



Christine Gough
Department of Planning, Industry & Environment
10 Valentine Avenue
Parramatta NSW 2150

Your Reference	PP_2016_PARRA_017_01
Our Reference	RZ/21/2014
Contact	Marko Rubcic
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27 November 2019

Dear Ms. Gough

RE: Finalisation of the Planning Proposal at 87 Church Street and 6 Great Western Highway, Parramatta (Parramatta LEP 2011 Amendment No.30)

Please find enclosed a Planning Proposal for land at 87 Church Street and 6 Great Western Highway, Parramatta. As required by Condition 2 of the Gateway Determination dated 12 September 2016, the enclosed documentation has been publicly exhibited as required under Schedule 1 of the Environmental Planning and Assessment Act 1979. At its meeting on 14 May 2018, Council resolved to endorse the Planning Proposal for the subject site and forward it to the Department for finalisation.

It is noted that the Planning Proposal was first submitted to Department of Planning, Industry and Environment for finalisation on 22 May 2018. A Planning Agreement, which secures public benefits, could not be executed which caused delay to the finalisation of the Planning Proposal. The Department subsequently returned the Planning Proposal to Council on 2 October 2019 and requested that it be resubmitted when the Planning Agreement is executed.

Council can now confirm that both parties have executed the Planning Agreement and it is requested that the Department finalise the Planning Proposal as Amendment No.30 to the Parramatta Local Environmental Plan 2011.

Unresolved Agency Objection

Department Officers have requested that upon re-submission, that Council articulate its position on any inconsistencies with the comments (past or present) provided by Roads and Maritime Services (RMS) in relation to this Planning Proposal and associated Planning Agreement.

RMS previously raised objections to clauses in the draft Planning Agreement that would require the landowner of the subject site to provide an easement to allow a future pedestrian bridge over the Great Western Highway to land on the subject site. The landowners of the Former heartland Holden site, who are located on the southern side of the highway, are wholly responsible for gaining approval from Council and RMS, and ultimately delivering the bridge. RMS has submitted that, in lieu of a clause requiring the provision of an easement, a clause that outlines the dedication of land for the pedestrian bridge's landing within the subject site consistent with an agree concept design for the pedestrian bridge and Council's DCP controls for the site.

Following return of the Planning Proposal to Council, Council Officers have written to RMS requesting advices as to whether their position still stands. As of 27 November 2019 no response has been received from RMS.

Contact us:

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Council Officers maintain the view that the proposed amendments to the Planning Agreement by RMS unreasonably tie the subject site to planning approvals and delivery timetables related to the redevelopment of the Former Heartland Holden site. Further to this, the landowner of the subject site has advised Council Officers they do not support the proposed Planning Agreement amendments.

Council Officer remain of the view that the provision of an easement is a fair and balanced approach to ensure that when the developers of the Former Heartland Holden site deliver the bridge, the landowner of the subject site can accommodate the landing of the bridge within its site. The requirement that the landowner provide an easement is also Council's current resolved position. Further to this, as of 4 November 2019, the Planning Agreement for the subject site has been executed by both parties and can only be amended if both parties are willing to enter into a Deed of Amendment.

Please find enclosed copies of the Planning Proposal, updated LEP maps and the executed Planning Agreement. Should you require any further information or wish to discuss this matter, please contact Marko Rubcic – Land Use Project Officer on 9806 5864.

Regards,



Robert Cologna
Team Leader Land Use Planning