

## Gateway Determination

***Planning proposal (Department Ref: PP\_2018\_COPAR\_008\_00): to amend the Parramatta Local Environmental Plan 2011 to enable a mixed-use development.***

I, the Executive Director, Regions at the Department of Planning and Environment, as delegate of the Minister for Planning and Public Spaces, have determined under section 3.34(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the Parramatta Local Environmental Plan (LEP) 2011 to enable a mixed-use development should proceed subject to the following conditions:

1. Prior to exhibition, Council is to amend the planning proposal to:
  - (a) amend the explanation of provisions, proposed maps and relevant supporting studies to include Lot 1 DP211499, 302 Church Street, Parramatta in the planning proposal;
  - (b) include a height of building control;
  - (c) demonstrate the difference in urban design, heritage and commercial feasibility outcomes between a 18m tower setback and a 12m tower setback;
  - (d) prepare an appropriate study which addresses Section 9.1 Direction 4.3 Flood Prone Land;
  - (e) amend the planning proposal to replace '1.5:1' with '0.5:1' within Table 3 (page 16) Cl. 7.17 – High Performing Buildings;
  - (f) clarify the location of local heritage items on the site, consistent with the current housekeeping amendment (PP\_2018\_COPAR\_011\_00) that addresses the incorrect mapping of items within the site. Where appropriate, the planning proposal and heritage reports are to be updated to reflect the correct status and location of the heritage items on the site;
  - (g) clarify how the maximum FSR is to be achieved having regard to the FSR and incentive provisions in the CBD planning proposal; and
  - (h) outline that satisfactory arrangements for contributions towards designated state public infrastructure identified for the Greater Parramatta and Olympic Park Peninsula will be required.

The planning proposal, including an amended reference design, is to be submitted to the Department for approval prior to community consultation.

2. Prior to submitting the proposal to the Department for finalisation, the proposal is to be reviewed, and amended where necessary, to have regard to the FSR and height controls endorsed by the Gateway determination for the CBD planning proposal and any subsequent study prepared by Council in relation to heritage, urban design and commercial feasibility outcomes for the Church Street precinct. Council is to ensure that the planning proposal is consistent with the outcomes in the Parramatta CBD planning proposal.

3. Public exhibition is required under section 3.34(2)(c) and schedule 1 clause 4 of the Act as follows:
- (a) the planning proposal must be made publicly available for a minimum of **28 days**; and
  - (b) the planning proposal 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 local environmental plans* (Department of Planning and Environment 2016).
4. Consultation is required with the following public authorities/organisations under section 3.34(2)(d) of the Act and/or to comply with the requirements of relevant section 9.1 Directions:
- Office of Environment and Heritage – Heritage Division;
  - Office of Environment and Heritage
  - Transport for NSW - Roads and Maritime Services;
  - Transport for NSW;
  - Civil Aviation Safety Authority;
  - Department of Infrastructure, Regional Development and Cities;
  - NSW Aboriginal Land Council;
  - Department of Education and Communities;
  - Sydney Water; and
  - Relevant service providers.
- Each public authority/organisation 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.
5. A public hearing is not required to be held into the matter by any person or body under section 3.34(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).
6. The time frame for completing the LEP is to be **18 months** following the date of the Gateway determination.

Dated 3rd day of May 2019.

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

**Delegate of the Minister for Planning  
and Public Spaces**