



**CITY OF  
PARRAMATTA**

# **MINUTES**

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**Local Planning Panel**

**Tuesday 17 June 2025**

**3:30 pm**

**Level 4 - Civic Reception**

**PHIVE**

**5 Parramatta Square, Parramatta**

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## 6 REPORTS - PLANNING PROPOSALS

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ITEM NUMBER	6.1
SUBJECT	Amendment of the Harmonisation Supplementary Matters and Housekeeping Planning Proposal
APPLICANT/S	City of Parramatta Council
OWNERS	City of Parramatta Council
REPORT OF	Senior Project Officer

### PANEL'S DECISION:

The Local Planning Panel advise Council:

- (a) That Council approve the following amendments to the Harmonisation Supplementary Matters and Housekeeping Planning Proposal (**Attachment 1**):
  - i. Insert a new item: The removal of Clause 6.19 Subdivisions for dual occupancies prohibited on certain land and associated mapping.
  - ii. Remove item 17: Amend height of building map for potential Church Street North Civic Plaza.
  - iii. Remove item 27: Additional local provision for Clause 6.24 Mix of dwelling sizes in residential flat buildings and shop top housing.
- (b) That Council forward the amended Harmonisation Supplementary Matters and Housekeeping Planning Proposal to the Department of Planning, Housing and Infrastructure (DPHI) for the purpose of seeking an amended Gateway Determination.
- (c) 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.
- (d) That Council advises the Department of Planning, Housing and Infrastructure that the CEO will be seeking to exercise its plan-making delegations for this Planning Proposal.

**Voting:** 4/4 (Unanimous)

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## 7 CONCLUSION OF MEETING

The meeting closed at 4:04PM.

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Chairperson

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<b>ITEM NUMBER</b>	6.1
<b>SUBJECT</b>	Amendment of the Harmonisation Supplementary Matters and Housekeeping Planning Proposal
<b>APPLICANT/S</b>	City of Parramatta Council
<b>OWNERS</b>	City of Parramatta Council
<b>REPORT OF</b>	Senior Project Officer

**DATE OF REPORT** 17 June 2025

**REASON FOR REFERRAL TO LPP:** Approval

**PURPOSE:**

To seek the Local Planning Panel's advice on the amendment of the Parramatta Harmonisation Supplementary Matters and Housekeeping Planning Proposal (**Attachment 1**) for the purpose of requesting an amended Gateway Determination from the Department of Planning, Housing and Infrastructure (DPHI).

**RECOMMENDATION:**

The Local Planning Panel consider the following Council Officer Recommendation in its advice to Council.

- (a) That Council approve the following amendments to the Harmonisation Supplementary Matters and Housekeeping Planning Proposal (**Attachment 1**):
    - i. Insert a new item: The removal of Clause 6.19 Subdivisions for dual occupancies prohibited on certain land and associated mapping.
    - ii. Remove item 17: Amend height of building map for potential Church Street North Civic Plaza.
    - iii. Remove item 27: Additional local provision for Clause 6.24 Mix of dwelling sizes in residential flat buildings and shop top housing.
  - (b) That Council forward the amended Harmonisation Supplementary Matters and Housekeeping Planning Proposal to the Department of Planning, Housing and Infrastructure (DPHI) for the purpose of seeking an amended Gateway Determination.
  - (c) 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.
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- (d) That Council advises the Department of Planning, Housing and Infrastructure that the CEO will be seeking to exercise its plan-making delegations for this Planning Proposal.

## PLANNING PROPOSAL TIMELINE



## SITE DESCRIPTION

1. The Harmonisation Supplementary Matters and Housekeeping Planning Proposal applies to the whole of the City of Parramatta Local Government Area (LGA). Parramatta Local Environmental Plan 2023 (PLEP 2023) Clause 6.19 *Subdivisions for dual occupancies prohibited on certain land* prohibits subdivision of dual occupancies in some parts of Carlingford, North Rocks, Northmead and Oatlands (**Figure 1**).

