent of the zone,
- local circumstances,
- community needs, and
- future plans for the area.

2.4. Objectives of the R2 Zone and the compatibility of PoPW

Council officers recognise that PoPW contribute to the social and cultural needs of the City's diverse communities. A desktop study using spatial data indicates there are fifty-two (52) PoPW as identified in **Figure 1**.

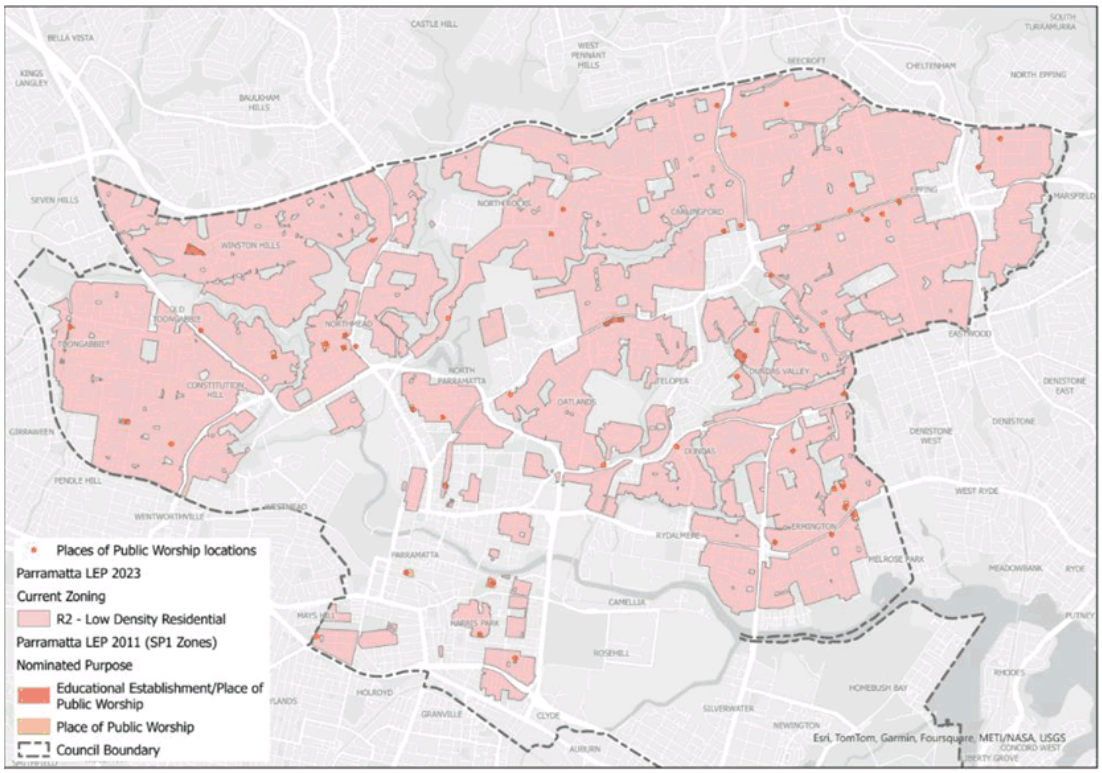


Figure 1: Indicative location of Places of Public Worship within City of Parramatta

Thirty-three (33) were previously zoned SP1 under the PLEP 2011, and the remaining nineteen (19) were inherited from the former Council areas where PoPW were permissible in the R2 zone[2].

These PoPWs were historically approved within the R2 zone under different LEPs and currently continue to operate under existing use rights given PoPWs are prohibited under the land-use table in the PLEP 2023.

PoPW are not a mandated use within the R2 Low Density Residential zone. As such, councils can determine the suitability of their inclusion in response to the characteristics of their LGA. As discussed above under

[2] *Note: The exact location and property descriptions of the existing PoPW will be confirmed subject to what Option Council resolves to progress with (see Section 3).*

'Background', council is to consider the strategic intent of the zone, local circumstances, community needs, and future plans for the area.

Under the provisions of the PLEP 2023, the objectives and strategic intent of the R2 zone are to:

1. *To provide for the housing needs of the community within a low-density residential environment.*
2. *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*
3. *To maintain the low density residential character of the area.*
4. *To ensure non-residential land uses are carried out in a way that minimises impacts on the amenity of a low density residential environment.*
5. *To provide a range of community facilities that serve the needs of people who live in, work in and visit the area.*
6. *To protect and enhance tree canopy, existing vegetation and other natural features.*

While PoPW can be classed as 'other land uses' that provide facilities or services to meet the need of residents (in alignment with Objective 2 above), often their building scale, hours of operation, and ancillary noise and traffic implications are incompatible with the low-density resident environment, character, and amenity referenced in Objective 1, 3, and 4.

Council has the obligation under Objective 4 to ensure that any non-residential land uses (such as a PoPW) minimises impacts on the amenity of low-density neighbourhoods. In addition, it is noted that a PoPW is excluded from the definition of 'community facility' within the Standard Instrument, and therefore is not considered to be in alignment with Objective 5.

2.5. Current permissibility of PoPW in the City of Parramatta

As discussed above, the standard instrument mandates the use of PoPW in specific residential zones and employment zones. The R2 zone is one of the few land use zones where permissibility is subject to Council's discretion.

While PoPW are not permitted in the R2 zone, **Figure 2** shows the other residential and employment zones where PoPW are permissible across the LGA under Parramatta LEP 2023. These zones are considered more suitable to accommodate for the scale and operational needs of PoPWs as they permit other uses with similar impacts. In addition, Part 4.4 of Parramatta DCP 2023 contains development controls to ensure PoPW are appropriately delivered in these zones where they are currently permissible.

