

## APPENDIX 4 - POST EXHIBITION CHANGES TO THE PARRAMATTA CBD PLANNING PROPOSAL, DRAFT LEP INSTRUMENT AND DRAFT MAPS

Tables 1 to 3c below explain the **minor policy and technical changes** to the planning proposal, draft LEP instrument and draft maps as a result of the exhibition period, including responses from State Agencies. These changes are as the result of minor drafting errors; Council officer updates, State government policy changes; and submissions received during the exhibition period.

Table 4 lists the consequential changes to the planning proposal arising from site specific planning proposals which have come into effect since the commencement of the exhibition period and which need to be reflected accordingly in the CBD PP documentation.

**Table 1 – Changes from minor drafting and technical changes**

Relevant clause or map	Summary of consequential changes required
Clause 7.6A High performing buildings	<p><b>Planning Proposal:</b></p> <p>Brief discussion in ‘Introduction’ – Sustainability and Infrastructure, and High Performing Buildings and inserted new sub-section ‘Minor drafting errors and technical changes’ in Part 4 – Mapping.</p> <p><b>Instrument changes (Appendix 2A):</b></p> <p>Amend the High Performing Buildings clause through including brief explanatory notes and title references to assist with implementation.</p>
Miscellaneous Amendments clause	<p><b>Planning Proposal:</b></p> <p>Inserted new sub-section ‘Minor drafting errors and technical changes’ in Part 4 – Mapping.</p> <p><b>Instrument changes (Appendix 2A):</b></p> <p>Amend the ‘Miscellaneous Amendments’ section of the CBD PP instrument by removing all clauses referenced under this heading except for the reference to subclause 7.15(4).</p>
Clause 7.4 Sun Access protection	<p><b>Planning Proposal:</b></p> <p>Inserted new sub-section ‘Minor drafting errors and technical changes’ in Part 4 – Mapping.</p> <p>Brief discussion in ‘Introduction’ – Solar Access, Explanation of provisions, and inserted new sub-section ‘Minor drafting errors and technical changes’ in Part 4 – Mapping.</p> <p><b>Instrument changes (Appendix 2A):</b></p> <p>Amend the Sun access protection clause as follows:</p> <ul style="list-style-type: none"> <li>• Amend the clause to omit “Areas A or B” and replace with “Blocks A or B” wherever they occur in the clause.</li> <li>• Amend subclause (3A) to describe the “compensatory area” as being the area identified on the Sun Access Protection Map with distinctive (orange) hatching.</li> <li>• In relation to the compensatory area, delete the words describing its location given the location has now been shown on the SAP map.</li> </ul> <p><b>Map changes (Appendix 2B):</b></p> <p>Amend the Sun Access Protection Map as follow:</p> <ul style="list-style-type: none"> <li>• Remove “Area A” and “Area B” from the map and replace with “Block A” and “Block B” respectively.</li> <li>• show the “compensatory area” within the Paramatta Square public domain area with orange hatching.</li> </ul>

