

## Greater Sydney, Place and Infrastructure

### Gateway determination report

<b>LGA</b>	City of Parramatta
<b>PPA</b>	City of Parramatta
<b>NAME</b>	163-165 George Street, Parramatta
<b>NUMBER</b>	PP_2019_COPAR_012_00
<b>LEP TO BE AMENDED</b>	Parramatta Local Environmental Plan 2011
<b>ADDRESS</b>	163-165 George Street, Parramatta
<b>DESCRIPTION</b>	Lot 1 in DP 78716, Lot 1 DP 113513, Lot 1 DP 650704 and Lot 3 in DP 10735
<b>RECEIVED</b>	30 September 2019
<b>FILE NO.</b>	IRF19/6588
<b>POLITICAL DONATIONS</b>	There are no donations or gifts to disclose and a political donation disclosure is not required
<b>LOBBYIST CODE OF CONDUCT</b>	There have been no meetings or communications with registered lobbyists with respect to this proposal

## 1. INTRODUCTION

### 1.1 Description of planning proposal

The planning proposal (**Attachment A**) seeks to alter the development controls for land at 163-165 George Street, Parramatta, by amending the Parramatta Local Environment Plan 2011 (PLEP 2011) as follows:

- amend subclause 10 of Schedule 1 'Additional Permitted Uses' to include 'car park' to operate the parking on the site;
- insert a new additional local provision which allows the car parking provided in association with the place of worship or any other approved use of the site to be used as a public car park outside the peak car parking usage times for the church and ensures no additional car parking is provided for the sole purpose of operating as a commercial car park;
- amend the Height of Buildings map to increase the maximum building height from RL14 to RL21 in the north eastern corner of the site; and
- amend Clause 4.3 Height of Buildings to allow for the mapped building height to be exceeded up to RL40 for a portion of the site. The intent of this clause is to enable architectural design features, such as steeples, to exceed the maximum building height provided it will not have a detrimental impact upon heritage items in the locality.

## 1.2 Site description

The site has a legal description of Lot 1, DP 78716; Lot 1, DP 113513; Lot 1, DP 650704; and Lot 3, DP 10735 and is known as 163-165 George Street, Parramatta (Figure 1 next page).

The site has an area of 13,425m<sup>2</sup> and contains a two storey building (which appears to be three storeys) situated in the southern section of the site, disused bowling greens in the northern section of the site, and at-grade parking surrounding the building along the eastern and southern boundaries.

The building was formerly the Parramatta Workers Club but has been repurposed by the Hellenic Orthodox Community as a place of public worship, childcare centre, language school and community hall. Parramatta National Rugby League Club also use part of the site as an office and an indoor recreation facility.

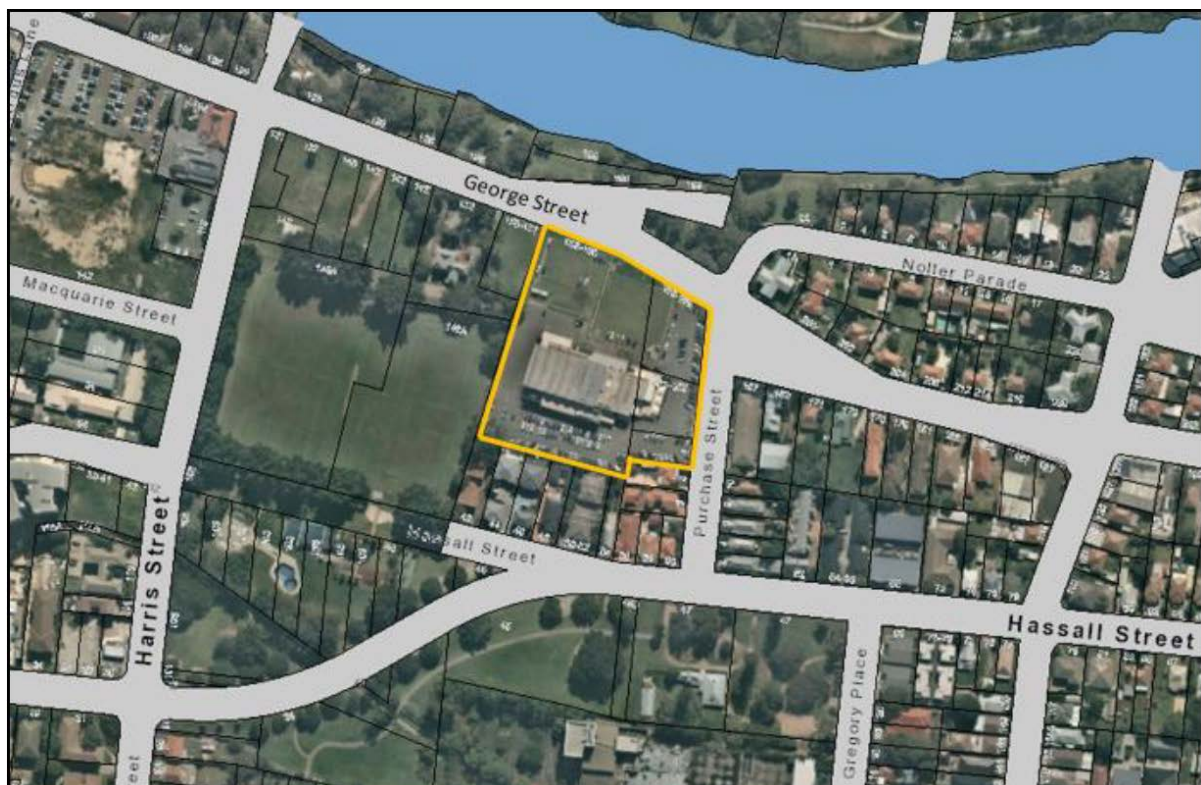


Figure 1: Subject site identified in yellow (Source: Council's Planning Proposal report).