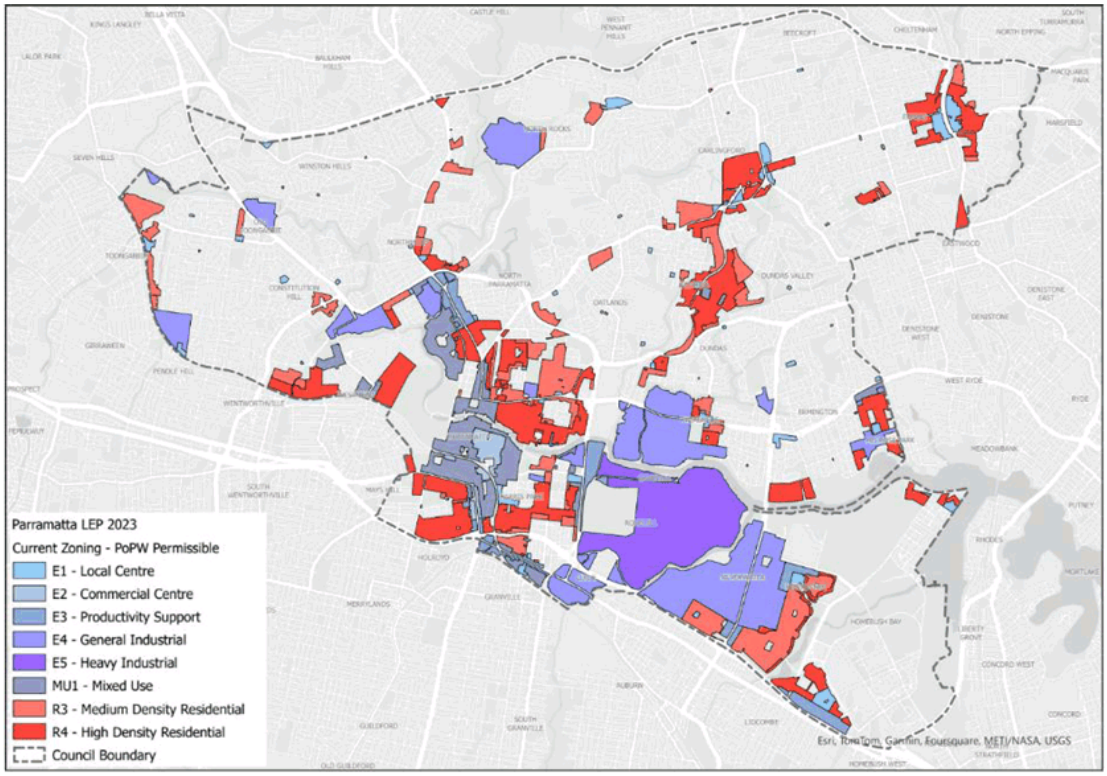


Figure 2: Land that currently permit Places of Public Worship in the City of Parramatta

3. Options for the permissibility of PoPW in the R2 Low Density zone

Council officers have prepared three (3) options regarding the permissibility of PoPW in the R2 zone. An assessment of each option is included in **Table 2** with consideration to the background, previous development activity relating to PoPW, existing permissibility in other zones, and the objectives of the R2 zone.

It is noted that DPHI Practice Note 11-002 contains information that sets out how the SP1 zone should be used. This includes information that SP1 Special Activities zone is "intended for land uses or sites with special characteristics that cannot be accommodated in other zones". As places of public worship are mandated permissible in other zones (e.g. R3, R4, E1, E2, etc), the use of the SP1 zone to preserve places of public worship within the R2 zone is, arguably, inconsistent with this Practice Note. Therefore, officers have not included an option to zone PoPW as SP1 Special Activities.

Table 2 - Assessment and summary of options for PoPW

Option 1: Maintain Prohibition in R2 Low Density Residential Zone	
Strengths	• Operation of existing PoPW continues under existing use rights. • Redevelopment of existing PoPW sites will occur in line with R2 objectives and permitted uses (i.e. uses compatible with surrounding area) should PoPW cease operation in the future. • Minimises anticipated traffic and amenity impacts to result from proposed State Government Low- and Mid-Rise Housing Reforms which seek to introduce 'medium density' types of land uses in R2 zoned land within 800m around transport hubs and town centres (including terraces, town houses and manor houses). If PoPW were also permitted in the R2 zone, the cumulative impact from these land uses that are

	not aligned to the R2 objectives and are not mandated uses for the R2 zone under the Standard Instrument, would increase demand on local roads, on-street parking, and amenity. • Will result in any new PoPW within other residential and employment zones that can more suitability manage traffic, noise and amenity impacts. • Overall aligns with the R2 objectives above in ensuring non-residential does not impact on the low-density resident environment, character, and amenity. • As per Point 1 in Section 2.2, DA lodgement for new PoPW within the R2 zone was low even when PoPW were permitted in inherited R2 areas from the boundary changes in May 2016, indicating that R2 zoned land has not been preferable for the establishment of new PoPW.
Weaknesses	• Restricts opportunity for expansion of PoPW on the existing site as it would not allow alterations and additions outside of what permitted via existing use rights. • Should the existing PoPW be required to be demolished for any reason, the landowner cannot 'rebuild' a new PoPW and the PoPW land use would be terminated.
Implementation	• No action needed.
Option 2: Maintain Prohibition in R2 Low Density Residential Zone and add an Additional Permitted Use (APU) for existing PoPW ***Staff recommendation***	
Strengths	• Prohibits new PoPW within low-scale neighbourhoods. • Allows existing PoPW to carry out alterations and additions to expand on their existing sites (subject to a development application) and provide greater flexibility than existing use rights. As concluded from recent DA data (see Section 2.2), alterations and additions were the prevalent type of development activity for PoPW when they were permissible in the R2 zone and SP1 zone. Therefore, Option 2 is aligned with industry demand and needs. • PoPW already integrated into the R2 urban fabric, and surrounding communities have generally adapted to this existing non-residential land use within their neighbourhoods. Therefore, this option is less imposing than permitting use in R2 zone. • Under this option, the proposed APU enables existing PoPW to lawfully demolish and rebuild a PoPW in the R2 zone without being limited to the existing use rights that are tied to Option 1. • Minimises anticipated traffic and amenity impacts to result from proposed State Government Low- and Mid-Rise Housing Reforms which seek to introduce 'medium density' types of land uses in R2 zoned land within 800m around transport hubs and town centres (including terraces, town houses and manor houses). If PoPW were also permitted in the R2 zone, the cumulative impact from these land uses that are not aligned to the R2 objectives and are not mandated uses for the R2 zone under the Standard Instrument, would increase demand on local roads, on-street parking, and amenity. • Consistent with Direction 2 from the Standard Instrument LEP 2006 to allow uses for particular land within a particular zone to be set out in Schedule 1 Additional Permitted Uses.
Weaknesses	• An APU will retain PoPW as a permissible land use under the PLEP 2023 in perpetuity even if the existing PoPW is demolished. Option 1 alternatively would enable the PoPW to continue to operate under existing use rights, and should it be demolished, a new PoPW cannot be constructed - any new development would

	then be required to align with the R2 uses within the Land Use Table in the PLEP 2023. The APU enables expansion beyond existing use rights to respond to community needs; however, would 'cement' the PoPW land use even if the existing PoPW is demolished on the R2 zoned site compared to Option 1 which would require it to default back to an R2 land use if the PoPW was demolished.
Implementation	• Include in Parramatta Harmonisation Supplementary Matters and Housekeeping Planning Proposal - Add to APU Map and Schedule 1 of PLEP 2023.
Option 3: Permit PoPW in R2 Low Density Residential Zone with supporting LEP and/or DCP controls.	
Strengths	• Allow for existing PoPWs to expand within and beyond their sites. • Allow new PoPWs to be developed across the largest residential zone within the LGA and therefore closer to communities. • Built form controls (such as minimum lot size and street frontage) within the LEP would control where in the R2 zone new PoPW are permitted, with DCP controls to guide building envelopes and manage impacts.
Weaknesses	• Introduces a land use that conflicts with R2 objectives of ensuring non-residential land uses does not impact on the low-density resident environment, character, and amenity. • Based on the review of the community submissions to DAs in the R2 zones, this option is likely to result in additional objections from local residents due to amenity and character impacts (see Section 2.2 and Appendix 1). • Exacerbates anticipated traffic and amenity impacts to result from the exhibited State Government Low- and Mid-Rise Housing Reforms. The reforms propose to introduce 'medium density' types of land uses in R2 zoned land within 800m around transport hubs and town centres (including terraces, town houses and manor houses). If PoPW were also permitted in the R2 zone, the cumulative impact from these land uses that are not aligned to the R2 objectives and are not mandated uses for the R2 zone under the Standard Instrument, will increase demand on local roads, on-street parking, and amenity.
Implementation	• Progress as a standalone SSPP with an associated DCP amendment – not include in Parramatta Harmonisation Supplementary Matters and Housekeeping Planning Proposal.

3.1. Officer Recommendation

Council officers recommend the following option:

- **Option 2: Maintain prohibition in R2 Low Density Residential Zone and add an Additional Permitted Use (APU) for existing PoPW.**

As explained above, Council officers consider that Option 2 balances the ongoing function and operation of existing PoPW by allowing the expansion and/or redevelopment on existing sites (beyond the limitations of existing use rights), while ensuring any new PoPWs are developed in the other residential and employment zones more suitable to the increased traffic and noise likely to be generated by the land use. This option also responds to development application trends which were predominantly for alterations and additions to existing PoPW when they were a permitted land use.

Appendix 1

Table 3- Summary development activity relating to PoPW

Timeframe	Instrument & Permissibility	Development activity summary & community concerns
2001-2011 *Pre-Standard LEP Instrument*	**Parramatta LEP 2001** PoPW were permitted in the R2 zone equivalent zone - Residential 2(a) PoPW also permitted in: - Zone 2B Residential - Zone 2C Residential - Zone 2D residential - Zone 3B Neighbourhood - Zone 3A Centre Business - Zone 4 Employment Zone - Zone 5 Special Uses - Zone 10 Mixed Use	**Development summary** • One (1) DA for alterations and additions to an existing PoPW to build amenities block and car park in Residential 2(a) zone. **Community concerns** • Car parking.
2011-May 2016 *Implementation of PLEP 2011 (i.e. Standard Instrument) and Council boundary changes*	**Parramatta LEP 2011** PoPW prohibited in R2 zone but existing PoPW zoned SP1 Special Activities. PoPW also permitted in following residential and employment zones: • R1 General Residential • R3 Medium Density Residential • R4 High Density Residential • B1 Neighbourhood Centre • B2 Local Centre • B4 Mixed Use • B5 Business development • B6 Enterprise Corridor • IN1 General Industrial • IN2 Light Industrial • IN3 Heavy Industrial	**Development summary** • Nine (9) DAs largely for alterations and additions; minor works such as shade structures; and/or changes to operational needs at an existing PoPW. ○ DAs were on sites zoned SP1, and one site zoned R2 (i.e. former Residential 2(a)) that used existing use rights. • No DAs for a new PoPW. **Community concerns** • Parking, noise, compatibility with local character. Note. *Development data excludes data information prior to May 2016 for the Council areas that were inherited as a result of the Council Amalgamations (Hornsby, The Hills, Holroyd and Auburn). This means there may have been additional DA information for inherited land that is now within CoP boundary area however, these have not been accounted for within this part of the analysis.*
May 2016 to March 2023 *Council boundary changes and application of five LEPs and introduction of consolidated PLEP 2023*	**Parramatta LEP 2011** PoPW prohibited in R2 zone but existing PoPW zoned SP1 Special Activities. See list in row above of permitted zones for PoPW under PLEP 2011. **Auburn LEP 2010** PoPW permitted in: • R2 Low Density Residential • R3 Medium Density Residential • R4 High Density Residential • B1 Neighbourhood Centre • B2 Local Centre • B4 Mixed Use • B5 Business development • B6 Enterprise Corridor	**Development summary** • **Twenty (23)** DAs determined during this timeframe. • **One (1)** DA for the construction of a new PoPW on R3 zoned land in Silverwater • **Five (5)** DAs for a change of existing use within an existing building to a PoPW with business or industrial zones – i.e. business park, light industry, mixed use, and local centre zones (former B7, IN1, B4, B2). • Remaining DAs related to redevelopment and/or expansion of existing PoPW including: ○ The demolition and replacement of PoPW (i.e. 'knock down/rebuild').

Timeframe	Instrument & Permissibility	Development activity summary & community concerns
	• RE1 Public Recreation • RE2 Private Recreation • SP1 Special Activities • SP2 Infrastructure **Hornsby LEP 2013** PoPW permitted in: • R2 Low Density Residential • R3 Medium Density Residential • R4 High Density Residential • B1 Neighbourhood Centre • B2 Local Centre • B4 Mixed Use • B5 Business Development • B6 Enterprise Development • IN1 General Industrial • IN2 Light Industrial • IN4 Working Waterfront **The Hills LEP 2012** PoPW permitted in: • R1 General Residential • R2 Low Density Residential • R3 Medium Density Residential • R4 High Density Residential • B1 Neighbourhood Centre • B2 Local Centre • B4 Mixed Use • B5 Business Development • B6 Enterprise Development • B7 Business Park **Holroyd LEP 2013** PoPW permitted in: • R2 Low Density Residential • R3 Medium Density Residential • R4 High Density Residential • B1 Neighbourhood Centre • B4 Mixed Use • B5 Business Development • B6 Enterprise Development • IN2 Light Industrial	○ The expansion for additional halls, administration buildings, ancillary spaces to serve as teaching and/or community uses. • DAs were for sites that were zoned SP1 within the former Parramatta LGA however for the other Council areas, the DAs were for R2 zoned land which permitted PoPW within their LEPs at the time. **Community concerns** • Parking / impact on street parking, noise, amenity, lighting, signage, materials, and suitability to streetscape. • However, it is noted that not many DAs received submissions, therefore, the above issues are identified to a few DAs not the total 23.
March 2023 to date *Application of PLEP 2023*	**Parramatta LEP 2023** PoPW prohibited in R2 zone and all existing PoPW rezoned R2. PoPW permitted in: • R3 Medium Density Residential • R4 High Density Residential • E1 Local Centre • E2 Commercial Centre • E3 Productivity Support • E4 General Industrial • E5 Heavy Industrial • MU1 Mixed Use	**Development summary** • Four (4) DAs for alterations and additions or minor works given limited to existing use rights. • One (1) DA under assessment for ancillary additions to an existing PoPW in an R3 zone (which permits the use). • One (1) Pre-DA for redevelopment an existing PoPW in an R2 zone. It was advised that development can only occur under existing use rights. The formal lodgement of a DA has not progressed. **Community concerns** • Nil

Attachment 4 – Review of the permissibility of Places of Public Worship in the R2 Low Density Residential zone

Timeframe	Instrument & Permissibility	Development activity summary & community concerns

***Disclaimer:**

The intent of the review of development activity is to understand the quantity and types of developments that related to PoPW across the Parramatta LGA. The review and options presented throughout this document are limited to the information available to Council officers (including development database and properties identified as PoPW), which includes:

- *Council's pathway database from **2000** to **June 2024** and for DAs that are grouped as 'community facilities'. The applications were then filtered to analyse relevant DA information that inform the review of PoPW. This means that there may be additional information that has not been captured due to restricted access to information.*
- *Information for former Parramatta Council area within Council boundary between **2000** to **May 2016**, prior to Council's boundary changes.*
- *Development data for period between **May 2016** to **June 2024** which takes into account development activity for land within new City of Parramatta boundary that resulted from Council amalgamations.*

*The development data excludes data information for periods **prior to May 2016** from Council areas that were inherited because of the Council Amalgamations (Hornsby, The Hills, Holroyd and Auburn). This means there may have been additional DA information for inherited land that is now within CoP boundary area however, these have not been accounted for within this analysis.*

PLANNING PROPOSAL

ITEM NUMBER	5.1
SUBJECT	Request for Gateway - Harmonisation 'Orange Matters' and Housekeeping Amendment to the PLEP 2023
REFERENCE	F2023/02782 -
APPLICANT/S	City of Parramatta Council
OWNERS	City of Parramatta Council and multiple landowners
REPORT OF	Senior Project Officer

PURPOSE

To seek the Local Planning Panel's advice on the Parramatta Harmonisation Supplementary Matters and Housekeeping Planning Proposal for the purposes of requesting a Gateway Determination from the Department of Planning, Housing and Infrastructure.

RECOMMENDATION

That the Parramatta Local Planning Panel (LPP) consider the following Council officer recommendation in its advice to Council:

(a) That Council approve the recommended pathways for resolving the outstanding 'Orange Matters' arising from the exhibition of the Parramatta Harmonisation Planning Proposal as detailed in Attachment 1.

(b) That Council approve the 'housekeeping' and administrative changes to the PLEP 2023 contained in Attachment 2.

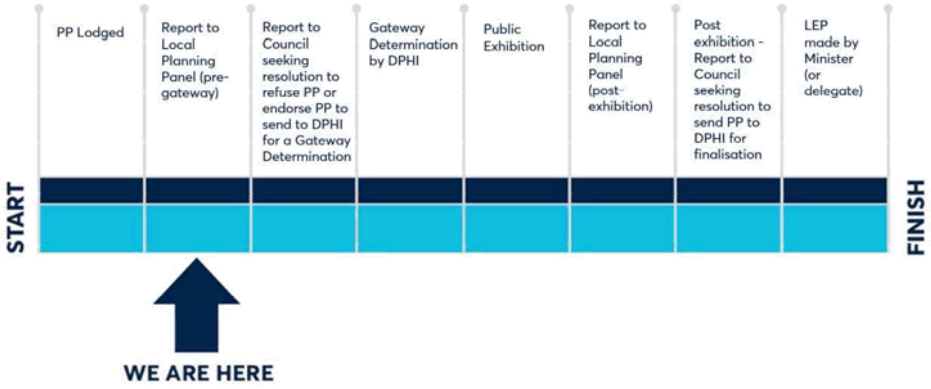
(c) That Council approve the Parramatta Harmonisation Supplementary Matters and Housekeeping Planning Proposal at Attachment 3 for the purpose of seeking a Gateway Determination from the Department of Planning, Housing and Infrastructure.

(d) That Council endorse to maintain the prohibition of Places of Public Worship in the R2 Low Density zone and include Places of Public Worship as an Additional Permitted Use on land with an existing Places of Public Worship in the R2 Low Density zone; and update the Planning Proposal at Attachment 3 with the associated amendments prior to forwarding the Planning Proposal to the Department of Planning, Housing and Infrastructure.

(e) That Council advise the Department of Planning, Housing and Infrastructure that the CEO will be seeking to exercise its plan-making delegations for this Planning Proposal, as authorised by Council on 26 November 2012.

(f) That Council delegates authority to the CEO to correct any minor anomalies of a non-policy and administrative nature that arise during the plan-making process.

PLANNING PROPOSAL TIMELINE



BACKGROUND

Orange Matters arising from Parramatta Land Use Planning Harmonisation Framework

1. Following the Council boundary changes in May 2016, the City of Parramatta inherited parts of the former council areas of Auburn, Holroyd, Hornsby, Parramatta, and The Hills. This resulted in different planning controls applying to different parts of the new City of Parramatta Local Government Area (LGA).

