



Ms Lara Kirchner
General Manager
City of Botany Bay Council
PO Box 331
MASCOT NSW 1460

15/15352

Dear Ms Kirchner

I am writing in response to your Council's letter requesting a Gateway determination under section 56 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) in respect of the planning proposal to reclassify land at Lot 126A DP 21810, Henry Kendall Crescent, Mascot.

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

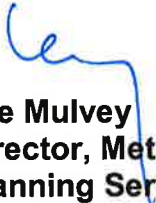
I have also agreed to the proposal's inconsistency with S117 Direction 6.2 Reserving Land for Public Purposes as a matter of minor significance. No further approval is required in relation to this Direction.

The amending Local Environmental Plan (LEP) is to be finalised within 12 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 of Planning and Environment to draft and finalise the LEP should be made at least 8 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, I have arranged for Mr Michael Kokot of the Department's Metropolitan (CBD) team to assist you. Mr Kokot can be contacted on (02) 9228 6564.

Yours sincerely,


Lee Mulvey 27/10/15
Director, Metropolitan (CBD)
Planning Services

Encl:
Gateway Determination



Gateway Determination

Planning proposal (Agency Ref: PP_2015_BOTAN_006_00): to reclassify land at Lot 126A, DP 21810, Henry Kendall Crescent, Mascot.

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 the Botany Bay Local Environmental Plan (LEP) 2013 to reclassify land at Lot 126A, DP 21810, Henry Kendall Crescent, Mascot, from community to operational land, should proceed subject to the following conditions:

1. Community consultation is required under sections 56(2)(c) and 57 of the *Environmental Planning and Assessment Act 1979* 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 (Planning & Infrastructure 2013)*.
2. A public hearing is required to be held on the reclassification of the subject land, in accordance with section 29 of the *Local Government Act 1993* and section 57 of the *Environmental Planning and Assessment Act 1979*, after completion of the public exhibition period.
3. The timeframe for completing the LEP is to be **12 months** from the week following the date of the Gateway determination.

Dated 27 day of October 2015.


Lee Mulvey
Director, Metropolitan (CBD)
Planning Services

Delegate of the Minister for Planning