



Planning & Infrastructure

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Our ref: PP_2012_PARRA_003_00 (11/21313)
Your ref: RZ/4/2011

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

Dear Dr Lang,

Planning proposal to amend Parramatta Local Environmental Plan (LEP) 2011

I am writing in response to your Council's letter dated 31 July 2012 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 (LEP) 2011 to rezone land at 158-164 Hawkesbury Road, and 2A Darcy Road, Westmead from SP2 Special Uses (Educational Establishment) to B4 Mixed Use.

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

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 from the week following this determination. 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 Michael Druce of the Regional Office of the Department on 02 9860 1560.

Yours sincerely,


Sam Haddad
Director-General

31/8/2012

Gateway Determination

Planning proposal (Department Ref: PP_2012_PARRA_003_00): to amend Parramatta Local Environmental Plan (LEP) 2011 to rezone land at Westmead for business purposes.

I, the Director General, 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 (LEP) 2011 to rezone land at 158-164 Hawkesbury Road, and 2A Darcy Road, Westmead from SP2 Special Uses (Educational Establishment) to B4 Mixed Use should proceed subject to the following conditions:

1. Prior to undertaking public exhibition, Council is to amend the planning proposal to:
 - (a) remove reference to SEPP (Sydney Drinking Water Catchment) 2011, as the subject land is not within the Sydney Drinking Water Catchment;
 - (b) update the 'Environmental Impacts' section to identify and elaborate on any environmental impacts associated with the rezoning, and how these are to be managed; and
 - (c) ensure references within the planning proposal to supporting documents and additional information are accurate.
2. It is noted that a number of studies and reports have been prepared in support of the planning proposal. However, Council is to provide further justification for the minimum non-residential floor space control, demonstrating the intent and outcome of the control, identifying any supporting strategy or report.
3. Council is to demonstrate that the planning proposal satisfies the requirements of State Environmental Planning Policy No 55 (SEPP 55) – Remediation of Land and the *Contaminated Land Planning Guidelines*. Council is to prepare an initial site contamination investigation report to demonstrate that the site can accommodate the proposed future use. This report is to be included as part of the public exhibition material.
4. Council is to amend the planning proposal to reflect the conditions of this Gateway determination and provide a copy of the revised planning proposal to the department's regional office, prior to the commencement of public exhibition.
5. 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)*.
6. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act:
 - Transport NSW
 - Transport NSW (Roads and Maritime Services)
 - Transport for NSW (Railcorp)
 - Sydney Water
 - Office of Environment and Heritage
 - Endeavour Energy

- Parramatta Park Trust

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.

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

Dated 31st day of August 2012.

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Sam Haddad
Director-General
Delegate of the Minister for Planning and
Infrastructure