

## Gateway Determination

**Planning proposal (Department Ref: PP\_2019\_COPAR\_003\_00): to amend the Parramatta Local Environmental Plan 2011 to alter height of building and floor space ratio controls and insert site-specific clauses for 10 Valentine Avenue, Parramatta.**

I, the Director, Sydney Region West, at the Department of Planning and Environment, as delegate of the Minister for Planning and Public Spaces, 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 *alter height of building and floor space ratio controls and add site-specific clauses at 10 Valentine Avenue, Parramatta* should proceed subject to the following conditions

1. Prior to community consultation Council is to amend the planning proposal to:
  - (a) amend the Height of Building Map to remove the 54 metre height control and replace with a defined maximum building height expressed in metres to be consistent with the updated Reference design. The solar access plane for Jubilee Park (Area 2) on the Height of Building Map is to be retained;
  - (b) provide a flooding map to show the extent of the flood impact on the subject site; and
  - (c) update the project timeline.
2. Community consultation is required under section 3.34(2)(c) and schedule 1 clause 4 of the Act as follows:
  - (d) the planning proposal must be made publicly available for a minimum of 28 days; and
  - (e) 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 and Environment 2018).
3. Consultation is required with the following public authorities:
  - Office of Environment and Heritage – Heritage Division; and
  - NSW State Emergency Service;

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. Prior to finalising the plan, Council is to ensure that the planning proposal is consistent with the Parramatta CBD planning proposal.
6. The time frame for completing the LEP is to be **9 months** following the date of the Gateway determination.
7. 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.

Dated                      29<sup>th</sup> day of May 2019.



**Ann-Maree Carruthers**  
**Director, Sydney Region West**  
**Planning Services**  
**Department of Planning and**  
**Environment**

**Delegate of the Minister for Planning**  
**and Public Spaces**