

Gateway Determination

Planning proposal (Department Ref: PP-2023-1921): reconfigure the existing R4 High Density Residential and RE1 Public Open Space zones, amend development provisions to permit high density mixed use development, and increase the maximum gross floor area from 2,000m² to 2,600m² for the existing Additional Permitted Uses at 263-281 Pennant Hills Road, Carlingford.

I, the Director at the Department of Planning, Housing and Infrastructure, 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 Parramatta Local Environmental Plan 2023 to reconfigure the existing R4 High Density Residential and RE1 Public Open Space zones, amend development provisions to permit high density mixed use development, increase the maximum gross floor area from 2,000m² to 2,600m² for the existing Additional Permitted Uses at 263-281 Pennant Hills Road, Carlingford should proceed subject to the following conditions:

The Council as planning proposal authority is authorised to exercise the functions of the local plan-making authority 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 applicable directions of the Minister under section 9.1 of the Act or the Secretary has agreed that any inconsistencies are justified; and
- (c) there are no outstanding written objections from public authorities.

The LEP should be completed on or before 7 March 2025.

Gateway Conditions

1. Prior to community consultation, the planning proposal is to be updated to:
 - (a) identify the proposed changes to the Land Reservation Acquisition (LRA) map;
 - (b) update the site address of the proposal;
 - (c) include further justification on the overshadowing impacts to properties south of Pennant Hills Road, particularly to demonstrate compliance with this aspect of the Apartment Design Guide can be achieved; and
 - (d) include discussion on the public amenity and proposed overshadowing of heritage item I032 – Carlingford
2. Public exhibition is required under section 3.34(2)(c) and clause 4 of Schedule 1 to the Act as follows:
 - (a) the planning proposal is categorised as complex as described in the *Local Environmental Plan Making Guideline* (Department of Planning and Environment,

August 2023) and must be made publicly available for a minimum of 20 working 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 *Local Environmental Plan Making Guideline* (Department of Planning and Environment, August 2023).
3. Consultation is required with the following public authorities and government agencies under section 3.34(2)(d) of the Act and/or to comply with the requirements of applicable directions of the Minister under section 9 of the Act:

- Transport for NSW

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material via the NSW Planning Portal and given at least 30 working days to comment on the proposal.

- 4. Prior to finalisation, ensure an appropriate mechanism is identified which facilitates the intended urban design outcomes;
- 5. 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).

Dated 15 February 2024



Jazmin van Veen
Director, Central (GPOP)
Metro Central and North
Department of Planning, Housing and
Infrastructure

Delegate of the Minister for Planning and
Public Spaces