Relevant clause or map	Summary of consequential changes required
Clause 7.6G Arrangements for contributions to designated State public infrastructure	<p><b>Planning Proposal:</b></p> <p>Inserted new 'Transport for NSW' section under 3.4.2 which details the Condition 4 State Agency and Service Provider submission comments.</p> <p><b>Instrument change (Appendix 2A):</b></p> <p>Amend subclause (5)(e) in 7.6G Arrangements for contributions to State public infrastructure to include 'heavy or metro' before 'rail infrastructure'.</p>
Clause 7.6M Parramatta Park and Park Edge Highly Sensitive Area and other fringe areas	<p><b>Planning Proposal:</b></p> <p>Brief discussion in Part 2 – Explanation of Provisions, Section 2.17 and inserted new sub-section 'Minor drafting errors and technical changes' in Part 4 – Mapping. This change is to reflect a housekeeping amendment to PLEP 2011 and therefore reflects a change that already exists. It is noted that there is no change to the maximum number of car parking spaces rate.</p> <p><b>Instrument changes (Appendix 2A):</b></p> <p>Amend table supporting subclause (7) to include a new parking rate for 'Residential Flat Buildings' (as per existing controls).</p>
Clause 7.10 Design Excellence – Parramatta City Centre	<p><b>Planning Proposal:</b></p> <p>Update the Planning Proposal throughout to amend the title of clause 7.10 'Design Excellence' to say instead 7.10 'Design Excellence – Parramatta City Centre'.</p> <p><b>Instrument changes (Appendix 2A):</b></p> <p>Amend the title of clause 7.10 'Design Excellence' to say instead 7.10 'Design Excellence – Parramatta City Centre'.</p>
Clause 7.6J Opportunity Sites	<p><b>Planning Proposal:</b></p> <p>Brief discussion in new sub-section 'Minor drafting errors and technical changes' in Part 4 – Mapping.</p> <p><b>Instrument changes (Appendix 2A):</b></p> <p>Amend subclause 7.6J(7) by correcting the reference of "(7)" to "(8)".</p>
Clause 7.6H Community Infrastructure and Incentive Height of Buildings Map	<p><b>Instrument changes (Appendix 2A) and Map changes (Appendix 2B):</b></p> <p>Amend subclause 7.6H(7) to change the reference to 'Area 2' from 'Area 1' on the Incentive Height of Building Map. Change map accordingly.</p>

**Table 2** – Changes arising from **State government policy** introduced by the NSW Government which impacts on the CBD Planning Proposal

Relevant clause and policy issue	Summary of consequential changes required
<p>Clause 7.6H Community Infrastructure</p> <p>Amend this clause to address the State Government's Planning Agreements Practice Note (link: <a href="https://www.planning.nsw.gov.au/-/media/Files/DPE/Practice-notes/practice-note-planning-agreements-2021-02.pdf?la=en">https://www.planning.nsw.gov.au/-/media/Files/DPE/Practice-notes/practice-note-planning-agreements-2021-02.pdf?la=en</a>) to require compliance with key community infrastructure principles, rather than the provision of community infrastructure on site. This requires amendments to, or the insertion of new, subclauses.</p>	<p><b>Planning Proposal:</b></p> <p>Brief discussion in 'Introduction' – Provision of Community Infrastructure under 'Site specific planning proposals'. Other consequential changes to the planning proposal have also been made throughout the document.</p> <p><b>Instrument changes (Appendix 2A):</b></p> <ul style="list-style-type: none"> <li>• Amend subclause 7.6H(1)(a) to reference key <i>community infrastructure principles</i>.</li> <li>• Amend subclause 7.6H(3) to include the following key <i>community infrastructure principles</i>: <ul style="list-style-type: none"> <li>a) Public access to the community infrastructure network has been maximised in the design of the development.</li> </ul> </li> </ul>

Relevant clause and policy issue	Summary of consequential changes required
	<p>b) There is appropriate community infrastructure in place or planned to meet the needs of the proposed development acknowledging the additional density permissible under this clause.</p> <p>c) The development includes community infrastructure where the size of the site, the location of the site, and the nature of the development will allow for the provision of that community infrastructure.</p> <ul style="list-style-type: none"> <li>• Amend subclause 7.6H(5)(d) to reference the key <i>community infrastructure principles</i>.</li> <li>• On account of the above changes, the consequential amendments are necessary, as follows: <ul style="list-style-type: none"> <li>○ With regards to clause 7.2 Floor space ratio, amend subclause 7.2(2A)(d);</li> <li>○ With regards to clause 7.6C Commercial Premises in the B4 Mixed Use zone, amend subclauses 7.6C(3) and (4)(b);</li> <li>○ With regards to clause 7.6I Community Infrastructure – Site Specific Requirements, amend subclauses (1) and (3).</li> <li>○ With regards to clause 7.6J Opportunity Sites, delete subclauses (1)(c) and (5)(b) and amend subclauses 4(e), (5)(a)(i) and (8)(c)(v).</li> <li>○ With regards to clause 7.10 Design Excellence – Parramatta City Centre, amend subclauses (8)(a) and (b).</li> </ul> </li> </ul>

**Table 3a** – Changes resulting from **submissions** received during the exhibition period from Consultants and Major Landowners

Detailed justification for the amendments is provided in Appendix D to the Community Engagement Report relying on the submission numbers provided below.

Affected site and submission No.	Summary of consequential changes required
<p>Mirvac site at 75 George Street, Parramatta (Submission No. 167)</p> <p><b>Note:</b> For details of this submission review, refer to Appendix D to the Community Engagement Report.</p>	<p><b>Planning Proposal:</b> Inserted new sub-section ‘Changes to the CBD Planning Proposal documentation’ in Part 5 – Community Consultation.</p> <p><b>Map changes (Appendix 2B):</b> Amend the Land Reservation Acquisition Map by reducing the width of the ‘Local Road Widening (B3)’ from 7 metres to 4 metres.</p>
<p>Westfield landholdings (Submission No. 182 and 299)</p> <p><b>Note:</b> For details of this submission review, refer to Appendix D to the Community Engagement Report.</p>	<p><b>Planning Proposal:</b> Brief discussion in ‘Introduction’ – Employment and Dwelling Projections and Section 3.2.4 Consistency with Ministerial Directions, and inserted new sub-section ‘Changes to the CBD Planning Proposal documentation’ in Part 5 – Community Consultation as well as relevant sections that refer to the jobs and dwelling yields referenced throughout the document.</p> <p><b>Map changes (Appendix 2B):</b></p> <ul style="list-style-type: none"> <li>• Amend the Land Zoning Map to apply the B4 Mixed Use zone to the land.</li> <li>• Amend the Height of Buildings Map to show existing heights of part 36m / part “Area 2” (Sun access protection surface)*.</li> <li>• Amend the Incentive Height of Buildings Map to remove all proposed controls for this land*.</li> <li>• Amend the Floor Space Ratio Map to show the existing FSR of part 4.2:1 / part 6:1*.</li> </ul>

Affected site and submission No.	Summary of consequential changes required
	<p><b>*Note:</b> These consequential map changes only apply to that part of the Westfields land that was proposed to be rezoned to B3 under the CBD PP.</p>
<p>Walker Corporation landholdings (Submission No. 281)</p> <p><b>Note:</b> For details of this submission review, refer to Appendix D to the Community Engagement Report.</p>	<p><b>Planning Proposal:</b></p> <p>Brief discussion in ‘Introduction’ – Employment and Dwelling Projections and Section 3.2.4 Consistency with Ministerial Directions, and inserted new sub-section ‘Changes to the CBD Planning Proposal documentation’ in Part 5 – Community Consultation.</p> <p><b>Instrument changes (Appendix 2A):</b></p> <ul style="list-style-type: none"> <li>• Amend subclause 7.6C(3) in 7.6C Commercial premises in Zone B4 Mixed use to replace “wholly of commercial premises” to “wholly of non-residential development”.</li> <li>• Amend subclause 7.10(8)(b) in 7.10 Design Excellence – Parramatta City Centre to replace “wholly of commercial premises” to “wholly of non-residential development”.</li> </ul>
<p>14-20 Parkes Street, Harris Park (Submission No. 284)</p> <p><b>Note:</b> For details of this submission review, refer to Appendix D to the Community Engagement Report.</p>	<p><b>Planning Proposal:</b></p> <p>Brief discussion in ‘Introduction’ – Solar Access and inserted new sub-section ‘Changes to the CBD Planning Proposal documentation’ in Part 5 – Community Consultation.</p> <p><b>Map changes (Appendix 2B):</b></p> <p>Amend the Incentive Height of Buildings Map to increase the mapped height from 122m to 134m.</p>

**Table 3b** – Changes resulting from **submissions** received during the exhibition period from State Agencies and Services Providers via Condition 4 of the Gateway determination

Detailed justification for the amendments is provided in Appendix E to the Community Engagement Report relying on the submission numbers provided below.

Agency & relevant clause or Map proposed to be amended	Summary of consequential changes required
<p>NSW Environment Protection Agency (EPA) (Submission No. P-4)</p> <p><b>Note:</b> For details of this submission review, refer to Appendix E to the Community Engagement Report.</p>	<p><b>Planning Proposal:</b></p> <p>Inserted new sub-section in Section D - State and Commonwealth Interest with a subsection devoted to the EPA’s main submission points, including a subsequent amendment elsewhere in the planning proposal referencing the <i>NSW Government’s 20 Year Waste Strategy</i>.</p>

**Table 3c** – Changes resulting from **submissions** received during the exhibition period from Institutions and Organisations.

Detailed justification for the amendments is provided in Appendix C to the Community Engagement Report relying on the submission numbers provided below.

Agency & relevant clause or Map proposed to be amended	Summary of consequential changes required
<p>Property Council of Australia (Submission No. 288)</p> <p><b>Note:</b> For details of this submission review, refer to Appendix E to the Community Engagement Report.</p>	<p><b>Planning Proposal:</b></p> <p>Updated Part 2 Section 2.2 to clarify that the development standards cannot always be achieved.</p>

**Table 4** – Consequential changes from **site-specific planning proposals** which were notified (i.e. finalised) after the commencement of the exhibition period and must be reflected in the Draft LEP and Maps and explained in the planning proposal for finalisation purposes\*

Affected site & Amendment No.	Summary of consequential changes required
<p>87 Church Street and 6 Great Western Highway Parramatta (Amendment 30) Notification date – 4 September 2020</p>	<p><b>Planning Proposal:</b></p> <p>Inserted new sub-section ‘Site specific planning proposals’ in Part 4 – Mapping and new sub-section ‘Changes to the CBD Planning Proposal documentation’ in Part 5 – Community Consultation.</p> <p><b>Update of the exhibited extract of Parramatta Local Environment Plan 2011 instrument: (Appendix 1A):</b></p> <ul style="list-style-type: none"> <li>• Amend subclause 7.6(2) in Airspace Operations.</li> <li>• Amend subclause 7.14(1) in Car Parking for certain land in Parramatta City Centre.</li> <li>• Insert new clause 7.19 Development on land at 87 Church Street and 6 Great Western Highway, Parramatta</li> </ul> <p><b>Map changes (Appendix 2B):</b></p> <ul style="list-style-type: none"> <li>• Amend the Height of Buildings Map to indicate 180m on the land</li> <li>• Amend the Floor Space Ratio Map to indicate a 10:1 Floor Space Ratio</li> <li>• Amend the Special Provisions Area Map to indicate “Area 10”</li> <li>• Amend the Incentive Height of Buildings and Incentive Floor Space Ratio Maps to remove controls applying to this land.</li> </ul>
<p>189 Macquarie Street, Parramatta (Amendment 51) Notification date – 4 September 2020</p>	<p><b>Planning Proposal:</b></p> <p>Inserted new sub-section ‘Site specific planning proposals’ in Part 4 – Mapping and new sub-section ‘Changes to the CBD Planning Proposal documentation’ in Part 5 – Community Consultation.</p> <p><b>Update of the exhibited extract of Parramatta Local Environment Plan 2011 instrument: (Appendix 1A):</b></p> <ul style="list-style-type: none"> <li>• Amend clause 7.9 Development on land at 189 Macquarie Street, Parramatta specifically subclauses 7.9(2)(d), 7.9(2)(e) and 7.9(2)(f).</li> <li>• Amend subclauses 7.9(2) by adding afterwards new subclauses (2A)–(2C) in Development on land at 189 Macquarie Street, Parramatta.</li> <li>• Amend subclause 7.9(3) in Development on land at 189 Macquarie Street, Parramatta</li> </ul> <p><b>Map changes (Appendix 1B):</b></p> <p>No map changes required.</p>
<p>55 Aird Street, Parramatta (Amendment 55) Notification date – 2 October 2020</p>	<p><b>Planning Proposal:</b></p> <p>Inserted new sub-section ‘Site specific planning proposals’ in Part 4 – Mapping and new sub-section ‘Changes to the CBD Planning Proposal documentation’ in Part 5 – Community Consultation.</p> <p><b>Update of the exhibited extract of Parramatta Local Environment Plan 2011 instrument: (Appendix 1A):</b></p> <ul style="list-style-type: none"> <li>• Amend subclause 7.14(1) in Car Parking for certain land in Parramatta City Centre.</li> <li>• Insert new clause 7.20 Development on land at 55 Aird Street, Parramatta.</li> </ul> <p><b>Map changes (Appendix 2B):</b></p> <ul style="list-style-type: none"> <li>• Amend Height of Buildings Map to show a height of 80m and remove the Incentive Height of Building control</li> <li>• Amend Floor Space Ratio Map to show a FSR of 10:1 and remove the Incentive Floor Space Ratio control</li> </ul>

