

Gateway Determination

Planning Proposal (Department Ref: PP_2017_BLUEM_002_00): to rezone land from E2 Environmental Conservation to E4 Environmental Living at 54 Luchetti Avenue, Hazelbrook, and other allotments, together with associated map amendments.

I, the Director, Sydney Region West, 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 Blue Mountains Local Environmental Plan (LEP) 2015 to rezone land from E2 Environmental Conservation to E4 Environmental Living at 54 Luchetti Avenue, Hazelbrook and other allotments, together with associated map amendments, should proceed subject to the following conditions:

1. Prior to community consultation, Council is to amend the planning proposal by:
 - incorporating the 'Addendum to Planning Proposal to 54 Luchetti Avenue, Hazelbrook' with the planning proposal (prepared by Stimson & Baker Planning) so that the document is provided for exhibition purposes as one integrated document with Council's logo appended;
 - locating sections: 1 (Executive Summary); 2 (Introduction); and, 3 (The Subject Land) of the Stimson & Baker document within an appendix of the revised planning proposal;
 - amending maps within the amalgamated planning proposal so these are enlarged to make these more legible and a north point is to be added to each;
 - amending the appropriate sections, as follows:
 - clarify that the planning proposal does not require consideration under State Environmental Planning Policy No. 44 – Koala habitat Protection (refer to p.21 of the Stimson & Baker document); and,
 - indicate that Council is satisfied that the provisions of State Environmental Planning Policy No. 55 – Remediation of Land (refer to pp.21/22 of the Stimson & Baker document) do not apply.
2. 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 **14 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 local environmental plans* (Department of Planning and Environment 2016).

3. Consultation is required with the Office of Environment and Heritage under section 56(2)(d) of the Act.
4. Prior to community consultation, Council is to consult with the Commissioner of the NSW Rural Fire Service to satisfy the requirement of S.117 direction 4.4 Planning for Bushfire Protection.
5. 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).
7. The timeframe for completing the LEP is to be **6 months** following the date of the Gateway determination.

Dated 25th day of October 2017.



Catherine Van Laeren
Director, Sydney Region West
Planning Services
Department of Planning and Environment

Delegate of the Greater Sydney Commission