2. The Parramatta Land Use Planning Harmonisation Framework was established to consolidate or 'harmonise' the multiple Local Environmental Plans, Development Control Plans, and Development Contribution Plans that applied to the new City of Parramatta. As per **Figure 1**, the harmonisation framework is complete with consolidated plans now in force.

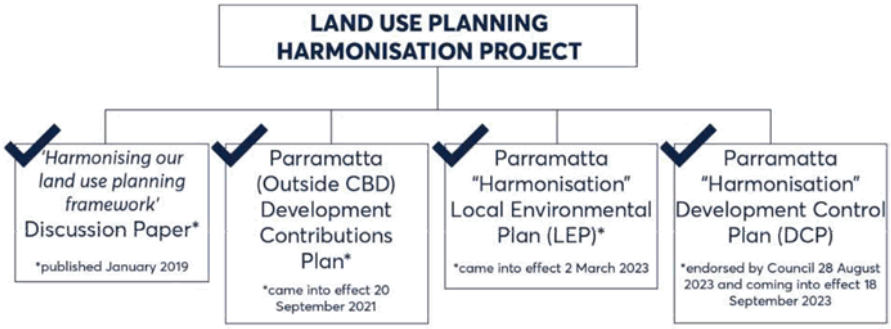


Figure 1 – Parramatta Land Use Planning Harmonisation Framework project

3. The Harmonisation Planning Proposal (Harmonisation PP) sought to consolidate the five LEPs applying to the LGA. During the preparation of the Harmonisation PP, as per the conditions of the Gateway Determination, Council held a public exhibition between August and October 2020. During the exhibition period,

Council received 320 submissions from the community including landholders, state authorities, and other stakeholders.

4. Council at its meeting of 12 July 2021 considered a report on the outcome of the public exhibition and resolved to finalise the Harmonisation PP. In addition, Council also resolved to further investigate twelve (12) requests from submitters that sought a further review of controls for certain land and/or a further review of policy matters that:

   - were generally consistent with Council's policy framework, but were more significant changes and if integrated into the Harmonisation PP in the immediate post-exhibition period would have triggered re-exhibition of the Harmonisation PP at that time; and/or
   - had some merit on preliminary review, but required further investigation to confirm whether they should be progressed; and/or
   - were inconsistent with Council strategy in their current form, however, could be evolved following further investigation into a proposed amendment, which could be supported in the future.

5. These requests were referred to in the Council Report dated 12 July 2021 as 'Decision Pathway 3 – Orange Matters' and were recommended to be investigated as part of an alternate planning process separate to the Harmonisation PP to not delay the finalisation of the consolidated LEP.

6. In addition to the twelve (12) 'Orange Matters' recommended by staff for further review, Council requested two additional issues be added for further investigation. This increased the total number of 'Orange Matters' from twelve (12) to fourteen (14). A combined list of 'Orange Matters', as endorsed by Council on 12 July 2021, are detailed in **Attachment 1** to this report.

7. On 2 March 2023, the Department of Planning, Housing and Infrastructure (DPHI) finalised the Harmonisation PP bringing into effect the Parramatta Local Environmental Plan 2023 (PLEP 2023).

8. Considering the commencement of the PLEP 2023 and the finalisation of the broader Parramatta Land Use Planning Harmonisation Framework with the Parramatta DCP 2023 coming into effect in September 2023, it is appropriate and timely to report on the outcome of the Council officer's review of the 'Orange Matters'.

Housekeeping Review

9. It is standard planning practice in NSW for councils to make minor changes, correct anomalies, clarify clauses, and other administrative changes to ensure the policy intent of provisions is clear within an LEP. In order to limit the number of amendments to an LEP, it is accepted practice to group the proposed amendments together in what is commonly known as a 'housekeeping amendment'.

10. Due to the prioritisation and timing of the Parramatta Land Use Planning Harmonisation Framework, there has been no need to utilise this mechanism because the plan was subject of a comprehensive review.,As a result of this

process and following its finalisation Council staff have identified housekeeping requests that need to be considered to improve the accuracy of the LEP.

11. Council officers consider that it is timely, and most resource effective, to undertake both an audit of housekeeping requests and a review of the 'Orange Matters' in order to prepare a combined Parramatta Harmonisation Supplementary Matters and Housekeeping Planning Proposal to amend the PLEP 2023.

FURTHER INVESTIGATION

Review of 'Orange Matters' - Harmonisation Supplementary Matters

12. Council officers have reviewed the fourteen (14) 'Orange Matters' resolved by Council on 12 July 2021. While fourteen (14) items were resolved, these included forty (40) individual requests (or items) seeking a change to the PLEP 2023. Council officers assessed the relevance and planning merit of these items considering:

    - the extent and nature of the requested change,
    - strategic merit and consistency with existing state and local policy,
    - strategic planning processes that have progressed since Council's resolution on 12 July 2021, and
    - any submitted supporting studies.

13. Following this review, Council officers have recommended each item progress via one of four pathways. **Table 1** includes the four pathways, the number of items to progress via each pathway, and the rationale. A detailed assessment of the 40 individual requests resulting from the fourteen (14) 'Orange Matters' and the recommended pathway is included in **Attachment 1**.

Table 1 – Pathways to progress and finalise 'Orange Matters'.

Pathway	Rationale	No of matters
Items supported, or partially supported, and recommended to progress as a part of the Planning Proposal	• Assessment considers that the requested change has sufficient strategic merit. The items to progress in the Planning Proposal include the: ○ Reduction in the extent of the biodiversity map layer on The Kings School to remove the layer from existing buildings given biodiversity values are non-existent or compromised.	4
	○ Inclusion of part of 102 Murray Farm Road, Carlingford (North Rocks Fire Brigade) to the Biodiversity Map due to the presence of ecological values. ○ Rezoning of land along Terrys Creek Corridor from RE1 Public Recreation to C2 Environmental Conservation due to ecological values of the land. ○ Maintaining the prohibition of Places of Public Worship in the R2 Low Density zone but including an Additional Permitted Use to allow for expansion outside of existing use rights.	

