

## Gateway Determination

***Planning proposal (Department Ref: PP\_2017\_RANDW\_001\_00): to amend height and floor space ratio controls and introduce new local provisions for Kensington and Kingsford Town Centres.***

I, the Deputy Secretary, Planning Services at the Department of Planning and Environment as delegate of the Greater Sydney Commission, have determined under section 56(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the Randwick Local Environmental Plan (LEP) 2012 to amend height and floor space ratio controls and introduce new local provisions for Kensington and Kingsford Town Centres should proceed subject to the following conditions:

1. Prior to community consultation, the planning proposal is to be amended to:
  - (a) identify additional opportunity sites in order to increase the dwelling capacity by a minimum of 600 dwellings within the planning proposal boundary currently zoned B2 Local Centre Zone in the Kensington and Kingsford Town Centres;
  - (b) specify appropriate heights and floor space ratios (FSRs) for the additional opportunity sites and specify FSR increases for sites where additional height (ie. additional 2 storeys) can be attained under design excellence provisions;
  - (c) remove the proposed draft Community Infrastructure Contributions clause (Attachment C – Clause 6.14 Community Infrastructure height of buildings Kensington and Kingsford Town Centres) and amend to remove references throughout the proposal to a Community Infrastructure clause;
  - (d) remove the proposed clause in the planning proposal for Affordable Housing and instead provide a statement of intent for the inclusion of a clause in a draft LEP for Affordable Housing (Attachment A – draft Affordable Housing Clause).
  - (e) include in the statement of intent for Affordable Housing a reference to:
    - i. determining an appropriate figure (\$/m<sup>2</sup>) for the town centres, equivalent to the value of the properties; and
    - ii. providing more detail, including an example of how the contribution is calculated and further explanation of the “accountable total floor space”.

2. Prior to community consultation, initial consultation on the revised Planning Proposal is to be undertaken with the following public agencies:
  - Sydney Airport Corporation Limited (SACL), Civil Aviation Safety Authority (CASA) and Air Services Australia (AsA) in relation to maximum building heights and to satisfy the requirements of Section 117 Direction 3.5 Development Near Licensed Aerodromes; and
  - Transport for NSW and Roads and Maritime Services in relation to the scope of detailed traffic modelling and potential future road corridor widening to support growth in the corridor.

These public authorities are 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.

3. Prior to community consultation, the revised planning proposal is to be submitted to the Department of Planning and Environment for endorsement.
4. Community consultation is required under sections 56(2)(c) and 57 of the Act as follows:
  - (a) the planning proposal must be made publicly available for a minimum of **28 days**; and
  - (b) the relevant planning 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 5.5.2 of *A Guide to Preparing LEPs* (NSW Department of Planning and Environment 2016).
5. Consultation is required with the following public authorities under section 56(2)(d) of the Act and/or to comply with the requirements of relevant section 117 Directions:
  - Commonwealth Department of Infrastructure and Regional Development
  - Sydney Airport Corporation;
  - Air Services Australia
  - Office of Environment and Heritage;
  - Heritage Office;
  - Transport for NSW;
  - Roads and Maritime Services;
  - Energy Australia;
  - Sydney Water
  - Family and Community Services - Housing NSW
  - Department of Education;
  - NSW Ministry of Health;

- Adjoining LGAs; and
- Ausgrid

Each public authority 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.

6. A public hearing is not required to be held into the matter by any person or body under section 56(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).
7. The timeframe for completing the LEP is to be **12 months** from the week following the date of the Gateway determination.

Dated *12<sup>th</sup>* day of *December* 2017.



**Marcus Ray**  
**Deputy Secretary**  
**Planning Services**  
**Department of Planning and Environment**

**Delegate of the Greater Sydney Commission**

