

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

Attention: Ms Sonia Jacenko

Dear Mr Dyer

Planning Proposal for 11 Hassall Street, Parramatta.

I am writing in response to Council's letter dated 22 September, 2014 requesting a Gateway determination under section 56 of the *Environmental Planning and Assessment Act 1979* (the Act) in respect of the planning proposal to increase the maximum permissible height and floor space ratio at 11 Hassall 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 inconsistency with Section 117 Direction 4.1 – Acid Sulfate Soils is of minor significance. No further approval is required in relation to this Direction.

Given the site was previously occupied by St Joannis Greek Orthodox Church, Council is required to take this into account in addressing the planning proposal's consistency with Section 117 Direction 2.3 – Heritage Conservation. 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.

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 4 weeks from the week

following this determination. Council's request for the Department to draft and finalise the LEP should be made 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 Act if the time frames outlined in this determination are not met.

If you have any queries in regard to this matter, please contact Lillian Charlesworth, of the Metropolitan (Parramatta) Office on 9860 1101.

Yours sincerely



27.11.14

Tim Archer
Acting Director
Metropolitan (Parramatta)
Planning Services

Encl.

Gateway Determination
Written Authorisation for Delegation
Delegated Plan Making Reporting Template

Gateway Determination

Planning Proposal (Department Ref: PP_2014_PARRA_009_00) to increase the maximum permissible height to 130m and increase the maximum permissible floor space ratio to 10.2:1 at 11 Hassall Street, Parramatta.

I, the Acting Director, Metropolitan (Parramatta) as delegate of the Minister for Planning, have determined under section 56(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that the above amendment should proceed subject to the following conditions:

1. Prior to public exhibition, the proposal is to be amended to:
 - (a) clearly show the boundary of the subject site within all four maps at Part 4;
 - (b) provide further information at Table 3 under 2.3 Heritage Conservation to indicate whether the existing St Joannis Greek Orthodox Church building has heritage value;
 - (c) indicate at section 4.3.3 whether any potential social impacts may arise with the removal of the existing St Joannis Greek Orthodox Church; and
 - (d) indicate at Part 2 Explanation of Provisions that the planning proposal may amend either Parramatta City Centre Local Environmental Plan 2007 or Parramatta Local Environmental Plan 2011.

Council is to advise Metropolitan (Parramatta) prior to public exhibition, if approval for any inconsistency with Section 117 Direction 2.3 - Heritage Conservation is required as a result of this additional consideration.

2. Community consultation is required under sections 56(2)(c) and 57 of the Act 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 Act:
 - Roads and Maritime Services
 - Transport for NSW
 - Transport for NSW - Sydney Trains

- Office of Environment and Heritage
- Sydney Water
- Telstra
- Endeavour Energy

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

Dated 27th day of November 2014.



Tim Archer
Acting Director
Metropolitan (Parramatta)
Planning Services

Delegate of the Minister for Planning

WRITTEN AUTHORISATION TO EXERCISE DELEGATION

Parramatta City Council is authorised to exercise the functions of the Minister for Planning under section 59 of the *Environmental Planning and Assessment Act 1979* that are delegated to it by instrument of delegation dated 14 October 2012, in relation to the following planning proposal:

Number	Name
PP_2014_PARRA_009_00	Planning proposal to increase the maximum permissible height to 130m and increase the maximum floor space ratio to 10.2:1 at 11 Hassall Street, Parramatta.

In exercising the Minister's functions under section 59, the Council must comply with the Department's "*A guide to preparing local environmental plans*" and "*A guide to preparing planning proposals*".

Dated 27th day of November 2014



Tim Archer
Acting Director
Metropolitan (Parramatta)
Planning Services
Department of Planning and Environment

Delegate of the Minister for Planning

Attachment 5 – Delegated plan making reporting template

Notes:

- Planning proposal number will be provided by the department following receipt of the planning proposal
- The department will fill in the details of Tables 1 and 3
- RPA is to fill in details for Table 2
- If the planning proposal is exhibited more than once, the RPA should add additional rows to **Table 2** to include this information
- The RPA must notify the relevant contact officer in the regional office in writing of the dates as they occur to ensure the department's publicly accessible LEP Tracking System is kept up to date
- A copy of this completed report must be provided to the department with the RPA's request to have the LEP notified

Table 1 – To be completed by the department

Stage	Date/Details
Planning Proposal Number	PP_2014_PARRA_009_00
Date Sent to Department under s56	22 September 2014
Date considered at LEP Review Panel	N/A
Gateway determination date	27 November 2014

Table 2 – To be completed by the RPA

Stage	Date/Details	Notified Reg Off
Dates draft LEP exhibited		
Date of public hearing (if held)		
Date sent to PCO seeking Opinion		
Date Opinion received		
Date Council Resolved to Adopt LEP		
Date LEP made by GM (or other) under delegation		
Date sent to DP&I requesting notification		

Table 3 – To be completed by the department

Stage	Date/Details
Notification Date and details	

Additional relevant information: