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Our ref: PP_2013_LANEC_003_00 (13/09193)
Your ref: 19226/13

Mr Craig Wrightson
General Manager
Lane Cove Municipal 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 23 May 2013 requesting a Gateway determination under section 56 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") in respect of the planning proposal (Amendment No.17) to reclassify part of the land at 266 Longueville Road, Lane Cove from 'community' to 'operational' land, rezone the land from RE1 Public Recreation to R4 High Density Residential and apply a floor space ratio of 1.1:1 and maximum building height of RL 65.5 on the subject land.

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

It is noted that on 15 April 2013 Council resolved to undertake a traffic assessment to address matters regarding the impacts of traffic from the proposal on the site and developments in the precinct. Council is to place this additional information on public exhibition with the planning proposal.

In relation to S117 Direction 6.2 Reserving Land for Public Purposes, I have agreed to the reduction of land for public purposes on the basis of public open space requirements and the presence of existing public open space in the area. No further approval is required in relation to this Direction.

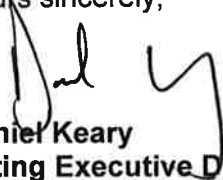
Council is reminded of its obligations for undertaking a public hearing in relation to the proposed reclassification of land in accordance with the department's practice note *PN09-003, Classification and reclassification of public land through a local environmental plan*.

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 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.

Should you have any queries in regard to this matter, please contact Andrew Watkins of the regional office of the department on 02 9228 6111.

Yours sincerely,

 26/4/13
Daniel Keary
Acting Executive Director
Metropolitan Planning
Planning Operations and Regional Delivery

Gateway Determination

Planning proposal (Department Ref: PP_2013_LANEC_003_00): to reclassify and rezone land at Lane Cove for residential purposes and amend the development standards on the land.

I, the Acting Executive Director, Metropolitan Planning at the Department of Planning and Infrastructure as delegate of the Minister for Planning and Infrastructure, have determined under section 56(2) of the EP&A Act that an amendment to the Lane Cove Local Environmental Plan (LEP) 2009 to reclassify part of the land at 266 Longueville Road, Lane Cove from 'community' to 'operational' land, rezone the land from RE1 Public Recreation to R4 High Density Residential and apply a floor space ratio of 1.1:1 and maximum building height of RL 65.5 on the subject land should proceed subject to the following conditions:

1. The planning proposal is to be updated to address the Director-General's requirements relating to the reclassification of public land consistent with section 5.5.4 of *A Guide to Preparing LEPs*.
 2. Council is to demonstrate that the planning proposal satisfies the requirements of State Environmental Planning Policy (SEPP) 55 – Remediation of Land. It is noted that an initial site contamination investigation report to demonstrate that the site is suitable for rezoning to the proposed zone has been prepared. This report is to be included as part of the public exhibition material.
 3. Community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979 ("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 & Infrastructure 2013).
 4. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act and/or to comply with the requirements of relevant S117 Directions:
 - Sydney Water
 - Fire and Rescue NSW
 - Office of Environment and Heritage
 - Department of Health and Ageing
 - Transport for NSW - Roads and Maritime Services
 - Hawkesbury - Nepean Catchment Management Authority
 - NSW Rural Fire Service (S117 Direction 4.4 Planning for Bushfire protection)
 - Adjoining LGAs
- 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.
5. A public hearing is not required to be held into the matter under section 56(2)(e) of the EP&A Act. However, a public hearing is required to be held into the matter in accordance with the department's practice note PN09-003, as the planning proposal involves a reclassification of land from community to operational.



5. The timeframe for completing the LEP is to be **9 months** from the week following the date of the Gateway determination.

Dated

26th day of

JUNE 2013.

**Daniel Keary
Acting Executive Director
Metropolitan Planning
Planning Operations and Regional Delivery
Department of Planning and Infrastructure**

**Delegate of the Minister for Planning and
Infrastructure**