## 1.3 Surrounding area

The surrounding area has a mixture of zones and land uses (Figure 2 next page), including:

- Queens Wharf Reserve (zoned RE1 Public Reserve) to the north across George Street;
- Parramatta River further north (zoned W2 Recreational Waterways);
- Robin Thomas Reserve to the west (zoned RE1 Public Reserve);
- James Ruse Reserve to the south west (zoned RE1 Public Reserve);
- residential dwellings to the south and east zoned (R3 Medium Density Residential);

- Hambleton Cottage Reserve to the south, across Parkes Street (zoned RE1 Public Reserve); and
- a small pocket of industrial land (zoned IN1 General Industrial) is located to the south of Hambleton Cottage Reserve.

A B4 Mixed Use zone is located to the west of Robin Thomas Reserve and beyond is the Parramatta City Centre commercial core.

The site is located approximately 450m east of the Parramatta Ferry Wharf and 750m north east of the Parramatta Rail Station. Harris Park Rail Station is located within 900m of the site to the south west.

#### 1.4 Existing planning controls

The site is zoned SP1 Special Activities (Educational Establishment / Place of Public Worship) under PLEP 2011 (Figure 2 below) and has a maximum building height of RL14m (Figure 3 next page).

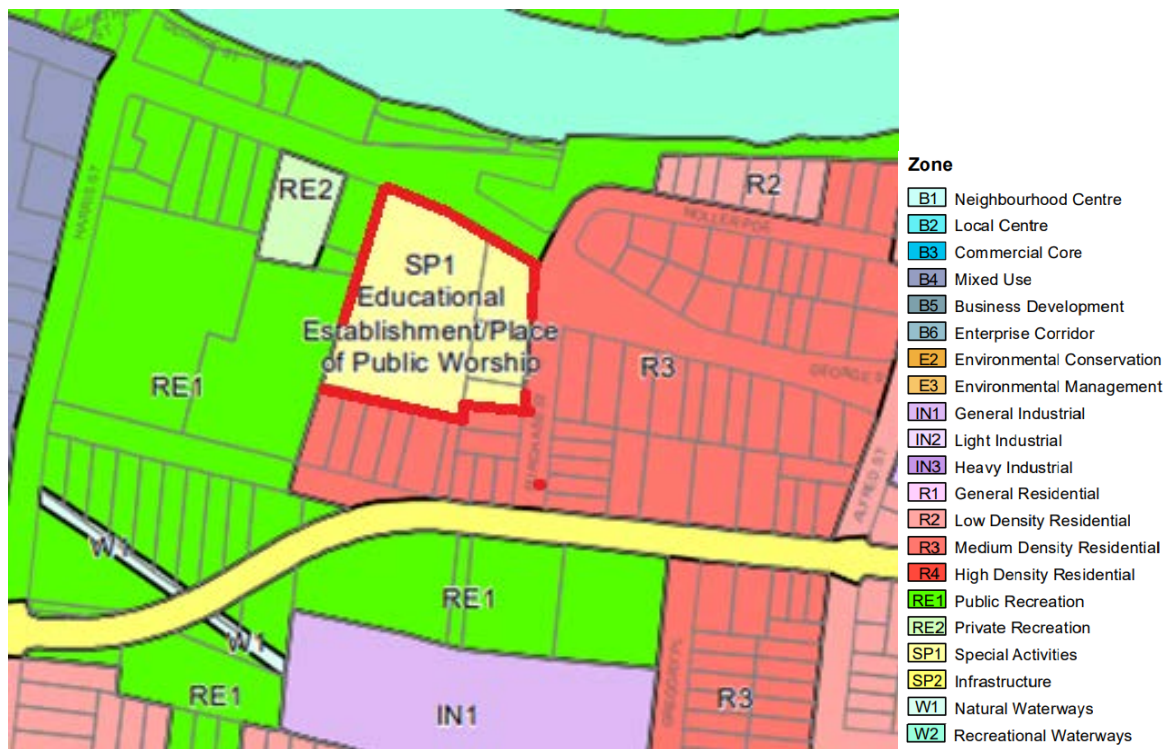


Figure 2: Land use zoning (site shown red) (Source: PLEP 2011 - LZN\_010).

