

Gateway Determination

Planning proposal (Department Ref: PP_2017_COPAR_014_00): to amend the Parramatta Local Environmental Plan 2011 to permit an increase in height and floor space ratio at 34-42 East Street, Granville.

I, the Executive Director, Regions at the Department of Planning and Environment, as delegate of the Greater Sydney Commission, have determined under section 3.34(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the Parramatta Local Environmental Plan (LEP) 2011 to permit an increase in height and floor space ratio should proceed subject to the following conditions:

1. Prior to undertaking community consultation, Council is required to amend the planning proposal as follows:
 - (a) clearly articulate and demonstrate that the floor space ratio over the site known as 10-42 East Street will not exceed 6:1 as a result of the removal of the sliding scale, and the exclusion of wintergardens from the calculation of the gross floor area on the subject site; and
 - (b) provide a site-specific clause for 35-42 East Street to clearly nominate a maximum gross floor area that can be used for wintergardens and enclosed balconies (and the like) to ensure bulk and scale of the built form is not excessive and responds appropriately to site conditions, and the total floor space ratio over the land subject to DA738/2014 does not exceed 6:1.
2. Community consultation is required under section 3.34(2) (c) and schedule 1 clause 4 of the Act as follows:
 - (a) the planning proposal is classified as low impact as described in *A guide to preparing local environmental plans* (Department of Planning and Environment 2016) and 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 5.5.2 of *A guide to preparing local environmental plans* (Department of Planning and Environment 2016).
3. Consultation is required with the following public authorities and organisations under section 3.34(2)(d) of the Act and to comply with the requirements of relevant section 9.1 Directions:
 - Roads and Maritime Services;
 - Transport for NSW;



Planning & Environment

- Transport for NSW – Sydney Trains; and
- Office of Environment and Heritage – Heritage Division.

Each public authority/organisation 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 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 time frame for completing the LEP is to be 12 months from the date of the Gateway determination.
6. The final LEP maps shall be prepared in accordance with the requirements of the Department's *Standard Technical Requirements for Spatial Datasets and Maps* (August 2017).

Dated 14th day of April 2018.

Stephen Murray
Executive Director, Regions
Planning Services
Department of Planning and Environment

Delegate of the Greater Sydney Commission

Ms Sue Coleman
Interim Chief Executive Officer
City of Parramatta Council
PO Box 32
PARRAMATTA NSW 2124

Dear Ms Coleman

Planning proposal PP_2017_COPAR_014_00 to amend Parramatta Local Environmental Plan 2011

I am writing in response to Council's request for a Gateway determination under section 3.34 of the *Environmental Planning and Assessment Act 1979* (the Act) and additional information received on 5 February 2018 in respect of the planning proposal to permit an increase in height and floor space ratio (FSR) at 34-42 East Street, Granville.

As delegate of the Greater Sydney Commission, I have now determined the planning proposal should proceed subject to the conditions in the enclosed Gateway determination.

I note the need for the planning proposal to be amended to clearly articulate that the maximum FSR that can be achieved on the site does not exceed 6:1 for the entire site known as 10-42 East Street, which was subject to a previous development consent.

Additionally, I consider that further control and clarification are required to ensure the proposed exclusion of wintergardens from the calculation of gross floor area does not excessively contribute to the bulk and scale of the proposed tower.

While Council has provided justification for the inconsistencies with section 9.1 Directions 6.3 Site Specific Provisions and 7.3 Parramatta Road Corridor Urban Transformation Strategy, I have determined that Council will need to obtain the agreement of the Department of Planning and Environment's Secretary to comply with the requirements of these Directions following community consultation. This will ensure that proper consideration can be given to any submissions that may refer to these Directions.

I have considered Council's request to be authorised as the local plan-making authority and determined not to issue authorisation given the evolving nature of planning in the Granville precinct and the need to monitor planning outcomes.

The amending local environmental plan (LEP) is to be finalised within 12 months of 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 eight 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 Greater Sydney Commission may take action under section 3.35(2)(d) of the Act if the time frames outlined in this determination are not met.

Should you have any further enquiries about this matter, I have arranged for Ms Christine Gough to assist you. Ms Gough can be contacted on 9860 1531.

Yours sincerely

 14 April 2018
Stephen Murray
Executive Director, Regions
Planning Services

Encl: Gateway determination