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Our ref: PP_2010_PARRA_001_00 (10/05819)
Your ref: f2009/02710

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

Dear Dr Lang,

Re: Planning Proposal to rezone and/or reclassify 29 Council-owned sites in the Parramatta Local Government Area

I refer to the revised Gateway Determination dated 2 August 2010 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 2001 to rezone and/or reclassify 29 sites owned by Parramatta City Council within the Parramatta Local Government Area.

Pursuant to Clause 56(7) of the EPA Act, as delegate of the Minister for Planning, I have now altered the Gateway Determination in relation to this planning proposal by removing two sites at Rydalmere. The removal of the sites is consistent with the Director General letter to Council dated 27 July 2009 regarding the need for further studies to justify the application of the B4 Mixed Use zone in Rydalmere.

I have also conditioned the planning proposal so that any justification for the loss of open space by reference to the Department's 0.5ha threshold for a local park is removed. This area is a guideline for classifying local parks and it is erroneous to suggest that it is in any way a justification for the reclassification and loss of existing open space. I have required that Part 2 of the planning proposal "Explanation of Provisions" be amended to clearly state the intention to remove a number of covenants from certain of the sites and provide justification for this.

The planning proposal should proceed subject to the conditions in the attached Gateway Determination.

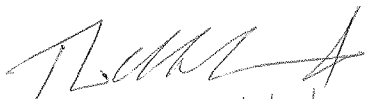
The Gateway Determination requires that the planning proposal be made publicly available for a period of 28 days. Under section 57(2) of the Act, I am satisfied that the planning proposal, when amended as required by the Gateway Determination, is in a form that can be made available for community consultation.

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 Mitchell Noble of the Regional Office of the Department on 02 9873 8500.

Yours sincerely,



14/9/10

Tom Gellibrand
Deputy Director General
Plan Making & Urban Renewal

Gateway Determination

Planning Proposal (Department Ref: PP_2010_PARRA_001_00): to rezone and/or reclassify 29 sites owned by Parramatta City Council within the Parramatta Local Government Area.

I, the Deputy Director General, Plan Making & Urban Renewal as delegate of the Minister for Planning, have determined under section 56(2) of the EP&A Act that an amendment to the Parramatta Local Environmental Plan 2001 to rezone and/or reclassify the following 29 sites owned by Parramatta City Council:

- 10 Emma Crescent, Constitution Hill
- 47 Carson Street, Dundas
- 7 Ronald Avenue, Dundas
- 14 King Street, Dundas Valley
- 7 Wyralla Avenue, Epping
- 20B Spurway Street (also known as 539 Victoria Road), Ermington
- 64 Fitzgerald Road, Ermington
- 38 Atkins Road, Ermington
- 22A Cowells Lane, Ermington
- 1B-1D & 1F & 1G Memorial Avenue, Granville
- 40 Cowper Street, Granville
- 44 Brazier Street, Guildford
- 294 Railway Terrace, 271A Guildford Road and 289 Guildford Road, Guildford
- 4 Wharf Street, 6 Wharf Street and 661 Victoria Road, Melrose Park
- 4A Vairys Crescent, Merrylands
- 118 Oakes Road, Old Toongabbie
- 1A Morton Street, Parramatta
- 38 Marion Street, Parramatta
- 42 Bridge Street, Rydalmere
- 400A Victoria Road, Rydalmere
- Brodie Street, Rydalmere
- Boundary Street, South Granville (Chester Hill)
- 1A Boner Street and 29 Wylde Street, Telopea
- 21 Tucks Road, Toongabbie
- 2 Ancona Avenue, Toongabbie
- 20 Caithness Crescent, Winston Hills
- 52 Caroline Chisholm Drive, Winston Hills
- 401 Old Windsor Road, Winston Hills
- 2 Ursula Street, Winston Hills

should proceed subject to the following conditions:

1. Removal of the proposed rezoning at the following sites:
 - 42 Bridge Street, Rydalmere
 - Brodie Street, Rydalmere
2. Removal of references to the Department's guideline threshold area for a local park.

3. As part of the exhibited material, Council is to demonstrate how the proposal complies with its open space strategy particularly in relation to the impact of the proposal on the amount of open space which will remain in the localities.
4. The planning proposal being amended so that Part 2 "Explanation of Provisions" clearly states the intention to remove a number of covenants from certain of the sites and provides justification for this.
5. As part of the exhibited material, Council is to justify any inconsistencies with section 117 Directions
6. 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 is classified as low impact as described in *A Guide to Preparing LEPs (Department of Planning 2009)* and 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)*.
7. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act:
 - Roads and Traffic Authority

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.
8. No public hearing is required to be held into the matter under section 56(2)(e) of the EP&A Act. This does not have any bearing on the need to conduct a public hearing under the provisions of any other legislation.
9. The timeframe for completing the LEP is to be **9 months** from the week following the date of the Gateway determination.

Dated

14th

day of

September

2010.



Tom Gellibrand
Deputy Director General
Plan Making & Urban Renewal
Delegate of the Minister for Planning