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Dr Robert Lang
General Manager
Parramatta City Council
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PARRAMATTA NSW 2124

Our ref: PP_2013_PARRA_005_00 (13/09508)
Your ref: F2012/02486

Dear Dr Lang,

Planning proposal to amend Parramatta Local Environmental Plan 2011

I am writing in response to your Council's letter dated 27 May 2013 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 make various housekeeping amendments to Parramatta Local Environmental Plan (LEP) 2011 including: clarifying provisions relating to dual occupancy development; updating the LEP to reflect changes to the Standard Instrument; amending Schedule 5 – Environmental Heritage and Heritage Map; rezoning places of public worship to SP1 Special Activities (Place of Public Worship); amending the zoning, maximum building height and floor space ratio for certain land within the Parramatta local government area and amending the Land Reservation Acquisition Map.

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

Council's intention to clarifying provisions relating to dual occupancy development is supported, however the proposal to map areas where dual occupancy development is prohibited is not appropriate and does not provide the public with a clear understanding of the permissibility of dual occupancy development. To achieve the intended outcome, Council is to consider using Schedule 1 - Additional permitted uses and associated Additional Permitted Uses Map to identify areas where dual occupancy development is permitted. I understand Council does not object to this approach. Consequently, the planning proposal is to be amended to reflect the above position, prior to undertaking public exhibition.

I have also agreed the planning proposal's inconsistencies with S117 Directions 1.1 Business and Industrial Zones, 3.1 Residential Zones and 6.3 Site Specific Provisions are of minor significance. No further approval is required in relation to these Directions. In relation to S117 Direction 6.2 Reserving Land for Public Purposes, Council is to obtain consent from NSW Land and Housing Corporation regarding the rezoning of land at Boronia Street, South Granville and identify the relevant acquisition authority.

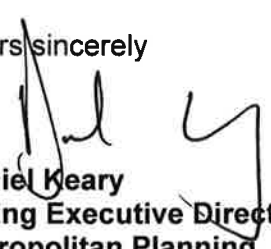
The Minister delegated his plan making powers to councils in October 2012. It is noted that Council has requested to be issued with delegation for this planning proposal. I have considered the nature of Council's planning proposal and have decided to issue an authorisation for Council to exercise delegation to make this plan.

The amending 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 as soon as possible. Council's request to draft and finalise the LEP should be made directly to Parliamentary Counsel's Office 6 weeks prior to the projected publication date. A copy of the request should be forwarded to the department for administrative purposes.

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 section 54(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 Lillian Charlesworth of the regional office of the department on 02 9860 1101.

Yours sincerely

 26/6/13
Daniel Keary
Acting Executive Director
Metropolitan Planning
Planning Operations and Regional Delivery

Gateway Determination

Planning proposal (Department Ref: PP_2013_PARRA_005_00): to facilitate various housekeeping amendments to Parramatta LEP 2011.

I, the Acting Executive Director, Metropolitan Planning at the Department of Planning and Infrastructure as delegate of the Minister for Planning and Infrastructure, have determined under section 56(2) of the EP&A Act that a housekeeping amendment to the Parramatta Local Environmental Plan (LEP) 2011 to clarify provisions relating to dual occupancy development; update the LEP to reflect changes to the Standard Instrument, amend Schedule 5 – Environmental Heritage and Heritage Map; rezone places of public worship to SP1 Special Activities (Place of Public Worship); amend the zoning, maximum building height and floor space ratio for certain land within the Parramatta local government area and amend the Land Reservation Acquisition Map should proceed subject to the following conditions:

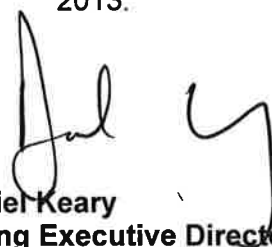
1. Council's proposal to use a map to identify areas where dual occupancy development is prohibited is not supported and should be removed from the planning proposal. Council is to consider using Schedule 1 - Additional permitted uses and associated Additional Permitted Uses Map to identify areas where dual occupancy development is permitted. Council is to amend this planning proposal to reflect the above approach prior to proceeding to public exhibition.
 2. 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 a minimum of **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 5.5.2 of *A Guide to Preparing LEPs* (Department of Planning & Infrastructure 2013).
 3. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act and/or to comply with the requirements of or demonstrate consistency with relevant S117 Directions:
 - Office of Environment and Heritage
 - Transport for NSW – Roads and Maritime Services
 - NSW Land and Housing Corporation (S117 Direction 6.2 Reserving Land for Public Purposes)
- Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material, and given at least 21 days to comment on the proposal.
4. 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).



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

Dated **26th** day of

JUNE 2013.



**Daniel Keary
Acting Executive Director
Metropolitan Planning
Planning Operations and Regional Delivery
Department of Planning and Infrastructure**

**Delegate of the Minister for Planning and
Infrastructure**



WRITTEN AUTHORISATION TO EXERCISE DELEGATION

Parramatta City Council is authorised to exercise the functions of the Minister for Planning and Infrastructure under section 59 of the *Environmental Planning and Assessment Act 1979* that are delegated to it by instrument of delegation dated 14 October 2012, in relation to the following planning proposal:

Number	Name
PP_2013_PARRA_005_00	Planning proposal to make various housekeeping amendments to Parramatta Local Environmental Plan (LEP) 2011 including: clarifying provisions relating to dual occupancy development; updating the LEP to reflect changes to the Standard Instrument; amending Schedule 5 – Environmental Heritage and Heritage Map; rezoning places of public worship to SP1 Special Activities (Place of Public Worship); amending the zoning, maximum building height and floor space ratio for certain land within the Parramatta local government area and amending the Land Reservation Acquisition Map.

In exercising the Minister's functions under section 59, the Council must comply with the Department's "*A guideline for the preparation of local environmental plans*" and "*A guide to preparing planning proposals*".

Dated

26/6/2013

Daniel Keary
Acting Executive Director
Metropolitan Planning
Planning Operations and Regional Delivery
Department of Planning and Infrastructure

Attachment 5 – Delegated plan making reporting template

Reporting template for delegated LEP amendments

Notes:

- Planning proposal number will be provided by the department following receipt of the planning proposal
- The department will fill in the details of Tables 1 and 3
- RPA is to fill in details for Table 2
- If the planning proposal is exhibited more than once, the RPA should add additional rows to **Table 2** to include this information
- The RPA must notify the relevant contact officer in the regional office in writing of the dates as they occur to ensure the department's publicly accessible LEP Tracking System is kept up to date
- A copy of this completed report must be provided to the department with the RPA's request to have the LEP notified

Table 1 – To be completed by the department

Stage	Date/Details
Planning Proposal Number	PP_2013_PARRA_005_00
Date Sent to Department under s56	27/05/2013
Date considered at LEP Review Panel	20/06/2013
Gateway determination date	26/06/2013

Table 2 – To be completed by the RPA

Stage	Date/Details	Notified Reg Off
Dates draft LEP exhibited		
Date of public hearing (if held)		
Date sent to PCO seeking Opinion		
Date Opinion received		
Date Council Resolved to Adopt LEP		
Date LEP made by GM (or other) under delegation		
Date sent to DP&I requesting notification		

Table 3 – To be completed by the department

Stage	Date/Details
Notification Date and details	

Additional relevant information: