



Mr Brett Newman  
Chief Executive Officer  
City of Parramatta Council  
PO Box 32  
PARRAMATTA NSW 2124

Dear Mr Newman

**Planning proposal PP\_2019\_COPAR\_018\_00 to establish a new City of Parramatta Local Environmental Plan**

I am writing in response to Council's request for a Gateway determination under section 3.34(1) of the *Environmental Planning and Assessment Act 1979* (the Act) in respect of the planning proposal to establish a new Local Environmental Plan for the City of Parramatta LGA. I note that this planning proposal is the first stage to giving effect to your LSPS.

As delegate of the Minister for Planning and Public Spaces, I have now determined that the planning proposal should proceed subject to the conditions in the enclosed Gateway determination.

I have also agreed, as delegate of the Secretary, the planning proposal's inconsistencies with section 9.1 Directions 1.2 Rural Zones, 3.2 Caravan Parks and Manufactured Home Estates, 4.4 Acid Sulfate Soils, 6.2 Reserving Land for Public Purposes; 6.3 Site Specific Provisions, 7.3 Parramatta Road Corridor Urban Transformation Strategy and 7.5 Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan are justified in accordance with the terms of the Directions.

In relation to section 9.1 Direction 6.2 Reserving Land for Public Purposes, I have agreed to the reduction of land for public purposes on the basis that this land is not considered appropriate for public open space and would not add value to the existing reserve. No further approval is required in relation to this Direction.

Council may still need to obtain the agreement of the Secretary to comply with the requirements of relevant section 9.1 Directions 3.1 Residential Zones and 4.4 Planning for Bushfire Protection. As required by Direction 4.4 Planning for Bushfire Protection the Gateway includes a condition requiring that Council consults the Rural Fire Service prior to exhibition of the Plan. Having regard to the timeframe for finalisation of the Plan please contact the Department if you require assistance with this consultation.

I have determined not to condition the Gateway for Council to be the local plan-making authority given the nature of the planning proposal and the need to seek the Governor's approval.

Council is required to submit the planning proposal to the Department for finalisation prior to 30 June 2020. Council should aim to commence the exhibition of the planning proposal as soon as possible. Council's request for the Department of Planning, Industry and Environment to draft and finalise the LEP should be made before the required 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 section 3.32(2)(d) of the Act if the time frames outlined in this determination are not met.

Should you have any enquiries about this matter, I have arranged for Ms Jazmin van Veen to assist you. Ms van Veen can be contacted on 9373 2877.

Yours sincerely



16/04/20

**Catherine Van Laeren**  
**Executive Director**  
**Central River City and Western Parkland City**

Encl: Gateway determination



## Gateway Determination

**Planning proposal (Department Ref: PP\_2019\_COPAR\_018\_00):** to harmonise the Auburn Local Environmental Plan (LEP) 2010, Parramatta LEP 2011, Hornsby LEP 2013, Parramatta (former The Hills) LEP 2012 and Holroyd LEP 2013 into a new LEP, to be known as the City of Parramatta LEP.

I, the Executive Director, Central River City and Western Parkland City at the Department of Planning, Industry 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 create a new City of Parramatta Local Environmental Plan (LEP) should proceed subject to the following conditions:

1. Prior to public exhibition the planning proposal be amended to:
  - (a) clarify the intent to include a savings provision in the new LEP;
  - (b) address consistency with the endorsed LSPS;
  - (c) remove the proposal to exclude the application of Clause 4.6 to dual occupancy and manor house minimum lot size requirement;
  - (d) correct errors and anomalies;
  - (e) consult the NSW Rural Fire Service prior to public exhibition in accordance with section 9.1 Direction 4.4 Planning for Bushfire Protection and address any comments from this agency; and
  - (f) include a note that the draft proposed clauses will be subject to legal drafting and may alter under this process.
  - (g) for the proposed amendments to the residential zones under Direction 3.1 provide a quantitative analysis (where possible) to assess the impacts of the proposal on housing diversity and supply, as follows:
    - i. the number of lots affected by the rezoning or amendment to the development controls;
    - ii. the number of reduced potential dwellings from the rezoning or amendment to the development controls;
    - iii. the number of potential lots that would be eligible for manor houses/multi-dwelling housing under the Low Rise Medium Density Housing Code in the rezoning of the R3 Medium Density Residential zone to R2 Low Density Residential zone, considering the SEPP exclusions (such as sites below the minimum lot size and land subject to heritage provisions); and
    - iv. the number of dwelling approvals for the existing control in the past five years.
2. 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 and Environment, 2018).
3. Council is to notify to all landowners affected by proposed rezonings and significant changes to existing controls including areas of dual occupancy prohibition, reduction of FSRs and R3 land in former Hornsby, detailing the proposed changes.
  4. Consultation is required with the following public authorities/organisations under section 3.34(2)(d) of the Act and/or to comply with the requirements of relevant section 9.1 Directions:
    - Greater Sydney Commission;
    - NSW Rural Fire Service;
    - Environment, Energy and Science (EES);
    - Transport for NSW; and
    - Department of Premier and Cabinet – NSW Heritage.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.
  5. 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).
  6. Prior to finalisation, Council is to submit their adopted Local Housing Strategy to the Department for endorsement to address consistency with Section 9.1 Direction 3.1 Residential Zones.
  7. The time frame for submitting the LEP for finalisation is by 30 June 2020.

Dated 16<sup>th</sup> day of April 2020.



**Catherine Van Laeren**  
**Executive Director, Central River City**  
**and Western Parkland City**  
**Greater Sydney, Infrastructure and**  
**Place**  
**Department of Planning, Industry and**  
**Environment**

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



## Alteration of Gateway Determination

*Planning proposal (Department Ref: PP\_2019\_COPAR\_018\_02)*

I, Director, Central (GPOP) at the Department of Planning, Industry and Environment, as delegate of the Minister for Planning and Public Spaces, have determined under section 3.34(7) of the *Environmental Planning and Assessment Act 1979* to alter the Gateway determination dated 16 April 2020 (since altered) for the proposed amendment to the Parramatta Local Environmental Plan 2011 as follows:

1. Delete condition 7 and replace with a new condition 7:  
“The time frame for submitting the LEP for finalisation is by 30 June 2021.”

Dated 20th day of October 2020.

A handwritten signature in blue ink, appearing to read 'C Gough'.

**Christine Gough**  
**Director, Central (GPOP)**  
**Greater Sydney, Place and**  
**Infrastructure**  
**Department of Planning, Industry and**  
**Environment**

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



Mr Brett Newman  
Chief Executive Officer  
City of Parramatta Council  
PO Box 32  
PARRAMATTA NSW 2124

Dear Mr Newman

**Planning proposal PP\_2019\_COPAR\_018\_02 – Alteration of Gateway Determination**

I refer to Council's request seeking an extension of time to complete planning proposal PP\_2019\_COPAR\_018\_02 which seeks to establish a new Parramatta Local Environmental Plan (LEP) to harmonise the five LEPs applying to the Parramatta Local Government Area.

I have determined as the delegate of the Minister, in accordance with section 3.34(7) of the *Environmental Planning and Assessment Act 1979*, to alter the Gateway determination dated 16 April 2020 for PP\_2019\_COPAR\_018\_00. The Alteration of Gateway determination is enclosed.

If you have any questions in relation to this matter, I have arranged for Mr Simon Turner to assist you. Mr Turner can be contacted on 8837 6376.

Yours sincerely

20/10/2020

**Christine Gough**  
**Director, Central (GPOP)**  
**Central River City and Western Parkland City**

Encl: Alteration of Gateway determination