

Gateway Determination

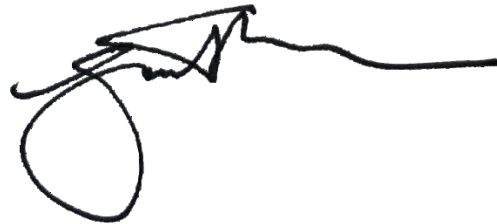
Planning proposal (Department Ref: PP_2019_BLACK_008_00): to remove floor space ratio controls in all zones and remove height controls from land zoned IN1 General Industrial, IN2 Light Industrial and B5 Business Development within the Marsden Park Industrial Precinct.

I, the Acting Director Central (Western) at the Department of Planning, Industry and Environment, as delegate of the Minister for Planning and Public Spaces, have determined under section 3.34(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the State Environmental Planning Policy (Sydney Region Growth Centres) 2006 to remove floor space ratio controls in all zones and height controls from land zoned IN1 General Industrial, IN2 Light Industrial and B5 Business Development within the Marsden Park Industrial Precinct should proceed subject to the following conditions:

1. Prior to community consultation, Council is to amend the planning proposal as follows:
 - a) Under Part 2 – Explanation of provisions, Council is to add an explanation of the need to amend Clause 4.4 of Appendix 5 – Marsden Park Industrial Precinct to the Growth Centres SEPP to allow the removal of the FSR controls in all zones;
 - b) Under Part 3 – Justification (Section B (6)), Council is to update the reference to Ministerial Directions from Section 117 to Section 9.1;
 - c) Under Part 6 – Timeline, Council is to update the table to reflect the commencement date from the date of the Gateway determination and to update the other stages in the timeline.
2. Public exhibition is required under section 3.34(2)(c) and schedule 1 clause 4 of the Act as follows:
 - (a) the planning proposal must be made publicly available for a minimum of **28 days**; and
 - (b) the planning proposal 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 6.5.2 of *A guide to preparing local environmental plans* (Department of Planning and Environment, 2018).
 - (c) Consultation is required with Transport for NSW under section 3.34(2)(d) of the Act.
3. A public hearing is not required to be held into the matter by any person or body under section 3.34(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).

4. Given the nature of the planning proposal, Council should not be authorised to be the local plan-making authority to make this plan.
5. The time frame for completing the LEP is to be **9 months** following the date of the Gateway determination.

Dated 7th day of April 2020.

A handwritten signature in black ink, appearing to be 'Gina Metcalfe', with a large loop at the bottom left and a horizontal line extending to the right.

**Gina Metcalfe
Acting Director Central (Western)
Greater Sydney Place and
Infrastructure
Department of Planning, Industry and
Environment**

**Delegate of the Minister for Planning
and Public Spaces**