



Planning & Environment

Mr G Dyer
Chief Executive Officer
Parramatta City Council
PO Box 32
Parramatta NSW 2124

Contact: Lillian Charlesworth
Phone: (02) 9860 1101
Email: Lillian.charlesworth@planning.nsw.gov.au

Your ref: RZ/9/2013
Our ref: 14/16163

Dear Mr Dyer

Planning proposal to amend Parramatta City Centre Local Environmental Plan 2007

I am writing in response to Parramatta City Council's request, dated 10 September 2014, for a Gateway determination under section 56 of the *Environmental Planning and Assessment Act 1979* (the Act) for a planning proposal to amend the floor space ratio and building height provision at 8 – 12 Victoria Road and 2A Villiers Street, Parramatta.

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

I have also agreed that the planning proposal's inconsistencies with Section 117 Direction 4.1 Acid Sulfate Soils is of minor significance. No further approval is required in relation to this Direction. Council may still need to obtain the Department's approval to comply with the requirements of other relevant Section 117 Directions. Council should ensure that this occurs prior to the plan being made.

The proposed maximum floor space ratio control of 4.8:1 is not supported due to the adverse impact of the bulk and scale of the proposed development on the adjoining heritage items and surrounding historical character of the area. As discussed with Council, the maximum floor space ratio is to be amended to 3.5:1 prior to the commencement of public exhibition.

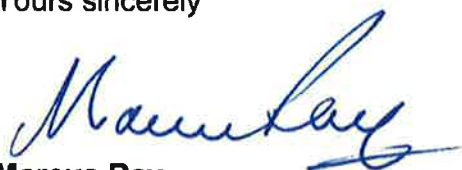
I note Council's request to be issued with delegation for this planning proposal. Having considered the nature of Council's planning proposal, I have decided to issue an authorisation for Council to exercise delegation for this planning proposal. Council is reminded that it cannot exercise its delegation under section 59 of the Act where there is an unresolved agency objection to the draft Local Environmental Plan (LEP). In this instance, Council is to contact the Metropolitan office in Parramatta.

The amending LEP is to be finalised within 12 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 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 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, Senior Planning Officer, Metropolitan (Parramatta) of the Department, on (02) 9860 1101.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Marcus Ray', with a stylized flourish at the end.

Marcus Ray
Acting Deputy Secretary
Planning Services

02/02/2015

Encl:

Gateway Determination

Written Authorisation to Exercise Delegation

Attachment 5 – Delegated Plan Making Reporting Template



Gateway Determination

Planning proposal (Department Ref: PP_2014_PARRA_006_00): to amend the floor space ratio and building height provision at 8 – 12 Victoria Road and 2A Villiers Street, Parramatta.

I, the Acting Deputy Secretary, Planning Services at the Department of Planning and Environment as delegate of the Minister for Planning, have determined under section 56(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the Parramatta City Centre Local Environmental Plan 2007 to amend the floor space ratio and building height provision at 8 – 12 Victoria Road and 2A Villiers Street, Parramatta should proceed subject to the following conditions:

1. Council is to include the following studies with the planning proposal for the purposes of public exhibition:
 - (a) Heritage Report prepared by NBRS+Partners (September 2014);
 - (b) Heritage Report – Supplementary View Analysis by NBRS+Partners (September 2014);
 - (c) Building Envelope, Urban Design and Place Impacts Analysis – Addendum by TPG (revised September 2014); and
 - (d) Urban Design Study by AE Design Partnership (October 2013)
2. Council is to amend the proposed maximum floor space ratio control for the subject site to 3.5:1.
3. Prior to public exhibition, Council is to:
 - (a) update the supporting Building Envelope, Urban Design and Place Impacts Analysis to demonstrate that the recommendations of the heritage report have been incorporated, and make any subsequent amendments to the planning proposal;
 - (d) update the planning proposal with the outcome of agency consultation and include sufficient additional information to adequately demonstrate consistency or justify any inconsistency with Section 117 Direction 2.3 Heritage Conservation.
4. 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 Environment 2013)*.

5. Consultation is required with the following public authorities under section 56(2)(d) of the Act and/or to comply with the requirements of relevant Section 117 Directions:

- Transport for NSW – Roads and Maritime Services
- Transport for NSW – Sydney Trains
- Office of Environment and Heritage – Heritage
- Sydney Water
- Endeavour Energy

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.

6. 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 obligations under the *Local Government Act 1993* stated above.
7. The timeframe for completing the Local Environmental Plan is to be **12 months** from the week following the date of the Gateway determination.

Dated 2nd day of February 2015.



Marcus Ray
Acting Deputy Secretary
Planning Services

Delegate of the Minister for Planning



Planning & Environment

WRITTEN AUTHORISATION TO EXERCISE DELEGATION

Parramatta City Council is authorised to exercise the functions of the Minister for Planning 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_2014_PARRA_006_00	Planning proposal to amend the floor space ratio and building height provision at 8 – 12 Victoria Road and 2A Villiers Street, Parramatta.

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

Marcus Ray

**Acting Deputy Secretary
Planning Services**

02/02/2015
Delegate of the Minister for Planning