



## Gateway Determination

**Planning proposal (Department Ref: PP\_2016\_PARRA\_015\_00):** to amend the floor space ratio and height of buildings controls for land at 197 and 207 Church Street and 89 Marsden Street, Parramatta.

I, the Acting Secretary, of 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 amend the floor space ratio and height of building controls for land at 197 and 207 Church Street and 89 Marsden Street, Parramatta should proceed subject to the following conditions:

1. Prior to community consultation, Council is to:
  - (a) consult with the Department of Infrastructure and Regional Development, as required by Section 117 Direction 3.5 Development Near Licensed Aerodromes. The proposal is to be amended, prior to exhibition, in accordance with the outcome of that consultation;
  - (b) consider whether supporting studies need to be updated to reflect the nature of the planning proposal as amended by condition 1(c) below.
  - (c) amend the planning proposal to:
    - (i) address the consistency of the proposal with the Draft West Central District Plan;
    - (ii) change the Explanation of Provisions to indicate a provision will require a maximum car parking rate in accordance with the Parramatta CBD Strategic Transport Study;
    - (iii) change the Explanation of Provisions and proposed height of buildings map to indicate that the maximum height of buildings for the site is subject to clause 7.4 Sun Access;
    - (iv) change the Explanation of Provisions to amend clause 7.4 Sun Access, to ensure direct access of natural sunlight, and no additional overshadowing occurs between 12pm – 2pm of the protected area of public domain within Parramatta Square (Note: this is not intended as a site-specific control but will apply to all land affected by clause 7.4);

- (v) amend the proposed maximum FSR to ensure consistency with the FSR controls proposed for the site in the Parramatta CBD Planning Proposal (PP\_2016\_PARRA\_015\_00), and to ensure that the maximum potential FSR, including design excellence bonus, will comply with clause 7.4 Sun Access (as amended by condition 1(c) above) and the *State Environmental Planning Policy 65 Apartment Design Guide*;
  - (vi) include a satisfactory arrangements clause for contributions towards the provision of designated State public infrastructure;
  - (vii) include an assessment of *State Environmental Planning Policy No.55 – Remediation of Land* in relation to the site;
  - (viii) include the Council logo on the cover page;
  - (ix) include the entire street address for the site on the cover page;
  - (x) incorporate the tables identifying consistency with s117 directions and SEPPs into the body of the planning proposal (rather than attached as appendices); and
- (d) the amended planning proposal is to be submitted to the Department of Planning and Environment for endorsement.
2. Community consultation is required under sections 56(2)(c) and 57 of the Act as follows:
- (a) the planning proposal must be made publicly available for a minimum of **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 *A Guide to Preparing Local Environmental Plans* (Department of Planning and Environment 2016).
3. Consultation is required with the following public authorities under section 56(2)(d) of the Act and/or to comply with the requirements of relevant S117 Directions:
- Office of Environment and Heritage – Heritage Division
  - NSW Aboriginal Land Council
  - Department of Education
  - Transport for NSW – Sydney Trains
  - Transport for NSW – Roads and Maritime Services
  - 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 on the proposal.

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. The timeframe for completing the LEP is to be **18 months** from the week following the date of the Gateway determination.

Dated *13<sup>th</sup>* day of *July* 2017



**Marcus Ray**  
**Acting Secretary**

**Delegate of the Greater Sydney Commission**