



Our ref: PP_2017_STRAT_004_00 (17/12771)

Mr Henry Wong
Acting General Manager
Strathfield Council
PO Box 120
STRATHFIELD NSW 2135

Dear Mr Wong

Planning Proposal PP_2017_STRAT_004_00 to amend Strathfield Local Environmental Plan 2012

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) in respect of the planning proposal to amend the Strathfield Local Environmental Plan 2012 to increase the floor space ratio and height controls at 2-6 Pilgrim Avenue, 9 Albert Road and 11-13 Albert Road, Strathfield.

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

I note the letter provided from Council dated 31 August 2017 requesting deferral of the planning proposal and additional studies be undertaken. This deferral of the proposal is not supported given the outcomes of the Pre-Gateway Review. I do not believe it is reasonable to delay a decision on this proposal pending the implementation of the Strathfield Priority Precinct studies, which is still in the early stage of development. However, a Gateway condition is included requiring the planning proposal be updated to address any relevant studies or plans should they be released during the plan making process.

In response to Council's other concerns, a number of Gateway conditions are included requiring preliminary studies be undertaken prior to community consultation regarding flooding, contamination, acid sulphate soils, noise and traffic. Additionally, an air quality report is required to be submitted to demonstrate the impacts of the existing service station should this site not be developed at the same time as the original site.

The request for a range of feasible density options be provided is not supported as the maximum density has already been specified by the Panel. Rather, a Gateway condition will require the preparation of a site specific Development Control Plan (DCP) to provide suitable guidance for the future built form and amenity considerations. I encourage Council to work closely with the proponent to develop

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this DCP. A Gateway condition is also included to require updated solar access and ventilation analysis.

Council may need to obtain the agreement of the Department's Secretary to comply with the requirements of Section 117 Directions 4.1 Acid Sulphate Soils and 4.3 Flood Prone Land. Council should ensure this occurs prior to community consultation.

I note the Council has not stated whether it seeks plan making powers for delegation. In light of this and the proposal being subject to a Pre-Gateway Review, plan making delegation has not been issued to Council in this instance to make this plan.

The amending Local Environmental Plan (LEP) is to be finalised within 12 months of 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 8 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 Minister may take action under Section 54(2)(d) of the Act if the time frames outlined in this determination are not met.

Should you have any further enquiries about this matter, I have arranged for Mr Kris Walsh to assist you. Mr Walsh can be contacted on (02) 9274 6299.

Yours sincerely

 6 November 2017
Stephen Murray
Executive Director, Regions
Planning Services

Encl: Gateway Determination