



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

Attention: Ms Sue Stewart

Dear Mr Dyer

Planning Proposal to rezone 163-165 George Street, Parramatta.

I am writing in response to Council's letter dated 2 October 2014 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 the Parramatta Local Environmental Plan 2011 to rezone 163-165 George Street, Parramatta .

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.

I have agreed that the planning proposal's inconsistencies with Section 117 Directions 4.1 – Acid Sulfate Soils and 6.3 – Site Specific Provisions are of minor significance. No further approval is required in relation to this Direction.

It is noted that further work is proposed concerning the flood liable nature of the site. In these circumstances, as a condition of the Gateway determination, Council is required to address the planning proposal's consistency with Section 117 4.3 – Flood Prone Land. Council is to advise the Metropolitan (Parramatta) team prior to public exhibition if an inconsistency with the Direction requires the Secretary's approval, or if a change is proposed to the planning proposal as a result of this work.

The Minister's plan making powers were delegated to Councils 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 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 12 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



7/11/2014

Rachel Cumming
Director
Metropolitan (Parramatta)
Planning Services

Gateway Determination

Planning Proposal (Department Ref: PP_2014_PARRA_008_00) to rezone 163-165 George Street, Parramatta from RE2 Private Recreation Zone to SP1 Special Activities (Place of Public Worship/ Educational Establishments), and the insertion of a Schedule 1 Additional Permitted Use provision to permit function centres, child care centres, community facilities, restaurant or café and office premises with development consent.

I, the Director, Metropolitan (Parramatta) 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 2011 should proceed subject to the following conditions:

1. Prior to public exhibition, Council is to amend the Planning Proposal to:
 - (a) Include a legend on the maps in Appendix 2;
 - (b) Include a map identifying the flood prone land on the site; and
 - (c) Consider the need for an additional permitted use map.
2. Prior to public exhibition, Council is to:
 - (a) prepare the necessary flood study to further consider the consistency of the planning proposal with Section 117 Direction 4.3 – Flood Prone Land.
 - (b) upon completion of the necessary flood studies to the satisfaction of Council, Council is to consult with Office of Environment and Heritage and State Emergency Services on the outcomes of the flood study; and if necessary:
 - (c) the planning proposal is to be updated with the outcome of agency consultation and include sufficient additional information to adequately demonstrate consistency or justify any inconsistency Section 117 Direction 4.3 – Flood Prone Land.

Council is to advise Metropolitan (Parramatta) prior to public exhibition, if approval for any inconsistency with Section 117 4.3 – Flood Prone Land is required, or if amendments to the planning proposal is required as a result of this additional assessment.

3. Community consultation is required under sections 56(2)(c) and 57 of the *Environmental Planning and Assessment Act 1979* 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 Local Environmental Plans (Department of Planning & Infrastructure 2013)*.

4. Consultation is required with the following public authorities under section 56(2)(d) of the *Environmental Planning & Assessment Act 1979* and/or to comply with the requirements of relevant Section 117 Directions:

- Office of Environment and Heritage
- State Emergency Services
- Endeavour Energy
- Sydney Water

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.

5. 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).
6. The timeframe for completing the LEP is to be **12 months** from the week following the date of the Gateway determination.

Dated 7th day of November 2014.



7/11/2014

Rachel Cumming
Director
Metropolitan (Parramatta)
Planning Services

Delegate of the Minister for Planning