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Our ref: PP\_2016\_COPAR\_003\_00 (16/13598)  
Your ref: RZ/22/2015

Mr Gregory Dyer  
Interim General Manager  
City of Parramatta  
PO Box 32  
Parramatta NSW 2124

Attention: Diana Khoury



Dear Mr Dyer

### Planning Proposal to amend Parramatta Local Environmental Plan 2011

I am writing in response to Council's request for a Gateway determination under section 56 of the *Environmental Planning and Assessment Act 1979* (the Act) regarding the planning proposal to amend *Parramatta Local Environmental Plan 2011* (LEP) by changing the gross floor area and height of building controls for 189 Macquarie Street, Parramatta.

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

Plan making powers were delegated to Councils in October 2012. It is noted that Council has not requested to be issued with delegation for this planning proposal. I have considered the nature of Council's planning proposal and have decided not to issue an authorisation for Council to exercise delegation to make the plan.

The amending LEP is to be finalised within 18 months of the week following 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 of Planning and Environment to draft and finalise the LEP should be made 6 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 Commission may take action under s54(2)(d) of the Act if the timeframes outlined in this determination are not met.

Should you have any queries in regard to this matter, I have arranged for Ms Lillian Charlesworth, of the Department's regional office to assist you. Ms Charlesworth can be contacted on (02) 9860 1510.

Yours sincerely

*A. W. Albury* 15-11-2016

**Ashley Albury**  
**Acting Executive Director, Regions**  
**Planning Services**

Encl:  
Gateway determination



## Gateway Determination

**Planning proposal (Department Ref: PP\_2016\_COPAR\_003\_00):** to amend the gross floor area and height of building controls for 189 Macquarie Street, Parramatta.

I, the Director Sydney Region West at the Department of Planning and Environment as delegate of the Greater Sydney Commission, have determined under section 56(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the *Parramatta Local Environmental Plan (LEP) 2011* to increase the gross floor area and height of building controls for 189 Macquarie Street, Parramatta should proceed subject to the following conditions:

1. Prior to community consultation Council is to amend the planning proposal to include:
  - a) the cumulative overshadowing diagrams that were provided to the Department on 2 November 2016; and
  - b) an addendum letter that was provided by the proponent to Council regarding compliance with information requirements regarding flooding.
2. Community consultation is required under sections 56(2) and 57 of the Act as follows:
  - a) the planning proposal must be made publicly available for 28 days; and
  - b) the relevant planning 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 the Department's 'A Guide to Preparing Local Environmental Plans'.
3. Consultation is required with the following public authorities under section 56(2)(d) of the Act and/or comply with the requirements of S117 Directions:
  - Office of Environment and Heritage - Heritage Division
  - Department of Education and Communities
  - Transport for NSW - Ferries
  - Transport for NSW - Sydney Trains
  - Roads and Maritime Services
  - Department of Infrastructure and Regional Development
  - Civil Aviation Safety Authority
  - Telstra
  - Sydney Water
  - Endeavour Energy

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material, and given at least 21 days to comment.

4. A public hearing is not required to be held into the matter by any person or body under section 56(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 submitting the proposal to the Department for finalisation the proposal should be reviewed, and amended where necessary, having regard to the mesoscopic modelling (and consultation with Transport for NSW and Roads and Maritime Services) undertaken for the Parramatta CBD planning proposal. The review should include confirmation of the appropriate site specific gross floor area in the context of the cumulative traffic impacts of increased density controls across the CBD.
6. The timeframe for completing the LEP is to be 18 months from the week following the date of the Gateway determination.

Dated 15<sup>th</sup> day of November 2016

*a.w. albury*  
**Ashely Albury**  
**Acting Executive Director, Regions**  
**Planning Services**

**Delegate of the Greater Sydney Commission**