## SUMMARY

2. This report concerns proposed amendments to the Harmonisation Supplementary Matters and Housekeeping Planning Proposal (**Attachment 1**) which was considered by the Local Planning Panel (LPP) on [16 July 2024](#) and Council on [12 August 2024](#) and is the subject of a Gateway Determination issued by DPHI on 24 March 2024 (**Attachment 2**).
3. The amendments to the Harmonisation Supplementary Matters and Housekeeping Planning Proposal (**Attachment 1**) propose the insertion of one new item and the removal of two items.
4. This matter is being reported to Council as it requires amendments to the Harmonisation Supplementary Matters and Housekeeping Planning Proposal which was endorsed by Council on [12 August 2024](#). It proposes that an

amended Gateway Determination reflecting the proposed amendments (**Attachment 1**) be issued by DPHI.

5. It is proposed to amend the Harmonisation Supplementary Matters and Housekeeping Planning Proposal (**Attachment 1**) to include one additional matter and to remove two matters as provided below:

Proposed Additional Item: Removal of Clause 6.19 Subdivisions for dual occupancies prohibited on certain land and associated mapping from Parramatta Local Environmental Plan 2023.

6. Clause 6.19 of PLEP 2023 (below) prohibits the subdivision of dual occupancies on some R2 Low Density Residential and R3 Medium Density Residential zoned land in parts of Carlingford, North Rocks, Northmead and Oatlands (**Figure 1**). It was originally included in the Hills LEP 2012 with the objective of discouraging dual occupancy development in the former Hills Local Government Area (LGA).

***"6.19 Subdivisions for dual occupancies prohibited on certain land***

(1) *The objectives of this clause are as follows—*

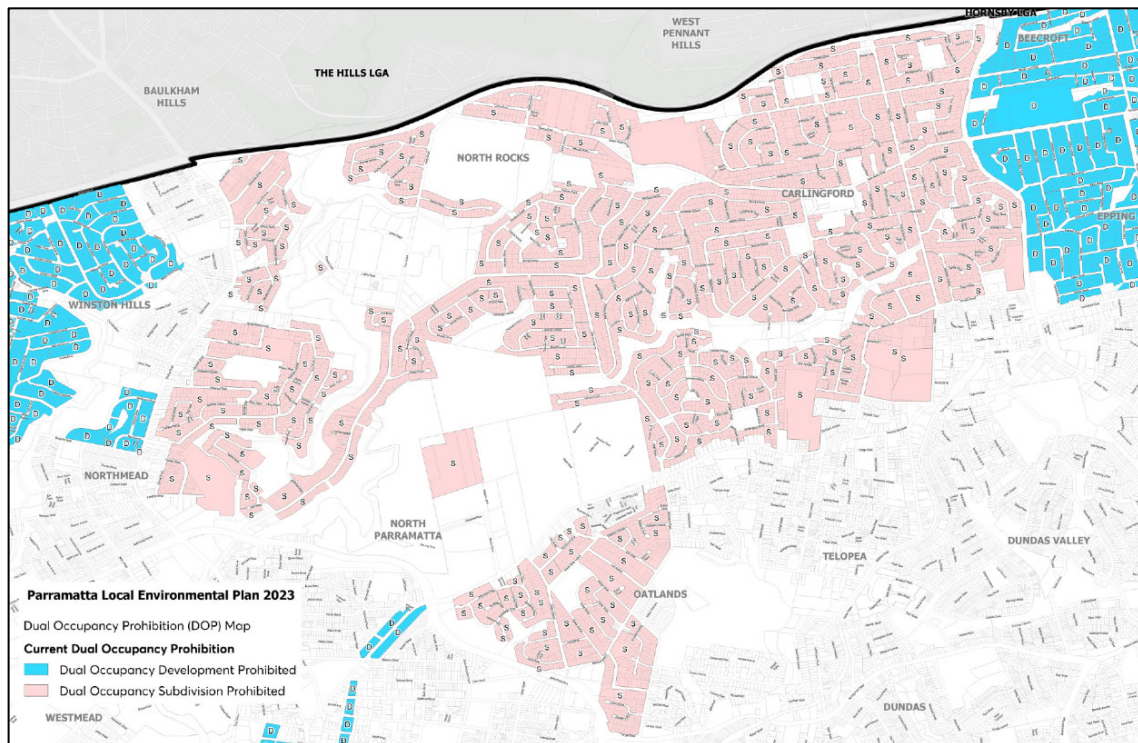
- (a) *to not allow development consent to be granted for the subdivision of land containing certain dual occupancies,*
- (b) *to maintain the prevailing character of lower density residential areas.*

