

Gateway Determination

Planning Proposal (Department Ref: PP_2017_IWEST_013_00): to undertake housekeeping amendments to Marrickville Local Environmental Plan 2011.

I, the Director, Sydney Region East, 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 Marrickville Local Environmental Plan (LEP) 2011 to carry out housekeeping changes and improve the operation of the plan should proceed subject to the following conditions:

1. Prior to community consultation, the planning proposal be updated to:
 - (a) include an explanation of the intended effect, rather than specific amendments to land use tables and Schedule 1 to clarify the permissibility of:
 - i. dwelling houses in industrial zones;
 - ii. conversion of warehouses for office premises, multi dwelling housing, and residential flat buildings; and
 - iii. office and retail premises in buildings constructed for a non-residential purpose.
 - (b) include an explanation of the intended effect, rather than specific amendments to:
 - i. Clause 4.4 Floor space ratio to address the calculation of FSR on sites which have a SP2 Local Road reservation over part of them; and
 - ii. introduce a design excellence clause.
 - (c) address the draft Sydney Greater Region Plan and draft District Central Plan; and
 - (d) update the timeline for the planning proposal.
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 and / organisations under section 56(2)(d) of the Act and/or to comply with the requirements of relevant Section 117 Directions:
 - Office of Environment and Heritage;
 - Rail Corp; and



Planning & Environment

- Roads and Maritime Services.

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. Prior to finalisation, the planning proposal is to be updated to:
 - (a) address the inconsistency with the proposed zoning, height and floor space ratio controls for Bridge Road, Stanmore with the Section 117 Direction 7.3 Parramatta Road Corridor Urban Transformation Strategy; and
 - (b) Should they be proposed to be listed as heritage items, a heritage assessment is to be completed for:
 - i. 7-13 Bedford Street, Newtown should it be proposed to be listed as a heritage item; and
 - ii. the Turpentine – Ironbark Forest understorey, Dulwich Hill. The assessment must include maps showing the exact extent of the site, photos, comment from the Council's open space and trees team regarding the importance of the vegetation, and comment from Rail Corporation if the vegetation is on their land.
5. 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).
6. The timeframe for completing the LEP is to **12 months** following the date of the Gateway determination.

Dated *25th* day of *OCTOBER* 2017.

Karen Armstrong
Director, Sydney Region East
Planning Services
Department of Planning and Environment

Delegate of the Greater Sydney Commission