

Greater Sydney, Place and Infrastructure

IRF20/5909

Report in support of the Alteration of Gateway determination

LGA	City of Parramatta
PPA	City of Parramatta Council
NAME	Planning proposal to amend development controls for 295 Church St, Parramatta
NUMBER	PP_2020_COPAR_011_00 (supersedes PP_2016_PARRA_002_02)
LEP TO BE AMENDED	Parramatta LEP 2011
ADDRESS	295 Church St, Parramatta
DESCRIPTION	The proposal seeks to increase the maximum FSR to 10:1 (plus design excellence bonus) and permit a maximum building height of 150m (other than the front 10m facing Church Street which will have a maximum building height of 12m) for land at 295 Church Street, Parramatta.
RECEIVED	16 December 2020
FILE NO.	IRF20/5909
POLITICAL DONATIONS	There are no donations or gifts to disclose and a political donation disclosure is not required.
LOBBYIST CODE OF CONDUCT	There have been no meetings or communications with registered lobbyists with respect to this proposal.

1. Purpose of the planning proposal

The planning proposal (**Attachment A**) applies to land at 295 Church Street, Parramatta (**Figure 1**) and aims to:

- increase the maximum floor space ratio (FSR) from 3:1 to 10:1 (plus a design excellence bonus);
- increase maximum building height from 12m to part 12m for the front (Church Street) 12m of the site and 150m for the remainder (plus a design excellence bonus); and
- apply the maximum car parking rates in accordance with the Parramatta CBD Strategic Transport Study.

The planning proposal does not seek to amend the existing B4 Mixed Use zoning.

The planning proposal has been supported by differing versions of concept designs with one including a mix of commercial and residential uses and a more recent including commercial, hotel and boarding house component. The final composition of any development will be the outcome of a future development application.



Figure 1: Subject site outlined in red.

2. Proposal Background

Gateway determination was issued on 17 June 2016 and determined that the proposal should proceed subject to conditions. The Gateway determination has been previously altered on several occasions. **Table 1** outlines the dates and reasons for changes.

Date of Alteration	Reason
15 August 2016	To remove the requirement for concurrent exhibition and notification to agencies.
4 August 2017	To change the Explanation of Provisions to indicate a provision requiring a maximum car parking rate in accordance with the Parramatta CBD Strategic Transport Study.
22 February 2018	To extend the time for completion for the making of the LEP by 6 months.
30 November 2018	To extend the time for completion for the making of the LEP by 12 months.
14 November 2019	To extend the time for completion for the making of the LEP by 9 months.
26 May 2020	To extend the time for completion for the making of the LEP by 6 months.

3. Public Exhibition

As required by the Gateway determination, the planning proposal was placed on public exhibition from 1 August 2018 to 11 September 2018. A total of 16 submissions were received, comprising of 3 public submissions and 13 agency submissions.

A report addressing these submissions was considered by Council on 16 December 2019. Council resolved to endorse the proposal for finalisation but that submission to DPIE be held until the VPA and DCP had been re-exhibited.

No further community consultation is required.

4. Post exhibition

The planning proposal was submitted to the Department of Planning, Industry and Environment on 1 June 2020 with a request that the plan not be made until the Voluntary Planning Agreement (VPA) and Development Control Plan (DCP) were resolved.

The Department wrote to Council on 20 October 2020 noting the ongoing delays to VPA, the lapsing of the Gateway determination and a need to provide a clear program to finalisation.

On 7 December 2020, Council considered a report on the proposal, VPA, DCP and the Department's correspondence. The report notes the draft VPA provides a monetary contribution towards local infrastructure and that the land ownership has changed since this agreement was negotiated. The VPA has not been executed by the current landowner and has no status as a method of securing contributions to local infrastructure.

Council resolved to allow the new landowner until the 28 February 2021 to take control of the property and sign the VPA. Should this not occur, Council notes it would request DPIE to not proceed.

5. Alteration of Gateway determination

The Department has considered the ongoing delays to the finalisation of this planning proposal and notes the original Gateway determination as extended has lapsed. The Department is required to improve processing times for planning proposals to reduce uncertainty for the community.

The Department has altered the Gateway determination to ensure the proposal is concluded without further delays. The alteration outlines key milestones to ensure the timely finalisation of this matter by 31 March 2021:

- Council must notify the Department of the outcome of outstanding matters by 1 March 2021, coinciding with the deadline of advice to Council from the proponent.
- The LEP is to be finalised by 31 March 2021.

If Council is unable to satisfy itself that a mechanism to secure local infrastructure contributions is in place the Department may reconsider the Gateway determination and alter it not to proceed.



23/12/2020

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Central River City and Western Parkland City