(2) *This clause applies to land—*

- (a) *identified as "S" on the , and*
- (b) *on which a dual occupancy is erected or proposed to be erected.*

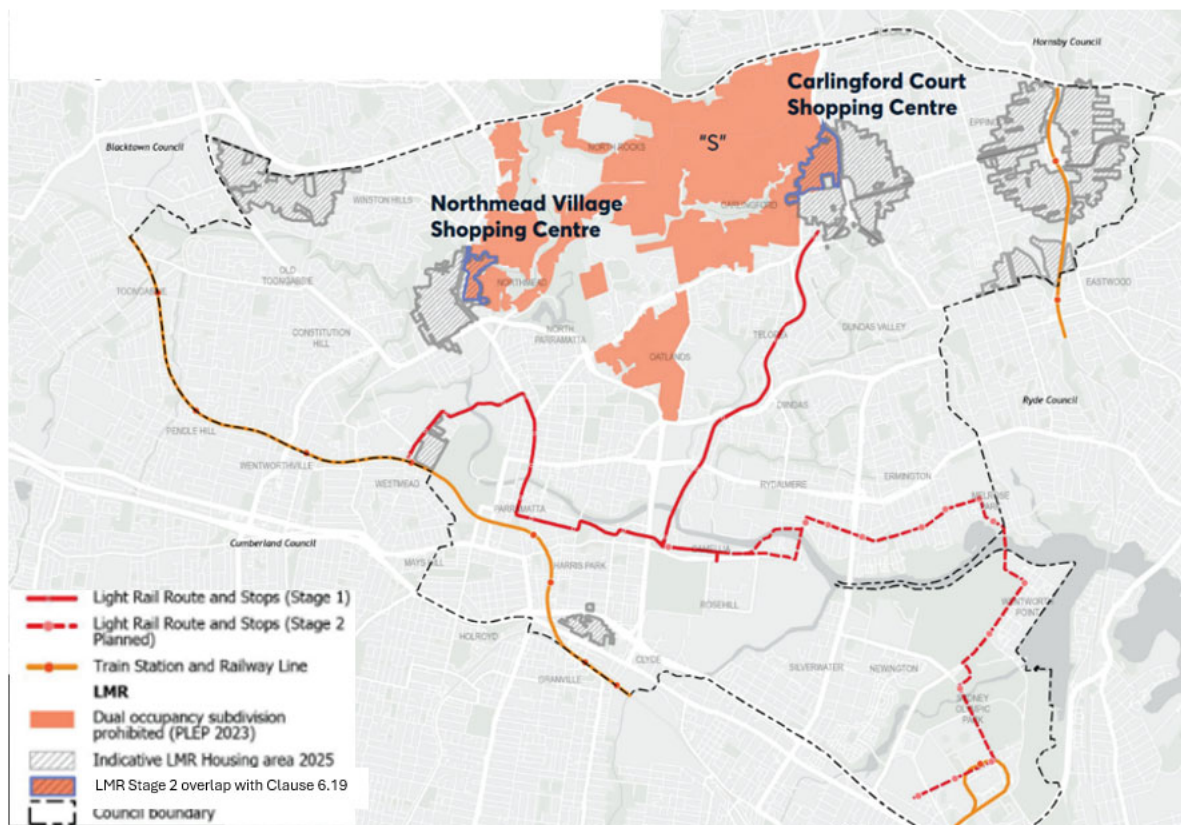
(3) *Development consent must not be granted for the subdivision of the land if the subdivision would result in each dwelling forming part of the dual occupancy being located on separate lots unless—*

- (a) *the dual occupancy was erected, or the building work for the erection of the dual occupancy commenced, before 5 October 2012, and*
- (b) *the erection was, or is being carried out, under a development consent granted before 18 October 1996, and*
- (c) *the plans approved by the development consent showed parts of the building were intended for separate occupation, and*
- (d) *the subdivision would create lots that substantially correspond with the parts shown on the plans as being intended for separate occupation, and*
- (e) *the land is being subdivided under a strata plan."*



**Figure 1** - PLEP 2023 Dual Occupancy Prohibition Map - Pink lots marked with 'S' identifies properties where dual occupancy subdivision is prohibited – Blue lots marked 'D' identifies where dual occupancies are prohibited.

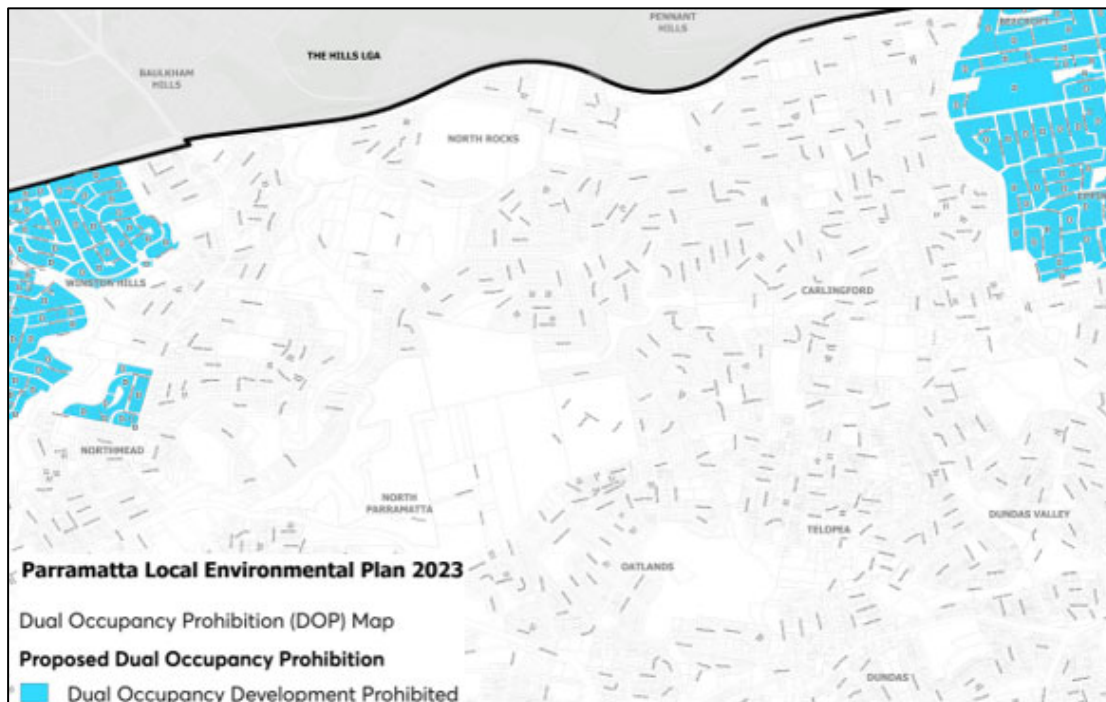
7. The Clause was transferred to the PLEP 2023 through Council's Land Use Planning Harmonisation project in 2019 at the request of DPHI, following the 2016 Council amalgamations.
8. Whilst dual occupancy development is permissible on those properties, PLEP 2023 Clause 6.19 prohibits their subdivision.
9. Stage 1 of the State Government's Low and Mid-Rise (LMR) policy which commenced on 1 July 2024, permits dual occupancy development throughout low density residential zoned land in Metropolitan Sydney.
10. Stage 2 of the LMR policy (**Figure 2**) which commenced on 28 February 2025, introduces non-discretionary standards for the subdivision of dual occupancies on residential zoned land within 800m of identified town centres and stations across NSW.



**Figure 2 – Areas where Stage 2 LMR Reform Applies**

Orange with blue outline and grey hatching relates to LMR Stage 2 overlap with Clause 6.19 dual occupancy subdivision prohibition

11. Despite Stage 2 of the LMR Policy providing minimum lot size and frontage standards for dual occupancy subdivision in the LMR areas, these standards cannot be applied as Clause 6.19 continues to prohibit dual occupancy subdivision where it overlaps with the LMR Areas (**Figure 2**).
12. The application of Clause 6.19 has resulted in an inequitable situation whereby dual occupancies can generally be subdivided on low and medium density residential zoned land everywhere throughout the LGA (subject to Council's minimum lot size requirements) except for those properties subject to Clause 6.19 (**Figure 1**).
13. This framework of subdivision prohibition does not correlate with any clear planning framework or strategy. In order to ensure an equitable and consistent approach to the subdivision of dual occupancies across the LGA, it is recommended that Clause 6.19 and its associated mapping be removed from PLEP 2023 (**Figure 3**).



**Figure 3 - Proposed PLEP 2023 Dual Occupancy Subdivision Map**

14. Without the application of PLEP 2023 Clause 6.19, subdivision of dual occupancies on those properties subject to this Clause will be permissible and subject to Council's 600 sqm minimum lot size and 15m minimum lot frontage, in accordance with Clause 4.1C of PLEP 2023, or the LMR Stage 2, 450 sqm minimum lot size where properties fall within LMR Stage 2 areas (**Figure 2**).

#### Other Relevant PLEP 2023 Dual Occupancy Controls

##### PLEP 2023 Clause 6.11 Dual Occupancies Prohibited on Certain Land

15. PLEP 2023 Clause 6.11 (below) prohibits dual occupancy development on certain R2 Low Density Residential land identified on the Dual Occupancy Prohibition Map (**Figure 1**).
16. Clause 6.11 also permits dual occupancy development in certain situations including where the land contains a heritage item, has two street frontages, is a corner lot or is within the South Parramatta Heritage Conservation Area.

#### **6.11 Dual occupancies prohibited on certain land**

- (1) Development consent must not be granted to development for the purposes of dual occupancies on land identified as "D" on the [Dual Occupancy Prohibition Map](#).
- (2) Development consent must not be granted to development for the purposes of dual occupancies (detached) on land in a residential zone unless the land—
  - (a) contains a heritage item, or


- (b) has 2 street frontages, or
- (c) is a corner lot within the meaning of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*, or
- (d) is shown in red hatching and identified as "South Parramatta Conservation Area" on the *Heritage Map*.

17. The Stage 1 LMR policy overrides this clause and permits dual occupancy development in all residential low-density zoned land, including heritage conservation areas.
18. It is not proposed to remove or amend Clause 6.11 of PLEP 2023 as it aligns with Council's existing policy position regarding dual occupancy development and ensures this position is maintained should the LMR policy be amended or repealed.

Proposed Removal of Two Items: Amend Height of Building Map for Potential Church Street North Public Plaza and Additional Local Provision on Mix of Dwelling Sizes in Residential Flat Buildings and Shop Top Housing

19. A Gateway Determination for the Harmonisation Supplementary Matters and Housekeeping Planning Proposal was issued on 24 March 2025 (**Attachment 2**).
20. The Gateway Determination requires a range of issues to be addressed prior to exhibition of the Harmonisation Supplementary Matters and Housekeeping Planning Proposal including additional information, minor errors, consequential mapping, removal of a duplicate matter and removal of the proposed inclusion of existing Places of Public Worship (PoPW) as Additional Permitted Uses (APUs).
21. The Harmonisation Supplementary Matters and Housekeeping Planning Proposal will be amended to address the Gateway conditions where possible. However, it is also proposed that it be amended to remove two additional matters so that they can be addressed separately and that the Harmonisation Supplementary Matters and Housekeeping Planning Proposal can progress to exhibition.
22. The additional matters proposed to be removed from the Harmonisation Supplementary Matters and Housekeeping Planning Proposal (**Attachment 1**), the corresponding Gateway Determination condition and commentary/proposed next steps are outlined in **Table 1** below.

