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Dr Robert Lang
General Manager
Parramatta City Council
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PARRAMATTA NSW 2124

Our ref: PP_2012_PARRA_005_00 (12/14574)
Your ref: RZ/9/2011

Dear Dr Lang,

Planning proposal to amend Parramatta City Centre Local Environmental Plan 2007

I am writing in response to your Council's letter dated 31 August 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 City Centre Local Environmental Plan (LEP) 2007 to rezone land at Church and Early Street, Parramatta from B5 Business Development to B4 Mixed Use and to permit a greater intensity of development.

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.

It is noted that adjoining land zoned B5 Business Development fronting the Great Western Highway and Lansdowne Street has not been included in the proposed rezoning. Council is to clarify how it intends to treat the residual land explaining why these lots have been excluded from the planning proposal and how the future strategic planning for this land will relate to the proposed rezoning. Should Council consider it appropriate to include this land within the proposed land to be rezoned, the planning proposal should be amended accordingly, prior to the commencement of public exhibition.

It is also noted that the land is subject to the 'design excellence' clause under Parramatta City Centre LEP 2007. Given the significant development potential of the land as a result of the rezoning and proposed building height and FSR controls, Council should include consideration and information on urban design and the public domain for the purposes of public exhibition, to improve the communities understanding of the relationship of the site to surrounding land and the built environment. Council should amend the planning proposal accordingly.

The amending Local Environmental Plan (LEP) is to be finalised within 12 months of the week following the date of the Gateway 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 NSW 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 9873 8500.

Yours sincerely,

SHaddad

Sam Haddad
Director-General

10/10/2012

Gateway Determination

Planning proposal (Department Ref: PP_2012_PARRA_005_00): to amend the Parramatta City Centre Local Environmental Plan 2007 to rezone land to facilitate higher density development.

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 City Centre Local Environmental Plan (LEP) 2007 to:

- (a) rezone Lot 10 DP 733044 and Lot 20 DP 732622, Church street and Lot B DP 304570, Early Street from B5 Business Development to Part B4 Mixed Use and part B5 Business Development,
- (b) rezone Lot 15 DP 651039, Lot 16 DP 12623 and Lot 114 DP 129484, Church street from B5 Business Development to RE1 Public Recreation,
- (c) amend the Land Zoning, Height of Buildings and Floor Space Ratio maps, and
- (d) introduce further clauses specific to the subject land

should proceed subject to the following conditions:

1. Prior to undertaking public exhibition, Council is to make the following amendments to the planning proposal:
 - (a) Modify the zoning map so that the strip of land currently shown unzoned along Church Street is zoned B5 Business Development for sites 1 and 2, and RE1 Public Recreation for site 3, and
 - (b) The department does not support site specific clauses 2 and 3 to control the development outcomes of the site. The intent of these provisions can be accommodated in the development control plan being prepared. Therefore, Council is to amend the 'explanation of provisions' by removing site specific clauses 2 and 3.
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 **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)*.
3. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act:
 - Sydney Metropolitan Development Authority
 - Transport for NSW – Roads and Maritime Services
 - Transport for NSW – RailCorp
 - Transport NSW
 - Sydney Water
 - Office of Environment and Heritage
 - Endeavour Energy

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.

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 **12 months** from the week following the date of the Gateway determination.

Dated 10th day of October 2012.

SHaddad

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