

Gateway Determination

Planning Proposal (Department Ref: PP_2017_STRAT_004_00): to amend the floor space ratio and height development controls at 2-6 Pilgrim Avenue, 9 Albert Road and 11-13 Albert Road, Strathfield.

I, the Executive Director, Regions 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 Strathfield Local Environmental Plan (LEP) 2012 to amend the floor space ratio and height development controls at 2-6 Pilgrim Avenue, 9 Albert Road and 11-13 Albert Road, Strathfield should proceed subject to the following conditions:

1. Prior to community consultation, the Planning Proposal is to be updated and amended to:
 - (a) provide a project timeline, outlining the anticipated timeframes for the plan making process;
 - (b) reference and address all relevant priorities and actions in the draft Greater Sydney Region Plan;
 - (c) reference and address all relevant priorities and actions outlined in the draft Eastern City District Plan;
 - (d) provide updated overshadowing diagrams to state the correct date of the analysis (being the winter solstice at 21 June) and also show the overshadowing impacts of the existing built form;
 - (e) provide updated analysis of solar access and cross ventilation to the indicative design for the existing service station site at 9 Albert Road;
 - (f) address and justify the inconsistency with Section 117 Direction 4.1 Acid Sulphate Soils as the subject site is identified as being on Class 5 land in the Strathfield LEP 2012;
 - (g) address and justify the inconsistency with Section 117 Direction 4.3 Flood Prone Land. In this regard, a flood study is to be provided to demonstrate the suitability of the site for redevelopment;
 - (h) provide an updated traffic and transport assessment to address the cumulative effect of traffic generation on the intersection at Raw Square and Everton Road;
 - (i) provide a preliminary contamination assessment of the extended site to demonstrate the suitability of the site for development;
 - (j) provide an acoustic report to demonstrate the suitability of the site for redevelopment in light of its proximity to the adjacent railway line and road network. The report should also consider the noise impacts of the operation of the existing service station should this use remain whilst the properties at 2-6 Pilgrim Avenue and 11-13 Albert Road are redeveloped;

- (k) provide an air quality report to demonstrate the impacts of the existing service station should it not be redeveloped; and
 - (l) prepare a site specific DCP reflecting the distribution of height across the entire site. This must ensure that the site which adjoins the residential area should have the lowest, while the part which is closest to the station should have the highest.
2. The planning proposal is to be amended to include any relevant findings of the required studies and the amended proposal is to be forwarded to the Department for review and endorsement prior to community consultation.
3. The planning proposal is to be updated to address the Strathfield Priority Precinct draft plan(s) should this be released either prior to community consultation of the planning proposal or the LEP being finalised.
4. 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**;
 - (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); and
 - (c) consultation must be undertaken with the landowner(s) of the service station at 9 Albert Road, Strathfield.
5. 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:
 - Transport for NSW – Sydney Trains;
 - Transport for NSW - Roads and Maritime Services;
 - NSW Department of Education and Communities;
 - NSW Fire and Rescue;
 - Ambulance NSW;
 - NSW Police Force;
 - NSW State Emergency Service;
 - NSW Ministry of Health;
 - Energy Australia; and
 - Sydney Water.

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.

6. 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

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obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).

7. The timeframe for completing the LEP is to be **12 months** following the date of the Gateway determination.

Dated *6th* day of *November* 2017.


Stephen Murray
Executive Director, Regions
Planning Services
Department of Planning and Environment

Delegate of the Greater Sydney
Commission