Items that are being considered or are to be considered via separate pathway	• Landowners have lodged their own Site-Specific Planning Proposal (SSPP) to progress items. This includes the following site: o 38-50 South Street, Rydalmere (Truganini House). • Council officers are requesting additional information to support their request within an SSPP or for council to consider as part of a future housekeeping. This relates to the following items: o The reduction of the extent of the heritage layer at 87-129 Pennant Hills Road, North Parramatta (The Kings School site). o The reduction of the extent of the heritage layer on any School Infrastructure NSW site; o The reduction of the extent of the biodiversity layer at Carlingford Public School, and any sites owned by Schools Infrastructure NSW within the City. o The review and reduction of the Riparian Land and Water layer at the Northmead Creative and Performing Arts High School owned by School Infrastructure NSW. • Items to be considered as part of a separate planning project (i.e. Planning Investigation Area). This relates to the following: o Planning controls at 28-31 Dixon Street, Parramatta as part of the Southern PIA. o Planning controls at High Street, Parramatta as part of the Southern PIA. o Planning controls at Fennell Street, Parramatta as part of the North-East PIA. • Items to be progressed as part of a future housekeeping amendment to allow for DA approvals to be implemented: o Delisting of Heritage Item I184 – The Barn at 138 Parramatta Road, Granville after its approved demolition occurs. • Items subject to future State Government policy direction specifically the Low and Mid Rise Housing Reforms. This relates to the following: o Land where dual occupancy development is currently permitted under PLEP 2023 on bushfire prone sites.	10
Items that have been superseded or resolved by another planning project	• Relate to a finalised planning project (i.e. Parramatta CBD Planning Proposal, Epping Planning Proposals). • Relate to a State Government process – i.e. Employment Zone Reforms. • Relate to a DCP matter that was captured as part of Harmonisation DCP (i.e. preparation of consolidated Parramatta DCP 2023) process.	11

Items that have not been supported due to lack of strategic merit.	• Conflicts with previous decision made by State Government housing policy and reforms. • Unnecessary adjustments to zone and clause objectives and/or zonings suggested by state government department (not-DPHI).	15

HOUSEKEEPING REVIEW

14. Housekeeping items considered to have strategic merit are recommended to progress into the combined Parramatta Harmonisation Supplementary Matters and Housekeeping Planning Proposal. The housekeeping amendments include:

    - Administrative heritage matters including changes to the name of existing Heritage Items; and delisting Heritage Items that have been demolished or incorrectly mapped.
    - Removal of land from the Land Reservation Acquisition Map as the land has been acquired and the reservation is no longer required.
    - Minor non-policy amendments to specific LEP clauses to improve accuracy.
    - Clause refinements to deliver policy intent.
    - Inclusion of new clauses to address deficiencies in existing provisions.
    - Administrative zoning changes to reflect permanent land use (including rezoning of public reserves to RE1 Public Recreation, W1 Natural Waterways, W2 Recreational Waterways, and C2 Environmental Conservation).
    - Administrative map amendments to implement policy from Development Applications and/or other planning process (i.e. SEPPs).

15. A more detailed summary of the nature of the housekeeping requests are provided at **Attachment 2**, and Part 2 – Explanation of Provisions in the Planning Proposal in **Attachment 3** provides a detailed explanation of the amendments sought to the PLEP 2023.

PLANNING PROPOSAL

16. The Planning Proposal in **Attachment 3** details the proposed changes to the PLEP 2023 required to progress the 'orange matters' (i.e. supplementary matters) and housekeeping items outlined above in Paragraph 13 and 14. The Planning Proposal has been prepared in accordance with:

    - Sections 3.31 and 3.33 of the Environmental Planning and Assessment Act 1979 (the EPA Act); and
    - the NSW DPHI Local Environmental Plan Making Guideline dated August 2023.

17. The proposed amendments are not considered to undermine, contradict, or have an adverse impact on the objectives and actions of both state and local planning policies including the Greater Sydney Region Plan, Central City District Plan, Ministerial Directions and Local Strategic Planning Statement.

Social impacts

Permissibility of Places of Public Worship in the R2 Low Density Residential zone

18. Council on 12 July 2021 adopted the LPP's advice from 29 June 2021 to re-examine the permissibility of Places of Public Worship (PoPW) in the R2 zone as part of a future review, and adopted the exhibited Harmonisation Planning Proposal that prohibited PoPW in the R2 zone and rezoned existing PoPW from SP1 to R2 (see **Attachment 4** for more background to this resolution).

19. Council officers have conducted a review (see **Attachment 4**) that addresses the following:

    - Relevant background including the historic permissibility of PoPW prior to the finalisation of the Harmonisation Planning Proposal and historic development activity relating to PoPW.
    - State Government direction on PoPW permissibility (including relevant Practice Notes).
    - The objectives of the R2 zone and the compatibility of PoPW in the R2 zone, and where PoPW are permitted in other zones.
    - The number of existing PoPW operating under existing use rights in the R2 zone.

20. Three (3) options were prepared with consideration to the following key points:

    - PoPW are not a mandated use under the Standard Instrument within the R2 zone, and therefore councils can decide their permissibility.
    - The limitations of existing use rights in allowing existing established PoPW to expand to serve communities.
    - The objectives of the R2 Low Density Residential zone and the necessity to ensure any non-residential uses are complementary to the low-density character of the zone.
    - The need to ensure new PoPW are permissible in zones that can manage the amenity, noise, and traffic generally associated with this land use such as employment lands and residential zones with higher density.

21. The three (3) options available to Council in relation to the permissibility of PoPW in the R2 Low Density Residential zone are included in **Table 2**. Council officers recommend 'Option 2' and have worded part (d) of the Report Recommendation accordingly. Option 2 is recommended as this is considered to balance the operational needs of existing PoPW, because expansion beyond existing use rights will be permitted (subject to development consent), whilst prohibiting any new PoPW from being delivered in low-density neighborhoods.

22. If Council resolves another option (i.e. Option 1 or 3), suggested wording for part (d) of the Council Report recommendation is included in **Table 2.** See **Attachment 4** for a detailed discussion on the strengths and weaknesses of the options.

