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Our ref: PP_2011_PARRA_003_00 (11/20554)
Your ref: PCU027975

Dr Robert Lang
General Manager
Parramatta City Council
PO Box 32
PARRAMATTA NSW 2124

Dear Dr Lang,

Re: Planning Proposal to amend the Parramatta City Centre LEP 2007 to re-distribute and increase the maximum allowable floor space ratio on land at 220 & 222 Church Street and 48 Macquarie Street, Parramatta to facilitate the development of a commercial tower on the Macquarie Street frontage

I am writing in response to your Council's letter dated 10 November 2011 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 2007 to amend the Parramatta City Centre LEP 2007 to re-distribute and increase the maximum allowable floor space ratio on land at 220 & 222 Church Street and 48 Macquarie Street, Parramatta to facilitate the development of a commercial tower on the Macquarie Street frontage.

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

The Department supports the general intent and objectives of the planning proposal and notes the preliminary work undertaken by the proponent in relation to defining an appropriate urban form outcome for the site. To ensure that the overall objective of the planning proposal is achieved, Council is encouraged to consider applying a B3 Commercial Core zone over the entire site. The Department believes that in doing so Council will be able to ensure a predominantly commercial/office development outcome is achieved over the entire site, consistent with surrounding development and the intent of the overall City Centre Plan. Council should amend the planning proposal to include the rezoning component prior to proceeding to public exhibition if it wishes to extend the B3 zone across the entire site following further consideration.

Council is also encouraged to work with the Department's Regional Planning Team to develop a local provision which ensures that any benefit associated with an increase in FSR for the site is limited to achieving commercial orientated development. The outcome of these discussions should be included in the public exhibition material.

The Director General's delegate has also agreed that the planning proposal is consistent with relevant S117 Directions. No further approval is required in relation to these Directions.

The amending Local Environmental Plan (LEP) is to be finalised within 9 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 Michael Druce of the Regional Office of the Department on 02 9873 8500

Yours sincerely,


Tom Gellibrand
Deputy Director General
Plan Making & Urban Renewal

Gateway Determination

Planning Proposal (Department Ref: PP_2011_PARRA_003_00): to amend the Parramatta City Centre LEP 2007 to re-distribute and increase the maximum allowable floor space ratio on land at 220 & 222 Church Street and 48 Macquarie Street, Parramatta to facilitate the development of a commercial tower on the Macquarie Street frontage.

I, the Deputy Director General, Plan Making & Urban Renewal as delegate of the Minister for Planning and Infrastructure, have determined under section 56(2) of the EP&A Act that an amendment to the Parramatta Local Environmental Plan LEP 2007 to re-distribute and increase the maximum allowable floor space ratio on land at 220 & 222 Church Street and 48 Macquarie Street, Parramatta to facilitate the development of a commercial tower on the Macquarie Street frontage should proceed subject to the following conditions:

1. Following further consideration, Council is to amend the planning proposal to rezone the entire subject site to B3 Commercial Core prior to proceeding to public exhibition if it considers it is appropriate.
2. Council is to work with the Department's Regional Planning Team to develop appropriate site specific controls to ensure that the benefit of the proposed increased FSR is limited to achieving commercial orientated outcomes for the site. These outcomes are to be included in the public exhibition material.
3. 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 **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 4.5 of *A Guide to Preparing LEPs (Department of Planning 2009)*.
4. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act:
 - Office of Environment and Heritage (Heritage Branch)
 - Integral Energy
 - Department of Transport - Roads and Traffic Authority; and
 - 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 **9 months** from the week following the date of the Gateway determination.

Dated

21 day of 12

2011.

**Tom Gellibrand
Deputy Director General
Plan Making & Urban Renewal
Delegate of the Minister for Planning and
Infrastructure**