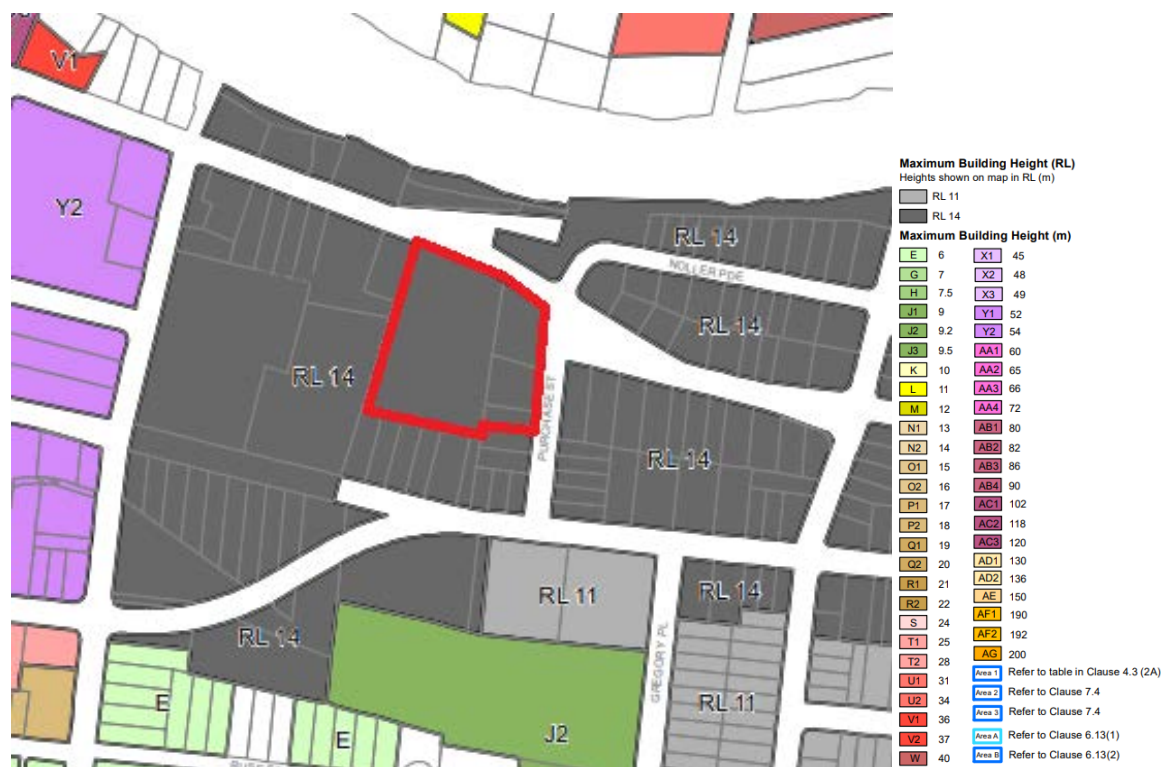


Figure 3: Height controls (site shown red) (Source: PLEP 2011 - HOB\_010).

Under Schedule 1 Additional Permitted Uses (Clause 10), the site is also identified to permit development for the purposes of centre-based child care facilities, community facilities, function centres, office premises and restaurants or cafes with development consent.

The site does not contain any heritage items however the locality contains a number of local and State heritage items as listed in Schedule 5 of PLEP 2011 (refer to Table 1 below and Figure 4 next page).

The site is also located in approximately 200m to the north of the Experiment Farm, Elizabeth Farm and Harris Park West Conservation Areas.

Table 1: Heritage items in the locality.

Item No.	Item Name	Address	Significance
I1	Wetlands	Parramatta River	Local
I489	Queen's Wharf Reserve and stone wall and potential archaeological site	198 George Street	Local
I484	Trees in median strip	167 George Street (opposite)	Local
I523	Residential flats and houses	1, 3, 5, 11 and 17 Noller Parade	Local
I490	Residential flats and houses	200, 202, 204, 208, 212, 214, 216 and 220 George Street	Local
I485	Bulimba (House)	169 George Street	Local



I486	Cottage	173 George Street	Local
I532	Timber cottages	2, 4, 6, 8 and 10 Purchase Street	Local
A2	Robin Thomas Reserve archaeological site	143A George Street	Local
A00768	Experiment Farm archaeological site	Part of the following land—7, 9 and 14 Ruse Street and 25 Parkes Street, Harris Park; 97, 99, 101 and 103 Harris Street and 45 Hassall Street (part of), Parramatta	State
I00768	Experiment Farm Cottage and environs	Part of the following land—7, 9 and 14 Ruse Street and 25 Parkes Street, Harris Park; 97, 99, 101 and 103 Harris Street and 45 Hassall Street, Parramatta	State
I504	Hambledon Cottage and all trees	47 Hassall Street	Local
I01676	HMAS Parramatta shipwreck and memorials	198 George Street	State
I00001	Elizabeth Farm House	70 Alice Street	State

PLEP 2011 Clause 5.10 Heritage Conservation will apply to any development applications lodged on the site as it requires consideration of the impact of any development adjoining a heritage item.

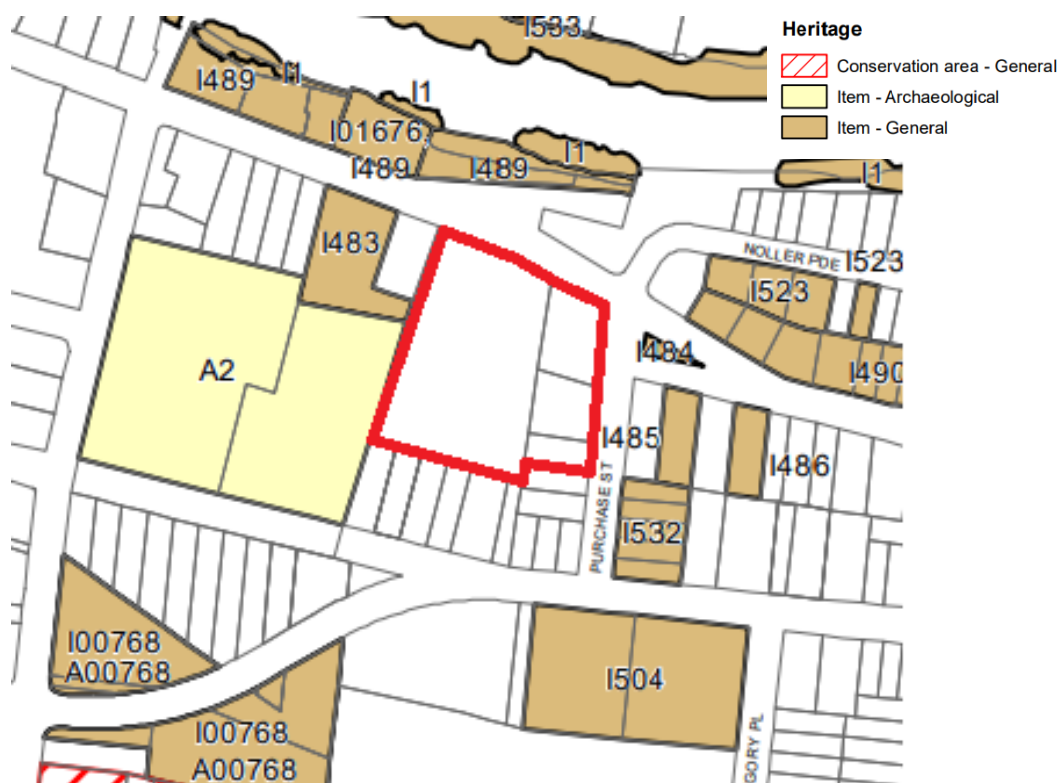


Figure 4: Heritage items in locality (site shown red) (Source: LEP 2011 - HER\_010)

The site is affected by the Probable Maximum Flood and 100 Year Annual Recurrence Interval (Figure 5 below) therefore Clause 6.3 Flood Planning of PLEP 2011 is relevant. Clause 6.3 requires the consent authority to consider the flood risks to ensure the proposed development is suitable for the site.

