

Gateway Determination

Planning proposal (Department Ref: PP-2021-3808): for Strathfield Local Environmental Plan 2021.

I, the Executive Director, Eastern and South Districts 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 the proposal to create a new Strathfield Local Environmental Plan should proceed, subject to the following conditions:

It is recommended the delegate of the Minister determine that the planning proposal should proceed subject to the following conditions:

1. The planning proposal and supporting documentation are to be revised prior to public exhibition to address the following:
 - a. remove the proposed rezoning of the Water Street Industrial Precinct from IN1 General Industrial to B4 Mixed Use from the planning proposal.
 - b. remove the proposed amendment seeking to remove Places of Public Worship as a permissible use in the R1 General Residential and R3 Medium Density Residential zones.
 - c. remove the proposed boarding house provisions from the planning proposal.
 - d. remove the proposed amendment to allow 'office premises' and 'specialised retail premises' (bulky goods) as a permitted use in the IN2 Light Industrial zone from the planning proposal.
 - e. remove the proposed value sharing provision from the planning proposal.
 - f. provide additional information to justify the proposed inclusion of recreation facility (indoor) as a permitted use in the IN1 General Industrial and IN2 Light Industrial zones, including:
 - i. further information to assess the potential impact on industrial floorspace in the IN1 and IN2 zones;
 - ii. justify the appropriateness of permitting recreation facilities (indoor) in the IN1 General Industrial and IN2 Light Industrial zones and suitability of the industrial areas for recreation facilities (indoor); and
 - iii. consider how potential land use conflicts would be managed, particularly in areas zoned IN1 General Industrial.
 - g. remove reference to the proposed removal of Water Recycling Facilities as permissible land use in the IN2 Light Industrial zone.

- h. provide commentaries to address consistency with section 9.1 Direction – 6.1 Residential Zones as the planning proposal contains provisions that may reduce the permissible residential density of land.
- i. provide commentaries to address consistency with section 9.1 Direction – 4.1 Flooding as the planning proposal seeks to rezone land and increase development potential on flood affected land.
- j. provide commentaries to address consistency with section 9.1 Direction – 5.1 Integrating Land Use and Transport as the proposal seeks to alter provisions in residential, business and industrial zones.
- k. provide commentaries to address consistency with section 9.1 Direction – 1.5 Parramatta Road Corridor Urban Transformation Strategy and Direction - 1.7 Implementation of Greater Parramatta Priority Growth Area Interim Land use and Infrastructure Implementation Plan as the proposal relates to land within the Homebush Precinct.
- l. amend the planning proposal and Appendix C to clarify the proposed rezoning of land at: *(note: the planning proposal proposes two different zones for the same land)*:
 - i. Water Street, Belfield (the same properties are proposed to be rezoned B2 and R3 in the planning proposal)
 - ii. Rochester Street, Homebush (the same properties are proposed to be rezoned B1 and R1 in the planning proposal).
- m. include urban design analysis and massing studies to support the proposed rezoning, and demonstrate the proposed building height and FSR controls are suitable and potential amenity impacts are addressed at:
 - i. Water Street, Belfield (proposed B2 Local Centre zone)
 - ii. Water Street and Dean Street residential rezoning (R2 Low Density to R1 General Residential)
 - iii. Rochester Street, Homebush (proposed B1 Neighbourhood Centre zone)
 - iv. Greenacre Housing Investigation Area (expansion of the B2 Local Centre zone)
- n. in relation to the proposed rezoning of South Strathfield/ Enfield from B7 Business Park to IN2 Light Industrial, please provide mapping showing existing and proposed land use zoning for this land, include further information justifying the proposed amendment and demonstrate there would be no loss of residential land.
- o. remove the section titled ‘Premier’s Priorities 2015-2019’ as the priorities listed were updated in March 2019, and replace with an assessment of the proposal against the current Premier’s Priorities.

