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Our ref: PP_2012_LANEC_004_00 (12/06901-1)

Mr Peter Brown
General Manager
Lane Cove Municipal Council
PO Box 20
LANE COVE NSW 1595

Dear Mr Brown,

Planning Proposal to include 25 new local heritage items and delete 3 existing local heritage items under Schedule 5 of Lane Cove LEP 2009

I am writing in response to your Council's letter requesting a Gateway Determination under section 56 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") in respect of the planning proposal to amend the Lane Cove Local Environmental Plan 2009 to include 25 new local heritage items and delete 3 existing local heritage items from Schedule 5 Environmental Heritage.

As delegate of the Minister for Planning and Infrastructure, I have now determined that the planning proposal should proceed subject to the conditions in the attached Gateway Determination.

It is noted that the planning proposal is accompanied by maps that identify the subject land. The maps in their current form are considered acceptable for the purposes of public consultation, but Council is to ensure that all mapping is drafted in accordance with the Department's Standard Technical Requirements for LEP Maps prior to the finalisation of the LEP amendment.

Council is to ensure that the Heritage Review that informed the inclusion and removal of the subject heritage items from the Lane Cove LEP 2009 is included with the planning proposal for the purposes of public exhibition in order to ensure the community are clearly informed of the justification behind the proposed changes.

I have also agreed that the planning proposal's inconsistencies with S117 Direction 2.3 Heritage Conservation are of minor significance. No further approval is required in relation to this Direction.

The amending Local Environmental Plan (LEP) is to be finalised within 9 months of the week following the date of the Gateway Determination. Council should aim to commence the exhibition of the Planning Proposal within four (4) weeks from the week following this determination. Council's request for the Department to draft and finalise the LEP should be made six (6) weeks prior to the projected publication date.

The State Government is committed to reducing the time taken to complete LEPs by tailoring the steps in the process to the complexity of the proposal, and by providing clear and publicly available justification for each plan at an early stage. In order to meet these commitments, the Minister may take action under s54(2)(d) of the EP&A Act if the time frames outlined in this determination are not met.

Should you have any queries in regard to this matter, please contact Lise Sperling of the Regional Office of the Department on 02 9228 6111.

Yours sincerely,


Sam Haddad
Director-General

28/4/2012

Gateway Determination

Planning Proposal (Department Ref: PP_2012_LANEC_004_00): to include 25 new local heritage items and delete 3 existing local heritage items under Schedule 5 of Lane Cove LEP 2009

I, the Director General, Department of Planning and Infrastructure as delegate of the Minister for Planning and Infrastructure, have determined under section 56(2) of the EP&A Act that an amendment to the Lane Cove Local Environmental Plan 2009 to include 25 new local heritage items and delete 3 existing local heritage items from Schedule 5 Environmental Heritage should proceed subject to the following conditions:

1. Council is to ensure that all mapping is drafted in accordance with the Department's Standard Technical Requirements for LEP Maps prior to the finalisation of the LEP amendment.
2. Council is to ensure that the Heritage Review that informed the inclusion and removal of the subject heritage items from the Lane Cove LEP 2009 is included with the planning proposal for the purposes of public exhibition in order to ensure the community are clearly informed of the justification behind the proposed changes.
3. Community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") as follows:
 - (a) the planning proposal must be made publicly available for **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 4.5 of *A Guide to Preparing LEPs (Department of Planning 2009)*.
4. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act:
 - Office of Environment and Heritage

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material. Each public authority is to be given at least 21 days to comment on the proposal, or to indicate that they will require additional time to comment on the proposal. Public authorities may request additional information or additional matters to be addressed in the planning proposal.
5. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the EP&A 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. The timeframe for completing the LEP is to be **9 months** from the week following the date of the Gateway determination.



Planning & Infrastructure

Dated

28th

day of

April

2012.

Shaddad

Sam Haddad

Director-General

Delegate of the Minister for Planning and
Infrastructure