



Our ref: PP_2015_PARRA_003_00

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

Dear Mr Dyer

Planning Proposal to amend Parramatta City Centre Local Environmental Plan 2007

I am writing in response to Council's letter dated 2 March, 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 the floor space ratio and building height provisions for a site located at 184 to 188 George Street, Parramatta.

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

I have also agreed that the planning proposal's inconsistency with Section 117 Direction 4.1 Acid Sulfate Soils is of minor significance. No further approval is required in relation to this Direction. Council may still need to obtain the Department's approval to comply with the requirements of other relevant Section 117 Directions. Council should ensure that this occurs prior to the plan being made.

In issuing the determination, I was mindful that the proposal may result in further overshadowing of the nearby Robin Thomas and James Ruse Reserves, as well as, accumulative overshadowing impacts upon these reserves resulting from this proposal and a similar proposal for a site located at 142 to 154 Macquarie Street, Parramatta.

While located immediately outside the CBD area, both reserves are well placed – in terms of their combined size and location - to serve the present and future needs of workers, students and residents within the Parramatta CBD. Consequently, I have conditioned the determination to allow solar access to be thoroughly considered and would urge Council to review this aspect in keeping with its desire to provide reasonable solar access to other important open space areas, located within the CBD.

I also understand Council is currently preparing a traffic study in accordance with the Parramatta CBD Planning Strategy. Given the rate of development occurring within the central district, I would suggest that this work be given a high priority by Council to ensure that the cumulative impacts of major CBD developments are thoroughly understood and managed.

I have also noted Council's request to be issued with delegation for this planning proposal. Having considered the nature of Council's proposal, I have decided not to issue an authorisation for Council to exercise delegation.

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 as soon as possible. Council's request for the Department to draft and finalise the LEP should be made at least 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 section 54(2)(d) of the EP&A Act if the time frames outlined in this determination are not met.

If you have any questions in relation to this matter, please contact Ms Lillian Charlesworth, Senior Planner, at the Department's Metropolitan (Parramatta) Office, on telephone no. (02) 9860 1101.

Yours sincerely



12.6.15

Simon Manoski
Acting General Manager, Metropolitan
Planning Services

Encl (3):
Gateway Determination
Written Authorisation to Exercise Delegation
Attachment 5 – Delegated Plan Making Reporting Template



Gateway Determination

Planning Proposal (Department Ref: PP_2015_PARRA_003_00): to amend the floor space ratio and building height provision at 184 to 188 George Street, Parramatta.

I, the Acting General Manager, Metropolitan at the Department of Planning and Environment, as delegate of the Minister for Planning, have determined under section 56(2) of the Environmental Planning & Assessment Act that an amendment to Parramatta City Centre Local Environmental Plan 2007 to amend the floor space ratio and building height provisions at 184 to 188 George Street, Parramatta, should proceed subject to the following conditions:

1. Prior to exhibition, Council is to amend the planning proposal to:

- (a) identify the real property description for the site;
- (b) include clear maps/diagrams:
 - illustrating the site and existing and proposed planning controls,
 - a flood map of the site with corresponding legend,
 - a locality map - particularly showing the relationship between the site and the Robyn Thomas and James Ruse Reserves;
 - an appropriate diagram(s) illustrating potential built form on the site and the relationship to the wider area, to demonstrate the strategic building form context of this proposal; and
 - overshadowing diagrams that address the Robyn Thomas and James Ruse Reserves that indicate:
 - the extent of overshadowing of the reserves that would currently apply resulting from development of relevant sites in accordance with the existing maximum height provisions; and
 - the extend of cumulative overshadowing that would arise from both this proposal and the planning proposal for 142 to 154 Macquarie Street, Parramatta (PP_2015_PARRA_002_00), assuming that both proposals achieve a 15% height and FSR bonus;
- (c) include comments on the consistency (or otherwise) of the planning proposal with:
 - Section 117 Direction 7.1 Implementation of a Plan for Growing Sydney within the appropriate section of the planning proposal, that deals with section 117 directions; and
 - Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005, particularly clause 14(a) and (d) and clause 15(d) and (f).
- (d) include advice on flooding impacts demonstrate consistency, or justify any inconsistency with Section 117 Direction 4.3 Flood Prone Land;
- (e) attach flooding, heritage and traffic advice as appendices to the proposal;

- (f) revise the Statement of Heritage Impact to address:
- the proposed increases in height and floor space;
 - the proposed development controls outlined in the urban design report;
 - the impacts of the proposal on the adjacent Parramatta River wetlands (listed as item number 134 with local significance under schedule 5 of Parramatta City Centre Local Environmental Plan 2007); and
 - consider the impacts of the proposal on the World and National Heritage values of Old Government House and Domain, and
 - the appropriateness/adequacy of the proposed site specific draft development control plan.
- (g) clarify in the planning proposal any potential impacts of the proposal on the adjoining State significant item (i.e. 'Harrisford') and any proposed actions to mitigate identified impacts;
- (h) ensure that the planning proposal is amended, if necessary, in response to Council's review of the revised heritage impact statement, and that the Section 117 Direction
- 2.3 Heritage, is amended accordingly; and
- (i) assess the traffic impact of the proposal on the local traffic network.
2. 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 publicly available along with planning proposals as identified in section 5.5.2 of A Guide to Preparing LEPs (Department of Planning and Environment 2013).
3. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act, as follows:
- Office of Environment and Heritage
 - NSW Aboriginal Land Council
 - Department of Education and Communities
 - Transport for NSW - Sydney Trains
 - Transport for NSW - Roads and Maritime Services
 - State Emergency Service
 - Department of Primary Industries - Office of Water and NSW Fisheries
 - Sydney Catchment Authority
 - Sydney Water
 - Endeavour Energy
 - Telstra

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 example, in response to a submission or if reclassifying land).
5. The timeframe for completing the LEP is to be **12 months** from the week following the date of the Gateway determination.

Dated 12th day of June 2015.



Simon Manoski
Acting General Manager
Planning Services
Department of Planning and Environment

Delegate of the Minister for Planning