

## Gateway Determination

***Planning proposal (Department Ref: PP\_2017\_IWEST\_005\_00): to remove the local heritage item 1620 'house' at 39 Smith Street, Summer Hill from Schedule 5 of Ashfield Local Environmental Plan 2013 and amend the heritage map.***

I, the Acting Director, Sydney Region East, Planning Services, 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 2013* to remove the local heritage item 1620 'house' at 39 Smith Street, Summer Hill from Schedule 5 should proceed subject to the following conditions:

1. 1. Prior to community consultation, the planning proposal is to be updated to:
  - (a) include a plain English explanation of the intent of the planning proposal;
  - (b) amend the planning proposal to include a discussion regarding how the proposal is consistent with the draft Central District Plan; and
  - (c) include Heritage Maps which clearly show both the existing and proposed controls for the site

Note: Maps should be prepared to the standards identified in 'Standard Technical Requirements for LEP Maps' (Department of Planning and Environment 2015).

2. Community consultation is required under sections 56(2)(c) and 57 of the Act as follows:
  - (a) the planning proposal is considered to be routine and 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 Office of Environment and Heritage under section 56(2)(d) of the Act. The Office of Environment and Heritage 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 Local Environmental Plan is to be 9 months from the week following the date of the Gateway determination.

Dated 10<sup>TH</sup> day of MARCH 2017.

**Martin Cooper**  
**Acting Director, Sydney Region East**  
**Planning Services**  
**Department of Planning and Environment**  
  
**Delegate of the Greater Sydney Commission**