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Our ref: PP_2014_KOGAR_001_00 (14/13823)

Mr Paul Woods
General Manager
Kogarah City Council
Locked Bag 8
Kogarah NSW 2217

Dear Mr Woods

Planning proposal to amend Kogarah Local Environmental Plan 2012

I am writing in response to your Council's request of 12 August 2014 for a Gateway determination under section 56 of the *Environmental Planning and Assessment Act 1979* (the Act) for a planning proposal for various precincts at Kogarah (PP_2014_KOGAR_001_00).

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

I consider that the planning proposal's inconsistencies with S117 Directions 4.1 Acid Sulfate Soils and 4.3 Flood Prone Land are of minor significance. No further approval is therefore required in relation to those Directions.

The amending Local Environmental Plan (LEP) must be finalised within 18 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 Act if the time frames outlined in this determination are not met.

Should you have any queries in regard to this matter, please contact Ms Deewa Baral, of the Department's Metropolitan (CBD) team, on (02) 8575 4127.

Yours sincerely

Marcus Ray
Acting Deputy Secretary,
Planning Services

15/12/14
Encl: Gateway Determination

Gateway Determination

Planning proposal (Department Ref: SI_2014_KOGAR_001_00): to rezone certain land, introduce new zonings, floor space ratios and building heights at Kogarah with associated map changes and various amendments to Schedules 1, 2, 4 and 5.

I, the Acting Deputy Secretary, Planning Services, at the Department of Planning and Environment as delegate of the Minister for Planning, have determined under section 56(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the Kogarah Local Environmental Plan 2012 to rezone certain land, introduce new zonings, floor space ratios and building heights with associated map changes and various amendments to Schedules 1, 2, 4 and 5 should proceed subject to the following conditions:

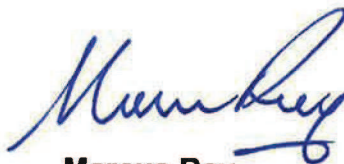
1. Community consultation is required under sections 56(2)(c) and 57 of the *Environmental Planning and Assessment Act 1979* (the Act) as follows:
 - (a) the planning proposal must be made publicly available for a minimum of **28 days**; and
 - (b) the relevant planning authority must comply with the 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 (Planning & Infrastructure 2013)*.
2. Consultation is required with the following public authorities under section 56(2)(d) of the Act and/or to comply with the requirements of relevant S117 Directions:
 - Transport for NSW
 - Roads and Maritime Services
 - NSW Health
 - Department of Education and Communities
 - Office of Environment and Heritage
 - Adjoining local government areas, particularly Hurstville City Council regarding proposed uplift in the Hurstville City Centre
 - Sydney Water
 - Ausgrid

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, or to indicate that they will require additional time to comment on the proposal. Public authorities may request additional information or additional matters to be addressed in the planning proposal. The planning proposal is to be amended to include the outcome of this consultation.

3. A public hearing is required to be held on the reclassification of the public land in accordance with section 29 of the *Local Government Act 1993* and section 57 of the *Environmental Planning and Assessment Act 1979*.

4. The timeframe for completing the LEP is to be **18 months** from the week following the date of the Gateway determination.

Dated 15th day of December 2014.

A handwritten signature in blue ink, appearing to read 'Marcus Ray', is positioned above the printed name and title.

Marcus Ray
Acting Deputy Secretary
Planning Services

Delegate of the Minister for Planning