

Gateway Determination

Planning proposal (Department Ref: PP_2018_STRAT_001_00): to amend the zoning, floor space ratio and height development standards at 7-23 and 25-33 Water Street, Strathfield South

I, the Deputy Secretary, Planning Services at the Department of Planning and Environment, as delegate of the Minister, have determined under section 3.34(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the Strathfield Local Environmental Plan (LEP) 2012 to amend the zoning, floor space ratio and height development controls at 7-23 and 25-33 Water Street, Strathfield South should proceed subject to the following conditions:

1. Prior to community consultation, the planning proposal is to be updated to extend the proposal to include all IN1 General Industrial-zoned land within the Water Street Employment Land Precinct (identified in Schedule 1 of this Gateway determination). The planning proposal is to be amended to:
 - (a) address and justify the inconsistency with section 9.1 Direction 1.1 Business and Industrial Zones;
 - (b) address and justify the inconsistency with section 9.1 Direction 4.1 Acid Sulfate Soils;
 - (c) address and justify the inconsistency with section 9.1 Direction 4.3 Flood Prone Land;
 - (d) provide updated reports and information for the entire precinct including:
 - i. a detailed flooding assessment to address compliance with the NSW Government's Flood Prone Land Policy and the principles of the *Floodplain Development Manual 2005*;
 - ii. a contamination assessment to demonstrate consistency with SEPP 55 – Remediation of Land requirements;
 - iii. an updated electromagnetic radiation analysis addressing the impact of power lines near the site;
 - iv. an updated traffic and transport analysis to address the impacts of the expanded proposal;
 - v. noise and emissions studies to demonstrate the impact of the proposal on the ongoing function of industrial land adjoining the site and within the site should the development of the site occur in a staged manner;
 - vi. an updated economic impact analysis to address the impact of the expanded proposal;

- vii. a new urban design report to analyse, develop and recommend appropriate height and FSR development standards across the precinct. The analysis must assess built form outcomes having regard to design criteria principles of SEPP 65 – Design Quality of Residential Apartment Development and the *Apartment Design Guide*. The report must test and justify an appropriate built form outcome that responds to the context of the site, character of the area and allows for an appropriate amenity outcome.
 - viii. a social impact assessment addressing a range of issues including adequate provision of open space and community facilities, accessibility to services, pedestrian and cycling infrastructure and the general cohesion of R4 High Density Residential zoning in the subject location;
 - (e) provide a project timeline outlining the anticipated time frames for the plan-making process;
 - (f) reference and address all relevant priorities and actions in the Greater Sydney Region Plan and Eastern City District Plan, including the provision of affordable housing;
 - (g) provide a site-specific draft DCP to guide the future redevelopment of the expanded site having regard to the new urban design report, SEPP 65 and the *Apartment Design Guide*; and
 - (h) include an intention to require that a development application pertaining to the site for residential development will be lodged within three years of the LEP being made. If no development application is lodged within this time frame, the effect of the amendments to rezone the site will cease.
2. Prior to community consultation, consultation is to occur with Ausgrid regarding the site at 7-9 Dunlop Street and the development of a new substation. This information is to be provided as part of the amended planning proposal and considered and catered for where relevant in any updated expert reports and draft DCP.
 3. The amended proposal is to be forwarded to the Department for review and endorsement prior to community consultation.
 4. 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 5.5.2 of *A guide to preparing local environmental plans* (Department of Planning and Environment 2016).

5. 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;
- Transport for NSW – Sydney Trains;
- Roads and Maritime Services;
- Department of Education;
- Office of Environment and Heritage;
- Fire and Rescue NSW;
- NSW Ambulance;
- NSW Police Force;
- NSW State Emergency Service;
- NSW Health;
- Energy Australia;
- Ausgrid; and
- Sydney Water.

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.

6. 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).
7. The time frame for completing the LEP is to be **24 months** after the date of the Gateway determination.
8. The final LEP maps shall be prepared in accordance with the requirements of the Department's *Standard Technical Requirements for Spatial Datasets and Maps* (Version: 2.0 August 2017).

Dated 19th day of February 2018


Marcus Ray
Deputy Secretary
Planning Services
Department of Planning and
Environment

Delegate of the Minister

Schedule 1

Water Street Employment Land Precinct