- p. amend the planning proposal to remove references to changes proposed in future amendments to the LEP (Amendment 1), to include only changes proposed in this planning proposal, including but not limited to:
 - i. Table 3: Consistency with the Greater Sydney Regional Plan
 - ii. Table 4: Consistency with Eastern District Plan
 - iii. Table 5: Consistency with Strathfield 2040 LSPS
 - iv. Table 6: Consistency with applicable SEPPs
- q. amend Appendix A of the planning proposal to include an advisory note that explains the clauses contained in the document were drafted by Council for the purpose of explaining the amendments for exhibition purposes only. Please note that LEP clauses are subject to drafting by Parliamentary Counsel at finalisation.
- r. include a map or maps in the planning proposal to clearly identify the land remaining R3 Medium Density Residential Zone to illustrate which land relates the proposal to remove residential flat buildings as a permitted land use with consent in this zone.
- s. include a map or maps in the planning proposal to clearly illustrate which sites are proposed to be zoned R1 General Residential Zone from R3 Medium Density Residential and provide clearer justification and impacts of this amendment and the relationship to the future plans for the Housing Investigation Areas (HIAs).
- t. provide justification for why the prescribed and proposed minimum lot width and access handle requirements for battle-axe allotments should be included in the LEP and not a Development Control Plan (DCP).
- u. include overall justification and an assessment of the cumulative impacts all proposed amendments to residential zones, minimum lot dimensions and minimum lots sizes.

This assessment needs to give regard to potential impacts to housing capacity, greater or reduced opportunity for housing diversity and impacts to future housing supply for the Strathfield LGA. This assessment should consider alignment with the approved approach and terms of the Department's approval of council's Local Housing Strategy.
- v. Prepare and include with the planning proposal a traffic impact assessment to assess the potential impact of the proposed increase of maximum building heights and FSR controls in the Arthur Street Industrial precinct, Homebush Business Park, Hume Highway Greenacre, South Strathfield/Enfield, Strathfield Mail precincts. The scope of the assessment should be agreed in consultation with Transport for NSW.

2. Prior to community consultation, the planning proposal is to be revised to in accordance with Condition 1 of this Gateway Determination and forwarded to the Department for review and approval.

It is recommended that all relevant local council strategies identified in the planning proposal be made publicly accessible during the exhibition of the planning proposal to assist in providing additional context for the proposed LEP amendments sought.

3. Prior to finalisation, the planning proposal is to be revised to:
 - a. provide additional information to address the inconsistency with Ministerial Direction 3.2 – Heritage Conservation. The proposed amendments which are not identified or recommended by the *Strathfield Heritage Review* are to be justified and the outcomes of consultation with Heritage NSW to be addressed.
 - b. In relation to the proposed minimum lot size for dual occupancy development (650 m²), the proposed minimum lot size for dual occupancy development in Greenacre (600 m²) and the proposed minimum subdivision lot size (360 m²) – the planning proposal should be updated to:
 - i. explain how the proposed controls have been identified and calculate the number of lots that would be affected by the proposed control;
 - ii. further explain why the LEP should be amended and why amenity measures could not be more appropriately managed through other measures such as the DCP; and
 - iii. quantify what potential gain or loss of housing supply would result as a consequence of these changes.
 - c. in relation to proposed clause 4.1 minimum subdivision lot size requirements for a 15.24 m frontage and 3 m access handle, please provide additional information to:
 - i. explain how the 15.24 m site width has been identified and calculate how many lots in the R2 zone would be excluded from subdivision; and
 - ii. justify the need to include the proposed provision in the LEP rather than DCP.
 - d. For areas proposed to be rezoned from R3 Medium Density Residential to R1 General Residential or R4 High Density Residential, confirm the proposed amendments will not result in any loss of residential potential or reduce housing supply.
 - e. Provide evidence to confirm the proposed removal of residential flat buildings as a permitted use in the R3 Medium Density Zone will not reduce residential capacity or impact housing supply and confirm this is the best means of encouraging medium density housing in the R3 Medium Density Residential zone.

- f. Confirm the planning proposal will not result in a loss of dwelling capacity in the Strathfield LGA.
4. Consultation is required with the following public authorities:
 - Heritage NSW
 - NSW Environment, Energy and Science
 - Transport for NSW
 - Sydney Water
 - Adjoining Councils: Canterbury-Bankstown Council, Burwood Council, Canada Bay Council and Parramatta City Council
5. The planning proposal should be made available for community consultation for a minimum of 28 days.
6. The planning proposal must be exhibited 6 months from the date of the Gateway determination.
7. The timeframe for completing the LEP is to be 12 months from the date of the Gateway determination.
8. Given the nature of the proposal, Council should not be authorised to be the local plan-making authority.



Amanda Harvey 29 April 2022
Executive Director, Metro East and South
Department of Planning and Environment

Delegate of the Minister for Planning and Homes