

## Gateway Determination

***Planning Proposal (Department Ref: PP\_2017\_LANEC\_002\_00): to facilitate the provision of open space within the Mowbray Road Precinct.***

I, the Acting Executive Director, Regions 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 Lane Cove Local Environmental Plan (LEP) 2009 to rezone and reclassify land should proceed subject to the following conditions:

1. Prior to community consultation:
  - (a) the planning proposal is to be updated to demonstrate acceptability of the proposed building height at 1 Girraween Avenue having regard to provisions set out in State Environmental Planning Policy 65 – Design Quality of Residential Apartment Development and the potential impact on the amenity of neighbouring properties.
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 28 days;
  - (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); and
  - (c) a copy of practice note PN 16-001 *Classification and reclassification of public land through a local environmental plan* is to be included in the public exhibition material.
3. Consultation is required with the following public authorities under section 56(2)(d) of the Act:
  - NSW Rural Fire Service; and
  - NSW Land and Housing Corporation.

Each public authority/organisation 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.



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4. 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).
5. The time frame for completing the LEP is to be 12 months following the date of the Gateway determination.

Dated 9th day of January 2018.

**Oliver Holm**  
**Acting Executive Director, Regions**  
**Planning Services**  
**Department of Planning and Environment**

**Delegate of the Greater Sydney Commission**