

Gateway Determination

Planning proposal (Department Ref: PP_2016_IWEST_006_00): to remove 'Shop top housing' from the Land Use Table for B7 Business Park zone in Marrickville Local Environmental Plan 2011.

I, the Director, Sydney Region East, Planning Services 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 Marrickville Local Environmental Plan (LEP) 2011 to remove 'Shop top housing' from the Land Use Table for B7 Business Park zone in *Marrickville Local Environmental Plan 2011* should proceed subject to the following conditions:

1. Prior to community consultation, the planning proposal is to be updated to:
 - (a) remove references to the following State Environmental Planning Policies (SEPPs):
 - SEPP No 1 – Development Standards;
 - SEPP No 19 – Bushland in Urban Areas;
 - SEPP No 21 – Caravan Parks;
 - SEPP No 30 – Intensive Agriculture;
 - SEPP No 33 – Hazardous and Offensive Development;
 - SEPP No 50 – Canal Estate Development;
 - SEPP No 55 – Remediation of Land;
 - SEPP No 62 – Sustainable Aquaculture;
 - SEPP No 64 – Advertising and Signage;
 - SEPP No 65 – Design Quality of Residential Apartment Development;
 - SEPP (Housing for Seniors or People with a Disability) 2004;
 - SEPP (Building Sustainability Index: BASIX) 2004;
 - SEPP (State Significant Precincts) 2005;
 - SEPP (Mining, Petroleum Production and Extractive Industries) 2007;
 - SEPP (Temporary Structures) 2007;
 - SEPP (Infrastructure);
 - SEPP (Exempt and Complying Development Codes) 2008;
 - SEPP (State and Regional Development) 2011; and
 - SEPP (Affordable Rental Housing) 2009
2. Community consultation is required under sections 56(2)(c) and 57 of the Act as follows:
 - (a) the planning proposal is classified as low impact as described in *A Guide to Preparing LEPs (Department of Planning and Infrastructure 2016)* and must be made publicly available for a minimum of 14 days; and
 - (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



- (c) section 5.5.2 of *A Guide to Preparing LEPs (Department of Planning and Infrastructure 2016)*.
3. No consultation is required with public authorities under section 56(2)(d) of the Act.
 4. 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 obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).
 5. The timeframe for completing the LEP is to be 6 months from the week following the date of the Gateway determination.

Dated 3rd day of April 2017

Sandy Chappel
Director, Sydney Region East
Planning Services
Department of Planning and Environment

Delegate of the Greater Sydney Commission