

Gateway Determination

Planning proposal (Department Ref: PP_2018_BURWO_002_00): to rezone land at 1-1A Cheltenham Road, Croydon and increase the maximum height and floor space ratio controls.

I, the Executive Director, Regions at the Department of Planning and Environment, as delegate of the Minister, have determined under section 3.34(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the Burwood Local Environmental Plan (LEP) 2012 to rezone land at 1-1A Cheltenham Road, Croydon and increase the maximum height and floor space ratio controls should proceed subject to the following conditions:

1. Prior to community consultation, the planning proposal is to be updated to:
 - (a) update all documentation to reflect the amended planning proposal referenced in the letter to Council dated 22 March 2018;
 - (b) provide an updated project timeline outlining the anticipated time frames for the plan-making process;
 - (c) reference and address all relevant priorities and actions outlined in the Greater Sydney Region Plan and Eastern City District Plan;
 - (d) provide an updated concept design that reflects a fully compliant scheme of 12.5m and 1.5:1 that minimises any overshadowing and amenity impacts to adjoining properties. Any revised concept design must also include updated overshadowing hourly diagrams between 9am and 3pm (21 June) reflecting existing and proposed impacts; and
 - (e) provide a geotechnical report to demonstrate the capability of substantial excavation occurring on-site should this be required as part of any updated concept plan.
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; 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 section 5.5.2 of *A guide to preparing local environmental plans* (Department of Planning and Environment 2016).
3. Consultation is required with Roads and Maritime Services under section 3.34(2)(d) of the Act. Roads and Maritime Services 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 time frame for completing the LEP is to be **12 months** following the date of the Gateway determination.

Dated *10th* day of *January* 2019.


Stephen Murray
Executive Director, Regions
Planning Services
Department of Planning and Environment

Delegate of the Minister