Table 2 – Options for PoPW in the R2 zone

Option	Implementation
Option 1: **Maintain Prohibition in R2 zone.**	**No changes to the PLEP 2023 are required.** If Option 1 is the preferred option of Council, the current Recommendation (d) of this Council Report needs to be deleted and replaced with the following: *(d) That Council endorse Option 1 within **Table 2** to maintain the prohibition of Places of Public Worship (PoPW) in the R2 Low Density zone, and the Planning Proposal in **Attachment 3** be updated to remove the proposed Additional Permitted Use (APU) for existing PoPW in the R2 zone (i.e. Option 2) to reflect Option 1 prior to the Planning Proposal being forwarded to the DPHI.*
Option 2: **Maintain Prohibition in R2 zone and add an Additional Permitted Use (APU) for existing PoPW.** *Staff recommendation*	**An Additional Permitted Use in Schedule 1 of the PLEP 2023 will need to be inserted to permit Places of Public Worship on sites with an existing PoPW in the R2 Zone.** If Option 2 is the preferred option of Council, the current Recommendation (d) of this Council Report does not need to be amended. This recommendation reads: *(d) That Council endorse Option 2 within **Table 2** to maintain the prohibition of Places of Public Worship (PoPW) in the R2 Low Density zone and include PoPW as an Additional Permitted Use (APU) on land with an existing PoPW in the R2 Low Density zone; and update the Planning Proposal at **Attachment 3** with the associated amendments prior to forwarding the Planning Proposal to DPHI.*
Option 3: **Permit PoPW in R2 zone with supporting LEP and/or DCP controls.**	**The Land Use Table for the R2 Low Density Residential zone within the PLEP 2023 will need to be updated to permit PoPW. Additional design work will be needed to determine principle development standards for PoPW (such as minimum lot size and street frontage) for Part 4 of the PLEP 2023.** **A review of the setbacks and other controls within the PDCP 2023 will need to be reviewed to ensure new PoPW development in the R2 zone deliver suitable building envelopes and manage impacts.** If Option 3 is the preferred option of Council, the current Recommendation (d) of this Council Report needs to be deleted and replaced with the following: *(d) That Council:* • *endorse Option 3 within **Table 2** to permit Places of Public Worship (PoPW) in the R2 Low Density zone with supporting LEP and/or DCP controls; and* • *update the Planning Proposal in **Attachment 3** to remove the request for PoPW to be an Additional Permitted Use for land where there is an existing PoPW in the R2 zone (i.e. Option 2) prior to forwarding the Planning Proposal to DPHI; and* • *progress Option 3 as a stand-alone Planning Proposal with an associated DCP amendment, and not be included in the Parramatta Harmonisation Supplementary Matters and Housekeeping Planning Proposal.*

23. A Councillor Briefing was held on 3 June 2024 where Council officers presented the review of PoPW and the three (3) options. Support for Option 2 was indicated, however will be subject to a decision at the 12 August 2024 Council Meeting.

24. It is recommended that the LPP advise Council to resolve to proceed with "Option 2". Should Council adopt Option 2, the Planning Proposal in **Attachment 3** will need to be updated to include all existing sites of PoPW for the purposes of including an APU.

Apartment dwelling mix

25. The Planning Proposal seeks to introduce a new clause relating to apartment dwelling mix within residential flat buildings and shop top housing. The new clause elevates dwelling mix requirements from the PDCP 2023 to the PLEP 2023 to increase adherence and statutory weighting of this policy during the assessment process.

26. The absence of this control in the PLEP 2023 has resulted in recent residential developments providing limited 3-bedroom (i.e. family sized apartments) and resulting development outcomes not delivering an appropriate dwelling mix to meet the needs of the City. The new clause will help ensure that the City meets housing directions in the Parramatta LSPS 2036 and the Social Sustainability Strategy 2024-2033, and ensure housing is provided for all household types.

27. Further detail is provided in **Attachment 2** and a copy of the proposed controls is described in Part 2 of the Planning Proposal provided at **Attachment 3**.

Sports advertising signage on RE1 Public Recreation land

28. The Planning Proposal seeks to include a new clause for sporting related advertising signage on land zoned RE1 Public Recreation. This is due to the absence of controls in both the LEP and relevant SEPPs. Due to the scale and nature of the signage, it is considered appropriate to introduce sportsground sponsorship advertising (with appropriate size, impact, and locational criteria) as exempt development within PLEP 2023.

29. At a Councillor Briefing on 3 June 2024, Council questioned how the suitability of signage could be moderated by Council if it is delivered via exempt development. The proposed clause requires that any sporting related advertising signage to go through the exempt development pathway must not contain product advertising for alcohol, tobacco products, and adult entertainment. This is to prevent any adverse social impacts on the community from inappropriate signage.

30. Additionally, the LEP controls are intended to work in conjunction with a proposed draft 'Advertising Signs on Council's Sportsgrounds, Parks and Reserves' regulation document that is currently being developed by Council's Parks and Open Space and Recreation Facilities Teams. This draft document will include further guidance regarding the content of signage (including requirements for signage to not include content associated with gambling, politics (related to electioneering), or content of an offensive/discriminatory nature).

31. While the document is in draft form and yet to be finalised, it proposes to require an application to be lodged as part of an approval process prior to the intended start date for the display of signage. The application would require details of the signage (including graphics and design, and evidence of sponsorship agreement), with the intention of this process being to provide Council with the opportunity to review signage before it is displayed. This will help ensure that hirers who book a Council sportsground, park or reserve install appropriate signage.

32. Further detail is provided in **Attachment 2** and a copy of the proposed controls is described in Part 2 of the Planning Proposal provided at **Attachment 3**.

Environmental Management

33. The Planning Proposal seeks to change the extent of the Biodiversity Map for two sites:

    - 87-129 Pennant Hills Road, North Parramatta (The Kings School) – it is proposed to remove the Biodiversity layer from areas where there are existing buildings given any previous vegetation that held biodiversity values has been removed.
    - 102 Murray Farm Road, Carlingford (North Rocks Fire Brigade) – it is proposed to add part of the land to the Biodiversity Map in recognition of the significance of the vegetation on this portion of the site and ensure appropriate management during any future development.

34. The changes are considered necessary adjustments to improve the accuracy of the Biodiversity Map in the PLEP 2023 and correctly reflect the biodiversity values present on these sites.

35. The Planning Proposal also seeks to rezone 41 council owned land parcels identified as community land by the Community and Crown Land Plan of Management 2023 from residential, commercial, or industrial zones to public recreation or the suitable environmental and/or waterway zones. This update ensures that all public reserves are zoned to reflect their principal intended use and support their ongoing management.

PLAN MAKING DELEGATIONS

36. Plan making delegations were announced by the then Minister for Planning and Infrastructure in October 2012 allowing councils to make LEPs of local significance. On 26 November 2012, Council resolved to accept the delegation for plan making functions, and for these functions be delegated to the Chief Executive Officer.