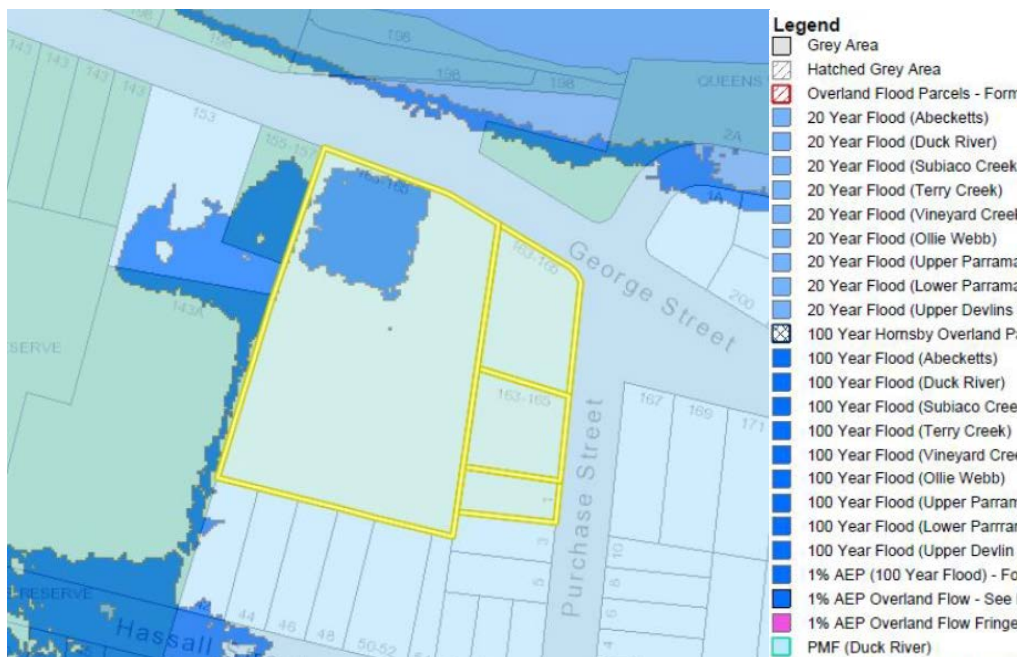


Figure 5: Flooding details (site shown yellow) (source: Council's Planning Proposal report)

### 1.5 Site History (Use, Planning Proposal and Development Application)

The Council Report (**Attachment D**) in support of the planning proposal noted the following relevant site history:

- Since 2016, the Hellenic Orthodox Community of Parramatta and Districts has used the site as a place of public worship, childcare centre, school community hall and other ancillary community uses. DA/839/2015 permits the use of the site for these purposes and provides 161 carparking spaces on the site.
- The proponent originally lodged a planning proposal with Council to permit 'car parking' as an additional permitted use on the site to enable the dual use of carparking.
- A Development Application (DA/469/2018) was lodged in July 2018 for the construction of a Grand Cathedral, public forecourt space, multipurpose hall and associated basement car parking. It was accompanied by a Clause 4.6 variation seeking to increase the maximum building height (i.e. RL14m) for the following building elements:
  - Building – RL21;
  - Spire/dome – RL34; and
  - Crucifix – RL40;
- The Sydney Central City Planning Panel, as the relevant consent authority, advised Council that the height variation cannot be supported by the Panel. The application has not yet been determined.

- The proponent amended the planning proposal to alter the existing height control to allow consideration of the proposed cathedral in accordance with the vision/development application.

The planning proposal reflects the intent of the development application (above) submitted for the site.

## **1.6 Summary of recommendation**

It is recommended that the planning proposal proceed subject to conditions as it reflects the broader strategic aims of the Central City District Plan. It will facilitate the redevelopment of the site, including a place of public worship and ancillary activities, which serve an important social and cultural role in Parramatta and surrounds.

The introduction of a 'car park' use on the site, provided it does not exceed the maximum carparking rate for the church use, supports the efficient use of car parking in close proximity to the Parramatta CBD; surrounding open space and foreshore areas; and future Light Rail stations to enhance accessibility to these places.

## **2. PROPOSAL**

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### **2.1 Objectives or intended outcomes**

The key objective of the planning proposal is to amend PLEP 2011 to facilitate the planned redevelopment of the site for use by the Hellenic Orthodox Community. The objectives and intended outcomes are clear for the purpose of public exhibition.

### **2.2 Explanation of provisions**

The planning proposal (**Attachment A**) seeks the following amendments to the planning controls for the site:

- amend subclause 10 of Schedule 1 'Additional Permitted Uses' to include 'car park' to operate the parking on the site;
- insert a new additional local provision which allows the car parking provided in association with the place of worship or any other approved use of the site to be used as a public car park outside the peak car parking usage times for the church and ensures no additional car parking is provided for the sole purpose of operating as a commercial car park;
- amend the Height of Buildings map to increase the maximum building height from RL14 to RL21 in the north eastern corner of the site; and
- amend Clause 4.3 Height of Buildings to allow for the mapped building height to be exceeded up to RL40 for a portion of the site. The intent of this clause is to enable architectural design features, such as steeples, to exceed the maximum building height provided it will not have a detrimental impact upon heritage items in the locality.

The purpose of the proposed additional local provision is to not permit any additional car parking over and above the rates permitted for the other permissible uses. However, it seeks to promote dual use of approved parking not the provision of additional parking.



Figure 6: Proposed building height (site shown red) (Source: LEP 2011 - HER\_010)

#### Department comment – proposed height

The Department supports the Council's position that any architectural roof features proposed should only be considered for approval if they do not have a detrimental impact on heritage items in the locality as outlined in the planning proposal.

Therefore, it is recommended that in preparing the amendment to Clause 4.3 to enable architectural design features, further controls are implemented so that the mass of the built form between RL21 and RL40 is not excessive (Figure 7 below) and is restricted to only a portion of the site. The clause should be expanded as follows:

- The land that the clause applies to should be clearly identified on the HOB map to delineate the part of the site where the additional height may be considered. This should only be the part of the site that is subject to a proposed increase in height from RL14 to RL21;
- Identify that the architectural roof features:
  - are related only to the use of the site as a Place of Public Worship;
  - will not have a detrimental impact on heritage items in the locality;
  - only comprise decorative elements on the uppermost portion of the building including a steeple, dome and spire; and
  - will cause minimal overshadowing.



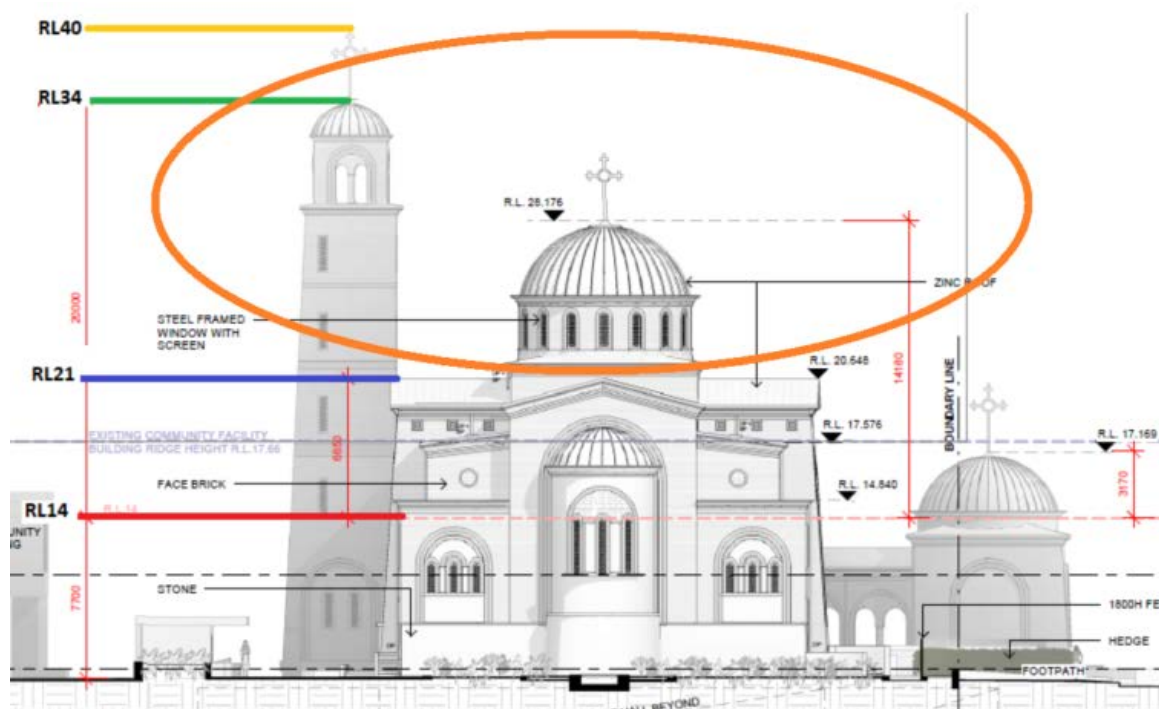


Figure 7: Area between RL21 to RL40 where architectural roof features could occur as currently drafted (Source: Development application plans)

## 2.3 Mapping

The planning proposal seeks to amend the following PLEP 2011 mapping:

- Height of Buildings Map - Sheet HOB\_010

The existing and proposed mapping is suitable for public exhibition.

## 3. NEED FOR THE PLANNING PROPOSAL

The planning proposal is not a result of any site-specific study or report and is a landowner-initiated planning proposal to enable redevelopment of the site for the purpose of a place of public worship. The planning proposal seeks to amend the PLEP 2011 to allow a development application to be considered which is currently lodged with Council.

The planning proposal will facilitate the redevelopment of the site, including a place of public worship and ancillary activities, which serve a social and cultural role in Parramatta and surrounds. The introduction of a 'car park' use on the site supports the efficient use of required car parking to provide dual use car parking in close proximity to the Parramatta CBD, surrounding open space and foreshore areas and future Light Rail stations to enhance accessibility to these areas.

The proposed amendment to PLEP 2011 is the most effective mechanism to enable Council's intended outcome.

## 4. STRATEGIC ASSESSMENT

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### 4.1 District

#### Central City District Plan

The site is within the Central City District and the Greater Sydney Commission released the Central City District Plan on 18 March 2018. The District Plan provides a 20-year plan to manage growth in the context of economic, social and environmental matters to achieve the 40-year vision of Greater Sydney. The District Plan gives effect to the Greater Sydney Region Plan.

The District Plan identifies Planning Priority C4 as fostering healthy, creative, culturally rich and socially connected communities. Objective 7 seeks to ensure communities are socially connected and Objective 8 seeks to ensure that communities are culturally rich. The planning proposal will facilitate the delivery of a place of public worship which serves the needs for the Hellenic Orthodox community in Parramatta and surrounds. The redevelopment of the church will serve a social and cultural role in Parramatta which is consistent with the planning priorities and objectives of the Central City District Plan.

Planning Priority C6 seeks to create and renew great places and local centres while respecting the District's heritage. Objective 12 aims to provide for great places that bring people together. The proposed additional height control will allow for the construction of a place of public worship which serves an important social and cultural role in Parramatta and surrounds.

Objective 13 (Planning Priority C6) aims to ensure environmental heritage is identified, conserved and enhanced. There are a number of heritage items identified in the locality therefore Heritage, Department of Premier and Cabinet should be consulted on the proposal about the suitability of the proposed controls having regard to the heritage sensitivities in the locality.

The Department is satisfied that the planning proposal gives effect to the district plan in accordance with section 3.8 of the *Environmental Planning and Assessment Act 1979*.

#### Greater Parramatta Growth Area

The site is located within the Greater Parramatta Growth Area as identified in the Greater Parramatta Interim Land Use and Infrastructure Implementation Plan (July 2017). The plan sets out a framework to accommodate growth in jobs, homes and essential services over the next 20 years. The planning proposal is generally consistent with the plan.

#### Greater Parramatta Olympic Peninsula

The site is located within the Greater Parramatta Olympic Peninsula (GPOP) area. The GPOP area consists of four regions and the site is located within Quarter 1: Parramatta CBD Westmead Health and Education Super Precinct.

The GPOP vision document (October 2016) identifies that Quarter 1 will play a critical role for GPOP, offering a dynamic combination of commercial core, civic heart, health, education and research hub. This super precinct will be GPOP's westernmost economic anchor — attracting human talent, investment, and creative and innovative activity. The planning proposal is generally consistent with the plan.

## 4.2 Local

### Parramatta 2038 Community Strategic Plan

Parramatta 2038 is a long-term Community Strategic Plan for the City of Parramatta and it links to the long-term future of Sydney. The plan formalises several big and transformational ideas for the City.

The proposal is generally consistent with the local strategy.

### Local Planning Panel

On 18 June 2019 the City of Parramatta Local Planning Panel considered Council's Planning Proposal report in support of the planning proposal (**Attachment E**).

The Local Planning Panel recommended to Council that the planning proposal be supported.

## 4.3 Section 9.1 Ministerial Directions

**Inconsistent:** The planning proposal is inconsistent with the following section 9.1 Directions.

### Direction 4.1 Acid Sulfate Soils

The objective of this Direction is to avoid significant adverse environmental impacts from the use of land that has a probability of containing acid sulfate soils. The site is identified as having Class 4 acid sulfate soil under PLEP 2011.

The proposal is inconsistent with this Direction as an acid sulfate soils study is required when intensification of the land is proposed, and a study has not been prepared by the proponent.

This inconsistency is of minor significance as this matter can be appropriately considered and addressed at the development application stage in accordance with clause 6.1 of PLEP 2011 (which requires an acid sulfate soils management plan to be submitted at the development application stage, if certain development thresholds are met). Therefore, it is recommended that the Secretary's delegate agree that any inconsistency with this direction is of minor significance.

### Direction 4.3 Flood Prone Land

The objectives of this Direction are to ensure that development of flood prone land is consistent with the NSW Government's Flood Prone Land Policy and the principles of the Floodplain Development Manual 2005, and to ensure that the provisions of an LEP on flood prone land is commensurate with flood hazard and includes consideration of the potential flood impacts both on and off the subject land. The site is affected by the Probable Maximum Flood and 100 Year Annual Recurrence Interval.

The planning proposal does not comply with the requirement of this Direction to include provisions that give effect to and are consistent with the NSW Flood Prone Land Policy and the principles of the Floodplain Development Manual 2005.

However, the Parramatta LEP 2011 and Parramatta DCP 2011 contain controls that address management of flooding and any future development application will need to demonstrate compliance with these controls.

The site is also currently used as a place of public worship and the proposal does not seek to rezone the land. The proposed additional permitted use will not enable further car parking over and above required number for a Place of Public Worship.

Therefore, it is recommended that the Secretary's delegate agree that any inconsistency with this direction is of minor significance.

#### Direction 6.3 Site Specific Provisions

The objective of this Direction is to discourage unnecessarily restrictive site-specific planning controls. The planning proposal seeks to expand the existing additional permitted use clause to include car parks, to enable the dual use of the car parking associated with the place of public worship. In addition, the proposal seeks to introduce a subclause to allow the steeple or similar on the site to exceed the maximum building height.

Therefore, the proposal is inconsistent with this Direction as it will impose further development requirements in addition to those already contained in that zone.

It is recommended that the Secretary's delegate agree that any inconsistency with this direction is of minor significance as these additional requirements are appropriate to achieve the intended redevelopment outcomes for the site. The site-specific controls are consistent with the current PLEP 2011 provisions for the site and will achieve improved outcomes for the site in terms of impact on surrounding heritage values and are consistent with the draft Parramatta CBD Public Car Parking Strategy 2017-2023.

**Consistent:** The planning proposal is consistent with the following section 9.1 Direction.

#### Direction 2.3 Heritage Conservation

The objective of this Direction is to conserve items, areas, objects, places of environmental heritage significance and indigenous heritage significance.

A number of local and State listed heritage items and conservation areas are located within the vicinity of the site. The site is also located within the Harris Park 'Area of National Significance' in the Parramatta Development Control Plan 2011. The proposed increase in building height has the potential to impact on the heritage value of the surrounding area, specifically any preserved view corridors.

Council's Report (**Attachment D**) considers that the proposed increase in height is acceptable as it does not apply to the whole of the site and only permits height increases for the Place of Public Worship. In particular, Council is satisfied that the integrity of adjacent items and the Area of National Significance can be maintained.

PLEP 2011 also contains provisions to ensure heritage is addressed at the development application stage where further detail can be provided to enable a more detailed assessment of heritage impacts. As such, it is considered that there is no inconsistency with the Direction as the existing provisions of Clause 5.10 apply and a further site-specific control is incorporated into the planning proposal to ensure that the impact of the additional height on heritage items is considered, should the architectural roof features exceed RL21.

As there are already controls in place to protect heritage items and the planning proposal is seeking to include an additional provision to protect heritage items, it is considered that there is no inconsistency with this Direction. However, it is



recommended that consultation with Heritage, Department of Premier and Cabinet occur given the large number of heritage items in the locality.

#### **4.4 State environmental planning policies (SEPPs)**

The planning proposal (**Attachment A**) states that the proposed amendment is consistent with all relevant SEPPs.

### **5. SITE-SPECIFIC ASSESSMENT**

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#### **5.1 Social**

The planning proposal seeks to facilitate the redevelopment of a place of public worship and the operation of a car park.

The redevelopment of the existing place of public worship provides for the social and cultural needs of the Hellenic Orthodox Community of Parramatta.

The proposed enabling of public car parking provides the broader community with parking in close proximity to the Parramatta CBD, surrounding open space and foreshore areas and future Light Rail stations; resulting in positive social outcomes in achieving accessibility to these areas.

#### **5.2 Economic**

The economic impacts of the planning proposal are likely to be positive for the locality for generation of employment, temporary and ongoing jobs.

The redevelopment of the place of public worship and use as a public car park may also generate flow on benefits for local businesses through any increased visitation to the site and surrounding area.

Further, the use of the site for commercial car parking supports the efficient use of the site when not being used for its primary purpose (place of public worship). The proposed commercial car parking will also provide the public with access to the Parramatta CBD, surrounding open space and foreshore areas and future Light Rail stations; supporting the economic growth of Parramatta.

#### **5.3 Built Environment**

The planning proposal seeks to increase the building height for a place of public worship in the north eastern corner of the site. The increase in building height is considered appropriate in the context of the site for the following reasons:

- the increase in building height from RL14 to RL21 is directly linked to the site's special use zoning, being used for a place of public worship;
- the increase in building height, including massing, location and impact on view protection; has site-specific merit as it will allow the development of a significant cultural asset in close proximity to the Parramatta CBD;
- the recommended changes to the provisions will allow for additional decorative elements over RL21, provided heritage and overshadowing impacts are managed and they are associated with the use of the site as a Place of Public Worship; and
- the locality does not have a prevalent character and features a mix of building types, heights, setbacks and styles.

## 5.4 Heritage

A number of local and State listed heritage items and conservation areas are located within the vicinity of the site. The site is also located within the Harris Park 'Area of National Significance' in the Parramatta Development Control Plan 2011. The proposed increase in building height has the potential to impact on the heritage value of the surrounding area, specifically any significant view corridors.

Council's report (**Attachment D**) considers that the proposed increase in height is acceptable as it does not apply to the whole of the site and only permits height increases for the Place of Public Worship. In particular, Council is satisfied that the integrity of adjacent items and the Area of National Significance can be maintained through the detailed design assessment undertaken through the development application stage.

It is recommended that consultation with Heritage, Department of Premier and Cabinet is undertaken during the planning proposal process.

## 5.5 Flooding

The site is affected by the Probable Maximum Flood and 100 Year Annual Recurrence Interval.

The site is currently used as a place of public worship and the planning proposal does not propose to change the existing land use zoning.

Parramatta LEP 2011 and the Parramatta DCP 2011 have controls that address management of flooding and any future development application will need to demonstrate compliance with these controls.

## 5.6 Contamination

The provisions of SEPP 55 Remediation of Land will apply in the assessment of any development application on the site. The consent authority will be required to consider this matter in the assessment of any development application.

## 5.7 Traffic and Parking

The planning proposal seeks to introduce a 'car park' as an additional permitted use on the site to facilitate the operation of a commercial car park. The planning proposal anticipates that the commercial car park operation will make the approved car parking for the primary activities on the site (i.e. place of public worship and ancillary activities) available for public use outside of peak usage hours. The planning proposal seeks to ensure that no additional parking, over and above what is required by the Church, is provided on site.

A Traffic and Parking Impact Assessment report has been submitted with the planning proposal (**Attachment E**). The report indicates that the proposed additional use for the site as a commercial car park can be managed to ensure the impacts on the surrounding road network are minimised.

Council's report considers the dual use of parking is appropriate and maximises the efficient use of car parking spaces in close proximity to a future Parramatta Light Rail stop and the Parramatta CBD, while not drawing traffic into the CBD.

The Traffic and Parking Impact Assessment report sets out the applicable car parking rates, from the Parramatta DCP, to be applied to the uses on the site and, based on the likely hours of use, the number of spaces that can be used for

commercial car parks and the available times. It is noted that the planning proposal does not seek additional parking in excess of what is required for primary activities on the site.

The applicable car parking rates, hours of operation, commercial car park operation and design of the car parking areas will be assessed in detail through the development application stage.

### 5.8 Parramatta Light Rail

The site is adjacent the route of the Parramatta Light Rail (Stage 1). Figure 8 below identifies the approximate location of the site (shown red) in comparison with identified stops known as Tramway Avenue and Harris Street.

