

Parramatta City Centre LEP 2007 - Amt. 12 - proposed increase in FSR and maximum height - 189 Macquarie Street, Parramatta

Proposal Title :	Parramatta City Centre LEP 2007 - Amt. 12 - proposed increase in FSR and maximum height - 189 Macquarie Street, Parramatta		
Proposal Summary :	Amendment to the Parramatta City Centre LEP 2007. The planning proposal intends to amend the maximum height and gross floor area (GFA) controls applying to 189 Macquarie Street, Parramatta, and facilitate provision of a public car park on the site.		
PP Number :	PP_2014_PARRA_001_00	Dop File No :	14/01723

Planning Team Recommendation

Preparation of the planning proposal supported at this stage : **Recommended with Conditions**

S.117 directions :

- 1.1 Business and Industrial Zones
- 3.4 Integrating Land Use and Transport
- 4.3 Flood Prone Land
- 6.3 Site Specific Provisions
- 7.1 Implementation of the Metropolitan Plan for Sydney 2036

Additional Information : **DELEGATION OF PLAN-MAKING FUNCTION**

Council has advised that it will not exercise the plan making delegations in this instance as the subject land is predominantly owned by Council.

Note: the Director, Metropolitan Delivery (Parramatta) is of the view that the proposal is outside her Gateway delegation and it is appropriate that the planning proposal be submitted to the LEP Panel for attention.

RECOMMENDATION

It is recommended that the Director General's delegate approves the inconsistency with section 117 Direction - Site Specific Provisions, on the basis of minor significance.

Further, it is recommended that the Planning Proposal proceeds subject to the following conditions:

1. prior to community consultation, the Planning Proposal is to be amended, as follows:
 - (a) the Explanation of Provisions section of the proposal be amended to clarify that should LEP 2007 be repealed by the making of the amalgamated plan, the amendment will be made to the amalgamated plan;
 - (b) amend Table 4 against s. 117 Direction 3.5 to clarify that the plan is consistent with the direction;
 - (c) amend the section 8 of the planning proposal to clarify that it is proposed to remove 18 mature trees from the subject site and 4 from adjoining properties and correct paragraph 2.15 on page 4, which refers to the removal of only six trees, and
 - (d) replace figures 6 and 7 on page 12 of the proposal with larger diagrams to provide greater legibility.
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

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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:

- Department of Education and Communities
- Office of Environment and Heritage
- Energy Australia
- Transport for NSW
- Railcorp
- Roads and Maritime Services
- NSW Police force
- Sydney Water
- Sydney Metro Airports

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 9 months from the week following the date of the Gateway Determination.

Supporting Reasons :

The planning proposal is supported as it will achieve increased residential densities in an highly suitable location close to transport, employment and services, while enabling Council to implement its Integrated Transport Plan and achieve a significant public benefit in the form of a 700 space public car park on site.

Panel Recommendation

Recommendation Date : 06-Feb-2014

Gateway Recommendation : Passed with Conditions

Panel

Recommendation :

The planning proposal should proceed subject to the following conditions:

1. Prior to undertaking public exhibition, Council is to update the planning proposal to advise that the proposed amendment may be made to the amalgamated Parramatta City Centre LEP 2007 and Parramatta LEP 2011 which is currently subject to a separate planning proposal.
2. It is noted that Section 117 Direction 3.5 Development Near Licensed Aerodromes is applicable as the planning proposal applies to land within the vicinity of a licensed aerodromes. Council is to update the planning proposal to confirm consistency with the Ministerial Direction.
3. Prior to undertaking public exhibition, Council is to update the planning proposal to clarify that it is proposed to remove 18 mature trees from the subject site and 4 from the adjoining properties.
4. Prior to undertaking public exhibition, Council is to update the planning proposal to replace Figure 6 and Figure 7 (Retail activation) with larger diagrams to provide greater legibility.
5. 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 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

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publicly available along with planning proposals as identified in section 5.5.2 of A Guide to Preparing LEPs (Department of Planning & Infrastructure 2013).

6. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act and/or to comply with the requirements of relevant S117 Directions:

- Department of Education and Communities
- Office of Environment and Heritage
- Energy Australia
- Sydney Trains
- Transport for NSW
- Roads and Maritime Services
- NSW Police Force
- Fire and Rescue NSW
- Sydney Water
- Sydney Metro Airports

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.

7. 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 example, in response to a submission or if reclassifying land).

8. The timeframe for completing the LEP is to be 12 months from the week following the date of the Gateway determination.

Plan making delegation:

The Minister delegated his plan making powers to councils in October 2012. Council has now accepted this delegation. Council has not asked to be issued with delegations for this planning proposal because the subject land is predominantly owned by Council. Council should not be issued with plan making delegation for making this plan.

Signature:



Printed Name:

JAMES MATTHEWS

Date:

14/2/14