

Gateway Determination

Planning proposal (Department Ref: PP-2021-7017): to amend the zoning, height of building, lot size and residential density maps under the *State Environmental Planning Policy (Sydney Region Growth Centres) 2006* (Growth Centres SEPP) to rezone land at various addresses on Kontista Street, Batavia Avenue and Capparis Lane, Leppington, which will correct split zoning issues caused by recent subdivisions.

I, the Director, 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 Growth Centres SEPP to make amendments to the zoning, height of building, lot size and residential density maps for land at various addresses on Kontista Street, Batavia Avenue and Capparis Lane, Leppington, which will correct split zoning issues caused by recent subdivisions, should proceed subject to the following conditions:

1. The following minor amendments are to be made to the planning proposal prior to exhibition:
 - amend the proposed Land Zoning Map (LZN_008) to replace the small portion of E4 zoned land with R2 zoned land at the corner of Batavia Ave and Sultana Ave;
 - amend the proposed Height of Buildings Map (HOB_008) to extend the boundary to include the missing lot at the corner of Batavia Ave and Sultana Ave; and
 - amend the proposed Residential Density Map (RDN_008) to centre the position of both subject sites on the map.
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**;
 - (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); and
 - (c) Council is to ensure it particularly consults (but not limited to) with all landowners impacted by the proposed application of the R2 Low Density Residential Zone.

3. Consultation is required with the Environment, Energy and Science (EES) Group of DPIE under section 3.34(2)(d) of the Act. EES 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 is to be exhibited 3 months from the date of the Gateway determination.
6. The planning proposal must be reported to Council for a final recommendation 9 months from the date of the Gateway determination.
7. The time frame for completing the LEP is to be **12 months** following the date of the Gateway determination.

15 December 2021



Adrian Hohenzollern
Director Western
Central River City and Western
Parkland City
Department of Planning, Industry and
Environment

Delegate of the Minister for Planning
and Public Spaces and Minister for
Transport and Roads