

## Gateway Determination

**Planning proposal (Department Ref: PP\_2021\_6614):** Clydesdale Estate, Marsden Park

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 amend development controls relating to Clydesdale Estate, Marsden Park should proceed subject to the following conditions:

1. Prior to public exhibition the planning proposal is to be updated to address the following:
  - Revise the amendments to Schedule 5 Environmental Heritage of the SEPP(Sydney Region Growth Centres) to reflect the description in the State Heritage register, revise the SEPP heritage layer to be consistent with the State Heritage curtilage map and update the planning proposal to include the outcomes of further consultation with Heritage NSW regarding these amendments;
  - The draft DCP and planning proposal should be exhibited concurrently, where practical;
  - Update Table 1 – Affected lots of this planning proposal to reflect the most up to date lot and deposited plan descriptions;
  - Update commentary regarding ‘Amendment 2A’ to clarify the Precincts to which the amendments apply;
  - Update Figure 5 of the planning proposal to clearly distinguish which SP2 Infrastructure – Classified Road land is the subject of the rezoning. It should be portrayed similarly to how the planning proposal identifies proposed ‘Amendment 2C’;
  - Consult with Transport for NSW to ascertain whether any additional land along the eastern boundary of Precincts 4 and 5 are to be rezoned as a result of surplus SP2 Infrastructure – Classified Road land. The planning proposal has not made it clear as to why only land in Precinct 2 is to be rezoned where it appears the same situation has occurred on the eastern boundary of Precinct 4;
  - Provide further justification as to why Council no longer needs SP2 Infrastructure – Drainage land;
  - Provide an assessment of the dwelling potential of the SP2 Infrastructure – Drainage land to be rezoned against the draft maximum density bands. The analysis should include a dwellings per hectare figure and the additional dwellings the proposal would generate; and
  - Reflect outcomes of consultation with NSW SES.

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:
  - Sydney Water
  - Endeavour Energy

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. The planning proposal authority is authorised as the local plan-making authority to exercise the functions under section 3.36(2) of the Act subject to the following:
  - (a) the planning proposal authority has satisfied all the conditions of the Gateway determination;
  - (b) the planning proposal is consistent with section 9.1 Directions or the Secretary has agreed that any inconsistencies are justified; and
  - (c) there are no outstanding written objections from public authorities.
6. The time frame for completing the LEP is to be **9 months** following the date of the Gateway determination.

Dated 7<sup>th</sup> day of December 2021.



**Jane Grose**  
**Director, Central (Western)**  
**Central River City & Western Parkland**  
**City**

**Greater Sydney, Place &  
Infrastructure  
Department of Planning, Industry and  
Environment**

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