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Our ref: PP_2013_PARRA_011_00 (13/17635)
Your ref: F2011/00894

Ms Sue Weatherley
A/General Manager
Parramatta City Council
PO Box 32
PARRAMATTA NSW 2124

Dear Ms Weatherley,

Planning proposal to amend Parramatta Local Environmental Plan 2011 and the Parramatta City Centre Local Environmental Plan 2007

I am writing in response to your Council's letter dated 8 October 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 amend the Land Reservation Acquisition Maps to reserve land and remove existing land reservations as well as amend associated land zoning, height of buildings, floor space ratio, minimum lot size, minimum lot size for dual occupancy, natural resources biodiversity and natural resources riparian land and waterways maps.

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.

I have also agreed the planning proposal's inconsistencies with S117 Directions 2.1 Environment Protection Zones and 3.1 Residential Zones are of minor significance. In relation to S117 Direction 6.2 Reserving Land for Public Purposes, I have agreed to the reduction and creation of land for public purposes. No further approval is required in relation to these Directions.

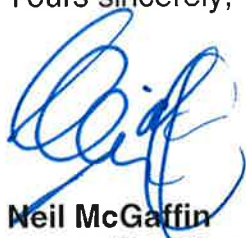
The Minister delegated his plan making powers to councils in October 2012. It is noted that Council has now accepted this delegation. I have considered the nature of Council's planning proposal and have decided to issue an authorisation for Council to exercise delegation to make this plan.

The amending 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 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 1560.

Yours sincerely,



Neil McGaffin
Acting Deputy Director General
Planning Operations & Regional Delivery

27.11.13

Encl:
Gateway Determination
Written Authorisation to Exercise Delegation
Attachment 5 – Delegated Plan Making Reporting Template

Gateway Determination

Planning proposal (Department Ref: PP_2013_PARRA_011_00): to reserve land for acquisition, remove certain existing reserved sites and amend associated maps.

I, the Acting Deputy Director General, Planning Operations and Regional Delivery 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 an amendment to the Parramatta Local Environmental Plan 2011 and the Parramatta City Centre Local Environmental Plan 2007 to amend the Land Reservation Acquisition Maps to reserve land and remove existing land reservations as well as amend associated land zoning, height of buildings, floor space ratio, minimum lot size, minimum lot size for dual occupancy, natural resources biodiversity and natural resources riparian land and waterways maps should proceed subject to the following conditions:

1. Prior to public exhibition, the planning proposal shall be updated in the following manner:
 - amend Maps 12, 14, 24 and 25 in Attachment B so that the hatching shown on the map matches that indicated on the map legend; and
 - identify Council as the acquisition authority in relation to the car park at 51 and 53A Marion Street, Harris Park.
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 relevant S117 Directions:
 - Roads and Maritime Services
 - NSW Office of Environment and Heritage

The written agreement of Roads and Maritime Services to be the acquisition authority for sites identified as such is required prior to exhibition. Additionally, 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 27th day of November 2013.



Neil McGaffin
Acting Deputy Director General
Planning Operations & 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_011_00	Planning proposal to amend the Land Reservation Acquisition Maps pertaining to both planning instruments to reserve land and remove existing land reservations as well as amend associated land zoning, height of buildings, floor space ratio, minimum lot size, minimum lot size for dual occupancy, natural resources biodiversity and natural resources riparian land and waterways maps.

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

Dated 27 November 2013

Neil McGaffin
Acting Deputy Director General
Planning Operations & 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_011_00
Date Sent to Department under s56	8 October 2013
Date considered at LEP Review Panel	14 November 2013
Gateway determination date	27/11/2013

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: