

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

Attention: Kimberley Beencke

Dear Mr Dyer

Planning Proposal for 166A Windsor Road, Northmead – heritage listing

I am writing in response to Council's letter dated 3 June, 2015 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 Schedule 5 of the Parramatta Local Environmental Plan 2011 to add the former Moxham Quarry site at 166A Windsor Road, Northmead, as an item of local heritage.

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

The Minister's plan making powers were delegated to Council in October 2012. It is noted that Council has now accepted this delegation. 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 this plan.

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 6 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 Lillian Charlesworth, of the Metropolitan (Parramatta) Office of the Department of Planning and Environment on 9860 1101.

Yours sincerely

R Cumming 31.7.15

Rachel Cumming
Director, Metropolitan (Parramatta)
Planning Services

Encl. Gateway Determination



Gateway Determination

Planning Proposal (Department Ref: PP_2015_PARRA_006_00) to amend Schedule 5 of the Parramatta Local Environmental Plan 2011 to add the former Moxham Quarry site at 166A Windsor Road, Northmead as an item of local heritage significance.

I, the Director, Metropolitan (Parramatta), Department of Planning and Environment, as delegate of the Minister for Planning, have determined under section 56(2) of the EP&A Act that the amendment to the Parramatta Local Environmental Plan 2011 as described above should proceed subject to the following conditions:

1. Prior to exhibition Council:
 - a) is to consider amending Figure 1 (Location Map) of the planning proposal to be consistent with the boundary of the site as shown by Interim Heritage Order No 128 and, if necessary, adjust the planning proposal accordingly; and
 - b) include the "Assessment of Heritage Significance - Former Moxham Quarry" (prepared by the Heritage Advisor to Parramatta City Council in November 2014) as an appendix to the planning proposal.
2. Community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act (EP&A Act) 1979, as follows:
 - a) the planning proposal must be 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 identified in section 5.5.2 of 'A Guide to Preparing LEPs' (Department of Planning and Infrastructure 2012).
3. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act:
 - NSW Office of Environment and Heritage (Heritage Branch);
 - NSW Trade and Investment (Crown Lands); and
 - Department of Primary Industries, Lands.

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.

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 instance in response to a submission or if reclassifying land).
5. The timeframe for completing the LEP is to be 6 months from the week following the date of the Gateway Determination.

Dated 31st day of July 2015.



Rachel Cumming
Director, Metropolitan (Parramatta)
Planning Services

Delegate of the Minister for Planning