



Gateway Determination

Planning proposal (Department Ref: PP_2019_COPAR_007_00): to amend the application of Clause 4.6 to Floor Space Ratio Controls on certain land in the Epping Town Centre

I, the Acting 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 both the Parramatta Local Environmental Plan (LEP) 2011 and Hornsby Local Environmental Plan (LEP) 2013 to amend the application of Clause 4.6 to Floor Space Ratio controls on certain land in the Epping Town Centre, should proceed subject to the following conditions:

1. Prior to public exhibition the planning proposal be amended to include:
 - a) under Part 2 Explanation of Provision – an explanation of the proposed clauses to ensure the intended outcome is adequately detailed and note that the proposed clauses are subject to legal drafting
 - b) a sunset clause which will automatically remove the Clause 4.6 exemption for FSR:
 - i. after 3 years to enable the effectiveness of the provision to be further assessed having regard to planned infrastructure improvements and other mitigation measures that have been identified for the Epping Town Centre; or
 - ii. if Clause 4.6 under the Standard Instrument – Principal Local Environmental Plan is amended;
 - c) a savings provision which will prevent the proposed Clause 4.6 exemption applying to development applications lodged, but not determined, prior to a draft LEP being made.
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, Industry and Environment, 2018).

3. Consultation is required with Roads and Maritime Services and Transport for NSW under section 3.34(2)(d) of the Act. Transport for NSW 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. 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).
5. The time frame for completing the LEP is to be **9 months** following the date of the Gateway determination.

Dated 10th day of March 2020.



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

Delegate of the Minister for Planning
and Public Spaces