

## Gateway Determination

**Planning proposal (Department Ref: PP\_2015\_MOSMA\_005\_00):** to amend Mosman Local Environmental Plan 2012 (Mosman LEP 2012) to revise the listing of Archaeological Sites in Schedule 5.

I, the Director, Metropolitan (CBD) at the Department 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 Mosman LEP 2012 to revise the listing of Archaeological Sites in Schedule 5, should proceed subject to the following conditions:

1. Community consultation is required under sections 56(2)(c) and 57 of the EP&A Act as follows:
  - (a) the planning proposal is classified as low impact as described in *A Guide to Preparing LEPs (Department of Planning & Infrastructure 2013)* and must be made publicly available for a minimum of **14 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 (former Department of Planning & Infrastructure 2013)*.
2. Consultation is required under section 56(2)(d) of the EP&A Act with the Office of Environment and Heritage, Transport for NSW, Zoological Parks Board and the Royal Australian Navy – HMAS penguin.

Public authorities are 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. The planning proposal should respond to this consultation.
3. Council is required to publicly exhibit the assessments of Archaeological Sites undertaken by Austral Archaeology with the planning proposal;
4. Prior to public exhibition, Council is to update the planning proposal to include maps showing the existing and proposed situation in relation to Archaeological Sites, prepared in accordance with the standard technical requirements for LEP Maps, Version 2.0.
5. 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).



6. The timeframe for completing the LEP is to be **6 months** from the week following the date of the Gateway determination.

Dated *15th* day of *October* 2015.

  
**Director  
Metropolitan (CBD)  
Planning Services  
Department Planning and Environment  
Delegate of the Minister for Planning**