Affected site & Amendment No.	Summary of consequential changes required
	<ul style="list-style-type: none"> <li>• Amend the Special Provisions Area Map to indicate “Area 14”</li> <li>• Amend the Incentive Height of Buildings and Incentive Floor Space Ratio Maps to remove controls applying to this land.</li> </ul>
<p>142-154 Macquarie Street, Parramatta (Amendment 48) Notification date – 27 November 2020</p>	<p><b>Planning Proposal:</b> Inserted new sub-section ‘Site specific planning proposals’ in Part 4 – Mapping and new sub-section ‘Changes to the CBD Planning Proposal documentation’ in Part 5 – Community Consultation.</p> <p><b>Update of the exhibited extract of Parramatta Local Environment Plan 2011 instrument: (Appendix 1A):</b></p> <ul style="list-style-type: none"> <li>• Amend subclause 7.6(2) in Airspace Operations.</li> <li>• Amend subclause 7.14(1) in Car Parking for certain land in Parramatta City Centre.</li> <li>• Insert new clause 7.21 Development on land at 142–154 Macquarie Street, Parramatta</li> </ul> <p><b>Map changes (Appendix 2B):</b></p> <ul style="list-style-type: none"> <li>• Amend Height of Buildings Map to show heights of 0m, 76m, 84m, 97m, and 156m</li> <li>• Amend Floor Space Ratio Map to show a FSR of 7:1</li> <li>• Amend the Special Provisions Area Map to indicate “Area 12”</li> <li>• Amend the Incentive Height of Buildings and Incentive Floor Space Ratio Maps to remove controls applying to this land.</li> </ul>
<p>87 Church Street and 6 Great Western Highway Parramatta (Amendment 58) Notification date – 11 December 2020</p>	<p><b>Planning Proposal:</b> Inserted new sub-section ‘Site specific planning proposals’ in Part 4 – Mapping and new sub-section ‘Changes to the CBD Planning Proposal documentation’ in Part 5 – Community Consultation.</p> <p><b>Update of the exhibited extract of Parramatta Local Environment Plan 2011 instrument: (Appendix 1A):</b></p> <ul style="list-style-type: none"> <li>• Amend subclause 7.19(1) Development on land at 87 Church Street and 6 Great Western Highway, Parramatta</li> </ul> <p><b>Map changes (Appendix 1B):</b></p> <ul style="list-style-type: none"> <li>• No Map change required</li> </ul>
<p>470 Church Street, Parramatta (Amendment 47) Notification date – 19 February 2021</p>	<p><b>Planning Proposal:</b> Inserted new sub-section ‘Site specific planning proposals’ in Part 4 – Mapping and new sub-section ‘Changes to the CBD Planning Proposal documentation’ in Part 5 – Community Consultation.</p> <p><b>Update of the exhibited extract of Parramatta Local Environment Plan 2011 instrument: (Appendix 1A):</b></p> <ul style="list-style-type: none"> <li>• Amend subclause 7.2(3) in Floor space ratio</li> <li>• Amend subclause 7.14(1) in Car Parking for certain land in Parramatta City Centre</li> </ul> <p><b>Map changes (Appendix 2B):</b></p> <ul style="list-style-type: none"> <li>• Amend Height of Buildings Map to show a height of 80m</li> <li>• Amend Floor Space Ratio Map to show a FSR of 6:1</li> <li>• Amend Special Provisions Areas Map to indicate “Area 11”</li> <li>• Amend the Incentive Height of Buildings and Incentive Floor Space Ratio Maps to remove controls applying to this land.</li> </ul>



Affected site & Amendment No.	Summary of consequential changes required
<p>33-43 Marion Street, Parramatta (Amendment 57) Notification date – 26 February 2021</p>	<p><b>Planning Proposal:</b></p> <p>Inserted new sub-section ‘Site specific planning proposals’ in Part 4 – Mapping and new sub-section ‘Changes to the CBD Planning Proposal documentation’ in Part 5 – Community Consultation.</p> <p><b>Update of the exhibited extract of Parramatta Local Environment Plan 2011 instrument: (Appendix 1A):</b></p> <ul style="list-style-type: none"> <li>• Insert new clause 7.22 Development on land at 33–43 Marion Street, Parramatta</li> <li>• Insert new clause 7.23 Car parking on land at 33–43 Marion Street, Parramatta</li> <li>• Delete heritage item I731 from Part 1 from Schedule 5 Environmental heritage</li> </ul> <p><b>Map changes (Appendix 2B):</b></p> <ul style="list-style-type: none"> <li>• Amend Height of Buildings Map to show a height of 80m</li> <li>• Amend Floor Space Ratio Map to show a FSR of 6:1</li> <li>• Amend Heritage Map to delete local heritage item I731 over No. 37 Marion Street</li> <li>• Amend the Special Provisions Area Map to indicate “Area 15”</li> <li>• Amend the Incentive Height of Buildings and Incentive Floor Space Ratio Maps to remove controls applying to this land.</li> </ul>
<p>5 Aird Street, 12 Hassall Street &amp; 20 Macquarie Street, Parramatta (Amendment 54) Notification date – 1 April 2021</p>	<p><b>Planning Proposal:</b></p> <p>Inserted new sub-section ‘Site specific planning proposals’ in Part 4 – Mapping and new sub-section ‘Changes to the CBD Planning Proposal documentation’ in Part 5 – Community Consultation.</p> <p><b>Update of the exhibited extract of Parramatta Local Environment Plan 2011 instrument: (Appendix 1A):</b></p> <ul style="list-style-type: none"> <li>• Amend subclause 7.6(2) in Airspace Operations.</li> <li>• Amend subclause 7.14(1) in Car Parking for certain land in Parramatta City Centre.</li> <li>• Insert new subclause 7.24(5) in Car Parking for certain land in Parramatta City Centre</li> <li>• Insert new clause 7.24 Development on land at 5 Aird Street and 12 Hassall Street, Parramatta</li> <li>• Insert new clause 7.25 Development on land at 20 Macquarie Street, Parramatta</li> </ul> <p><b>Map changes (Appendix 2B):</b></p> <ul style="list-style-type: none"> <li>• Amend Height of Buildings Map to show: <ul style="list-style-type: none"> <li>○ A Height of 217m at 5 Aird Street;</li> <li>○ A Height of 192m at 12 Hassall Street; and</li> <li>○ A Height of 90m at 20 Macquarie Street</li> </ul> </li> <li>• Amend Floor Space Ratio Map to show: <ul style="list-style-type: none"> <li>○ A FSR of 14.5:1 at 5 Aird Street and 12 Hassall Street; and</li> <li>○ A FSR of 10:1 at 20 Macquarie Street</li> </ul> </li> <li>• Amend the Special Provisions Area Map to indicate: <ul style="list-style-type: none"> <li>○ “Area 16” at 5 Aird Street;</li> <li>○ “Area 17” at 12 Hassall Street; and</li> </ul> </li> </ul>

Affected site & Amendment No.	Summary of consequential changes required
	<ul style="list-style-type: none"> <li>○ “Area 18” at 20 Macquarie Street</li> <li>● Amend the Incentive Height of Buildings and Incentive Floor Space Ratio Maps to remove controls applying to this land.</li> <li>● Amend the Additional Local Provisions Map to remove the Minimum Commercial Provision (MCP) requirement from 5 Aird Street and 12 Hassall Street.</li> <li>● Amend the Opportunity Sites Map to remove the sites at 5 Aird Street and 12 Hassall Street.</li> </ul>

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