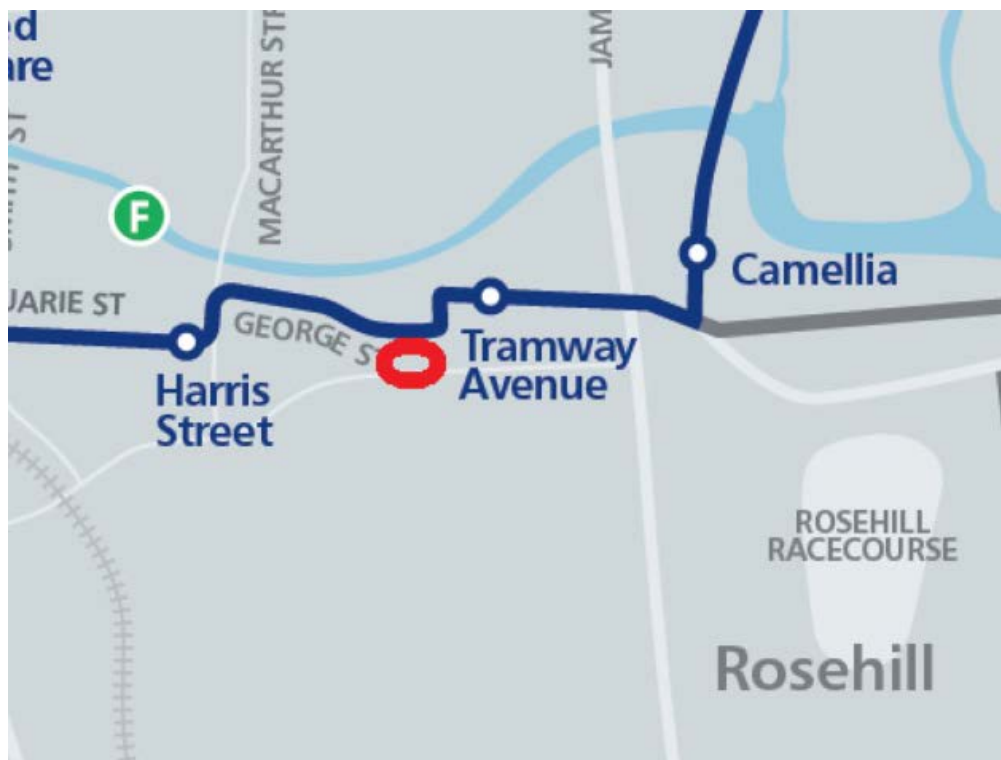


Figure 8: Location of site in proximity to Parramatta Light Rail (Source: Parramatta Light Rail)

The current development application seeks to locate the car park entry from George Street (which contains the Parramatta Light Rail). There is potential conflict with the Parramatta Light Rail network. Council have advised that this issue has been resolved through the assessment of the DA.

It is recommended that consultation occur with Parramatta Light Rail as a requirement of the Gateway conditions to determine any likely impacts and any required mitigation measures as a result of the planning proposal.

### 5.9 Infrastructure

A Voluntary Planning Agreement is not proposed by the proponent or requested by Council as the matter does not increase the residential density of the site.

Development of the site may attract development contributions under Section 7.11 and 7.12 of the *Environmental Planning and Assessment Act 1979*.

## **6. CONSULTATION**

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### **6.1 Community**

A community consultation period of 28 days is considered an appropriate amount of time to gauge the community's response to the proposal. Public exhibition is likely to include:

- newspaper advertisement;
- display on the Council's website; and
- written notification to adjoining landowners.

### **6.2 Agencies**

Council proposes that consultation with relevant authorities will form part of the consultation requirements.

As a minimum, it is recommended the following agencies are consulted:

- Transport for NSW – Parramatta Light Rail;
- Transport for NSW; and
- Heritage, Department of Premier and Cabinet.

## **7. TIME FRAME**

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The proposed time frame to finalise this planning proposal is nine months, which is considered appropriate given the scale and complexity of the project. This is consistent with the time frame identified in the planning proposal; however, the proposal is required to be updated before community consultation.

## **8. LOCAL PLAN-MAKING AUTHORITY**

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Council has requested authorisation to be the local plan-making authority in relation to this planning proposal. Given the nature of the proposal, being one of local significance, it is recommended that Council is authorised as the local plan-making authority.

## **9. CONCLUSION**

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The planning proposal should proceed subject to conditions as it reflects the broader strategic aims of the Central City District Plan.

It will facilitate the redevelopment of the site, including a place of public worship and ancillary activities, which serve an important social and cultural role in Parramatta and surrounds. The introduction of a 'car park' use on the site supports the efficient use of required car parking in close proximity to the Parramatta CBD; surrounding open space and foreshore areas; and future Light Rail stations to enhance accessibility to these areas, while no drawing traffic into the CBD.



## 10. RECOMMENDATION

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It is recommended that the delegate of the Secretary:

1. agree that any inconsistencies with section 9.1 Directions 4.1 Acid Sulfate Soils, 4.3 Flood Prone Land and 6.3 Site Specific Provisions are minor and justified.

It is recommended that the delegate of the Minister determine that the planning proposal should proceed subject to the following conditions:

1. Prior to public exhibition the planning proposal is to be amended as follows:
  - (a) amend figure 4 mapping key to remove reference to “Current Floor Space Ratio” and replace with “Current Land Use Zone”;
  - (b) amend the formatting so that the mapping is visible;
  - (c) amend table 7 to provide updated timeframes; and
  - (d) amend the explanation of intended provisions with regard to the proposed amendments to Clause 4.3 to include the following additional requirements:
    - i. identify the area the clause will apply to on the Height of Buildings map;
    - ii. identify that the architectural roof features:
      - are only to be permitted if they relate to the use of the site as a Place of Public Worship;
      - will not have a detrimental impact on heritage items in the locality;
      - only comprise decorative elements on the uppermost portion of the building including a steeple, dome and spire; and
      - will cause minimal overshadowing.
2. Consultation is required with the following public authorities:
  - Transport for NSW – Parramatta Light Rail;
  - Transport for NSW; and
  - Heritage, Department of Premier and Cabinet.
3. Public exhibition is required under section 3.34(2)(c) and schedule 1 clause 4 of the Act as follows:
  - (a) the planning proposal must be made publicly available for a minimum of **28 days**; and
  - (b) the planning proposal 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 6.5.2 of *A guide to preparing local environmental plans* (Department of Planning, Industry and Environment, 2018).
4. A public hearing is not required to be held into the matter by any person or body under section 3.34(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).

5. The planning proposal authority is authorised as the local plan-making authority to exercise the functions under section 3.36(2) of the Act subject to the following:
  - (a) the planning proposal authority has satisfied all the conditions of the Gateway determination;
  - (b) the planning proposal is consistent with section 9.1 Directions or the Secretary has agreed that any inconsistencies are justified; and
  - (c) there are no outstanding written objections from public authorities.
6. The time frame for completing the LEP is to be 9 months following the date of the Gateway determination.



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**Christine Gough**  
**Acting Director, Central (GPOP)**

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