

Gateway Determination

Planning Proposal (Department Ref: PP_IWEST_015_00): to amend the Ashfield LEP 2013 to rezone part of 120C Old Canterbury Road Summer Hill and to increase the height of buildings and floor space ratio development standards over the whole site.

I, the Director, 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 Ashfield Local Environmental Plan (LEP) 2013 to facilitate a mixed-use development should proceed subject to the following conditions:

1. Prior to community consultation, the planning proposal is to be updated to:
 - (a) demonstrate consistency with the Draft Greater Sydney Region Plan 2017.
 - (b) demonstrate that the planning proposal is justifiably inconsistent with Section 117 Direction 4.3 - Flood Prone Land ensuring that the plans have regard to the Flood Certificate by WMA Water and a detailed flood study is exhibited with the planning proposal.
 - (c) demonstrate compliance with SEPP 55 – Remediation of Land by ensuring that:
 - i. a Phase 1 Site Assessment is prepared in accordance with the requirements of SEPP 55 – Remediation of Land.
 - (d) include a revised project timeline for the proposal to be completed within 12 months.
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**; 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 following public authorities and / organisations under section 56(2)(d) of the Act and/or to comply with the requirements of relevant Section 117 Directions:
 - Transport for New South Wales;
 - Sydney Water;
 - NSW Roads and Maritime Services;
 - Office of Environment and Heritage; and,



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- TransDev.

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.

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 timeframe for completing the LEP is to be **12 months** following the date of the Gateway determination.

Dated *25th* day of *OCTOBER* 2017.

Karen Armstrong
Director, Sydney Region East
Planning Services
Department of Planning and Environment

Delegate of the Greater Sydney Commission