

## Gateway Determination

**Planning proposal (Department Ref: PP-2020-4030):** to include 'hotel or motel accommodation' as an additional permitted land use at 45 Hollinsworth Road, Marsden Park (Lot 1 DP 1176437) and to rezone a part of the site that is zoned SP2 Infrastructure (Local Road) to B5 Business Development

I, the 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 include 'hotel or motel accommodation' as an additional permitted land use at 45 Hollinsworth Road, Marsden Park (Lot 1 DP 1176437) and to rezone a part of the site that is zoned SP2 Infrastructure (Local Road) to B5 Business Development should proceed subject to the following conditions:

1. Prior to public exhibition Council is to:
  - (a) amend the planning proposal to clarify and remove inconsistent references to frontage and access to Langford Drive (sections 1.2, 3.1.1 and elsewhere);
  - (b) confirm with Transport for NSW that the proposed SP2 Infrastructure (local road) is no longer required and amend the planning proposal to exclude that rezoning if the road acquisition is still required;
  - (c) consult with Infrastructure NSW to confirm that any additional traffic impact associated with the proposal does not impact on evacuation capacity;
  - (d) amend the planning proposal to identify that the planning proposal is capable of complying with section 9.1 Directions 2.6 Remediation of Contaminated Land, 4.3 Flood Prone Land and 4.4 Planning for Bushfire Protection;
  - (e) amend *Attachment 3 – Consistency with relevant Section 9.1 Directions by the Minister* to correctly number the list of 9.1 Directions; and
  - (f) consult with the NSW Rural Fire Service in accordance with section 9.1 Direction 4.4 Planning for Bushfire Protection and address any comments of this agency.
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. 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:
- Transport for NSW
  - Infrastructure NSW
  - NSW RFS
- 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.
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. As the planning proposal seeks to amend the State Environmental Planning Policy (Sydney Region Growth Centres) 2006, Council should not be authorised to be the local plan-making authority to make this plan.
6. The time frame for completing the LEP is to be 6 months following the date of the Gateway determination. To ensure this time frame can be met, public exhibition is to commence in April 2021, and the planning proposal is to be reported to Council in July 2021.

Dated 3<sup>rd</sup> day of February 2021



**Jane Grose**  
**Director Central (Western)**  
**Greater Sydney Place and**  
**Infrastructure**  
**Department of Planning, Industry**  
**and Environment**

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