

Gateway Determination

Planning proposal (Department Ref: PP-2024-873): to rezone and amend the development provisions to permit residential, retail/commercial uses and incentivising the provision of affordable housing and local infrastructure for land identified along the Woodville Road Corridor.

I, the A/Director, Local Planning (Metro Central, West and South) 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 Cumberland Local Environmental Plan 2021 to rezone and amend the development provisions to permit residential, retail/commercial uses and incentivise the provision of affordable housing and local infrastructure for land identified along the Woodville Road Corridor should proceed subject to the following

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 11 July 2025.

Gateway Conditions

1. Prior to exhibition, the planning proposal is to be updated as follows:
 - (a) Ensure the planning proposal and all supporting studies are consistent in terms of the proposed:
 - i. Number of applicable sites,
 - ii. Maximum height of buildings controls,
 - iii. Maximum floor space ratio controls,
 - iv. Minimum lot size controls,
 - v. The total number of dwellings, including affordable housing dwellings,
 - vi. Job numbers,
 - vii. Overall gross floor area,
 - viii. Quantum of open spaces (including zoned RE Land, sites that are not zoned RE land and any road closures associated),
 - ix. Mapping which illustrates the planning proposal boundary, and
 - x. Ensure mapping is consistent, legible, identifies the applicable sites under the proposal and reflects the intended outcomes in the urban design report.

- (b) Provide clarification in the planning proposal on the following:
 - i. The intent behind the removal or addition of the 500sqm or 900sqm minimum lot size for sites along the corridor and update the Lot Size Map accordingly,
 - ii. The delivery of local open spaces located in Sites 2 and 23, given that it is not in single ownership,
 - iii. If the proposed local open spaces will be publicly accessible,
 - iv. The size of the existing zoned RE1 land size at Merrylands East Centre as the proposal identifies this area as 2,000sqm whereas the supporting documents state 3,000sqm. Provide details on the proposed mechanism for any planned increase of the land,
 - v. Identify an appropriate mechanism to secure local infrastructure such as local open space, library and community facilities to support the intended growth, and
 - vi. If any amendments are being made to the local contributions plan to align with the supporting contributions advice.
- (c) In relation to urban design outcomes:
 - i. Review the urban design outcomes to ensure that the proposed maximum building heights and floor space ratio controls are aligned with the intended built form and strategic vision for the corridor, and
 - ii. Provide justification on the inclusion of sites 30 and 31 and how this is aligned with the strategic vision for the corridor.
- (d) In relation to the Draft Affordable Housing Contribution Scheme, clarify the following:
 - i. The rationale for restricting the scheme to the Woodville North Precinct,
 - ii. Whether the scheme applies only to planning control uplift (i.e. new residential GFA) or to all development,
 - iii. The scheme's application to developments that partially or wholly comprise affordable and/or social housing GFA,
 - iv. The schemes application to non-residential floor space,
 - v. The schemes application to exempt development,
 - vi. The consideration of staged implementation of the scheme, and
 - vii. Applying an equivalent monetary contribution rate per square metre based on the median strata dwelling price near the corridor at or close to the time of adoption.
- (e) Update the Traffic and Transport assessment to address the following:
 - i. Align the traffic capacity improvements with the urban design vision for Woodville Road, ensuring the road environment supports the proposed public domain framework and road closures to deliver the proposed local open space, and
 - ii. Clarify on the appropriateness of traffic generation rates used for the analysis, recognising that these rates are more suitable for transit-oriented development. The current transport and traffic analysis may underestimate the actual impacts for this development.
- (f) In relation to land reserved for the public purposes:
 - i. Clarify which lands are being reserved for public purposes (i.e road reserves or public open space) and update the Land Reservation Acquisition Map accordingly,

- ii. Ensure an appropriate land use zoning is identified for its intended future use in accordance with the Ministerial Direction 5.2 Reserving Land for Public Purposes, and
 - iii. Identify the relevant acquiring authority for the land.
- (g) Provide an assessment of the consistency of the planning proposal with State Environmental Planning Policy (Precincts—Central River City) 2021.

Council is to submit the updated planning proposal and supporting studies to the Department in accordance with (1) above for endorsement prior to community consultation.

2. Ensure the Strategy, Affordable Housing Contribution Scheme, Development Control Plan and Public Domain Plan for the Woodville Road Corridor are exhibited with the planning proposal.
3. 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 30 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).

Any changes to the contribution plan for the Woodville Road Corridor is to be exhibited at the same time as the planning proposal (as far as practicable).

4. 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
 - Department of Education/ Schools Infrastructure NSW
 - Health Infrastructure NSW
 - Sydney Water
 - Endeavour Energy
 - Jemena Gas
 - State Emergency Service
 - Department of Climate Change, Energy, the Environment and Water
 - City of Parramatta Council
 - City of Canterbury Bankstown Council
 - Fairfield City Council

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.

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).

6. Prior to finalisation the following matters must be addressed and resolved:
- (a) Council is to provide a briefing to the Department to explain how Council has addressed community and agency submissions,
 - (b) Any post-exhibition amendments are to be endorsed by the Department,
 - (c) Ensure there is a mechanism in place for the delivery of local infrastructure, and
 - (d) Ensure there is a mechanism in place which facilitates the intended urban design and public domain outcomes.

Dated 1 November 2024



Rukshan de Silva
A/Director, Local Planning (Central, West and South)
Local Planning and Council Support
Department of Planning, Housing and Infrastructure

Delegate of the Minister for Planning and Public Spaces