

Gateway Determination

Planning proposal (Department Ref: PP_2016_PARRA_017_00): to amend the floor space ratio and height of buildings controls for land at 87 Church Street and 6 Great Western Highway, Parramatta.

I, the Executive Director, Regions, Planning Services, at the Department of Planning and Environment, as delegate of the Greater Sydney Commission, have determined under section 56(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the *Parramatta Local Environmental Plan (LEP) 2011* to amend the floor space ratio and height of building controls for land at 87 Church Street and 6 Great Western Highway, Parramatta should proceed subject to the following conditions:

1. Prior to exhibition, Council is to:
 - (a) remove the comment that "the CBD PP has been submitted to the Department of Planning and Environment seeking a gateway determination" from section 3.1.1 of the proposal;
 - (b) include an assessment of Section 117 Direction 2.3 Heritage Conservation within the planning proposal;
 - (c) remove references to Section 117 Direction 7.1 Implementation of a Plan for Growing Sydney; and
 - (d) consult with the Department of Infrastructure and Regional Development, as required by Section 117 Direction 3.5 Development Near Licensed Aerodromes. The proposal is to be amended if required, prior to exhibition, in accordance with the outcome of that consultation.
2. Community consultation is required under sections 56(2)(c) and 57 of the 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 and Infrastructure 2013)*.
3. Consultation is required with the following public authorities under section 56(2)(d) of the Act:
 - Civil Aviation Safety Authority
 - Office of Environment and Heritage - Heritage Division
 - Department of Education and Communities
 - Transport for NSW - Sydney Trains
 - Transport for NSW - Roads and Maritime Services
 - Telstra
 - Sydney Water
 - Endeavour Energy

The planning proposal, with any supporting material, is to be forwarded to public authorities for consultation and given at least 28 days to comment on the proposal. Agencies are to be made aware of the need to consider the proposal with regard to the cumulative impacts of all planning proposals within the Parramatta CBD which have been issued with a Gateway determination in 2016, despite each of the proposals being forwarded to agencies for comment individually.

Each public authority is to be provided with a summary sheet of each of the CBD planning proposals that are to proceed and have been issued with a Gateway determination in 2016, a copy of (or a website link to) the Parramatta CBD Planning Strategy and any relevant supporting material prepared for the Strategy.

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 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. Prior to submitting the proposal to the Department for finalisation the proposal is to be should be reviewed, and amended where necessary, having regard to the mesoscopic modelling (and consultation with Transport for NSW and Roads and Maritime Services) undertaken for the Parramatta CBD planning proposal. This review should include confirmation of the appropriate site specific FSR in the context of the cumulative traffic impacts of increased FSR controls across the CBD.
6. The timeframe for completing the LEP is to be **18 months** from the week following the date of the Gateway determination.

Dated 12th day of September 2016


Stephen Murray
Executive Director, Regions
Planning Services
Department of Planning and Environment

Delegate of the Greater Sydney Commission



Mr Gregory Dyer
Interim General Manager
City of Parramatta
PO Box 32
Parramatta NSW 2124

Attention: Mr Rob Cologna

Dear ^{Greg}Mr Dyer

Planning Proposal to amend Parramatta Local Environmental Plan 2011

I am writing in response to Council's request for a Gateway determination under section 56 of the *Environmental Planning and Assessment Act 1979* (the Act) in respect of the planning proposal to amend *Parramatta Local Environmental Plan 2011* by changing the floor space ratio and height of building controls for land at 87 Church Street and 6 Great Western Highway, Parramatta.

As delegate of the Greater Sydney Commission, I have now determined that the planning proposal should proceed subject to the conditions in the attached Gateway determination.

I have also agreed, as delegate of the Secretary, the planning proposal's inconsistencies with S117 Directions 4.1 Acid Sulfate Soils and 6.3 Site Specific Provisions are of minor significance. No further approval is required in relation to these Directions.

In respect of S117 Direction 3.5, consultation with the Department of Infrastructure and Regional Development is to occur prior to the exhibition period. Council may need to obtain the agreement of the Secretary to satisfy the requirements of this direction. If necessary, Council should ensure this occurs prior to the plan being made.

Plan making powers were delegated to Councils in October 2012. It is noted that Council has not requested to be issued with delegation for this planning proposal. I have considered the nature of Council's planning proposal and have decided not to issue an authorisation for Council to exercise delegation to make the plan in order to ensure that the proposal aligns with the version of the Parramatta CBD planning proposal, as finalised at the completion of that plan making process.

The amending Local Environmental Plan (LEP) is to be finalised within 18 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 for the Department of Planning and Environment to draft and finalise the LEP should be made 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 Commission may take action under s54(2)(d) of the Act if the timeframes outlined in this determination are not met.

Should you have any queries in regard to this matter, I have arranged for Ms Lillian Charlesworth, of the Department's regional office to assist you. Ms Charlesworth can be contacted on (02) 9860 1510.

Yours sincerely

 12 September 2016
Stephen Murray
Executive Director, Regions
Planning Services

Encl:
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