



Gateway Determination

Planning proposal (Department Ref: PP_2019_COPAR_018_00): to harmonise the Auburn Local Environmental Plan (LEP) 2010, Parramatta LEP 2011, Hornsby LEP 2013, Parramatta (former The Hills) LEP 2012 and Holroyd LEP 2013 into a new LEP, to be known as the City of Parramatta LEP.

I, the Executive Director, Central River City and Western Parkland City 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 create a new City of Parramatta Local Environmental Plan (LEP) should proceed subject to the following conditions:

1. Prior to public exhibition the planning proposal be amended to:
 - (a) clarify the intent to include a savings provision in the new LEP;
 - (b) address consistency with the endorsed LSPS;
 - (c) remove the proposal to exclude the application of Clause 4.6 to dual occupancy and manor house minimum lot size requirement;
 - (d) correct errors and anomalies;
 - (e) consult the NSW Rural Fire Service prior to public exhibition in accordance with section 9.1 Direction 4.4 Planning for Bushfire Protection and address any comments from this agency; and
 - (f) include a note that the draft proposed clauses will be subject to legal drafting and may alter under this process.
 - (g) for the proposed amendments to the residential zones under Direction 3.1 provide a quantitative analysis (where possible) to assess the impacts of the proposal on housing diversity and supply, as follows:
 - i. the number of lots affected by the rezoning or amendment to the development controls;
 - ii. the number of reduced potential dwellings from the rezoning or amendment to the development controls;
 - iii. the number of potential lots that would be eligible for manor houses/multi-dwelling housing under the Low Rise Medium Density Housing Code in the rezoning of the R3 Medium Density Residential zone to R2 Low Density Residential zone, considering the SEPP exclusions (such as sites below the minimum lot size and land subject to heritage provisions); and
 - iv. the number of dwelling approvals for the existing control in the past five years.
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).
3. Council is to notify to all landowners affected by proposed rezonings and significant changes to existing controls including areas of dual occupancy prohibition, reduction of FSRs and R3 land in former Hornsby, detailing the proposed changes.
 4. Consultation is required with the following public authorities/organisations under section 3.34(2)(d) of the Act and/or to comply with the requirements of relevant section 9.1 Directions:
 - Greater Sydney Commission;
 - NSW Rural Fire Service;
 - Environment, Energy and Science (EES);
 - Transport for NSW; and
 - Department of Premier and Cabinet – NSW Heritage.

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.

5. 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).
6. Prior to finalisation, Council is to submit their adopted Local Housing Strategy to the Department for endorsement to address consistency with Section 9.1 Direction 3.1 Residential Zones.
7. The time frame for submitting the LEP for finalisation is by 30 June 2020.

Dated 16th day of April 2020.



Catherine Van Laeren
Executive Director, Central River City
and Western Parkland City
Greater Sydney, Infrastructure and
Place
Department of Planning, Industry and
Environment

Delegate of the Minister for Planning
and Public Spaces