



Planning & Environment

Contact: Belinda Morrow
Phone: (02) 8575 4124
Email: belinda.morrow@planning.nsw.gov.au
Postal: GPO Box 39 Sydney NSW 2001

Our ref: PP_2015_LANEC_001_00
Your ref: 78025/14

Mr Craig Wrightson
General Manager
Lane Cove Council
PO Box 20
LANE COVE NSW 1595

Dear Mr Wrightson,

Planning proposal to amend Lane Cove Local Environmental Plan 2009

I am writing in response to your Council's letter dated 14 April 2015 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 adjust the zoning, floor space ratio, height and land classification boundaries for 302-314 Burns Bay Road, Lane Cove.

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

Council is reminded of its obligations for undertaking a public hearing in relation to the proposed reclassification of land in accordance with the department's practice note *PN09-003, Classification and reclassification of public land through a local environmental plan*.

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 as soon as possible. Council's request for the Department of Planning and Environment to draft and finalise the LEP should be made 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 section 54(2)(d) of the EP&A Act if the time frames outlined in this determination are not met.

If you have any queries in regard to this matter, please contact Ms Belinda Morrow of the Department's regional office on (02) 8575 4124.

Yours sincerely,


Lee Mulvey
Director, Metropolitan Delivery (CBD)
Planning Services
2/5/15

Encl:
Gateway Determination

Gateway Determination

Planning proposal (Department Ref: PP_2015_LANEC_001_00): to adjust the zoning, floor space ratio, height and land classification boundaries for 302-314 Burns Bay Road, Lane Cove.

I, the Director, Metropolitan Delivery (CBD) at the Department of Planning and Environment as delegate of the Minister for Planning, have determined under section 56(2) of the *Environmental Planning and Assessment Act 1979* (EP&A Act) that an amendment to the Lane Cove Local Environmental Plan (LEP) 2009 to adjust the zoning, floor space ratio, height and land classification boundaries for 302-314 Burns Bay Road, Lane Cove, and rezone a small rectangular parcel of land within 300A, B and C Burns Bay Road from R4 High Density Residential to RE1 Public Recreation, should proceed subject to the following conditions:

1. Prior to public exhibition, Council is to revise the planning proposal to ensure that all matters identified in *A Guide to Preparing Planning Proposals* are adequately addressed, in particular the proposal's consistency with relevant S.117 Directions and State Environmental Planning Policies.
2. Community consultation is required under sections 56(2)(c) and 57 of the EP&A 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* (Department of Planning and Environment 2013).
3. 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).
4. The timeframe for completing the LEP is to be **9 months** from the week following the date of the Gateway determination.

Dated 20th day of May 2015.



Lee Mulvey
Director, Metropolitan Delivery (CBD)
Planning Services
Department of Planning and Environment

Delegate of the Minister for Planning