**Table 1 – Planning Proposal Items to be removed**

Planning Proposal Item to Be Removed	Gateway Condition	Comment/Proposed Next Steps
<p>17. Amend Height of Building Map for Potential Church Street North Public Plaza site to 0m</p>	<p>(c) Amend Item 17 (Church Street North public plaza site) and associated mapping to reflect the amended HOB of 9m and label 'subject to consultation with TfNSW' indicating this aspect of the proposal remains unresolved;</p>  <p><b>Figure 4 - Proposed Public Plaza 0m HoB control.</b></p>	<p>Remove item 17 from the Planning Proposal.</p> <p>Progress this matter as part of a separate Planning Proposal following the completion of the feasibility study and highest and best use presentation for Fennel Street carpark as required in Mayoral Minute of 12 May 2025.</p>
<p>27. Additional local provision, Clause 6.24 Mix of dwelling sizes in residential flat buildings and shop top housing.</p>	<p>(e) Update Item 27 (proposed dwelling mix clause) to provide an evidence based justification to support this proposed amendment. This must include a current market demand analysis that demonstrates:</p> <ul style="list-style-type: none"> <li>• The proposed amendment will not have a detrimental impact on development feasibility across the LGA.</li> <li>• The proposed amendment will not have a detrimental impact on housing supply across the LGA.</li> <li>• The overall benefits of the proposed amendment.</li> </ul>	<p>Remove item 27 from the Harmonisation Supplementary Matters and Housekeeping Planning Proposal and progress this matter as part of a separate planning proposal after appropriate feasibility studies have been prepared and approved by DPHI.</p>

## PLAN MAKING DELEGATIONS

23. The Plan making functions for the Harmonisation Supplementary Matters and Housekeeping Planning Proposal were delegated to Council in the Gateway Determination (**Attachment 2**) issued on 24 March 2025. This means that after the Planning Proposal has been amended to comply with any remaining conditions of the Gateway Determination, Council officers can deal with Parliamentary Counsel on the legal drafting and finalization of amendments to PLEP 2023 facilitated by the Harmonisation Supplementary Matters and Housekeeping Planning Proposal.

## FINANCIAL IMPLICATIONS FOR COUNCIL

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

## CONCLUSIONS AND NEXT STEPS

25. This report recommends that the Harmonisation Supplementary Matters and Housekeeping Planning Proposal be amended as discussed in the report and be submitted to the DPHI for an amended Gateway Determination.
26. Following the LPP's consideration regarding amending the Harmonisation Supplementary Matters and Housekeeping Planning Proposal, the Planning Proposal will be amended accordingly and be considered by Council. Should the amended Harmonisation Supplementary Matters and Housekeeping Planning Proposal be supported by Council it will be forwarded to the DPHI with a request for an altered Gateway Determination.
27. Following receipt of an amended Gateway Determination for the Harmonisation Supplementary Matters and Housekeeping Planning Proposal, Council officers will respond to any remaining administrative matters and progress with the public exhibition of the Planning Proposal.

Rafel Morrissey  
**Senior Project Officer Major Projects and Precincts**

Carmel O'Connor  
**Team Leader Major Projects and Precincts**

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David Birds  
Group Manager Major Projects and Precincts

Robert Cologna  
Executive Director City Planning and Design

**ATTACHMENTS:**

**Attachment 1** – Harmonisation Supplementary Matters and Housekeeping Planning Proposal (endorsed by Council 12 August 2024)

**Attachment 2** – Gateway Determination

**Attachment 3** – Assessment of Removal of Clause 6.19

## Link to Attachments

The 17 June 2025 Local Planning Panel Report and its attachments can be viewed here:

<https://hdocssuite.blob.core.windows.net/docassembler-web-publishing/936d3116-276b-4089-9859-982893b5f23b/4b8278be-82aa-42cd-aa46-644e7f5f30faa/Amended%20Harmonisation%20Supplementary%20Matters%20and%20Housekeeping%20Planning%20Proposal.pdf?sv=2023-01-03&si=docassembler-web-publishing-18C143FOA12&sr=c&sig=MtRove4t0uZK38WJBP8ve7kY5tT6nhv8O3CCOzmyCM4%3D>