37. It is recommended that Council request to the DPHI to exercise its plan making delegations for this Planning Proposal. This means that after the Planning Proposal has received a Gateway Determination, complied with any conditions (including any requirements for public exhibition), Council officers can deal directly with the Parliamentary Counsel on the legal drafting and finalisation of the amendment to the LEP facilitated by this Planning Proposal.

FINANCIAL IMPLICATIONS FOR COUNCIL

38. If Council resolves to approve this report in accordance with the recommendation, there are no unaccounted financial implications for Council's budget.

CONSULTATION

39. **Table 3** includes the consultation that has been undertaken in relation to this matter:

Table 3 – Consultation to date

Date	Consultation	Comment	Response	Responsibility
3 June 2024	A Councillor Briefing was held on the outcome of the Parramatta Harmonisation Planning Proposal 'Orange Matters' review, and the 'housekeeping' items identified to improve the accuracy of the PLEP 2023.	It was requested that information be provided on how Council can manage the appropriateness of sportsground signage under the proposed new clause to allow sports advertising signage on public reserves as exempt development.	The proposed clause specifies that signage cannot include product advertising for alcohol, tobacco products, and adult entertainment. *See paragraph 28-32.*	City Strategic Planning
		It was requested that a further review of the heritage curtilage mapped on The Kings School site consider the broader historical significance of the site, as a site of a historic school, aboriginal history, and cultural history issues, rather than just the curtilage for historical buildings on the site.	Officers are requesting that the submitter take these matters into consideration as part of any further review and request of the heritage curtilage. Refer to **Attachment 1**.	City Strategic Planning
13 June 2024	Heritage Advisory Committee were briefed at a Committee Meeting on the outcome of review of heritage-related for both the 'Orange Matters' and the proposed housekeeping amendments.	The Committee noted the proposed updates to the PLEP 2023.	N/A - Officers are progressing with the proposed heritage related matters.	City Strategic Planning

CONCLUSION AND NEXT STEPS

40. It is recommended that Council adopt the Parramatta Harmonisation and Supplementary Housekeeping Planning Proposal in **Attachment 3** and forward this to the Department of Planning, Housing and Infrastructure for a Gateway Determination.

41. Should Council adopt Option 2 for Places of Public Worship, Council officers will update the Planning Proposal to include a list of all existing lawful PoPW in the R2 zone to have an Additional Permitted Use for PoPW and include these sites on the APU Map prior to the Planning Proposal being forwarded for a Gateway Determination.

42. Following receipt of Gateway, Council officers will respond to the conditions and progress with the public exhibition of the Planning Proposal.

Darya Fatah
Senior Project Officer

Sonia Jacenko
Team Leader Strategic Land Use Planning

Janelle Scully
Land Use Planning Manager

Robert Cologna
A/Executive Director City Planning and Design

ATTACHMENTS:

1	Review and recommended pathways for the Harmonisation 'Orange Matters'	35 Pages
2	Summary of Housekeeping Amendments to the Parramatta LEP 2023	10 Pages
3	Parramatta Harmonisation Supplementary Matters and Housekeeping Planning Proposal	84 Pages
4	Review of the permissibility of Places of Public Worship in the R2 Low Density Residential zone	11 Pages

REFERENCE MATERIAL

A copy of the attachments to the Local Planning Panel Report are available within this link: Local Planning Panel Report

ATTACHMENTS

1. Review and recommended pathways for the Harmonisation 'Orange Matters' (*Refer to Page 18 – 52*)
2. Summary of Housekeeping Amendments to the Parramatta LEP 2023 (*Refer to Page 53 –62*)
3. Parramatta Harmonisation Supplementary Matters and Housekeeping Planning Proposal (*Refer to Page 63 –144*)
4. Review of the permissibility of Places of Public Worship in the R2 Low Density Residential zone (*Refer to Page 145–157*)

CITY OF PARRAMATTA

MINUTES

Parramatta Local Planning Panel
Tuesday, 16 July 2024
3.30pm

Level 3, PHIVE
Parramatta Square, Parramatta

City of Parramatta – Local Planning Panel – 16 July 2024

5.1 **SUBJECT** Request for Gateway - Harmonisation 'Orange Matters' and Housekeeping Amendment to the PLEP 2023

APPLICANT/S City of Parramatta Council

OWNERS City of Parramatta Council and multiple landowners

REPORT OF Senior Project Officer

PANEL ADVICE

That the Parramatta Local Planning Panel (LPP) advised the following:

(a) That Council approve the recommended pathways for resolving the outstanding 'Orange Matters' arising from the exhibition of the Parramatta Harmonisation Planning Proposal as detailed in Attachment 1.

(b) That Council approve the 'housekeeping' and administrative changes to the PLEP 2023 contained in Attachment 2.

(c) That Council approve the Parramatta Harmonisation Supplementary Matters and Housekeeping Planning Proposal at Attachment 3 for the purpose of seeking a Gateway Determination from the Department of Planning, Housing and Infrastructure.

(d) That Council endorse to maintain the prohibition of Places of Public Worship in the R2 Low Density zone and include Places of Public Worship as an Additional Permitted Use on land with an existing Places of Public Worship in the R2 Low Density zone; and update the Planning Proposal at Attachment 3 with the associated amendments prior to forwarding the Planning Proposal to the Department of Planning, Housing and Infrastructure.

(e) That Council advise the Department of Planning, Housing and Infrastructure that the CEO will be seeking to exercise its plan-making delegations for this Planning Proposal, as authorised by Council on 26 November 2012.

(f) That Council delegates authority to the CEO to correct any minor anomalies of a non-policy and administrative nature that arise during the plan-making process.

(g) In inserting the dwelling mix clause into the LEP, the LPP considers that Council needs to consider:
- whether this will just create a more bureaucratic process whereby developers that seek to vary the provision now in the DCP will now still seek to vary it via Clause 4.6 variations and whether the supporting objectives proposed are adequate to maintain Council's policy position;

City of Parramatta – Local Planning Panel – 16 July 2024

- the adequacy of research undertaken to justify the provision and whether there is likely to be any unintended consequences on housing supply as a result.

(h) With regard to the proposed provision to enable sports ground advertising as 'exempt' development, the LPP recommends Council also precluding gambling advertising in addition to the other proposed forms of advertising to which the provision will not apply.

(i) In prohibiting Places of Public Worship in the R2 Low Density Zone, Council should ensure all faiths are currently adequately catered for and/or that sufficient opportunities exist for new Places of Public Worship in other zones in the LGA.

VOTING
Unanimous