



Mr G Dyer
Chief Executive Officer
Parramatta City Council
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PARRAMATTA NSW 2124

Attention: Sonia Jacenko

Planning proposal to amend Parramatta Local Environmental Plan 2011

I am writing in response to Council's letter dated 13 August 2015 requesting a Gateway determination under section 56 of the *Environmental Planning and Assessment Act 1979* (the Act) in respect of the planning proposal to amend the land use zones, floor space ratio and building height provisions for land on the corner of Parramatta Road, Good Street and Cowper Street, Granville, and require a design competition process and ensure provision of non-residential floor space.

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.

As you would be aware UrbanGrowth NSW recently released the draft *Parramatta Road Urban Transformation Strategy*, which is on public exhibition until 18 December 2015. While the Department supports urban renewal in the corridor and growth in the Granville Precinct, it is important that future development is guided by the vision for the area identified in the draft Strategy. The Strategy identifies an average height of buildings within the Granville Precinct of 14 storeys and a maximum height of 25 storeys, well below the 35 storeys proposed in the planning proposal.

For this reason, the planning proposal is to be amended to permit a maximum building height of 82 metres (25 storeys). Further, to ensure consistency with the Strategy, a 17 metre (4 storey) maximum building height is also to be applied to land fronting Good Street.

It is also noted that Council proposes to include a site specific provision to ensure a minimum 4,000 square metres of non-residential floorspace is provided in a future development. While commercial and retail uses are supported and encouraged on ground and lower storeys, it is important that the growth of business related uses are sustainable having regard to the overall growth and development of the broader Precinct and the potential impacts on the Granville Centre. Therefore, Council is also to amend the planning proposal to apply a maximum of 4,000 square metres of non-residential floorspace.

The Minister's plan making powers were delegated to Council in October 2012. It is noted that Council has now accepted this delegation. I have considered the nature of Council's planning proposal and its location within a regionally significant urban renewal corridor and have decided not to issue an authorisation for Council to exercise delegation to make this plan.

I have also agreed the planning proposal's inconsistency with S117 Directions 1.1 Business and Industrial Zones, 2.3 Heritage Conservation, 4.1 Acid Sulfate Soils and 6.3 Site Specific Provisions are of minor significance. No further approval is required in relation to these Directions.

The amending LEP is to be finalised within 12 months of the week following the date of the Gateway determination. Council's request for the Department of Planning and Environment 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.

Should you have any queries in regard to this matter, I have arranged for Ms Lillian Charlesworth, Senior Planner, of the Metropolitan (Parramatta) office to assist you. Ms Charlesworth can be contacted on (02) 9860 1101.

Yours sincerely



Marcus Ray
Deputy Secretary
Planning Services

09/11/2015
Encl: Gateway Determination

Gateway Determination

Planning proposal (Department Ref: PP_2015_PARRA_007_00): to amend the land use zones, floor space ratio and building height provisions, as well as require a design competition process and ensure provision of non-residential floor space for land at the corner of Parramatta Road, Good Street and Cowper Street, Granville.

I, the Deputy Secretary, Planning Services, at the Department of Planning and Environment as delegate of the Minister for Planning, have determined under section 56(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the *Parramatta Local Environmental Plan (LEP) 2011* to amend the land use zones, floor space ratio and building height provisions, as well as require a design competition process and ensure provision of non-residential floor space at the corner of Parramatta Road, Good Street and Cowper Street, Granville should proceed subject to the following conditions:

1. Prior to public exhibition, the planning proposal is to be amended as follows:

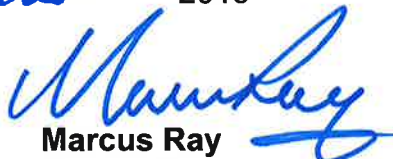
- (a) amend the Explanation of Provisions, proposed maps and relevant supporting studies to ensure consistency with the *draft Parramatta Road Urban Transformation Strategy* prepared by UrbanGrowth NSW. This includes:
 - i. amending the explanation of provisions to indicate that the design excellence process will not enable any bonus height or FSR provisions;
 - ii. apply a maximum height of buildings of 82m (25 storeys) for the majority of the site and a maximum height of buildings of 17m (4 storeys) fronting Good Street; and
 - iii. apply a maximum FSR consistent with achieving the vision, principles and desired built form outcomes within the draft Parramatta Road Urban Design Guidelines prepared by UrbanGrowth NSW, as permitted through this Gateway determination.
- (b) include advice from a suitably qualified practitioner to confirm that the site is suitable for residential use, in accordance with State Environmental Planning Policy No.55 - Remediation of Land.
- (c) correct the legend in the existing Height of Building Maps shown at Table 1 and Figure 4 to replace "AA 72m" with "Y 52m" and replace the words "refer to table in cl.4.3(2A)" with the words "21m under clause 4.3(2A)".
- (d) correct the reference to S117 Direction 6.3 Site Specific Provisions in the table on page 16 to indicate that the planning proposal seeks to introduce a site specific provision in relation to requiring a maximum of 4,000sqm of non-residential floor space.

- (e) amend the requirements related to the provision of non-residential floor space to require a maximum of 4,000sqm rather than a minimum.
2. Prior to public exhibition, Council is to consult with UrbanGrowth NSW, providing a 21 day period within which to comment. Any comments received are to be included and addressed in the planning proposal.
3. Community consultation is required under sections 56(2)(c) and 57 of the 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)*.
4. Consultation is required with the following public authorities under section 56(2)(d) of the Act:
- Office of Environment and Heritage - Heritage Division
 - Department of Education and Communities
 - Department of Health
 - Transport for NSW - Road and Maritime Services
 - Transport for NSW - Sydney Trains

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.

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 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 9th day of November 2015


Marcus Ray
Deputy Secretary
Planning Services

Delegate of the Minister for Planning