

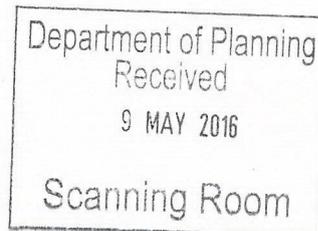
PCU065264



CITY OF PARRAMATTA

Our Reference: RZ/4/2015  
Contact: Sonia Jacenko  
Telephone: 9806 5751

Ms Catherine Van Laeren  
Regional Director of the Sydney Region West Office  
Department of Planning & Environment  
GPO Box 39  
SYDNEY NSW 2001



4 May 2016

Dear Catherine,

**Gateway Determination Request - Planning Proposal for the land at 197-207 Church Street, Parramatta**

Please find attached a Planning Proposal seeking to amend certain provisions relating to the above address in the Parramatta Local Environmental Plan 2011.

This Gateway Determination Request is a result of Council's meeting held on 7 December 2015 where the following was resolved:

- (a) **That** Council endorse the Planning Proposal in Attachment 1 subject to it being modified as follows:
- To incorporate the recent changes proposed by the applicant detailed in the section of this report titled 'Final Planning Proposal' for 197-207 Church Street, Parramatta.
  - Provide an increase in FSR to 15:1 (excluding design excellence) subject to compliance with the sun access provisions of Clause 29E of PCCLEP 2007, including the "45-minute rule" for overshadowing of the solar zone of Parramatta Square and SEPP 65.
  - Inclusion of a clause requiring an international design competition.
  - A height to be determined by the design competition as described in (b).
- (b) **That** the applicant work collaboratively with the CEO to draft a brief for an international design competition to design a building on the site, demonstrating compliance with the sun access provisions (Clause 29E of PCCLEP 2007) including the "45-minute rule" for overshadowing of the solar zone of Parramatta Square and SEPP 65. In particular, any future building on the site must demonstrate a built form that appropriately addresses the building separation controls of the ADG to ensure future development on adjacent sites is not compromised (including 20-22 Macquarie Street, Parramatta).

*If any design competition entry proposes a height greater than 156AHD it will need to be supported by an Aeronautical Study to address the relevant Section 117 Direction.*

*The design competition brief must require entrants to retain the HERITAGE façade of the existing building on the site.*

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*The applicant must include, as one of the entries in the design competition, the "Boomerang" design already submitted to Council in support of its Planning Proposal, modified as required to comply with the design competition brief.*

- (c) ***That***, following drafting of the design competition brief, the CEO forward the Planning Proposal (together with the design competition brief) to the Department of Planning and Environment, seeking a Gateway determination.
- (d) ***That*** Council proceed with negotiations for a Voluntary Planning agreement VPA with the landowner in relation to the Planning Proposal including an amount for Uplift of FSR from 10:1 to 15:1 and that any VPA entered into would be an addition to S94 Development Contributions.
- (e) ***That*** delegated authority is given to the CEO to negotiate the VPA on behalf of Council and that the outcomes of negotiations are reported back to Council prior to its public exhibition.
- (f) ***That*** Council advises the Department of Planning and Environment that the CEO will be exercising the plan making delegations for this Planning Proposal as authorised by Council on 26th November 2012.
- (g) ***Further, that*** council authorise the CEO to correct any minor anomalies of a non-policy and administrative nature that may arise during the plan-amendment process.

Please find attached a CD containing all relevant documentation.

### **Design Excellence Competition**

This Gateway Determination Request includes a copy of the Design Excellence Competition Brief which Council resolved in part (c) of its resolution from 7 December 2015 to be finalised and forwarded to the Department of Planning and Environment as part of the Gateway determination application. I note that the Design Competition Brief is supported by an addendum which relates to the management of flooding and proposes design measures to mitigate the flood risks associated with the redevelopment of the subject site. The content of this addendum satisfies the requirements of Direction 4.3 Flood Prone Land of the s117 Ministerial Directions, and should be read in conjunction with the Planning Proposal.

### **Planning Proposal Appendices**

The original Planning Proposal lodged for the subject site at 197-207 Church Street, Parramatta by the landowner in March 2015 proposed a suite of planning controls which differs from those endorsed by Council on 7 December 2015. The Planning Proposal was subsequently updated by Council Officers to reflect Council's position detailed in the above resolution. However it is noted that the supporting appendices (i.e. Urban Design Report, Statement of Heritage Impact, and Traffic Assessment) do not reflect Council's position as they were prepared in accordance with the applicant's original proposal.

Should a Gateway determination be issued for the attached Planning Proposal, Officers request that prior to exhibition, the landowner update all attached appendices to reflect the planning controls approved within the Gateway

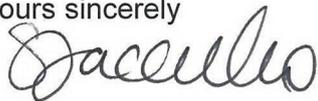
determination. This is to ensure that the Planning Proposal is accompanied by supporting studies which accurately reflect the built form and density being sought for the subject land and that this is provided to the community as part of the public exhibition process.

### **Plan Making Delegations**

As per the resolution from 7 December 2015, Council will be requesting to exercise its plan making delegations in this instance.

If you have any queries in relation to this matter please contact me on 9806 5751 or [sjacenko@parracity.nsw.gov.au](mailto:sjacenko@parracity.nsw.gov.au)

Yours sincerely



Sonia Jacenko

**Project Officer - Land Use Planning**