**Gateway Determination**

***Planning Proposal (Department Ref: PP\_2017\_IWEST\_017\_00)****: to amend the Leichhardt LEP 2013 to increase the maximum floor space ratio and provide a height control of RL 57.5 or 5 storeys to facilitate seniors housing development at 17 Marion Street, Leichhardt.*

I, the Interim Director, Sydney Region East, 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 Leichhardt Local Environmental Plan (LEP) 2013 to introduce height and floor space controls to facilitate a seniors housing development at 17 Marion Street, Leichhardt should proceed subject to the following conditions:

1. Prior to community consultation, the planning proposal is to be updated to:
2. remove the draft local clause and include an explanation of the intended effect of the planning proposal; and
3. demonstrate consistency with the Draft Greater Sydney Region Plan 2017 and the Draft Revised Eastern District Plan.
4. Community consultation is required under sections 56(2)(c) and 57 of the Act as follows:
5. the planning proposal must be made publicly available for a minimum of **28 days**; and
6. 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).
7. 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).
8. The timeframe for completing the LEP is to be **9 months** following the date of the Gateway determination.

Dated 11th day of December 2017.

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|  | **Catherine Van Laeren**  **Interim Director, Sydney Region East**  **Planning Services**  **Department of Planning and Environment**  **Delegate of the Greater Sydney Commission** |