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Department Generated Correspondence (Y)

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Our ref: PP_2010_PARRA_005_00 (10/24931)
Your ref: RZ/6/2010

Dr Robert Lang
General Manager
Parramatta City Council
PO Box 32
PARRAMATTA NSW 2124

Dear Dr Lang,

Re: Planning Proposal to rezone land at 2-12 River Road West, Parramatta, from industrial to a mix of uses including retail, commercial and high density residential

I am writing in response to your Council's letter dated 21 December 2010 requesting a Gateway Determination under section 56 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") in respect of the planning proposal to amend the Parramatta Local Environmental Plan 2011 to rezone land at 2-12 River Road West, Parramatta, from industrial to a mix of uses including retail, commercial and high density residential.

As delegate of the Minister for Planning, I have now determined that the planning proposal should proceed subject to the conditions in the attached Gateway Determination.

Before the Director General is able to agree to the form of the Planning Proposal under section 57(2) of the EP&A Act for the purposes of exhibition, Council is to prepare the draft maps as required below and address the S117 Directions and potential contamination issues identified in this letter. It is expected that these areas of further investigation and assessment should be completed within 4 months following this Gateway Determination, with the aim of settling the LEP's core provisions for the site (i.e. zones, development standards and heritage conservation), prior to being referred back to the Department before exhibition.

Council is not to commence exhibition until the amendments have been made to the planning proposal to reflect the requirements of the determination, and has been resubmitted to the Director General for further concurrence in accordance with section 56(2)(b).

Council is to prepare the following draft maps in accordance with the Department's Standard Technical Requirements for LEP Maps for the site.

- A draft LEP Zoning Map
- A draft LEP Height Map
- A draft LEP FSR Map
- A draft LEP Foreshore Building Line Map
- A draft layout plan for the site that provides further indication of the land use mix

Council is to identify and address any potential contamination of the site pursuant to the requirements of SEPP55 – Remediation of Land, in light of the proposed development of the site, prior to exhibition commencing.

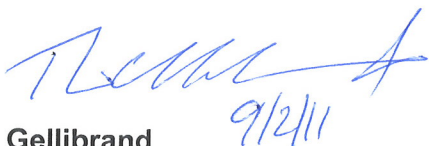
The Director General's delegate has also agreed that the planning proposal's inconsistencies with S117 Directions *1.1 Business and Industrial Zones* and *3.4 Integrating Land Use and Transport* are of minor significance. No further approval is required in relation to these

Directions. However, Council is required to address the planning proposal's inconsistencies with S117 Direction 2.3 Heritage Conservation and consult the NSW Department of Planning Heritage Branch regarding the potential impact of development on surrounding heritage view corridors and adjacent heritage buildings. In addition, Council is also to consider S117 Directions 4.3 Flood Prone Land and 4.1 Acid Sulfate Soil, and include its consideration within the planning proposal for exhibition purposes.

The amending Local Environmental Plan (LEP) is to be finalised within 9 months of the week following the date of the Gateway Determination. Council should aim to commence the exhibition of the Planning Proposal within four (4) weeks of receiving Gateway approval of the form of the planning proposal. Council's request for the Department to draft and finalise the LEP should be made six (6) weeks prior to the projected publication date.

The State Government is committed to reducing the time taken to complete LEPs by tailoring the steps in the process to the complexity of the proposal, and by providing clear and publicly available justification for each plan at an early stage. In order to meet these commitments, the Minister may take action under s54(2)(d) of the EP&A Act if the time frames outlined in this determination are not met.

Should you have any queries in regard to this matter, please contact Tim Archer of the Regional Office of the Department on 02 9873 8500.



Tom Gellibrand
Deputy Director General
Plan Making & Urban Renewal

Gateway Determination

Planning Proposal (Department Ref: PP_2010_PARRA_005_00): to rezone land at 2-12 River Road West, Parramatta, from industrial to a mix of uses including retail, commercial and high density residential.

I, the Deputy Director General, Plan Making & Urban Renewal as delegate of the Minister for Planning, have determined under section 56(2) of the EP&A Act that an amendment to the Parramatta Local Environmental Plan 2011 to rezone land at 2-12 River Road West, Parramatta, from industrial to a mix of uses including retail, commercial and high density residential should proceed subject to the following conditions:

1. Council is to undertake an assessment of the rezoning against S117 Directions 2.3 Heritage Conservation, 4.3 Flood Prone Land and 4.1 Acid Sulfate Soils and provide advice in relation to the proposal's consistency with these Directions.
 2. Council is to prepare and exhibit draft maps in accordance with the Department's Standard Technical Requirements for LEP Maps illustrating the proposed zoning, Height, FSR and foreshore building line for the site.
 3. Council is not to commence exhibition until the amendments have been made to the planning proposal to reflect the requirements of the determination, and has been resubmitted to the Director General for further concurrence in accordance with section 56(2)(b) of the EP&A Act.
 4. Community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") as follows:
 - (a) the planning proposal must be made publicly available for **28 days**; and
 - (b) the relevant planning authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in section 4.5 of *A Guide to Preparing LEPs (Department of Planning 2009)*.
 5. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act:
 - NSW Roads and Traffic Authority (RTA)
 - NSW Department of Planning – Heritage Branch
 - Department of Environment, Climate Change and Water
- Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material. Each public authority is to be given at least 21 days to comment on the proposal, or to indicate that they will require additional time to comment on the proposal. Public authorities may request additional information or additional matters to be addressed in the planning proposal.
6. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the EP&A Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).

7. The timeframe for completing the LEP is to be **9 months** from the week following the date of the Gateway determination.

Dated *9th* day of *February* 2011.



Tom Gellibrand
Deputy Director General
Plan Making & Urban Renewal
Delegate of the Minister for Planning